

BOARD OF TRUSTEES
PACIFICA SCHOOL DISTRICT
COUNTY OF SAN MATEO, STATE OF CALIFORNIA

RESOLUTION NO. 2016-12-07-B
DELEGATION OF AUTHORITY from the
BOARD of TRUSTEES to the SUPERINTENDENT
for the 2017 CALENDAR YEAR

WHEREAS, Education Code section 35161 provides that the District's Board of Education may delegate to an officer or employee any power or duty granted to the Board by law, provided the Board retains the ultimate responsibility for the performance of delegated duties; and

WHEREAS, the Education Code allows other specific delegations of authority related to contracting, purchasing and drawing orders for warrants (Education Code sections 17604, 17605, 42631, 42632 and 42633); and

WHEREAS, the Board of Education wishes to provide for the efficient management of the District in the public interest; and

NOW THEREFORE, BE IT RESOLVED that:

1. Authority Consistent with Law and District Rules

The authority delegated herein shall be exercised in a manner consistent with the District's Board policies and administrative regulations, adopted budget, existing personnel rules, collective bargaining agreements, and state and federal laws.

2. Acceptance of Resignation/Retirement and Hiring

The Board of Education hereby delegates to the Superintendent and the Superintendent's designee(s), the authority to accept the resignation and/or retirement of any employee in the District and to hire certificated and classified employees other than management/supervisory employees. These actions shall be presented to the Board as information items after the action(s) is taken.

3. Approval of Warrants

The Board of Education hereby delegates to the Superintendent and his/her designee(s) the authority to approve commercial warrants subject to ratification by the Board.

4. Approval of District Orders

The Board of Education hereby delegates to the Superintendent and his/her designee(s) the authority to sign District orders drawn on District funds on the Board's behalf. The signatures of all persons authorized to sign District orders on the Board's behalf shall be filed with the County Superintendent of Schools as required by Education Code section 42633.

5. Non-Public School Placement of Special Education Students

The Board of Education hereby delegates to the Superintendent and the Superintendent's designee(s) the authority to approve non-public school placements of special education students, except for new placements subject to Education Code section 56342 whose parents desire to appear before the Board of Education concerning the non-public school placement of their child.

6. Sale of Surplus Personal Property at Public Auction

The Board of Education hereby delegates to the Superintendent and his/her designees the authority to sell at public auction surplus property in accordance with the procedures set forth in Education Code section 17545. Said employees are also delegated authority to (a) reject bids; and (b) transfer personal property to the highest responsible bidder upon completion of the auction and after payment has been received by the District.

7. Bids/Changes Orders/Goods and Services/Accept Work

The Board of Education hereby delegates to the Superintendent and his/her designee(s) the authority to (a) advertise for bids; (b) purchase goods and services, including labor and materials; (c) approve change orders in accordance with Public Contracts Code Section 20118.4; and (d) finally accept work on behalf of the District consistent with the limitations set forth in this Resolution. All contracts for consulting services except in emergency situations or for services in a special education Individual Education Plan must be reviewed and approved by the Board of Education prior to the District entering into the agreement.

8. Acceptance of Gifts

The Board of Education hereby delegates to the Superintendent the authority to accept gifts to the Pacifica School District and to acknowledge receipt and value of any gift accepted. The Superintendent may refuse to accept a gift when to do so is in the best interest of the District. Gifts or bequests or money not required for the immediate necessities of the District shall be brought to the attention of the Board, which may direct the investment of such funds in accordance with Education Code section 41030 et seq.

9. Emergency Action

The Board of Education hereby delegates to the Superintendent the authority to take such emergency action as may be required to protect the health, safety and property of students and staff, as well as the interests of the District. Emergency actions shall be subsequently reported to the Board.

10. Policy Implementation/Administrative Regulations

The Board of Education hereby delegates to the Superintendent the authority to carry out the policies of the Board and to issue appropriate administrative regulations implementing such policies. Administrative regulations do not need to be approved by the Board; however, new or modified administrative regulations shall be presented to the Board and the Board reserves the right to modify or rescind any such regulations.

11. Revocation of Prior Delegations

All prior delegations of authority approved by the Board are hereby revoked with the exception of any delegations of authority set forth in any Board Policy or Administrative Regulation currently existing in the District and previously approved by the Board.

PASSED AND ADOPTED by the following vote this 7TH day of December, 2016.

AYES, and in favor of, Board Members:

NOES, Board Members:

ABSTENTIONS, Board Members:

ABSENT, Board Members:

By: _____
Secretary to the Board of Trustees