

CANUTILLO A Premier District



BOARD TEAM OPERATING PROCEDURES

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Canutillo ISD Board Team Operating Procedures

I. Introduction

The Canutillo Independent School District Board of Trustees has adopted these Board Team Operating Procedures in the spirit of collaboration and teamwork that guide our work and the work of the Superintendent on behalf of all the students of Canutillo ISD. These procedures are consistent with our Board Members, Creed, Code of Ethics, Mission Statement, and Vision Statement, and with all other laws and policies governing the operation of the Board and the District.

These procedures are especially important in the way that they exemplify our commitment to the District's Core Values (e.g. accountability, commitment, trust, respect, integrity, high expectations, and teamwork) and District Goals. Further, these Board Team Operating Procedures take the extra step beyond adherence to laws and policies. They demonstrate our dedication to holding ourselves accountable as a team to be collaborative, flexible, and inclusive as we strive to achieve our mission to maximize our students' academic, artistic, athletic, and social skills.

II. School Board Members' Creed

I, as a Board member, recognize that my responsibility is to act as a governing body and work as a team with my fellow trustees to see that the district is well-managed through effective policies.

- A. I am a citizen elected to represent the people of the entire School District, not just a specific group of people or those living in a subdivision or area.
- B. I realize that my authority as a member of the Board of Trustees exists only during legally announced meetings and that all other times I am a private citizen.
- C. My work as a member of the Board of Trustees consists of assisting in selecting a competent Superintendent to guide the District, deciding within the provisions of applicable laws what is to be done, setting educational priorities, and appraising the work to see that it is done competently and economically. The administration of the educational program and the conduct of school business shall be left to the Superintendent of schools and his/her staff.
- D. As a member of the Board of Trustees, I deal directly with the Superintendent or through the Board President and do not attempt to handle school business matters with other District employees.
- E. I listen impartially to all persons who come to me with questions, problems, and/or comments on the capabilities of personalities of school employees, and direct them to the appropriate employees of the school District and apprise them of the administrative procedure for all complaints/grievances.
- F. I must make my own decisions. I will not join any faction or group of the Board of Trustees. Each time I cast my vote, it will be because of the facts regarding the individual issues, not because of anyone else's position or voting alignment. I abide by majority decisions of the Board and I publicly support these decisions even though I may have voted with the minority.
- G. I will not seek special privileges for myself, my relatives, or my friends.
- H. I will seek to ensure that our students have a quality education.
- I. I will uphold my personal obligations to the community and the state.
- J. I will to serve the School District with dignity and honor.

III. Code of Ethics

Board of Trustees' Code of Ethics-Related policy BBF(Local Policy)

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

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

Trustworthiness in Stewardship

- A. I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.
- B. I will strive to involve the community by ensuring that it is fully and accurately informed about our schools and will try to interpret community aspirations to the school staff.
- C. I will work to ensure prudent and accountable use of District resources.
- D. I will recognize that authority rests only with the whole Board assembled in meeting and will make no personal promise to take private action that may compromise my performance or my responsibilities.
- E. I will refer all complaints through the proper 'chain of command' within the system and will act on such complaints at public meetings only when administrative solutions fail.

Honor in Conduct

- A. I will tell the truth.
- B. I will share my views while working for consensus.
- C. I will arrive at conclusions only after discussing all aspects of the issue at hand with my fellow Board members in meetings. I will respect the opinions of others and abide by the principle of majority rule.
- D. I will base my decisions on fact rather than supposition, opinion, or public favor.

Integrity of Character

- A. I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.
- B. I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- C. I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed.

Commitment to Service

- A. I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.
- B. I will diligently prepare for and attend Board meetings. I will notify, in advance, either the Board President or the Superintendent when I am unable to attend a Board meeting.
- C. I will avoid personal involvement in activities the Board has delegated to the Superintendent.
- D. I will seek continuing education that will enhance my ability to fulfill my duties effectively.

Student-centered Focus

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

Related policy:

- › **BBF(Local)**

IV. Procedures

A. Board Member Rules of Conduct-

In keeping with its ethical responsibility to make decisions in terms of the educational welfare of all children in the District, and recognizing that decisions must be made by the Board as a whole, the Board is determined that the following rules of conduct should be followed by each individual Board member in order to maintain the integrity of the Board and protect the Board, the District, and individual Board members from needless liability. These guidelines are not intended to discourage the free expression of opinion by Board members or to restrict the participation of Board members in the political process in any way. Just as the Board may not unlawfully restrict the First Amendment rights of expression of District employees, the Board does not intend, by this policy, to restrict the First Amendment rights of expression of individual Board members, rather, it is the intent of this policy to address issues of governance and to make sure that Board members understand and maintain the proper relationship between the Board, the District, the administration, District employees, students, and the public.

1. Board members shall follow Board policy and will abide by the decisions of the Board as a whole.
2. Board members shall not take individual actions that will compromise the School District, the Board, or the administration. Board members recognize that they are only authorized to take action in an official capacity as a member of the Board as a whole or when delegated authority by the Board as a whole.
3. Board members will not represent to anyone that they as individuals have any authority to act on behalf of the Board, the District, or the administration unless expressly authorized by the Board to do so.
4. Board members shall respect the role of the administration and will not encroach on administrative duties or attempt to micromanage the affairs of the School District.
5. Board members shall refer to the Superintendent any and all complaints received by them from citizens, including students, parents, and employees, where any action by the administration may be required.
6. Board members shall not try to solve complaints or grievances individually, except that they may counsel patrons or employees who inquire as to the correct procedure to be followed for the resolution of complaints and grievances.

7. Board members will not conduct investigations on their own of complaints by citizens, including students, parents, and employees. In the event a Board member receives a complaint or has concerns regarding any employee other than the Superintendent, he/she shall notify the Superintendent and/or the Board President and, if dissatisfied with the response, or if he/she otherwise believes it to be necessary, he/she may bring the matter to the attention of the Board as a whole in executive session at a properly posted meeting. Any decision to conduct an investigation, and the manner in which an investigation is to be conducted, shall rest with the Superintendent or the Board, for matters related to employees other than the Superintendent, and with the Board, for matters relating to the Superintendent. Any recommendations for proposed personnel action shall be dealt with in accordance with Chapter 21 of the Texas Education Code.
8. Board members may not circumvent the Superintendent and communicate with the staff about any matter within the purview of the Superintendent without first informing and attaining the approval of the Board. This does not mean that Board members are not free to communicate with staff members. However, Board members will apprise the Superintendent and the Board of any such communication any time they are requested to do so and any time such communication concerns a problem or complaint regarding the administration of the District on the individual campuses.
9. Board members will not conduct meetings with personnel during their hours of work without notifying the Board, The Superintendent, and the building principal (or supervisor of the facility where the employee is employed) prior to the time such meeting is scheduled.
10. Individual Board members shall not directly communicate with vendors or bidders to the District regarding any school business without the express prior authorization of the Board.
11. Board members will not individually undertake to observe the performance of employees, including classroom teachers, for the purpose of evaluating their performance.
12. Board members will not reprimand staff or provide direction to staff including the Superintendent, outside the confines of a Board meeting.
13. Board members will not attempt to exert pressure or influence the staff in order to coerce them into making particular recommendations or decisions.
14. Board members shall not place themselves in a position that may present a conflict of interest or that may bring into question the impartiality of the Board. In this regard, Board members shall be cognizant of the fact that they may be called upon to sit as final arbiters in connection with grievances filed by employees or patrons, as well as dues process hearings.

15. Board members will not conduct individual interviews with perspective
16. Board members will be honest with other members of the Board concerning all actions taken by them outside the confines of a Board meeting which concern or relate to the business of the School District.
17. Board members will endeavor to inform themselves about the requirements of the Texas Open Meetings Act and will seek to comply with this law at all times. Questions regarding compliance, including questions regarding the posting of matters on Board agendas, will be addressed to the Superintendent or Board President as early as possible.

B. To Maintain relations with other members of the school board, I will:

1. Respect the rights of others to have and express opinions.
2. Recognize that authority rests with the school board in legal session – not with the individual members of the school board except as authorized by law.
3. Make no disparaging remarks, in or out of school board meetings, about other members of the school board or their opinions.
4. Keep an open mind about how I will vote on any proposition until the board has met and fully discussed the issue.
5. Make decisions by voting in school board meetings after all sides of debatable questions have been presented.

Related Policies:

- › **DGBA(Legal Framework) and (Local Policy),**
- › **FNG(Legal Framework) and (Local Policy),**
- › **GF(Local Policy),**
- › **BBF (Local Policy),**
- › **BED (Legal Framework) and (Local Policy)**
- › **BDAA (Local Policy)**

Under normal circumstances, violations of the above guidelines will result in a warning to the individual Board member by the Board as a whole. For repeated violations or for violations which the Board determines to be sufficiently egregious to warrant more severe action, the Board may initiate a complaint with the Texas Education Agency or appropriate law enforcement agency, and in extreme situations, may pursue legal action against the individual Board member in order to protect the District and the Board from unnecessary exposure to legal liability.

Before each Board election in which new Board members are elected, these guidelines will be included in the trustee application packet so that all prospective Board members will be aware of the existence of these guidelines, their duty to follow them, and the potential consequences of their failure to abide by them. After the election, these guidelines will then be brought before the Board for a vote of affirmation.

V. Other Operating Procedures

A. Standing Committees of the Board

1. The functions of committees established by the Board shall be fact-finding, deliberative, and advisory. No committee shall have the power to act.
2. Committees will consist of three trustees appointed by the Board President.
3. Any committee member who misses three meetings in a year may be replaced by the Board President.
4. Committee chairs will approve agendas prior to posting and minutes prior to being placed on a regular board agenda.

B. When a trustee is appointed or recommended by the Board of Trustees to represent or perform in an elected position, a position which must be voted on and approved by the Board, that trustee must be accountable and provide information related to those duties and responsibilities to the Board and community when requested.

Related policies:

- › **BBF(Local Policy),**
- › **BE(Local Policy),**
- › **BE(Legal Framework),**
- › **BEC(Legal Framework),**
- › **BJA(Local Policy),**
- › **BBE(Legal Framework),**
- › **BBE(Local Policy),**
- › **GKA(Local Policy),**
- › **GKA(Legal Framework),**
- › **BDAA(Local Policy)**

C. Communication-

1. Team member communication between Board meetings:

The word communication(s) refers to any message, oral or written, regardless of the medium, including, but not limited to, telephone calls, e-mail messages, faxes, text messages, or face-to-face meetings. Trustees should respect the Superintendent's and other administrator's schedules and exercise courtesy by calling ahead for an appointment. Whenever possible, Board members should submit comments and questions in writing to the Superintendent utilizing the Board Inquiry Request Form. In all respects, the interactions and the relationships between board members and the Superintendent should be civil, respectful, and professional.

- a. The Superintendent will communicate with each Board member via weekly Board information packets to inform them of significant issues in the district. However, the following information will be communicated on the day of occurrence:
 1. Employee or student arrest occurring on campus.
 2. Employee or student major medical emergencies occurring on campus.
 3. Serious theft or security breaches occurring on campus.
 4. Actual or attempted abduction.
 5. Breaking news on any other important issue.
- b. The Superintendent will communicate requested information to all Board members in as timely a manner as possible without interfering with the conduct of regular District business.
- c. The Superintendent will meet with the Board President as needed, or communicate by telephone, fax, and/or e-mail to inform him/her of District issues that may need to come before the Board for information or action.
- d. The Superintendent will distribute any information requested by the Board President or other Board members to each member of the Board.
- e. Board members may communicate with other individual members for purposes of asking questions, clarifying information, or socializing under circumstances that do not conflict with or circumvent the Texas Open Meetings Act.
- f. Board members may not communicate with other individual members for purposes of soliciting votes in support of or opposition to items of business that may come before the Board.

- g. Board members who wish to share information relevant to District business or issues before the Board will relay the information to the Board President and the Superintendent for distribution to all members in the weekly Board information packets.

2. Requests for information not related to meeting agendas

- a. Board members should fill out the Board Inquiry Request Form to request information about the District or Board business.
- b. The Superintendent at his/her discretion may refer the Board member to a staff person with knowledge about the information requested.
- c. The Superintendent will determine if the information requested is readily available or if additional time is needed to gather the information or research the topic.
- d. If the information is available, the Superintendent will provide it to the requesting member and to all other members of the Board. If a written response is provided, a copy will be provided to each Board member.
- e. If the Superintendent determines that the request is unreasonable and will divert staff time or attention from Board or District priorities, he/she or the requesting Board member may ask the Board President to place the request on a meeting agenda. The requesting member may then ask if a majority of the Board wishes to direct the Superintendent to generate a report with the requested information.
- f. All printed materials will be tracked along with the cost associated with them.

3. Visiting school campuses and other facilities

- a. Board members may visit schools and other District facilities, in accordance with state and local laws and policies, to gain knowledge and understanding of programs and facilities, observe progress toward the District Mission, and to foster community relations.
- b. Board members are encouraged to participate in campus activities to which they have been specifically invited, and are encouraged to attend as many school events as their time permits. If a quorum of school board members is present, board members will not engage in any discussions among themselves or with others, regarding school business.

- c. Board members should inform the Superintendent's Office, the campus principal, or supervisor of the facility at least 7 calendar days in advance when they are planning a visit.
- d. Upon entering a school campus or District facility, Board members should register at the office following campus or facility guidelines.
- e. Board members will not enter construction areas or other hazardous areas without proper protective equipment and a knowledgeable escort.
- f. Board members must wear their identification badges at all times when visiting a campus or District facility otherwise, entry into the facility will not be granted, no exceptions.
- g. Trustees should not make presentations on behalf of the Board during campus visits, unless duly authorized by the Board as a whole.
- h. Trustees should not inspect campuses, observe personnel, or engage in other administrative activities unless duly authorized by the Board as a whole.
- i. Board members may interact with staff members or students during free periods, lunch, or recess.
- j. Board members will not enter teachers' classrooms or individual buildings for the purposes of conducting evaluations or investigations.
- k. Board members may not give advice or direction to staff members or students or act in an administrative capacity except when immediate safety or liability is an issue. Requests for administrative information should be submitted to the Superintendent.
- l. Board members will not ask district employees for extraordinary consideration for anyone.
- m. This procedure does not cover Board members who are visiting a campus as a parent. While 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. Board members will not request nor accept extraordinary consideration for themselves or their children.

4. Responses to citizen requests or complaints

- a. When communicating with the citizen(s), trustees should listen briefly and respectfully while remaining impartial and urge the citizen to follow the school hierarchy/chain of command (e.g. teacher, principal, associate superintendent) to resolve the issue or complaint. Trustees should communicate citizen request or complaints directly to the Superintendent.

5. Responses to employee requests or complaints

- a. Trustees should not discuss District business directly with employees because the effectiveness of the Superintendent or others may be undermined. If an employee wants to discuss District business with the trustee, the trustee should:
 1. advise and encourage the employee to follow appropriate channels within the District's organizational structure;
 2. submit a written or oral summary of the situation to the Superintendent, if the request or complaint involves activity that is serious enough to warrant the Superintendent's purview.
- b. If the employee expresses a complaint, the trustee should advise the employee to follow the chain of command outlined in District policy. (Refer to policy on employee complaints/grievances).

6. Communicating with the media

- a. The Board President or Vice President shall be the official spokesperson for the Board to the media on issues of media attention that require a response from the Board.
- b. The Superintendent or a designated staff member shall be the official spokesperson for the District to the media on issues of media attention that relate to District operations.
- c. Board members retain the right to speak to the media as an individual, but are strongly encouraged to direct media inquiries to the Superintendent.
- d. When speaking as an individual, Board members should:
 1. clarify that he/she is speaking as an individual and not for the Board of Trustees.
 2. remind the media representative(s) of the position or action of the Board of Trustees related to the issue in question.

7. Communicating with the community

- a. 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:
 1. relay information about District goals,
 2. interact in a positive manner,
 3. listen politely and respectfully to comments, and
 4. refer questions about specific District activities to the appropriate staff person when they do not know the answers.
- b. The Board of Trustees encourages community input.
- c. Board members should refer all anonymous calls and letters to the Superintendent if they involve the safety or security of students and/or employees.
- d. Signed letters addressed to the Board or a Board member will be forwarded to the Board President or the Superintendent for inclusion in weekly Board information packet.
- e. The Board will communicate to the community collectively through District communication vehicles authorized by the Board in policy or the District communication plan.

8. Board and Superintendent Communications

- a. The Superintendent will communicate with Board Members in a method of his/her choosing on a routine, weekly basis to inform them of significant issues and events within the district.
- b. However, the following information will be reported on the day of occurrence:
 1. Employee or student arrest occurring on campus.
 2. Employee or student major medical emergency occurring on campus.
 3. Serious security breaches or theft occurring on campus.
 4. Actual or attempted abduction.
 5. Breaking news on any other important issue.

9. Board member concerns about board member performance

If a Board member has a concern about Board member behavior that violates any of the board operating procedures, the Board member must:

- a. Discuss the alleged violation with the other Board Member in private prior to taking any other action, unless the nature of the allegation requires immediate escalation to the Board Chair.
- b. If, after the concerned Board Member has privately discussed the alleged violation with the other Board Member, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the concerned Board Member may submit, in writing, the allegation to the Board Chair (arbiter) along with the referenced violated board operating procedure. If the Board Chair is involved in the allegation, the concerned Board Member may instead submit the allegation, in writing, to the Board Vice-Chair or the next most senior Board Member not involved in the allegation who is then obligated to serve as arbiter instead.
 1. The arbiter will call a meeting with Board Members involved within 7 calendar days to discuss the alleged violation. All parties are strongly encouraged not to allow any further escalation of these procedures and the arbiter's duty is to work to avoid such escalation.
- c. If, after the conference, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the Board Chair will call a meeting of the Board to discuss the alleged violation. The Board Chair may call upon the District's General Counsel or an external legal advisor to investigate the nature of the allegations. The findings of this investigation will be presented at the meeting of the Board.
- d. If, after the meeting of the Board to discuss the alleged violation, the Board determines that additional consideration of the alleged violation is warranted, the allegation and the investigative findings will be placed on the next regular meeting agenda.
- e. In order for the alleged violation to be considered, one of the following three motions must be made and seconded: a motion to dismiss allegations, a motion to admonish or a motion to censure.
 1. A **motion to dismiss allegations** concludes these procedures and exonerates the accused Board Member. Once a motion to dismiss allegations has passed concerning a given alleged violation, no other motions concerning that alleged violation are in order. A motion to dismiss allegations requires a majority vote to pass.

2. A **motion to admonish** is a one-time punitive action which serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to admonish must be presented in writing and must contain the exact language of the alleged violation and the proposed admonition. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a majority vote to pass.
3. A **motion to censure** is an action that is permanent until lifted by the Board via a majority vote of the Board. A censure serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to censure does, however, remove privileges that are not rights of Board members but that have been afforded to Board members nevertheless. A motion to censure must be presented in writing and must contain the exact language of the alleged violation and the proposed censure. A copy of the motion to censure must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to censure requires a 2/3 majority vote to pass. A motion to censure can only be lifted by a motion to dismiss allegations that occur at least one (1) meeting after the motion to censure was passed.

Examples of Board member rights include being in meetings, voting, public information requests. Anything that is not a right afforded to elected officials under law is a privilege and is forfeited by the censured Board member until the censure is lifted. Examples of privileges are set agenda items, be on district property, contact staff, meet with superintendent, access to information that does not exist, etc (these are all rights of the board but not of individual board members.

Related policies:

- › **BBF (Local Policy),**
- › **BE(Local Policy),**
- › **BE(Legal Framework),**
- › **BEC(Legal Framework),**
- › **BJA(Local Policy),**
- › **BBE(Legal Framework),**
- › **BBE(Local Policy),**
- › **GKA(Local Policy),**
- › **GKA(Legal Framework),**
- › **BDAA(Local Policy)**

D. Board Meetings and Agendas:

1. Preparation of the Board meeting agenda

- a. The deadline for submitting items for inclusion on the agenda is noon of the sixth calendar day before regular meetings and noon on the third calendar day before special meetings.
- b. In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. 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.
- c. Before the official agenda is finalized for any meeting, the Superintendent shall consult with the Board President to ensure that the agenda and the topics included meet with the Board President's approval. In reviewing the preliminary agenda, the Board 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 an appropriate time in the near future. The Board President shall not have authority to remove from the agenda a subject requested by a trustee without that trustee's specific authorization.

d. Persons other than trustees who wish to place an item on the agenda shall submit in writing to the Superintendent and the Board President the following information:

1. the topic on which the person will speak and the purpose of the presentation,
2. the spokesperson if representing a group, and
3. the approximate amount of time requested for the presentation; the Board President may limit the time.
4. The Superintendent shall present the written request(s) to the Board President who must approve the item before it is placed on the agenda.

e. The items listed below may be included on a consent agenda for action together in a single vote without discussion. Placement of items on the consent agenda will be at the discretion of the Board President and the Superintendent. Any individual Board member may ask questions or discuss an item on the consent agenda by asking the Board President to remove it from the consent agenda for individual consideration. The Board President will allow discussion on any item requested for removal from the agenda by a Board member.

1. minutes of regular and special Board meetings
2. acceptance of financial reports
3. routine bid recommendations in alignment with District policy
4. approval of personnel contracts that comply with District policy
5. requests to use District facilities
6. annual renewals or Region XIX and TEA agreements
7. gifts, donations, and bequests
8. routine, non-controversial items

2. Board members' questions about the agenda

- a. Board members are encouraged to ask for information from the Superintendent before the Board meeting. Questions about agenda items or requests for additional information will be directed to the Superintendent or the designated contact person for the agenda item. Staff members will promptly inform the Superintendent of questions from Board members. Any information or reports prepared for one Trustee shall be delivered to the remaining Trustees simultaneously.
- b. Board members should make request for information or answers to questions as early as possible to allow the administration time to prepare a response.
- c. The Superintendent will determine if the information requested is readily available or will require additional time to gather or research. If additional time is needed to provide the information, the Superintendent and Board member will agree on an appropriate time in which to provide the information.
- d. If a written summary or report is requested, the Superintendent will provide such information to each Board member prior to the Board meeting. Directives to the Superintendent or other staff members regarding the generation of new reports should be made by Board action.
- e. Even when information about agenda items is provided in advance or Board members receive answers to specific questions prior to the meeting, they are not prohibited from discussing the information at the meeting. Board members may ask additional questions about agenda items during the Board meeting.

3. Board member preparation for meetings

- a. The administration will insure that all information needed for informed decision-making is supplied to each Board member electronically at least four days before the Board meeting.
- b. Each Board member will prepare for Board meetings by studying agenda packet materials, asking clarifying questions of the Superintendent, or contact person listed for a given agenda item, or requesting additional information needed for decision-making in advance of the meeting.
- c. Board members will ask agenda-related questions of the Superintendent at least one day before Board meetings if at all possible.

- d. All printed materials will be tracked along with the cost associated with them.

4. Board meeting protocol

- a. All Board meetings will be conducted in accordance with Roberts Rules of Order Newly Revised.
- b. Board members will follow the Board approved Code of Ethics in and out of the Board meetings.
- c. Board members will comply with all legal and local policy regarding the execution of Board meetings.
- d. Board members will maintain professional and courteous behavior throughout the meeting even during emotionally charged discussions over complex issues.
- e. Board members will demonstrate respect to fellow Board members and public participants through the following behavior:
 - 1. Address each other, staff, and the public by title and last name;
 - 2. Speak only after acknowledgment from the Board President;
 - 3. Support hearing the comments of all Board members on each agenda item that is being discussed and refrain from dominating the conversations;
 - 4. Call ahead to staff regarding simple “clarifying” needs for agenda items and focus dialogue on critical agenda items;
 - 5. Refrain from condescending or critical comments to members of the staff, public, or Board;
 - 6. Focus on issues, not people or personalities;
 - 7. Courteously accept other viewpoints and Board votes;
 - 8. Seek solutions and reasonable compromises or consensus when there are differences of opinions;
 - 9. Make decisions in the context of what is best for all students in the District;
 - 10. Avoid immediate decisions and votes and possible short-term solutions when the issue calls for more discussion, understanding, and a more in-depth approach or solutions (except in emergency situations);

11. Be willing to publicly apologize to staff, patrons, or Board members if behavior is inappropriate or disruptive to the progress of the meeting; and
12. Attempt to have dialogue (multiple perspectives) rather than simple discussions (yes or no decisions).
13. Time limits on discussion:
Each member will be allowed to discuss an item for three minutes. If necessary, a second round of discussion for another three minutes can be called. No yielding of time will be allowed.
 - a. If a member feels that the item requires additional time, the member may move that the Board extend the number of discussion rounds. Such a motion requires a second and a majority vote.
14. Trustees and the Superintendent should switch all electronic devices to silent mode during a public meeting. If the Trustee needs to take a call they shall leave the meeting room. Trustees and the Superintendent should not communicate with one another, third parties, or members of the district staff, or the public via electronic means during a public meeting. The Superintendent may communicate with the above listed parties if a matter is urgent.

5. Presentations at Board meetings

- a. In general, administrative presentations should be limited to approximately 10 minutes. This time limit may be suspended for lengthy reports such as the Annual Performance (AEIS) Report.
- b. Board members may make reports to the Board during regular board meetings, for items such as Board committee meetings and travel reports, not to exceed 3-5 minutes.

6. Reasonable and appropriate time for consideration of an issue

- a. The Board should consider and vote, as appropriate, on agenda items and items about which the information has been provided prior to the meeting, thus allowing the Board to consider each issue and agenda item in a manner consistent with good decision making. In cases in which information is brought to trustees without adequate time for consideration, trustees should not be coerced into taking action on any issue until adequate time has been allotted to review all information provided. In all cases, the Board should avoid pressure votes.

7. Board deliberations

- a. After a motion is made and seconded, it is appropriate to state concisely why a trustee should or should not support the motion. Trustees should refrain from debating with one another during deliberation. Statements should be made based on facts presented, rather than in response to comments made by other trustees. The operating principle during deliberations shall be “individual choice-mutual respect.”
- b. Trustees should be encouraged to vote on all issues except in cases where there is a potential conflict of interest.

8. Team member participation during public forums

- a. Citizens may address the Board at meetings according to District policy which defines the following:
 1. Time limits for individual speakers;
 2. Limits on the number of speakers addressing the same, issue and provisions for appointing a designated spokesperson;
 3. Limits on the number of times a single speaker can address the Board within a given time period before other speakers have an opportunity to be heard; and
 4. The Board President directs community input. The President should inform those presenting to the Board to act in a civil, respectful manner in all cases. In instances of abusive or inappropriate behavior, the President may call for a recess, suspend the presentations, or otherwise restore order to the session.
- b. Board members will listen to comments but will not respond.
- c. The Board President or Superintendent will be the designated spokesperson for the Board should any response to the speaker be required. The spokesperson will be limited to:
 1. Correcting misstatements of facts presented by the speaker;
 2. Referring the speaker to applicable Board policy, or
 3. Placing the item on a future Board agenda for discussion if not listed on the current Board Agenda.
- d. The Board may direct the Superintendent to investigate issues brought forward by the public at this time and report to the Board at a later meeting.

- e. The Board will not entertain negative comments about individual students or personnel during public comments.
- f. The Board President or Superintendent will inform individuals with administrative complaints of policies that outline procedures for resolving complaints, including the process to follow before bringing complaints to the Board on appeal.

9. Executive sessions

- a. An executive session is a conference of the Board in private and is governed by state law and District policy.
- b. Before going into executive session, a quorum of the Board must convene in an open meeting for which proper notice has been given.
- c. The President of the Board must publicly announce that the Board is going into executive session and identify the section of the Open Meetings Act that authorizes the action. Only those topics exempted from public discussion under the Open Meetings Act may be discussed during executive session.
- d. The Board can only discuss those items listed on the executive session agenda and as limited by law. Chapter 551 of the Texas Government Code specifies topics that can be discussed in an executive session as follows:

- 551.71** To consult privately with the Board’s attorney
- 551.72** To discuss the purchase, exchange, lease, or value of real property
- 551.73** To discuss negotiated contracts for perspective gifts or donations
- 551.74** To discuss personnel or to hear complaints against personnel
- 551.75** To confer with employees of the School district to receive information or to ask questions
- 551.76** To consider the deployment, specific occasions for, or implementation of security personnel or devices.
- 551.82** To consider discipline of a public school child or complaints or charges against personnel
- 551.83** To consider the standards, guidelines, terms or conditions the Board will follow, or will instruct its representative to follow, in consultation with representatives of employee groups.
- 551.84** To exclude witnesses from a hearing.

- e. Board members will not reveal the content of executive session discussion. In matters concerning legal issues or principles, trustees should refrain from commenting on active cases or hypothetical situations.

Related policies:

- › **BE(Legal Framework),**
- › **BE(Local Policy),**
- › **BEC(Legal Framework),**
- › **BED(LEGAL, BED(Local Policy),**
- › **BJA(Local Policy),**
- › **BBF(Local Policy),**
- › **BDAA(Local Policy),**
- › **DGBA(Legal Framework),**
- › **DGBA(Local Policy),**
- › **FNG(Legal Framework),**
- › **FNG(Local Policy),**
- › **GF(Local Policy).**

10. Team Operating Procedures Agreement

- a. These procedures are a voluntary agreement among the Board of Trustees and the Superintendent on how one should conduct oneself.
- b. In the event statements in this document conflict with federal law, state law, or local Board policy, those laws and policies take precedence.
- c. The team operating procedures should be reviewed annually in September. During the annual review process, any Board member may add, change, or modify anything in these procedures subject to Board approval. Should trustees propose changes at any other time of the year, a unanimous agreement for the change is necessary.

E. Conflict of Interest Procedures

PROCEDURE INTENTION

These procedures are intended to prevent placing a Board member in a position where the Board member's interest in the District and external interests might conflict, and to avoid the appearance of a conflict of interest, whether or not such a conflict exists. This provides protection for the Board member, the District, and the community. It is not the intent of this procedure to prevent the District from contracting with corporations or businesses because a Board member has an interest.

PROCEDURES FOR IDENTIFYING, DISCLOSING AND/OR AVOIDING CONFLICTS OF INTEREST

- 1. Identifying Conflicts:** A conflict or the appearance of a conflict exists whenever there is an intersection between a Board member's duty to the District and the Board's member's other duties. Examples of behaviors that are considered conflicts of interest and/or unethical behaviors that all Board members are forbidden from engaging in include, but are not limited to:
 - a. A Board member, or individual related by affinity or within the fourth degree by consanguinity, being party to a contract or having a financial interest in a transaction with the District. Financial interest, as used in this procedure, means having a 5% partnership interest or owning 5% or more of the outstanding shares of any class of stock in an entity contracting or entering into an agreement for services with the District, and/or receiving annual compensation or value equal to or exceeding \$1 from an entity.
 - b. A Board Member, or individual related by affinity or within the fourth degree by consanguinity, being a trustee, director, board member, associate, employee, consultant or advisor of an entity engaged with the District in a contract or transaction for goods or services.
 - c. A Board Member, or individual related by affinity or within the fourth degree by consanguinity, being engaged in some capacity or having a financial interest in a business or enterprise that competes or partners with the District.
 - d. A Board Member voting to employ or appoint any person who is related by affinity or within the fourth degree by consanguinity to the Board Member or Board Member's spouse. By extension, it is a conflict for a Board member to provide applicants to District positions with letters of references or be listed as a reference on an application.
 - e. A Board Member voting for or against any measure if they have received or have been promised any gift or payment of any item or value on condition of vote.

- f. A Board Member voting for or against any measure if they have received a campaign contribution from a party wishing to benefit from the vote.
- g. A Board member using their office to obtain anything of substantial value for the Board member or their immediate family. By extension, no Board member may solicit or accept anything of value if it could reasonably be considered a reward for any official action, take any official action affecting a matter in which the Board member or the Board member's immediate family has a substantial financial interest, use their office to produce a substantial direct or indirect benefit for themselves or for members of their immediate family.

2. Disclosing Conflicts: When a conflict or the appearance of a conflict exists, the Board will take the following steps to ensure that the public is made aware of the real, perceived, or potential conflict:

- a. The Board Member will submit a Statement of Conflict to the Board Chair and Secretary no later than 72 hours prior to the Board Meeting at which the Board Item relating to the potential conflict is to be discussed.
- b. The potential conflict of interest will be added to the agenda before it is posted.
- c. Before the Board Item relating to the potential conflict is discussed during the board meeting, the Board Chair will announce that there is a potential conflict.
- d. A Board Member who discloses a conflict of interest will leave the dais during the period of time when the item in conflict is discussed. Board member will abstain from voting and recuse him/herself from all discussions on the matter. Upon abstaining, the Board Member shall state the conflict and their reasoning for abstaining prior to leaving the dais. Furthermore, Board Members will be prohibited from influencing the matter outside of the Board's decision making process. All Board Members will be required to report inappropriate influence or pressure to the Board Chair as prohibited by this procedure.
- e. All actions, disclosures, and discussions regarding conflicts of interest will be recorded in Board meeting minutes and posted on the District's website.

3. Avoiding Conflicts: To avoid either a conflict of interest or the appearance of a conflict of interest, the Board will:

- a. Not allow the District to employ Board Members for compensation even on a substitute or part-time basis. Board Members may volunteer in the District.
- b. Not enter into a contract or financial transaction where a conflict of interest, as defined by this procedure, exists unless the conflict has been properly disclosed as described above.
- c. Ensure that all Board Members submit to the Board Chair and Secretary an annual Conflict Disclosure Form identifying any relationships, positions, or circumstances in which they are involved that contributes to a conflict of Interest or the appearance of a conflict of interest as defined by this procedure.
- d. Ensure that all conflicts, potential conflicts, and disclosures are submitted to the Board Chair and Secretary no later than 72 hours prior to the Board Meeting at which the Board Item relating to the potential conflict is to be discussed.
- e. Not allow Board members to sell, lease, or provide personal property or real estate to the District. Personal property or real estate may be donated to the District by a Board Member.

4. Procedures for Defining a Conflict of Interest Violation

- a. Defining Violations:** Because the lists above are not intended to be exhaustive, there are many ways that a Board member could intentionally or unintentionally violate these procedures. Common examples of potential violations include, but are not limited to:
 - 1. Failure to Disclose: The Board member did not disclose a conflict of interest prior to a Board discussion or action on the Board Item or issue.
 - 2. Failure to Comply with Inquiries: The Board member did not cooperate with inquiries made by the Board into potential conflicts of Interest.
 - 3. Inappropriately Influencing the Decision Making Process: The Board member engaged in pressuring or influencing fellow Board Members to discuss or vote a certain way on a decision involving a conflict of interest including, but not limited to, asking, suggesting, manipulating, pressuring, or threatening a Board Member to vote a certain way.

- b. Failure to Report Suspected Conflicts of Interest: A Board Member knowingly failed to report a conflict regarding a fellow Board Member to the Board Chair and Secretary.
- c. Use of Confidential Information: A Board Member used confidential information obtained in the course of a Board Member's official capacity in any manner with the intent to result in financial or political gain for him/ herself, any other person, or any entity.

VI. Policy

A. Duties of the Board of Trustees- Related policies: BAA(Legal Framework) and BBD (Legal Framework and Exhibit)

The Board of Trustees has the legal power to:

1. Hire the Superintendent.
2. Govern and oversee the management of public schools in the District.
3. Adopt rules and bylaws.
4. Adopt a policy to establish a District and campus level planning and decision-making process.
5. Levy and collect taxes and issue bonds.
6. Employ and compensate a tax assessor or collector, as the Board considers appropriate.
7. Adopt and file a budget for the next succeeding fiscal year.
8. Have District fiscal accounts audited at District expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy following the close of each fiscal year.
9. Appraise the Superintendent annually using either the Commissioner's recommended appraisal process or a process and criteria developed by the District.
10. Publish an annual report describing the District's educational performance including campus performance objectives and the progress of each campus toward those objectives.
11. Receive bequests and donations or other moneys or funds coming legally into its hands in the name of the District.
12. Select a depository for District funds.
13. Canvass election results as required by law.
14. Acquire and hold real and personal property in the name of the District.
15. Execute, perform, and make payments under contracts, which may include leases, leases with option(s) to purchase, or installment purchases, with any person or the use, acquisition, or purchases of any personal property, or the financing thereof. The contracts shall be on terms and conditions that are deemed appropriate by the Board in accordance with state law.
16. Exercise the right of eminent domain to acquire property.
17. Hold all rights and titles to the school property of the District, whether real or personal.

18. Authorize the sale of any property, other than mineral, held in trust for free school purposes.
19. Sell minerals in land belonging to the District.
20. Employ, retain contract with, or compensate a licensed real estate broker or salesperson for assistance in the acquisition or sale of real property.
21. Adopt a policy providing for the employment and duties of District personnel.
22. Limit redundant requests for information and the number and length of written reports that a classroom teacher is required to prepare.
23. Review paperwork requirements imposed on classroom teachers and transfer to existing non-instructional staff a reporting task that can reasonably be accomplished by that staff.
24. Request the assistance of the attorney general on any legal matter. The District must pay any costs associated with the assistance.
25. Sue and be sued in the name of the District.

Board members shall not interfere with the executive and administrative duties of the Superintendent in managing the District. Specifically, Board members shall not interfere with the Superintendent's responsibility of deciding how to achieve goals set by the Board.

Related policies:

- › **BAA(Legal Framework)**
- › **BBD (Legal Framework and Exhibit)**

B. Statutory Duties of the Superintendent

1. Assume administrative responsibility and leadership for planning, operation, supervision, and evaluation of the education programs, services, and facilities of the District and for the annual performance appraisal of the District's staff.
2. Assume administrative authority and responsibility for the assignment and evaluation of all personnel of the District other than the Superintendent.
3. Make recommendations regarding the selection of personnel of the District.
4. Initiate the termination or suspension of an employee or the non renewal of an employee's term contract.
5. Manage the day-to-day operations of the District as its administrative manager.

6. Prepare and submit to the Board of Trustees a proposed budget as provided by TEC 44.002.
7. Prepare recommendations for policies to be adopted by the Board of Trustees and oversee the implementation of adopted policies.
8. Develop or cause to be developed appropriate administrative regulations to implement policies established by the Board of Trustees.
9. Provide leadership for the attainment of student performance in the District on the indicators adopted by the State Board of Education or the District's Board of Trustees.
10. Organize the District's central administration.
11. Perform any other duties assigned by action of the Board of Trustees.

Related policy:

› **BJA(Legal Framework)**

C. Duties of the Superintendent as Specified in Board Policy

In addition to performing statutory duties, the Superintendent shall:

1. Provide leadership and direction for the development of an educational system that is based on the needs of students, on standards of excellence and equity, and on community goals. Toward that end, the Superintendent shall:
 - a. Establish effective mechanisms for communication to and from staff in instructional evaluation, planning, and decision making.
 - b. Oversee annual planning for instructional improvement and monitor for effectiveness.
 - c. Ensure that goals and objectives form the basis of curricular decision making and instruction and communicate expectations for high achievement.
 - d. Ensure that appropriate data are used in developing recommendations and making decisions regarding the instructional program and resources.
 - e. Oversee a system for regular evaluation of instructional programs, including identifying areas for improvement, to attain desired student achievement.

- f. Oversee student services, including health and safety services, counseling services, and extracurricular programs, and monitor for effectiveness.
 - g. Oversee a discipline management program and monitor for equity and effectiveness.
 - h. Encourage, oversee, and participate in activities for recognition of student efforts and accomplishments.
 - i. Oversee a program of staff development and monitor staff development for effectiveness in improving district performance.
 - j. Stay abreast of developments in educational leadership and administration.
2. Demonstrate effective planning and management of District administration, finances, operations, and personnel. To accomplish this, the Superintendent shall:
- a. Implement and oversee a planning process that results in goals, targets, or priorities for all major areas of District operations, including facilities maintenance and operations, transportation, and food services.
 - b. Monitor effectiveness of District operations against appropriate benchmarks.
 - c. Oversee procedures to ensure effective and timely compliance with all legal obligations, reporting requirements, and policies.
 - d. Ensure that key planning activities within the District are coordinated and are consistent with Board policy and applicable law and that goals and results are communicated to staff, students, and the public as appropriate.
 - e. Oversee a budget development process that results in recommendations based on District priorities, available resources, and anticipated changes to district finances.
 - f. Oversee budget implementation to ensure appropriate expenditure of budgeted funds, to provide for clear and timely budget reports, and to monitor for effectiveness of the process.
 - g. Ensure that District investment strategies, risk management activities, and purchasing practices are sound, cost-effective, and consistent with District policy and law.
 - h. Maintain a system of internal controls to deter and monitor for fraud or financial impropriety in the District.

- i. Ensure that the system for recruiting and selection results in personnel recommendations based on defined needs, goals, and priorities.
- j. Organize District staff in a manner consistent with District priorities and resources and monitor administrative organization at all levels for effectiveness and efficiency.
- k. Oversee a performance appraisal process for all staff that reinforces a standard of excellence and assesses deficiencies; ensure that results are used in planning for improvement.
- l. Administer a compensation and benefits plan for employees based on clearly defined goals and priorities.
- m. Encourage, oversee, and participate in staff recognition and support activities.
- n. Oversee a program for staff retention and monitor for effectiveness.
- o. Maintain positive and professional working relationships with the Board and the community. The responsibilities in this regard shall encompass the following:
- p. Keep the Board informed of significant issues as they arise, using agreed upon criteria and procedures for information dissemination.
- q. Respond in a timely and complete manner to Board requests for information that are consistent with Board policy and established procedures.
- r. Provide recommendations and appropriate supporting materials to the Board on matters for Board decision.
- s. Articulate and support Board policy and decisions to staff and community.
- t. Direct a proactive program of internal and external communication at all levels designed to improve staff and community understanding and support of the District.
- u. Establish mechanisms for community and business involvement in the schools and encourage participation.
- v. Work with other governmental entities and community organizations to meet the needs of students and the community in a coordinated way.

D. To the extent permitted by law, the Superintendent may delegate responsibilities to other employees of the District but shall remain accountable to the Board for the performance of all duties, delegated or otherwise.

- E. Perform related duties assigned by action of the Board.
- F. Fulfill the responsibilities of the public information coordinator and shall receive, on behalf of Board members, the training specified by Government Code 552.012.

Related policies:

- › **BJA (Local)**
- › **BBD (Local)**