

UNITED INDEPENDENT  
SCHOOL DISTRICT  
Board of Trustees  
Code of Ethics  
and  
Board-Superintendent Operating  
Procedures



November 2017

## Table of Contents

<b>I.</b>	<b>Developing Board Meeting Agendas .....</b>	<b>1</b>
<b>II.</b>	<b>Questions About the Agenda .....</b>	<b>2</b>
<b>III.</b>	<b>Board Member Preparation for Meetings.....</b>	<b>3</b>
<b>IV.</b>	<b>Member Conduct at Board Meetings/Public Forums .....</b>	<b>3</b>
<b>V.</b>	<b>Member Participation in Discussion, Debate, and Voting.....</b>	<b>5</b>
<b>VI.</b>	<b>Attendance by Videoconference Call .....</b>	<b>6</b>
<b>VII.</b>	<b>Video and Audio Recordings of Meetings .....</b>	<b>6</b>
<b>VIII.</b>	<b>Requests for Information, Documentation or Reports Other Than Agenda Items.</b>	<b>6</b>
<b>IX.</b>	<b>Vendor Relations.....</b>	<b>7</b>
<b>X.</b>	<b>Citizen Request/Complaint to Individual Board Member.....</b>	<b>7</b>
<b>XI.</b>	<b>Employee Request/Grievance to Individual Board Member.....</b>	<b>8</b>
<b>XII.</b>	<b>Communications .....</b>	<b>8</b>
<b>XIII.</b>	<b>Board-Superintendent Covenants .....</b>	<b>9</b>
<b>XIV.</b>	<b>Communication with Legal Counsel .....</b>	<b>10</b>
<b>XV.</b>	<b>Communication with the Media .....</b>	<b>10</b>
<b>XVI.</b>	<b>Communication with the Community.....</b>	<b>11</b>
<b>XVII.</b>	<b>Response to Inquiries About Closed/Executive Session .....</b>	<b>12</b>
<b>XVIII.</b>	<b>Board Member Visits to School Campuses .....</b>	<b>12</b>
<b>XIX.</b>	<b>Access to District Technology .....</b>	<b>13</b>
<b>XX.</b>	<b>Evaluation of Superintendent.....</b>	<b>13</b>
<b>XXI.</b>	<b>Evaluation of Board.....</b>	<b>14</b>
<b>XXII.</b>	<b>Selection of Board Officers .....</b>	<b>14</b>
<b>XXIII.</b>	<b>Board Training Requirements.....</b>	<b>14</b>
<b>XXIV.</b>	<b>Travel Reimbursement.....</b>	<b>15</b>
<b>XXV.</b>	<b>Role and Authority of Board Member and/or Board Officer.....</b>	<b>15</b>
<b>XXVI.</b>	<b>Role of Board in Executive Session .....</b>	<b>16</b>
<b>XXVII.</b>	<b>Expressing Concerns About Another Member's Performance.....</b>	<b>17</b>
<b>XXVIII.</b>	<b>Board Hearings of Employee Grievances .....</b>	<b>18</b>
<b>XXIX.</b>	<b>Violation of Board-Superintendent Operating Procedures .....</b>	<b>19</b>
<b>XXX.</b>	<b>Reviewing Board-Superintendent Operating Procedures .....</b>	<b>19</b>

# UNITED INDEPENDENT SCHOOL DISTRICT

## **PREFACE**

Under Texas statute, the Board of Trustees, as a body corporate, has the exclusive power and duty to govern and oversee the management of the public schools of the District. Tex. Educ. Code § 11.151(b). These Board-Superintendent Operating Procedures (“Procedures”) describe the general means and manner through which the Board will carry out this statutory charge.

In order for the Board to operate as a body corporate, individual Board members should be familiar with and respect the standards expressed here. The Board recognizes that in some instances the Board is agreeing to impose limits beyond those strictly required by law or policy. These Procedures are not intended to carry the force of law or policy, nor are they intended to confer legal rights on any other person. Likewise, these Procedures are not intended to take precedence over Board Policy.

The expressions here are intended to be dynamic, affirmative expressions of the understandings of the Board about how to operate as a corporate body. If there is a conflict or inconsistency between these Procedures and Local Board Policy, every effort will be made to revise Board Policy to reflect the intent of the Board in these Procedures.

# **ETHICS FOR SCHOOL BOARD MEMBERS**

As a member of the Board, I shall promote the best interests of the District as a whole and, to that end, shall adhere to the following ethical standards:

## **Equity in attitude**

- I will be fair, just, and impartial in all my decisions and actions.
- I will accord others the respect I wish for myself.
- I will encourage expressions of different opinions and listen with an open mind to others' ideas.

## **Trustworthiness in stewardship**

- I will be accountable to the public by representing District policies, programs, priorities and progress accurately.
- I will be responsive to the community by seeking its involvement in District affairs and by communicating its priorities and concerns.
- I will work to ensure prudent and accountable use of District resources.
- I will make no personal promise or take private action that may compromise my performance of my responsibilities.

## **Honor in conduct**

- I will tell the truth.
- I will share my views while working for consensus.
- I will respect the majority decision as the decision of the Board.
- I will base my decisions on fact rather than supposition, opinion, or public favor.

## **Integrity of character**

- I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.
- I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- I will keep confidential information that is privileged by law or that will needlessly harm the District if disclosed.

## **Commitment to service**

- I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.
- I will diligently prepare for and attend Board meetings.
- I will seek continuing education that will enhance my ability to fulfill my duties effectively.

## **Student-centered focus**

- I will be continuously guided by what is best for all students of the District.

## **DUTIES OF THE BOARD AND THE SUPERINTENDENT**

### **Duties of the Board**

Duties reserved by law to the local Board of Trustees include:

- Serving as a body corporate and with the exclusive power and duty to govern and oversee the management of the public schools of the District.
- Adopting rules and policies as necessary to carry out Board functions.
- Establishing working relationships with other public entities to make effective use of community resources and to serve the needs of public school students in the community.
- Adopting a vision statement and comprehensive goals for the District and the Superintendent and monitoring progress toward those goals.
- Establishing performance goals for the academic and fiscal performance indicators as outlined in law and any locally adopted performance indicators.
- Ensuring that the Superintendent is accountable for achieving performance results, recognizes performance accomplishments, and takes action as necessary to meet performance goals.
- Adopting a policy to establish a District- and campus-level planning and decision-making process.
- Publishing an annual educational performance report.
- Adopting an annual budget for the District as well as a tax rate for each fiscal year.
- Monitoring District finances to ensure that the Superintendent is maintaining proper procedures and records, and ensuring an annual audit of fiscal accounts.
- Publishing a year-end financial report to the public.
- Conducting elections.
- Adopting process through which District personnel, students, parents, and members of the public may obtain a hearing regarding a grievance or complaint.
- Complying with the requirements of the Texas Open Meetings Act for all Board meetings.

### **Duties of the Superintendent**

Duties reserved by law to the District's Superintendent include:

- Assuming administrative responsibility and leadership for the organization of education programs, services, facilities, and staff appraisals.
- Assuming administrative authority and responsibility for the assignment, supervision, and evaluation of District personnel
- Overseeing compliance with facilities standards.
- Initiating the termination or suspension of an employee or the nonrenewal of an employee's contract.
- Managing the day-to-day operations of the District, including implementing and monitoring plans, procedures, programs, and systems to achieve clearly defined and desired results in major areas of District operations.
- Administering and preparing the budget.
- Providing leadership for the attainment and, if necessary, improvement of student performance in the District.

- Ensuring adoption of the student code of conduct and other student disciplinary rules and procedures as necessary.
- Recommending policies to be adopted by the Board and implementing the adopted policies.
- Developing administrative regulations, as needed.
- Organizing the District's central administration and consulting with District-level committees.
- Submitting reports as required by state or federal law, rule, or regulation.
- Providing joint leadership with the Board to ensure the team's responsibilities are carried out.
- Carrying out any other contractual duties assigned to the Superintendent by the Board.

### **Collaboration between the Board and Superintendent**

The Texas Education Code also specifies certain tasks that the Board and Superintendent are expected to perform collaboratively for the good of the District. Statute states that the Board and Superintendent shall work together to:

- Advocate for the high achievement of all District students;
- Create and support connections with community organizations;
- Provide educational leadership for the District;
- Establish district-wide policies and annual goals that are tied directly to the strategic plan;
- Support the professional development of principals, teachers, and other staff; and
- Periodically evaluate Board and Superintendent leadership, governance, and teamwork.

# OPERATING PROCEDURES

## I. Developing Board Meeting Agendas

Procedure:

1. Agendas are drafted by the Superintendent in consultation with the Board President, but final approval for the agenda is the sole authority of the Board President.
2. Any two (2) Board Members may request that a subject be included on an agenda for a meeting. That request shall be forwarded to the Board President and Superintendent by the 6th calendar day before regular board meetings and the 6th calendar day before special board meetings, unless exigent or special circumstances exist in which case three (3) Board members may request that an item be added to the agenda within three (3) calendar days of the regular or special called meeting. In addition, all Board Member-requested agenda items must be discussed and considered at the business or instructional committee meetings prior to the inclusion of the items on a regular or special board meeting agenda, unless exigent or special circumstances exist in which case three (3) board members may request that an item be added to the regular board meeting agenda. Agenda items which are not discussed and considered at the business or instructional committee meetings may not be placed on the regular or special board meeting agenda unless approved by the Board President and as requested by three (3) board members. The Board President shall ensure that any topics the Board requests to be addressed shall be on the agenda of the same monthly regular board meeting following the submission of the request. If the agenda item cannot be posted on the Board meeting immediately following the submission of the request, the agenda item will be included on the following month's regular board meeting agenda. The President shall not have authority to remove from the agenda a subject requested by a Trustee without that Trustee's specific authorization.
3. No item can be placed on the Board Meeting Agenda less than 72 hours in advance of the meeting unless an emergency or urgent public necessity exists.
4. Board Members who have questions about a particular Board Meeting Agenda item will follow the "Questions about the Agenda" operating procedure.
5. The Superintendent shall be sure that adequate backup materials are provided for each Board Meeting Agenda item and the information will be relayed to Board Members at least three (3) calendar days prior to the meeting.
6. For major action items, related and relevant information will be included with the backup materials.
7. The Board may, by consensus, remove an item from the agenda if sufficient backup materials are not provided in a timely manner, unless an emergency or urgent public necessity exists.
8. All personnel issues must be conducted in an executive session unless specifically

required by the Texas Open Meetings Act.

9. The Consent Agenda shall be items agreed to by the Board. The Board President shall determine items, if any, that qualify to be placed on the consent agenda. Board members may call the Superintendent with questions regarding consent agenda items prior to the meeting; if more discussion is warranted, that item may be pulled at the request of any Board member and considered as an action item. Consent items may include:
  - (a) All routine items
  - (b) Shared Service Agreements and TEA matters
  - (c) Budget amendments
  - (d) Tax refunds
  - (e) Gifts, donations and bequests
  - (f) Financial information
  - (g) Minutes of regular and called Board meetings
  - (h) Updates of Board Policy
  - (i) Routine personnel items
  - (j) Routine bid considerations
  - (k) Items recommended by the Superintendent
10. Regular meetings of the Board will begin at 6:00 P.M. and shall be held on the third Wednesday of the month. In the case of exigent or special circumstances, Regular meetings of the Board may be moved.

## **II. Questions About the Agenda**

Procedure:

1. Board Members will direct any Agenda-related questions to the Superintendent prior to the Board Meeting.
2. If the requested information is not available, the Superintendent shall inform the Board Member prior to the start of the meeting.
3. Requests for additional materials relating to regular Board Meeting Agenda items shall be made at least one (1) business day – but no less than eight (8) hours – prior to the beginning of the Board Meeting.
4. If the Superintendent feels that a request for additional information or materials is not readily available, would interfere with District operations, or cannot reasonably be prepared before the Board meeting, the Superintendent or designee will notify the requesting Board Member and the Board President.
5. The Superintendent or designee will ensure that any additional materials or information that is provided to one Board Member is provided to all Board Members.

6. If a Board Member has requested information or materials, and the request has been denied or delayed in such a manner that the Board Member feels that he/she will not be able to make an informed decision, the request will be placed on the agenda.
7. If the Board President determines that the request should be honored, the Board President and the Superintendent will determine the appropriate timeline for presentation to the Board Members and the Agenda item will be pulled from that agenda.

### **III. Board Member Preparation for Meetings**

Procedure:

1. The Superintendent will ensure that all necessary or requested information is supplied to the Board Members to allow for informed decisions. Agenda packets will be delivered three (3) working days in advance in the case of Regular meetings.
2. Board Members should read and study the Agenda packet prior to each meeting.
3. Board Members should direct Agenda-related questions to the Superintendent at least eight (8) hours before the meeting. If the information is not available, the Superintendent will inform the Board Member prior to the beginning of the Board meeting.
4. By consensus of the Board, an item may be tabled from the agenda if sufficient information is not provided in a timely manner.

### **IV. Member Conduct at Board Meetings/Public Forums**

Procedure:

1. All Board members are expected to conduct themselves professionally and ethically during all meetings and public forums. Examples of behavior that will not be tolerated are rude remarks, interruptions, yelling, name calling and disrespectful verbal or body language.
2. During posted meetings, all members will conduct themselves according to Roberts Rules of Order, Newly Revised.
3. If during a meeting, a Board Member violates Robert's Rules of Order, the following disciplinary procedures will be enforced:
  - (a) President or any member will ask for a recess and the President will talk privately with the offending Board member.
  - (b) If the offending member continues to be in violation, the President will issue a public warning in open session.
  - (c) If the offending Board member continues to be in violation, any member of the Board may call for public censure and removal from that meeting, requiring a 2/3rds vote according to Robert's Rules of Order for disruption

of a Public Meeting.

*Note: Differences of opinion, if respectfully submitted, are not to be construed as unacceptable behavior but rather as alternate views on a subject and should be encouraged.*

4. Patrons addressing the Board:

- (a) Public participation shall be permitted at regular Board meetings beginning at 6:00 p.m. Audience participation at meetings is limited to the public comment portion of the meeting designated for that purpose and to specific agenda items, student recognitions, or charitable causes. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.
- (b) At regular meetings the Board shall allot one hour to hear persons who desire to make comments to the Board. Persons who wish to participate in this portion of the meeting shall sign up with the presiding officer or designee before the meeting begins and shall indicate the agenda item for the present regular Board meeting about which they wish to speak. Comments shall be limited to current Board agenda items, student recognitions, or charitable causes.
- (c) No presentation shall exceed three persons per any side of an issue, nor shall the time per subject exceed ten minutes. The ten-minute rule may be waived by the Board as appropriate. Delegations of more than three persons shall appoint one person to present their views before the Board.

5. Board response to patrons addressing the Board:

- (a) Board Members can hear comments.
- (b) Board President may direct administration to investigate item(s) and report back to the Board.
- (c) Board Members cannot respond or enter into discussion with the audience during the meeting as:
  - i. Items on the agenda will be discussed as appropriate and scheduled on the agenda.
  - ii. Items not on the agenda do not permit Board members to respond or discuss except to make factual statements or refer to Board Policy.

6. Discussion of Employee/Student Issues:

- (a) The Board will not allow complaints regarding individual personnel in open session unless required by law.
- (b) The Board will not allow complaints against individual students in public session unless required by law.

7. Discussion of Motions:
  - (a) All discussions shall be directed solely to the business currently under deliberation.
  - (b) The Board President has the responsibility to keep the discussion to the motion at hand and shall halt discussions that do not apply to the business currently before the Board.

## **V. Member Participation in Discussion, Debate, and Voting**

Procedure:

1. *Roberts Rules of Order, Newly Revised* is the parliamentary procedure adopted in policy by this Board; meetings, motions and debate shall follow these guidelines.
2. All members are expected to conduct themselves with professionalism, respect and integrity and according to Operating Procedure IV, "Member Conduct at Board Meetings/Public Forums."
3. The President, or chairperson, of a meeting will recognize any member who wishes to speak on a subject.
4. As a general guideline, at the beginning of the discussion on an agenda item, each Board member will be allowed three minutes to ask questions or comment before he/she must yield the floor to another Board member who wishes to speak. Board members will not be allowed to speak a second time until every Board member who wishes to speak has spoken once.
5. Debate and discussion may continue until such time as each Trustee feels that he/she has had adequate time to ask clarifying questions or make other comments, unless other time restrictions have been imposed by the Board.
6. Questions or comments must always be germane to the current agenda item.
7. No member shall coerce another member to vote in a particular manner, and no member may attempt to solicit votes in any manner inconsistent with the Texas Open Meetings Act.
8. No member will criticize any other member with regard to his/her questions, discussion or vote.
9. If, during a meeting or public forum, any Board member conducts him/herself in a manner that is intolerable or prevents the accomplishments of the goals of the meeting/forum, the Board President may adjourn the meeting. If a majority of the Board disagrees with the adjournment, then the meeting must continue. However, the offending Board member agrees to leave for the remainder of the meeting or forum if the remaining Board members unanimously agree.
10. Although it is the duty of every member who has an opinion on a question to express it by his vote, the Board member can abstain.
11. Members abstaining from voting may briefly state their reason for the abstention. Nothing in this operating procedure shall be construed to limit a Board Member's

ability to ask questions during the Board Meeting.

12. An item may not be brought back onto an agenda when that item has already been discussed/considered unless the majority of the Board agrees to place the item back on the agenda.

## **VI. Attendance by Videoconference Call**

Procedure (**Effective September 1, 2017**):

1. A member of the Board who participates in a meeting by videoconference call shall be considered absent from any portion of the meeting during which audio or video communication with the member is lost or disconnected.
2. If a Member is lost or disconnected from a videoconference call, the Board may continue the meeting only if a quorum of the body remains present at the meeting location or, if applicable, continues to participate in a meeting conducted under Government Code section 551.127(c).

## **VII. Video and Audio Recordings of Meetings**

Procedure (**Effective September 1, 2017**):

1. The District shall make available on the internet a video or audio recording of all regular board meetings, work sessions, and special called meetings in which the Board votes on any matter or allows public comment or testimony.

## **VIII. Requests for Information, Documentation or Reports Other Than Agenda Items**

Procedure:

1. An individual Board member, acting in his or her official capacity, has the right to seek information pertaining to District fiscal affairs, business transactions, governance, school operations, and personnel matters, including information that properly may be withheld from members of the general public in accordance with the Public Information Act.
2. Board Members will direct their individual requests for detailed or sensitive non-agenda information to the Superintendent or Board President.
3. Information requested by one Board Member shall be provided to all Board Members at the same time.
4. If the requested information is deemed not readily available, or a satisfactory time line cannot be negotiated and the Board Member wishes to proceed, the request will be placed as an Executive Session item posted as "Consideration of the Duties of a Public Officer" on the next Board meeting agenda to determine the Board's desire for the information.
5. If the Board determines that the request for information should be honored, it will determine, with the Superintendent, an appropriate time line for presentation of

the information to all Board Members.

6. Board members are allowed access to information, documents, and other records that contain FERPA-protected information. However, the Board member shall maintain the confidentiality of information, documents, and records received as required by FERPA and any other applicable privacy laws.
7. The District must respond to a Board member's request for information, documents, and records maintained by the District not later than the 20th business day after the date the District receives the request. This period may be extended for a period not to exceed the 30th business day in compliance with statutory requirements.
8. If the District fails to provide the requested information in the time required, the Board member may bring suit against the District for injunctive relief, court costs, and reasonable attorney's fees.
9. A Board member requesting information for personal reasons will file a public information request in accordance with Board Policy GBAA (Legal). In these cases, Board members will have no greater or lesser access to the information than the public.

## **IX. Vendor Relations**

Procedure:

1. Vendors and Board members shall be prohibited from making oral or written contact with each other individually for the purpose of soliciting a purchase or contract or discussing an outstanding bid or proposal that a vendor has submitted or will submit between the time a request for proposal or a bid is formally released and a recommendation is made by the administration to the Board.
2. If a vendor or Board member violates this prohibition during this time frame, consideration of the vendor for award of the bid or proposal shall be invalidated. Board members shall be notified of reported or known violations and possible actions that may occur.

## **X. Citizen Request/Complaint to Individual Board Member**

Procedure:

1. When a citizen complains to a Board Member, the Board Member should remind the citizen of due process and that the Board member must remain impartial in case the situation goes before the Board.
2. Refer the citizen to the appropriate place in the chain of command and report the concern to the Superintendent.
3. The Board member shall inform the Superintendent of complaint.
4. When appropriate, the Superintendent or designee shall communicate with the citizen in a timely manner and follow-up with the Board Member.

5. The Board, individually or collectively, shall promptly refer all significant criticisms, complaints and suggestions, regardless of the source, called to its attention to the Superintendent for study and appropriate action or recommendation.
6. The Superintendent shall promptly investigate such matters and shall inform the Board of the results or status of such matters.

## **XI. Employee Request/Grievance to Individual Board Member**

Procedure:

1. Listen respectfully and remain impartial.
2. Ask if the complainant has followed the District's procedures and/or chain of command.
3. If the complainant does not know the procedures or chain of command, inform the complainant that he or she must first speak with the appropriate staff member. If not satisfied, then the complainant must go to the appropriate administrator in charge of the campus or department where the concern arose. If not satisfied, the complainant must then contact the appropriate Central Office administrator. If the complainant is still not satisfied, he/she must conference with the Superintendent or designee.
4. The Board Member will inform the Superintendent or designee of the issue or complaint.
5. The Superintendent or designee will inform the Board Member of the resolution of any referred issue.
6. If the complainant's complaint results in a grievance, Board Members may be recused from hearing the grievance due to lack of impartiality. Accordingly, Board Members should limit their involvement in the complaint outside of following the procedures set forth in this Section XI.

*Note: This policy shall not be construed to apply to complaints alleging criminal activity.*

## **XII. Communications**

Procedure:

1. The Superintendent will communicate with all Board Members periodically via the Board information packet.
2. The Superintendent will communicate requested information to all Board Members in a reasonable time.
3. The Superintendent will distribute to all Board Members any information requested for the Board by the Board President or a Board Member.

4. Board Members may not communicate with other individual Board Members for purposes of soliciting votes in support of or opposition to items of business that may come before the Board.
5. Board Members who wish to share information relevant to District business or issues before the Board may relay the information to the Board President or Superintendent for placement on the Board Agenda or, if appropriate, distribution to all Board members in the bi-weekly Board information.
6. The Superintendent will, via e-mail or text message, release significant information including News Releases to the Board Members as expediently as possible.
7. The Board President should communicate with the Superintendent on a regular basis.
8. The Board Members should keep Superintendent informed via telephone calls or personal visits.
9. The Board Members can communicate with the community through public hearings, regular Board meetings, and regular publications.
10. Individual Board Members cannot speak in an official capacity outside the Board Room or call or attend meetings as a representative of the Board without prior authorization of the Board.
11. The United ISD Board of Trustees encourages input; however, anonymous calls or letters may not receive Board attention, discussion or response and may not result in directives to the administration.
12. The Board, individually or collectively, shall not discuss public business or public policy over which the Board has control with employees of the District other than the Superintendent and other employees designated from time to time by the Superintendent, unless the Superintendent is notified in advance and agrees to such discussion.
13. The Board, individually or collectively, shall not discuss with anyone regarding an employee's employment, assignment, reassignment, salary and benefits, evaluation, or other terms and conditions of employment with any employee other than the Superintendent and his designees, unless the Superintendent is notified in advance and agrees to such discussion. Furthermore, the Board agrees to address and resolve all disputes, disagreements, and complaints with the Superintendent in a professional and legal manner.
14. Individual Board Members shall not direct District staff regarding the performance of the staff member's job duties or responsibilities.
15. Individual Board Members shall not meet with or discuss District business with vendors, current or prospective, as per procedure in Section IX.

### **XIII. Board-Superintendent Covenants**

Procedure:

1. To build and maintain productive and effective relationships between the Board and the Superintendent, both the Board and the Superintendent seek to maintain a system of communication and interaction that builds upon mutual respect and trust.
2. To further that aim, the Board and the Superintendent will exercise honesty in all written and interpersonal interactions, seeking with great care to avoid misleading information, demonstrate respect for the opinions and comments of each other, focus on issues rather than personalities, communicate with each other in a timely manner to avoid surprises, criticize privately and praise publicly, maintain appropriate confidentiality, assume good intent on the part of other Board members and the Superintendent, and respond to requests and inquiries in a timely manner.
3. Furthermore, the Board and Superintendent shall make every reasonable effort to protect the integrity and promote the positive image of the District, Board, Superintendent, and staff, and share credit for successful District initiatives, actions, and awards, and avoid blame for the failure or ineffectiveness of legitimate District initiatives or actions.

#### **XIV. Communication with Legal Counsel**

Procedure:

1. Individual Board members shall channel legal inquiries through the Superintendent or Board President as appropriate when seeking advice or information from the District's legal counsel.
2. Upon request of the Board or when deemed necessary by the Superintendent, the Superintendent shall report advice from legal counsel.

#### **XV. Communication with the Media**

Procedure:

1. The Board President or designee shall be the official spokesperson for the Board to the media on issues of media attention that require a response from the Board.
2. The Superintendent or a designated staff member shall be the official spokesperson for the District on issues of media attention that relate to District operations.
3. The Board President may make statements on behalf of the Board only on actions or positions upon which the Board has taken official action, unless an emergency or public necessity exists.
4. A Board member who receives a call from the media requesting information, comments, or an interview regarding District business will direct the caller to Board President or Superintendent.
5. The Superintendent will notify Board members of any media requests. If the matter is urgent, the Superintendent will notify the Board President and each

Board Member via phone or e-mail, whichever is more practical.

6. Statements shall not be made to the media regarding personnel or other matters protected by law.
7. A Board Member retains the right to speak to the media as an individual, but must understand that any comment will likely be interpreted by viewers/readers as an “official” statement of the Board.
8. In speaking as an individual, the Board Member should:
  - (a) clarify that he/she is speaking as an individual and not for the Board of Trustees,
  - (b) remind the media representative(s) that official statements of the Board are made only by the Board President, and
  - (c) remind the media representative(s) of the position or action of the Board of Trustees related to the issue in question.
9. Press releases issued on behalf of the Board will be approved by the Board President prior to release unless an emergency or public necessity exists.
10. If individual Board Members are pressed for information discussed or presented in closed/executive session, that Board member will state clearly that he or she can give no information other than what is posted on the agenda. If pressed further, the Board member will refer the inquiry to the Board President or Superintendent.
11. When it is apparent to the Board that it would be in the best interest of the students, staff, community, or Board to make a statement regarding anything that occurs in or results from a closed/executive session, the Board President will compose an official public statement that meets with the approval of the Board. Any such statement must comply with the limitations of the law.

## **XVI. Communication with the Community**

Procedure:

1. Board Members are encouraged to participate in community activities as liaisons between the public and the school district. When doing so, Board Members are expected to listen politely and respectfully, relay information about the District in a positive and truthful manner, and refer questions about specific District activities/issues to the appropriate staff person or spokesperson when they do not know the answers.
2. The Board of Trustees encourages community input, but should not respond or act on the basis of anonymous calls, letters or e-mails unless the communication pertains to criminal, health or safety issues.
3. Signed letters to the Board of Trustees, an individual Board Member or the Superintendent will be forwarded to the Board President or Superintendent for inclusion with a notation of any action taken, if the letter is not of a confidential

or personal nature.

4. A Board Member retains the right to speak to anyone as an individual, but must understand that any comment will likely be interpreted by the listener as being an “official” statement of the Board.

## **XVII. Response to Inquiries About Closed/Executive Session**

Procedure:

1. Given the legal and sensitive nature of closed/executive sessions, the members of the Board understand that the law requires that all such sessions are strictly confidential.
2. When it is apparent to the Board that it would be in the best interest of the students, staff, community or Board to make a statement regarding anything that occurs in or results from a closed/executive session, the Board President will compose an official public statement that meets with the approval of a majority of the Board. Any such statement will comply with the limitations of the law.
3. If individual Board Members are pressed for information regarding closed/executive sessions that Board Member will state clearly that he/she can give no information other than what is posted on the agenda. If pressed further, the Board member will refer the inquiry to the Board President or Superintendent.

## **XVIII. Board Member Visits to School Campuses**

Procedure:

1. Board Members are encouraged to visit any campus.
2. Board Members must check in at the principal's office following district guidelines.
3. In accordance with local school guidelines, Board members may be requested to present a driver's license or other proof of identification when signing in at the principal's office. Board members may also be required to have an ID badge or visitor's badge visible while on campus.
4. All visits are to be escorted or directed by a staff member designated by the principal.
5. Board members may communicate with any staff member without interrupting scheduled learning periods or interfering with the learning process.
6. Board Members will not assume a supervisory role with staff or students.
7. Board Members will not assume a participatory role with staff or students unless specifically requested by campus staff.
8. While present on a school campus, Board members should remember their unique role in the District and avoid signaling that they are present to inspect the campus or solicit input about school operations.

9. Board members are permitted to serve in limited volunteer roles within the District; however, volunteer service should be informal and not involve a routine obligation. Board members must not assume roles that would normally be performed by employees at the direction of District staff. As with other campus visits, the Superintendent and campus administrator should be informed in advance if a Board member plans to volunteer in the District.

*Note: This operating procedure does not pertain to visits as a parent or as a spectator to school events or other events open to the general public.*

## **XIX. Access to District Technology**

Procedure:

1. Board members may be issued devices or access to District technology resources, including e-mail accounts, primarily to expedite the performance of their official duties. Limited personal use of District technology is permitted if the use imposes no tangible cost on the District and does not unduly burden the District's technology resources. Any use of District technology resources requires the Board member's acceptance of the District's acceptable use agreement as well as written agreement that the District may monitor the Board member's use.
2. Board members will be familiar with, and comply with, all provisions of Board Policy BBI (Local), regarding use of technology, including compliance with requirements to retain certain records contained on either District or personal technology resources.
3. Board members will bear in mind that records created using District technology resources may constitute school district records and may be subject to public disclosure under the Texas Public Information Act.

## **XX. Evaluation of Superintendent**

Procedure:

1. The Board shall conduct a comprehensive evaluation of the Superintendent's annual performance each year to be completed not less than six (6) weeks prior to the annual anniversary of the Superintendent's hire date.
2. The Board shall use an evaluation document that has general, subjective goals as well as objective, performance-related goals. All evaluation criteria should tie to the board's mission and goals for academic and overall district performance.
3. At least six (6) weeks prior to the annual hiring anniversary, the Board shall evaluate the Superintendent using the agreed upon evaluation document.
4. Any action resulting from the evaluation shall be at the sole discretion of the board, and agreed to by a majority of the members, in a manner consistent with the Texas Open Meetings Act.
5. Within thirty (30) days of completion of the evaluation, the Board and the

Superintendent shall meet and agree upon the specific evaluation criteria to be used for the next year. The Board may, at its discretion, revise the criteria at any time if a majority of the board concurs.

6. The Board will ensure that the evaluation process and document(s) will follow all local, state and national regulations or guidelines.

## **XXI. Evaluation of Board**

Procedure:

1. Evaluation of the Board will be conducted in a workshop session.
2. Board evaluation instrument will be reviewed and approved in June of each year.

## **XXII. Selection of Board Officers**

Procedure:

1. Election of Officers: At the December meeting following each election that is held in November, and after certification of newly-elected Trustees, the members of the Board shall organize by electing officers. The Board shall elect a President, a Vice President, a Secretary, and a Parliamentarian from its membership by a majority vote of the members present and voting. Newly-elected Trustees will take over the place and the office position, if any, that the previously-elected Trustees presided over until the election of new officers is officially held with all the members of the Board.

## **XXIII. Board Training Requirements**

Procedure:

1. The Board must meet minimum annual and biennial requirements for training for the period between January 1 and December 31.
2. For new Board members, the training requirements include:
  - (a) New Board member orientation within sixty (60) days of their election/appointment to the Board;
  - (b) Orientation to Texas Education Code Training;
  - (c) At least three hours of Team-Building Training with the Board and Superintendent; and,
  - (d) Ten hours of additional continuing education credits.
3. For experienced Board members, the training requirements include:
  - (a) Update to the Texas Education Code;
  - (b) Three hours of Team-Building with the Board and Superintendent; and;
  - (c) Five hours of additional continuing education credits.

4. Finally, Board members must take three hours of training every two years on evaluating student academic performance.
5. The Texas Education Code requires the President of the Board to announce at the last regular meeting held before an election of trustees a report on the training board members have received to date and whether or not they have met the required training. In addition to required training activities, Board members are encouraged to join the Texas Association of School Boards (TASB) and attend the TASB convention as well as other relevant conventions, conferences, or clinics.
6. For specific legal polices related to Board Member training see District Policy BBD (LOCAL), BBD (LEGAL), and BBD (EXHIBIT) available on-line at <http://pol.tasb.org/Home/Index/1210>.

#### **XXIV. Travel Reimbursement**

Procedure:

1. Reimbursement to Board members for reasonable travel expenses for attendance at regional, state, or national conventions, conferences, and workshops shall be made by the District when attendance is authorized and deemed by the Board to be necessary in the conduct of the public schools.
2. The District may not pay the travel expenses of spouses and other persons who have no responsibilities or duties to perform for the Board when they accompany a Board member to Board-related activities.
3. As specified in District Policy BBG (LOCAL), payment for authorized and documented travel expenses shall be made in accordance with legal requirements by either reimbursement (not to exceed the allowable rates) or advancement of a set amount.
4. For specific policies related to Board Member Travel Reimbursement, see District Policy BBG (LEGAL), and BBG (LOCAL) available online at <http://pol.tasb.org/Home/Index/1210>.

#### **XXV. Role and Authority of Board Member and/or Board Officer**

Procedure:

1. Role and Authority of Board Member and/or Board Officer as set out in the Education Code §11.151 (and Policy BAA [LEGAL]) states that (a) The trustees of an independent school district constitute a body corporate and in the name of the district may acquire and hold real and personal property, sue and be sued, and receive bequests and donations or other moneys or funds coming legally into their hands.
2. The Board, as a body corporate, have the exclusive power and duty to govern and oversee the management of the public schools of the district. All powers and duties not specifically delegated by statute to the agency or to the State Board of

Education are reserved for the Board members, and the agency may not substitute its judgment for the lawful exercise of those powers and duties by the Board.

3. All rights and titles to the school property of the district, whether real or personal shall be vested in the Trustees and their successors in office. The Trustees may, in any appropriate manner, dispose of property that is no longer necessary for the operations of the school district.
4. A school district may request the assistance of the attorney general on any legal matter. The district must pay any costs associated with the assistance.
5. No Board Member or officer has authority outside the Board meeting.
6. No Board Member can address or direct employees in regard to performance of duties.
7. The Board President shall preside at all Board meetings and appoint committees.
8. The Board President shall call a special meeting at the President's discretion or on request by three or more members of the Board and sign all legal documents required by law.
9. The Board Vice-President shall: (a) act in capacity of President in the absence of the President, sign or countersign warrants or other documents as necessary.
10. The Board Secretary shall: (a) keep, or cause to be kept, an accurate record of the proceedings of Board Meetings and Act in role of President in the absence of the President and Vice- President. Sign or countersign warrants and other documents as necessary.
11. The Board Parliamentarian shall: (a) assist in the smooth conduct of Board Meetings and perform such other duties as the Board may request.

## **XXVI. Role of Board in Executive Session**

Procedure:

1. The posted agenda will list the topics to be discussed in executive session.
2. The Board may enter into executive session after the following requirements have been met:
  - (a) The Board has first been convened in open meeting for which notice has been given.
  - (b) The presiding officer has publicly announced in open meeting that an executive session will be held.
  - (c) The presiding officer has identified the section or sections of Chapter 551, Texas Government Code, which authorize the holding of such closed or executive session.
  - (d) The presiding officer has publicly announced that no final action, decision, or vote will be taken by the Board while in executive session.
3. Executive sessions are authorized for the following purposes:

- (a) For a private consultation with the Board's attorney with respect to pending or contemplated litigation, settlement offers, and matters where the attorney's duty to the Board, pursuant to the Code of Professional Responsibility of the State Bar of Texas, clearly conflicts with the provisions of the Open Meetings Act (to be identified as Legal Matters in the notice).
  - (b) To discuss the purchase, exchange, lease, or value of real property and negotiated contracts for prospective gifts or donations (to be identified as Real Estate/Donations in the notice).
  - (c) To consider the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear grievances, complaints or charges against a public officer or employee, unless such officer or employee requests a public hearing (to be identified as Personnel in the notice).
  - (d) To consider discipline of a public school child or children unless an open hearing is requested in writing by a parent or guardian of the child (to be identified as Hearings in the notice).
  - (e) To consider the deployment or specific occasions for implementation of security personnel or devices.
  - (f) To deliberate regarding the standards, guidelines, terms or conditions the Board will follow, or instruct its representatives, to follow, in consultation with representatives of employee groups, under consultation agreements formerly provided for by Section 13.901 of the Texas Education Code.
  - (g) To discuss any other item authorized by law to be considered in executive session
4. The Board may require the District's chief business official, curriculum director, or a person holding an equivalent position to appear at an executive session or to testify at a public hearing held by the board. The Superintendent may not interfere with such an appearance or testimony.
  5. No final action, decision, or vote shall be taken while the Board is in closed or executive session. The presiding officer shall so state prior to entering into executive session. The Board shall reconvene the open meeting after an executive session, prior to adjourning the meeting.
  6. The record of Executive Session proceedings is documented by Board President, signed and sealed.

**XXVII. Expressing Concerns About Another Member's Performance**

Procedure:

1. Individual Board members are encouraged to express their concerns about another member's performance directly to that member.
2. If addressing the issue directly with the member does not resolve the concern,

then discussion with the Board President is appropriate.

3. The Board President shall discuss the concern with the individual in question on behalf of the reporting board member or shall moderate a discussion between the members. If a quorum of the board is involved, the meeting must be posted and conducted in accordance with the Texas Open Meetings Act.
4. The Board President shall remind the Board member whose behavior is in question about the adopted code of ethics and discuss how the questionable behavior does not comply with the code. The discussion also will identify more appropriate alternatives to the questionable behavior or refer the board member to policies or procedures that outline approved ways to deal with the issue that prompted the questionable behavior.
5. If the Board Member in question does not believe his or her behavior is in conflict with the board's code of ethics, an agenda item specifying "evaluation of individual board members' performance" may be listed on the agenda for an upcoming board meeting.
6. The matter will be discussed by the full board in closed session in an attempt to clearly identify behavior that may be inappropriate and discuss possible solutions or alternative approaches that may have a more positive impact on team cohesion and effectiveness.
7. If the concern involves the Board President, a member may discuss his or her concerns with the Board Vice-President.
8. Members will not take concerns about fellow Board Members to the Superintendent.
9. Members will not speak negatively about another member, superintendent, or staff in the community.

## **XXVIII. Board Hearings of Employee Grievances**

Procedure:

1. Given the serious and delicate nature of employee grievances, each Board Member is responsible for studying Policy DGBA (Legal & Local), the board policies relating to the process of grievances.
2. All grievance-related materials received by a board member must be held in the strictest confidence. A board member shall neither share information from that documentation nor what is heard during the actual grievance proceeding(s).
3. Board members may only consider information that is presented during the grievance process; members will not privately seek out information regarding any grievance. If a Board Member knows, or learns anything about, a grievance case except what is admitted through the grievance documents that might render him/her unable to hear the grievance impartially, then he/she must tell the Superintendent immediately.
4. Any public statements arising from an employee grievance will be made by the

Board President.

5. Any Trustee who violates the Board Policy on grievances may be subject to action as outlined in Violation of Operating Procedures.

**XXIX. Violation of Board-Superintendent Operating Procedures**

Procedure:

1. Upon inclusion on the agenda and public posting in accordance with the law, the Board may convene in executive session to discuss a violation of the Code of Conduct and Standard Operating Procedures, or other board policies, so long as the deliberation is confined to the duties, discipline, or complaint against a Board Member.
2. The Board Member may request that the deliberation be conducted in open session.
3. As a consequence of these deliberations, the Board may elect to do nothing, or may reconvene in open session and vote to:
  - a. Publicly reprimand the Board Member;
  - b. Recommend additional training for the Board Member;
  - c. Authorize the Board President to remove the Board Member board officer positions and membership on any district or campus level committee. The Board may utilize any or all of these sanctions as allowed by this section.

*Note: Nothing provided herein shall be construed to alter, modify, or limit in any way the rights of school district personnel and members of the public to file complaints against the board or board members under applicable board policies.*

**XXX. Reviewing Board-Superintendent Operating Procedures**

Procedure:

1. The Board will review the contents of these Procedures annually as part of the Board self-evaluation. The Board may also review the Procedures periodically, as when a new member joins the Board. The Superintendent's office will maintain a copy of the Procedures and will recommend updates if a legal or policy change necessitates a change to the Procedures.