



## BOARD OF TRUSTEES OPERATING PROCEDURES

Adopted September 11, 2018

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### I. Developing Board Meeting Agenda

#### A. Who can place items on the agenda?

1. Agendas are created by the administration four days prior to the meeting and presented to the Board on Friday prior to the Tuesday meeting.
2. Any Trustee may request that a subject be included on the agenda for a meeting, and the Superintendent shall include on the preliminary agenda of the meeting all Trustee-requested topics that have been timely submitted.
3. Before the official agenda is finalized for any meeting, the Superintendent shall consult the Board President to ensure that the agenda and the topics included meet with the President's approval. In reviewing the preliminary agenda, the President shall ensure that any topics the Board or individual Trustees have requested to be addressed are either on that agenda or scheduled for deliberation at a mutually agreeable time. The Board President shall not have authority to remove from the agenda a subject requested by a Trustee without that Trustee's specific authorization.
4. In accordance with the Texas Open Meetings Law, no member can place an item on the agenda less than 72 hours in advance of the posted meeting, except in an emergency, as per Texas Code.

#### B. Items that cannot be on the agenda.

1. All personnel issues must be conducted in a closed session unless specifically required by Texas Open Meeting Law.
2. Anything that violates right to privacy, i.e., Texas Open Meeting Act, Texas Open Records Act, cannot be placed on the agenda.

#### C. Use of Consent Agenda

A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted by one vote. The Consent Agenda shall include such items as:

- Routine items
- Annual renewals of Region IV and TEA items
- Budget amendments

- Gifts, donations and bequests
  - Financial information
  - Minutes of regular and called Board meetings
  - Updates of Board Policy
  - Routine personnel items
    - Section for approval
    - Section for information only
  - Routine bid considerations
- D. Removing items from the agenda
1. Items will be removed from the agenda for cause or purpose by motion in Open Session.

## II. **Member Conduct During Board Meetings**

Any time four or more Board members are gathered to discuss district business, it is considered a meeting which must comply with the Texas Open Meetings Act.

### A. Patrons addressing the Board

1. Patrons may address the Board on any item during the Communications from the Public portion of the agenda of a regularly scheduled meeting by registering prior to the meeting and completing the audience participation request form. A staff member will be responsible for ensuring that the request form is completed.
2. Guidelines for addressing the Board will be adhered to and the President will emphasize the guidelines to the public.
  - a. Comments are limited to three minutes – time to be kept by the Board Secretary.
  - b. The Board will accept written as well as oral information.
  - c. Delegations of more than five persons shall be given a maximum of 15 minutes to present. Time will be limited to fifteen minutes.
  - d. The Board will not entertain negative comments on individual personnel and students in public session.
  - e. Patrons shall use appropriate campus and administrative channels before bringing concerns to the attention of the Board

### B. Board response to patrons addressing the Board

1. Team members may present specific facts or existing policy.
2. The Board shall not deliberate, discuss or make a decision on any subject that is not on the meeting agenda.
3. The Superintendent may investigate the items and if such investigations are warranted, the Superintendent should provide an update to the Board.

C. The Board shall observe the parliamentary procedures as found in *Robert's Rules of Order, Newly Revised*, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.

### D. Discussion of motions

1. All discussion shall be directed solely to the business currently under deliberation.
  2. The Board President has the responsibility to keep the discussion to the motion at hand and shall halt discussion that does not apply to the business before the Board.
- E. The Board President shall recognize a Board member prior to giving their comments.

### **III. Voting**

- A. The Board President will vote on all action items.
- B. Following a tie vote (and if there aren't subsequent votes on the item) any board member may request that the agenda item in question be added to the agenda for the next meeting.
- C. On any vote that is not unanimous voting shall be recorded by name.

### **IV. Individual Board Member Request for Information or Report**

- A. An individual Board member, acting in his or her official capacity, shall have the right to seek information pertaining to district fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the general public in accordance with the Public Information Chapter of the Government Code.
- B. Individual members shall not have access to confidential student records unless the member is acting in his or her official capacity and has a legitimate educational interest in the records in accordance with policies FL (LEGAL) and (LOCAL).
- C. Individual members shall seek access to records or request copies of records from the Superintendent or other designated custodian of records. When a custodian of records other than the Superintendent provides access to records or copies of records to individual Trustees, the provider shall inform the Superintendent of the records provided.
- D. Individual members shall not direct or require District employees to prepare reports derived from an analysis of information in existing District records or to create a new record compiled from information in existing District records. Directives to the Superintendent or custodian of records regarding the preparation of reports shall be by Board action. The Superintendent shall meet with the Board President to review individual member requests which are unique in nature.
- E. At the time board members are provided access to confidential records or to reports compiled from such records, the Superintendent or other District employee shall advise them of their responsibility to comply with confidentiality requirements.

### **V. Citizen Request or Employee Complaint to Individual Board Member**

- A. The Board member shall hear the citizen problem for full understanding of persons involved, date and place.

- B. The Board member shall remind the citizen of due process and that the Board member must remain impartial in case the situation goes before the Board.
- C. The Board member shall refer the citizen to the appropriate person/chain of command. The citizen must go through the chain of command.
- D. Written request/complaints shall be referred to the Superintendent for appropriate follow-up.
- E. If the complainant does not know the District's "Chain of Command", provide the following information:
  - "Chain of Command"
  - 1. The complainant should first discuss problem with the authority closest to the problem. If not satisfied...
  - 2. The complainant should follow grievance procedure in policy to appeal to next level. If not satisfied...
  - 3. The complainant should go to the superintendent. If not satisfied...
  - 4. The complainant should bring the complaint to the Board of Trustees following one of the district policies: DGBA(LOCAL), FNG(LOCAL), GF(LOCAL), BBF(LOCAL)
- F. Board members will inform the superintendent of complaints from staff and community.
- G. The superintendent will inform the Board of the resolution of complaints referred by Board members if they require superintendent intervention.

#### **VI. Board Member Visit to School Campus**

- A. All Board members are encouraged to visit all schools and school events.
- B. Board members may visit teachers' classrooms by invitation of the teacher with the principal's approval or the campus principal or the Superintendent.
- C. Board members will check in with the principal's office following campus guidelines.
- D. Board members may interact with any staff member or student during free periods, lunch, or recess.
- E. Board members will not go unannounced to any district building or classroom for the purpose of evaluations or investigations.
- F. Board members may not give any advice or direction to any staff or students except when safety or liability is immediately at risk.
- G. While members of the Board of Trustees have no authority as individuals, it is sometimes difficult for staff members to see them strictly as parents, therefore,
- H. When visiting with teachers of their own children, board members will make it clear that they are acting as parents rather than as members of the board.
- I. Board members will not request nor accept extraordinary consideration for their students.

#### **VII. Communications Between Board and Superintendent**

- A. The Superintendent should communicate with the Board weekly via the Board Week-In-Review.

- B. The Superintendent should communicate with the Board ASAP on emergencies via e-mail, phone or personal contact.
- C. The Board should keep the Superintendent informed through telephone, e-mail or personal visits.

**VIII. Board Members' Standard of Behavior**

- A. Board members should be knowledgeable of the Board of Trustees' Code of Ethics and the code's implications of their day-to-day actions.
- B. The President should present a copy of the "Code of Ethics" to each Board member annually.
- C. Board members should share with each other and the Superintendent the legal opinions received from training sessions and conferences.
- D. The Board President will communicate with the Board's attorney, as needed.

**IX. Evaluation of the Superintendent**

- A. Superintendent's Contract
  - 1. The Superintendent's contract will be reviewed in detail prior to board approval.
  - 2. The Superintendent's salary and raises will be annually reviewed with the Board.
  - 3. Board President will notify members of the items of enhancement for deliberation prior to consideration of it.
  - 4. Terms and conditions of the Superintendent's contract enhancement will be reviewed with the Trustees by the Board's attorney to ensure clarity and understanding of same.
- B. Superintendent's Evaluation
  - 1. Board President obtains input from all other members on Board approved indicators.
  - 2. Evaluation is conducted in closed session.
  - 3. Summative evaluation will be conducted annually in January with ongoing formative feedback.

**X. Evaluation of the Board**

- A. Evaluation is conducted in closed session.
- B. Evaluation is conducted annually.
- C. The Board of Trustees Operating Procedures will be considered as part of the evaluation.

**XI. Criteria and Process for Selecting Board Officers**

- A. The Board shall elect a president, a Vice-President, and a Secretary who shall be members of the Board. The Board may assign a District employee to provide clerical assistance to the Board. Officers shall be elected by majority vote of the members present and voting.
- B. Board officers shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office. Each officer shall

perform any legal duties of the office and other duties, as required by the Board.

- C. A vacancy among officers of the Board, other than the President, shall be filled by majority action of the Board. A vacancy in the Presidency shall be filled by the Vice-President, and a new Vice-President shall be elected.

## **XII. Role and Authority of Board Members and/or Board Officers**

- A. TEC§11.051(a) An independent school district is governed by a board of trustees who, as a body corporate, shall oversee the management of the district.

- B. TEC§11.151 (b) The trustees as a body corporate have the exclusive power and duty to govern and oversee the management of the public school district. All power and duties not specifically delegated by statute to the agency or the State Board of Education are reserved for the trustees, and the agency may not substitute its judgment for the lawful exercise of those powers and duties by the trustees.

- C. No statement in the Code of Ethics or Board of Trustees Operating Procedures 2003-2004 may be interpreted to diminish the power and duty of the Board of Trustees as defined by the Texas Education Code.

- D. No Board member or officer has authority outside the Board meeting.

- E. No Board member can direct employees in regard to performance of their duties.

- F. President

- 1. Shall preside at all Board meetings.

- 2. Shall appoint committees.

- a. Committee shall contain no more than three Board members.

- b. Individual Board members may serve on various school and community committees as they are requested.

- 3. Shall call special meetings.

- 4. Shall sign all legal documents required by law and

- 5. Shall have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.

- G. Vice-President

The Vice-President of the Board shall:

- 1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.

- 2. Automatically become President of the Board if a vacancy in that office occurs.

- 3. Perform other duties as prescribed by the Board.

If the Vice-President becomes President of the Board, a new Vice-President shall be chosen by Board election. (See BDA)

- H. Secretary

The Secretary of the Board shall:

- 1. Keep, or cause to be kept, an accurate record of the proceedings of each Board meeting.

2. Send, or cause to be sent, notices of board meetings.
3. In the absence of the President and Vice-President of the Board, call the Board meeting to order and act as the presiding officer.
4. Sign or countersign all warrants for District money drawn upon the depository by order of the Board.
5. Perform other duties as directed by the Board.

**XIII. Role of Board in Closed Session**

- A. Board can only discuss those items listed on the executive agenda as limited by law.
- B. Board must vote in public session.
- C. Information and opinions shared during closed session MUST remain confidential.

**XIV. Media Inquiries and Communication with the Public**

- A. The Superintendent shall be the official spokesperson for the District. In the superintendent's absence, the Assistant Superintendent should be contacted.
- B. The President shall be the official spokesperson for the Board. In the absence of the President, the Vice-President and Secretary should be contacted, in that order.
- C. All Board members who receive calls from the media should notify the Superintendent.
- D. Board members retain the right to speak to the media as individuals.
- E. Individual Board members should not speak in an official capacity for the Board outside the Boardroom except as provided in B above.
- F. If speaking to a media representative, a board member should clarify when speaking as an individual rather than as directed by the Board of Trustees. When speaking as an individual, the member will remind the media representative(s) of the position or action of the Board of Trustees as a body.
- G. The Board should communicate with the community through public hearings, presentations to PTAs and Civic Clubs, regular Board meetings, and regular publications.
- H. All Board members are encouraged to visit with the media on the positive aspects of the district.

**XV. Social Media Communications**

- A. Social media is content created by using highly scalable publishing technologies that is used to communicate, influence, and interact with peers and public audiences. This section applies to all printed and electronic forms of communication including but not limited to text messaging, instant messaging, blogs and micro blogs, wikis, forum and chat rooms, review and opinion sites, content sharing sites, social bookmarking sites, internal SISD sites, and social networks (e.g., Facebook, Twitter, Instagram).
- B. As an elected official representing constituents and Sweeny ISD it is a Trustee's responsibility to act in a professional manner at all times and to

maintain the dignity and trust of the position. A Trustee is responsible for his/her public conduct even when not acting on behalf of SISD. Trustee shall not use social media formats to express their opinion as it relates to his/her positions in respect to Board matters, SISD, or issues involving SISD.

- C. A Trustee who participates in the use of social media for personal purposes should observe the following guidance:
1. Do not use personal social media environments to comment on Board deliberations or decisions;
  2. Do not disclose information provided, or discussed in closed sessions, and do not disclose information that is not part of the public domain;
  3. Refrain from making negative comments about District employees or other Trustees;
  4. Do not use the District logo or other copyrighted District material without express written consent of either the Superintendent, Board President, or the Board (acting in its official capacity);
  5. Respect and protect privacy and confidentiality;
  6. Use common sense and good judgment when using and creating social media sites particularly using care regarding content presented on a Trustee's site;
  7. Moderate such personal social media sites, so as not to allow posting of information that may place the Trustee in a compromising position or that attacks a Trustee's character or that of the District;
  8. Observe guidelines for district personnel set out in the Electronic Media Provision of Board Policy DH (Local).

**XVI. Phone Calls and/or Letters**

- A. The SISD Board of Trustees encourages input. Any letter should be forwarded to the Superintendent for appropriate follow-up; however, anonymous communications will not receive Board action.

**XVII. Review of Board Operating Procedures**

- A. Standard Board Operating Procedures will be reviewed and updated as needed, but at a minimum annually.