**Resolution of the Governing Board**

**Delegation of Governing Board Powers/Duties**

**Instructions: This resolution is provided as a sample for board delegation of authority. At a minimum, the Board must delegate authority to the individual(s) approving cash and budget transfers in Escape, and approving any transactions in Escape which result in a disbursement from the district’s funds. The District should review the completed Resolution with its legal counsel in order to ensure that it complies with the District's organizational structure and specific District policies governing delegation of authority.**

**Whereas,** Education Code Section 35161 provides that “The governing board of any school district may execute any powers delegated by law to it or to the district of which it is the governing board, and shall discharge any duty imposed by law upon it or upon the district of which it is the governing board…;” and

**Whereas,** Education Code Section 35161 further provides that the governing board “…may delegate to an officer or employee of the district any of those powers or duties. The governing board, however, retains ultimate responsibility over the performance of those powers or duties so delegated;” and

**Whereas,** the governing board of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

recognizes that, while the authority provided in Education Code Section 35161 authorizes the board to delegate any of its powers and duties, the governing board retains the ultimate responsibility over the performance of those powers and duties; and

**Whereas,** the governing board further recognizes that where other Education Code provisions authorize a delegation of authority for a specific purpose, but impose restrictions on such delegated authority, these restrictions must be observed;

**Now, Therefore, Be It Resolved** that, in accordance with the authority provided in Education Code Section 35161, the governing board of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

hereby delegates to the following officers or employees of the district:

* The authority to make cash and budget transfers between and within district funds as necessary for the payment of obligations of the district effective from the date this resolution is passed through the year-end accrual phase without submitting the transfers as part of a specific board resolution to the following individuals:

|  |  |  |
| --- | --- | --- |
| <*Type Name*> |  | <*Type Name*> |
| District Superintendent |  | Chief Business Officer |
|  |  |  |
| <*Type Name*> |  |  |
| *Insert Title or delete line* |  |  |

* The authority to approve Payroll Warrants, (i.e., Pay01 report, and manual warrant requests) to the following individuals:

|  |  |  |
| --- | --- | --- |
| <*Type Name*> |  | <*Type Name*> |
| District Superintendent |  | Chief Business Officer |
|  |  |  |
| <*Type Name*> |  |  |
| *Insert Title or delete line* |  |  |

* The authority to approve Commercial Warrants to the following individuals:

|  |  |  |
| --- | --- | --- |
| <*Type Name*> |  | <*Type Name*> |
| District Superintendent |  | Chief Business Officer |
|  |  |  |
| <*Type Name*> |  |  |
| *Insert Title or delete line* |  |  |

* The authority to sign contracts, purchase order, quotes and enter agreements (specify amount, if needed):

|  |  |  |
| --- | --- | --- |
| <*Type Name*> |  | <*Type Name*> |
| District Superintendent |  | Chief Business Officer |
|  |  |  |
| <*Type Name*> |  |  |
| *Insert Title or delete line* |  |  |

* Other Delegated Authority (Specify):

|  |  |  |
| --- | --- | --- |
| <*Type Name*> |  | <*Type Name*> |
| District Superintendent |  | Chief Business Officer |
|  |  |  |
| <*Type Name*> |  |  |
| *Insert Title or delete line* |  |  |

>

**Passed and adopted** this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_ by the following vote:

**Ayes:**

**Noes:**

**Absent:**

**Abstain:**

Board President’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_