

VIDOR ISD



BOARD OPERATING GUIDELINES

2018-2019

I. DEVELOPING BOARD MEETING AGENDAS

A. Placing Items on the Agenda – Policy BE (Local)

1. Any Board member who wishes to have something placed on the agenda will submit their proposed action item and policy changes to the superintendent. The superintendent will provide board members with information on the item, administration position, and recommendations. The agenda item will appear on the next regular board meeting agenda, unless it requires research beyond the time allotted.

2. Any trustees may ask the superintendent during a meeting to put an item on the next agenda.

3. District administrative staff will prepare recommended motions for agenda items as necessary, to be used at the discretion of the board.

4. Agenda items are to be submitted to the superintendent no later than five days before regular or special board meetings.

5. Board meeting agendas and accompanying materials will be made available electronically through **BoardBook** to board members no later than 72 hours prior to regular and special board meetings.

B. Items that cannot be on the agenda other than for closed session. – Policy BE (Local)

1. Individual employee issues and confidential student issues must be conducted in an executive session unless specifically required to be discussed in open session.

2. Any item not addressed in #1 above, may be discussed in closed session as allowed by the Texas Open Meetings Act.

3. In accordance with local policy BEC (Local), and government code 551.146, no Board member may reveal to any person the statements or comments made by another Board member or other authorized person in attendance at a closed (Executive Session) meeting.

C. Questions about agenda items, requests for information, other trustee correspondence with the superintendent and administrative response.

1. Any response provided in response to a board member's request shall be provided to all board members.

2. All questions or requests of the administration shall be directed through the superintendent's office.

D. Special meetings may be called by the Board president at his/her discretion, or on request by any two members of the Board. Policy BE (Local)

E Consent agenda items are considered to be routine by the Board of Trustees and will be enacted with one motion. There will be no separate discussion of items unless a board member so requests, in which event the item will be removed from the consent agenda and considered as an item on the Regular agenda.

II. MEMBER CONDUCT DURING BOARD MEETINGS

A. All Board members are expected to model the Board Member Code of Ethics as described in Board Policy, BBF (Local). See Addendum A.

B. Voting

1. All members, including the president, will vote on all action items.
2. A member will not abstain from voting except by legal right which must be stated by the trustee who wishes to abstain at that time.
3. Board members are expected to support the will of the board on all votes.

C. Board member response to a person addressing the board.

1. Public participation at a Board meeting - Policy BED (Local)
 - a. Time limit on participation will be three (3) minutes. Total time for public comment will be 30 minutes and groups of five or more individuals who wish to speak on the same topic shall elect a single spokesperson.
 - b. Public comment will require that the person or persons shall sign in with the presiding officer or designee and shall indicate the topic they wish to speak about.
 - c. The board president may ask the superintendent to investigate the matter and report back to the board at a later time.
2. When a member or members of the public are disruptive they will receive a verbal warning from the presiding Officer.
3. When a member or members of the public continue with a second infraction, the presiding officer will ask the superintendent to call law enforcement to escort the person or persons off the premises and he/she may not return during that meeting.

III. INFORMATION OR REPORT REQUESTED BY A BOARD MEMBER BETWEEN MEETINGS.

A. A board member may request existing information or reports through the superintendent. The superintendent will gather the information or report and

disseminate it in a timely manner to the entire Board. Board members are encouraged to advise the superintendent of questions or concerns regarding agenda item(s) before the Board meeting.

B. Information requested from an attorney must be requested through the Superintendent or the Board president. The superintendent shall contact the attorney for all matters other than his/her evaluation and/or contract.

C. A Board member may request existing information or reports through the superintendent. If the information does not exist, and a report must be generated that will require labor by staff, the superintendent will bring an agenda item to the next meeting and a majority of the Board must request the information/report.

IV. CITIZEN REQUEST/COMPLAINT TO THE INDIVIDUAL BOARD MEMBER (Policy GF)

A. When a citizen complains to a board member, the board member should:

1. Listen politely for a short period of time.
2. Remind the citizen that the board member must remain impartial in case the situation goes before the board.
3. Refer the citizen to the lowest level at which the complaint can be reviewed.
4. Board member shall inform the superintendent of the complaint if they deem it appropriate.

B. When appropriate, the superintendent or designee shall communicate with the citizen in a timely manner and follow-up with the board.

V. EMPLOYEE REQUEST/GRIEVANCE TO THE INDIVIDUAL BOARD MEMBER (Policy DGBA)

A. When an employee complains to a board member, the board member should:

1. Listen politely for a short period of time
1. Remind the employee that the board member must remain impartial in case the situation goes before the board.
2. Refer the employee to the lowest level at which the complaint can be reviewed.
3. Board member shall inform the superintendent of the complaint if they deem it appropriate.

B. When appropriate, the superintendent or designee shall communicate with the employee in a timely manner and follow-up with the board.

VI. VENDOR REQUEST/CONCERN TO INDIVIDUAL BOARD MEMBER.

- A. Board members should refer vendor contacts to the superintendent, or his/her designee.
- B. No board member shall promise a vendor any type of business with the district and refer all prospective vendors to the administration.

VII. VHS Graduation Procedures for Board Members

- A. It is recommended that all board members arrive at least one hour before the beginning of the ceremony. Parking is provided for board members but is opened to the general public shortly before the ceremony. Traffic also is always a problem due to the large crowds attending the ceremony.
- B. The outgoing board president will drape the cords on the honor graduates with the incoming president handing the cords to outgoing board president. This symbolizes the role of the outgoing president in the graduates' senior year. Should the outgoing and incoming president be the same person, then the vice-president will hand the cords to the president. As always, any board member who has a special student or students to which he or she wishes to drape cords, then that board member will be encouraged to do so.
- C. Prior to the ceremony, the in-coming or present board president and the present board secretary will divide the graduating class into seven portions with each board member allowed to select a group. In the past, we have done this without a problem but should a controversy arise, the present board president will determine each board member's group.
- D. During the ceremony, should a board member be unable to hand out diplomas for his group, he should inform the board president immediately so that arrangements can be made for other board members to take over.
- E. As in the past, if any board member has a special student or students to which he or she wishes to hand a diploma, the board member will be allowed and even encouraged to do so.

VIII. BOARD MEMBER VISITS TO SCHOOL CAMPUSES

- A. Board members are encouraged/expected to attend special events on campuses to represent the Board in support of activities.

- B. The Board member will coordinate campus visits with the superintendent and then follow campus procedures as any other citizen.
- C. Board members are not to go into teachers' classrooms or campuses outside of scheduled activities/events for purposes of evaluation or investigation.
- D. Board members are not to evaluate a teacher's performance informally or formally.
- E. Board members are not to discuss a personnel matter with any employee informally or formally, except to refer them to the appropriate administrator.
- F. Board members are encouraged to notify the campus principal, as a courtesy, anytime they are on campus.

IX. COMMUNICATIONS

- A. The superintendent will communicate with the board on an as needed basis and will provide at least one weekly, written updated to all board members.
- B. Information sent to any board member will be distributed to all board members.
- C. Board will keep the superintendent informed via telephone calls, emails, or personal visits.
- D. The Board can communicate with the community through public hearings, regular Board meetings, district website, and regular publications.
- E. Individual Board members cannot speak in an official capacity outside of a legally called Board meeting with a quorum present, or call, or attend meetings as a representative of the Board without prior authorization of the board.
- F. The Vidor ISD Board of Trustees encourages input; however, anonymous calls or letters will not receive Board attention, discussion or response and will not result in directives to the superintendent or administration unless it's a matter of safety.
- G. The board, individually and collectively, shall not discuss 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 designees, unless the superintendent is notified in advance and agrees to such discussion.

X. EVALUATION OF THE SUPERINTENDENT

- A. The superintendent will be evaluated in January each year or at a time mutually agreeable to the board and the superintendent.
- B. The superintendent's performance review will be based on annual priorities and goals established and approved by the Board, with consideration of the AEIS report.
- C. The superintendent's evaluation instrument will be reviewed each year prior to the scheduled evaluation.
- D. Formative, informal evaluation conferences, will be scheduled at least quarter, as a part of the regular, monthly board meeting.

XI. SELECTION OF BOARD OFFICERS

- A. Election of officers: At the first regular meeting after each regular election, and certification of newly elected trustees, the members of the Board shall organize by electing the following officers:
 - 1. A president, who shall have been a member of the board for at least one year prior to the election, and has received, or will commit to receive as soon as possible formal training in the duties of a Board President.
 - 2. A vice president, who shall have been a member of the board for at least one year.
 - 3. A secretary
- B. Nomination of officer candidates
 - 1. Individual board members may nominate other members prior to or during the meeting for officer selection. Nominated board members may accept or reject the nomination.
 - 2. Board member may also self-nominate for a position for which they are interested and this may be done prior to or during the meeting for officer selection.
 - 3. Officer nominees made prior to the meeting will be announced prior to opening the floor for additional nominations.

XII. ROLE AND AUTHORITY OF BOARD MEMBER AND/OR BOARD OFFICER

- A. No Board member has authority outside the Board meeting.
- B. No Board member can direct employees in regard to performance of duties.
- C. The Board president shall:

1. Preside at all Board meetings at which he/she is present.
2. Appoint committees.
3. Call special meetings: The president of the Board shall call special meetings as needed.
4. Sign all legal documents required by law.

D. The vice president shall:

1. Act in the capacity of the president in the president's absence.
2. Sign or countersign warrants as necessary.

E. The secretary shall:

1. Keep or cause to be kept, an accurate record of the proceedings of the Board meetings.
2. Act in the role of president in the absence of the president and vice president.
3. Sign or countersign warrants and other documents as necessary.

F. Order of succession

1. In the event that the school district is included in an area declared as either state or federal disaster area, the order of succession after the secretary, shall be determined by the tenure of the board members present.
2. Should the tenure of the two senior board members present be identical, then succession shall be determined by alphabetical order of the last name.

XIII. ROLE OF THE BOARD IN EXECUTIVE SESSION

A. Agenda posting for executive session. The posted agenda will list the topics to be discussed in executive session, as identified later in these guidelines.

B. Entering executive session. The board may enter into executive session after the following requirements have been met:

1. The Board has first convened in open meeting for which notice has been given.
2. The presiding officer has publicly announced in open meeting that an executive session will be held.
3. The presiding officer has identified the section or sections of Chapter 551, Tex. Gov't Code, which authorize the holding of such closed or executive session.
4. The presiding officer has publicly announced that no final action, decision or vote will be taken by the board while in executive

session.

- C. Executive Session. Policy BEC (Legal)
See Addendum B

- D. The board shall reconvene the open meeting after an executive session, prior to adjourning the meeting. 551.102.

- E. Confidentiality. In accordance with the requirements of VISD Board Policy BEC, and 551.146, Tex. Gov't Code, no Board member may reveal to any other person the statements or comments made by another Board member or other authorized in attendance at closed (executive) session of the Board of Trustees.

- G. Closed meetings may not be recorded by an individual trustee

XIV. MEDIA INQUIRIES TO THE BOARD

- A. Media inquiries should be directed to the Superintendent who may then direct them to his/her designee.

- B. The Board president shall be the official spokesperson for the Board to the media/press on issues of media attention.

- C. Individual Board members have no official capacity to represent the district outside of a regular Board meeting. Therefore, they are discouraged from addressing the media. Should they choose to comment, however, they must always make it clear when speaking to the media that any opinion expressed does not represent the position or opinion of the VISD Board of Trustees.

- D. When asked about any item that the board has taken action on, individual board members may certainly state their personal opinion in regard to the issue as it was presented prior to the vote. However, as a member of the Team of Eight, they should also state their resolve to support the will of the Board and do everything in their power to assure the successful implementation of the issue for the well-being of the district and its students.

XV. REVIEWING BOARD OPERATING PROCEDURES

- A. Board Operating Procedures will be disseminated after each board election and reviewed annually, or upon the request by two or more board members.

- B. The Board will participate in the appropriate, required board trainings each year.

- C. New Board members will participate in required Local District Orientation with the superintendent, and the Level I Board Member training as provided by the

Regional Service Center soon as possible after election.

D. Board members will participate in Team of Eight training, as required, each year.

E. Board members will review Conflict of Interest Policy, BBFA (Legal), each year and sign as required BBFA (Exhibit).

The above board procedures do not supersede adopted board policy. In the event of a conflict, board policy controls.

I have received and reviewed the above Board Operating Procedures and will abide by the procedures as written.

Appendix A
Board Member Ethics

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 or 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 not disclose information that is confidential 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 avoid personal involvement in activities the Board has delegated to the Superintendent.
- I will seek continuing education that will enhance my ability to fulfill my duties effectively.

Appendix B
Executive Session Policy

EXCEPTIONS FOR
CLOSED MEETINGS

The Board may conduct a closed meeting for the purposes described in the following provisions:

ATTORNEY
CONSULTATION

1. The Board may conduct a private consultation with its attorney only when it seeks the attorney's advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the requirement for open meetings. *Gov't Code 551.071* [See BE for permissible methods of communication for attorney consultations]

REAL PROPERTY

2. The Board may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the Board's position in negotiations with a third person. *Gov't Code 551.072*

PROSPECTIVE GIFT

3. The Board may conduct a closed meeting to deliberate a negotiated contract for a prospective gift or donation to the District if deliberation in an open meeting would have a detrimental effect on the Board's position in negotiations with a third person. *Gov't Code 551.073*

PERSONNEL
MATTERS

4. The Board is not required to conduct an open meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee. However, the Board may not conduct a closed meeting for these purposes if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. *Gov't Code 551.074*

The closed meeting exception for personnel matters does not apply when the Board discusses an independent contractor who is not a school employee, such as an engineering, architectural, or consultant firm, or when the Board discusses a class or group of employees, not a particular employee. *Atty. Gen. Op. MW-129 (1980), Atty. Gen. Op. H-496 (1975)*

EMPLOYEE-
EMPLOYEE
COMPLAINTS

- The Board is not required to conduct an open meeting to deliberate in a case in which a complaint or charge is brought against a District employee by another employee and the complaint or charge directly results in the need for a hearing. However, the Board may not conduct a closed meeting for this purpose if the employee against whom the complaint or charge is brought makes a written request for an open hearing. *Gov't Code 551.082*
5. The Board is not required to conduct an open meeting to deliberate in a case involving discipline of a public school child. However, the

STUDENT DISCIPLINE	Board may not conduct a closed meeting for this purpose if the child's parent or guardian makes a written request for an open hearing. <i>Gov't Code 551.082</i>
PERSONALLY IDENTIFIABLE STUDENT INFORMATION	<p>6. The Board is not required to conduct an open meeting to deliberate a matter regarding a student if personally identifiable information about the student will necessarily be revealed by the deliberation.</p> <p>Directory information about a public school student is considered to be personally identifiable information about the student for this purpose only if a parent or guardian of the student, or the student if the student has attained 18 years of age, has informed the District that the directory information should not be released without prior consent. [See FL]</p> <p>This exception does not apply if an open meeting about the matter is requested in writing by a parent or guardian of the student or by the student if the student has attained 18 years of age.</p> <p><i>Gov't Code 551.0821</i></p>
MEDICAL OR PSYCHIATRIC RECORDS	<p>7. A board that administers a public insurance, health, or retirement plan is not required to conduct an open meeting to deliberate:</p> <ul style="list-style-type: none"> a. The medical records or psychiatric records of an individual applicant for a benefit from the plan; or b. A matter that includes a consideration of information in the medical or psychiatric records of an individual applicant for a benefit from the plan. <p><i>Gov't Code 551.0785</i></p>
SECURITY	<p>8. The Board is not required to conduct an open meeting to deliberate:</p> <ul style="list-style-type: none"> a. The deployment, or specific occasions for implementation, of security personnel or devices; or b. A security audit. <p><i>Gov't Code 551.076</i></p>
ASSESSMENT INSTRUMENTS	<p>9. The Board shall conduct a closed meeting to discuss or adopt individual assessment instruments or assessment instrument items. <i>Education Code 39.030(a)</i></p>
EMERGENCY MANAGEMENT	<p>10. The Board is not required to conduct an open meeting to deliberate information confidential under Government Code 418.175–418.182, relating to Homeland Security. However, the Board must make a tape recording of the proceedings of a closed meeting held to deliberate the information. <i>Gov't Code 418.183(f)</i></p>
ECONOMIC DEVELOPMENT NEGOTIATIONS	<p>11. The Board is not required to conduct an open meeting:</p> <ul style="list-style-type: none"> a. To discuss or deliberate regarding commercial or financial information that the Board has received from a business

prospect that the Board seeks to have locate, stay, or expand in or near the District and with which the Board is conducting economic development negotiations; or

- b. To deliberate the offer of a financial or other incentive to such a business prospect.

Gov't Code 551.087

PROCEDURES FOR
CLOSED MEETINGS

If a closed meeting is allowed, the Board shall not conduct the closed meeting unless a quorum of the Board first convenes in an open meeting for which proper notice has been given [see BE] and the presiding officer has publicly announced that a closed meeting will be held and has identified the section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held. *Gov't Code 551.101*

VOTE OR FINAL
ACTION

A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given. *Gov't Code 551.102* [See BE]

CERTIFIED AGENDA
OR TAPE RECORDING

The Board shall either keep a certified agenda or make a tape recording of the proceedings of each closed meeting, except for private consultation with the District's attorney. The certified agenda must include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and end of the closed meeting indicating the date and time. A presiding officer shall certify that a certified agenda is a true and correct record of the proceedings. If a tape recording is made, it must include announcements by the presiding officer at the beginning and end of the meeting indicating the date and time. *Gov't Code 551.103*

Closed meetings may not be recorded by an individual trustee against the wishes of a majority of the Board. *Zamora v. Edgewood ISD, 592 S.W.2d 649 (Tex. App.—San Antonio, 1979, writ ref'd n.r.e.)*

PRESERVATION

The Board shall preserve the certified agenda or tape recording of a closed meeting for at least two years after the date of the meeting. If a legal action involving the meeting is brought within that period, the Board shall preserve the certified agenda or tape recording while the action is pending. *Gov't Code 551.104(a)*

PUBLIC ACCESS

A certified agenda or tape recording of a closed meeting is available for public inspection and copying only under a court order issued as a result of litigation involving an alleged violation of the Open Meetings Act. *Gov't Code 551.104(b), (c)*

PROHIBITIONS

No Board member shall participate in a closed meeting knowing that neither a certified agenda nor a tape recording of the closed meeting is being made. *Gov't Code 551.145*

No individual, corporation, or partnership shall without lawful authority disclose to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public. *Gov't Code 551.146*

No Board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act, close or aid in closing a regular meeting to the public except as permitted under the Open Meetings Act, or participate in a closed meeting that is not permitted under the Open Meetings Act. *Gov't Code 551.144(a)*

AFFIRMATIVE
DEFENSE

It is an affirmative defense to prosecution under Subsection 551.144(a) that a Board member acted in reasonable reliance on a court order or a written interpretation of the open meetings law contained in an opinion of a court of record, the attorney general, or the Board's attorney. *Gov't Code 551.144(c)*

