



Future Ready



LACKLAND INDEPENDENT SCHOOL DISTRICT



BOARD OF TRUSTEES OPERATING PROCEDURES

Adopted : April 28, 2015

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Overview

The LISD Board Operating Procedures are intended to guide and assist Board Members in the conduct of its business. They are not intended to confer legal rights on any other person. The Board Operating Procedures are not intended to take precedence over Board Policy. If there is a conflict or inconsistency between these Procedures and Board Policy, Board Policy will take precedence. At no time are these Procedures intended to override School Board Policy (Local or Legal), state or federal law.

The Board Operating Procedures will be reviewed annually in January by the Board and updated as needed as a part of Board training and orientation. The Board will adopt the Board Procedures and Board Code of Conduct annually at a regular monthly meeting.

Mission

Lackland ISD empowers students to construct successful futures.

Vision

The premier leader in educational excellence!

Our Beliefs

- We believe in creating and facilitating opportunities to expand and utilize essential skills for all.
- We believe that all students deserve equal access to individual opportunities.
- We believe everyone benefits when they question to understand “why” ideas are relevant.
- We believe education is a shared partnership.
- We believe in effective communication in a respectful environment.

Our Learner Profile

- Applies adaptability in a variety of situations
- Evaluates problems and weighs outcomes prior to implementing solutions
- Displays ingenuity in creative problem solving, design, and artistic expression
- Applies critical thinking skills to analyze ideas
- Effectively communicates by conveying and understanding messages in various formats
- Collaborates effectively in a variety of contexts

Our Learner Outcomes

- Learners will set and achieve goals with tenacity.
- Learners will collaborate to achieve mutually beneficial change.
- Learners will solve relevant problems.
- Learners will apply critical thinking skills to a variety of situations.
- Learners will create original products, ideas, and designs.
- Learners will communicate effectively.
- Learners will be good people and be productive contributors to society.

I. Meeting/Briefing Preparation and Participation

A. Board Meetings are scheduled on the fourth Tuesday of each month unless circumstances make that day unavailable.

B. Agendas are created by the Superintendent of Schools and Board President prior to being presented to the Board Members.

C. No item can be placed on the Agenda less than 72 hours in advance of the meeting, unless an emergency or urgent public necessity exists.

D. Any Agenda item added to the agenda after the original posting shall be done so in accordance with state laws.

E. Agenda packets and supporting materials will be electronically posted and e-mailed no less than 72 hours in advance of the meeting.

F. The Superintendent of Schools will ensure that all necessary information is supplied to each Board Member to allow for informed discussion.

G. Items not available when the agenda is electronically posted and delivered will be included in the Superintendent's weekly letter for the week immediately prior to any meeting.

H. Board Members will read and study all materials made available in advance of the meeting.

I. Board Members will ask agenda-related questions of the Superintendent of Schools or the staff member authorized by the Superintendent of Schools to respond to such questions.

J. Discussion is not allowed on consent agenda items at the Board Meeting. Each Board Member shall be responsible for communicating his or her concerns to the Board President regarding items on the consent agenda.

K. An item may be pulled for a separate vote up until 5:00 p.m. the Thursday preceding the regular Board meeting if two Board Members ask that the item be pulled.

II. Rules of Order for Board Meetings

Board Members:

- A. Shall ensure that their behavior contributes to the effective operation of the Board in governing the district;
- B. Shall conduct themselves as public servants;
- C. Shall act and dress professionally;
- D. Shall treat each other, the Superintendent of Schools, the staff, and person in the audience respectfully;
- E. Shall ensure that all deliberations directly relate to items listed on the agenda for the meeting;
- F. Shall notify the Board President immediately if they believe that a topic is not on the posted agenda;
- G. Shall first seek recognition from the Board President if they wish to comment on a topic being discussed;
- H. Shall not dominate discussions;
- I. Shall reserve comments relating to another topic on the agenda until the Board President places that topic before the Board;
- J. Shall ensure that all Board Members may hear their comments;
- L. Shall not conduct private discussions during meetings;
- M. Shall refrain from directing derogatory remarks at other persons;
- N. Shall address to the Board President, not to the other Board Members, all remarks in disagreement with another Board Member; and
- O. Shall listen to comments and may ask clarifying questions during the Open Forum
- P. The president may limit time of debate by individual members to allow each member an opportunity to speak. If time is limited, the president will ensure that each individual receives equal time to speak. The Board President in consultation with the Superintendent of Schools may set time parameters for any topic on the agenda.

Policy References: BDB (Local); BDB (Legal); BE (Local); BE (Legal); BEC (Local); BEC (Legal); BED (Local); BED (Legal)

III. Board Members Placing Items on the Board Agenda

A. Board Members must request that an item be placed on the Agenda more than 10 calendar days in advance of the meeting unless delay in acting or discussing an added agenda item could seriously affect the operations of the District.

B. Two Board Members may request that a subject be included on the agenda for

a meeting. That request shall be forwarded to the Superintendent of Schools or the Board President 10 calendar days before the Board Meeting.

1. The Board President will consult with the Superintendent of Schools to determine whether it is appropriate, depending on the nature and urgency of the item or issue, to move it forward for a vote at the next regular Board meeting or to have the item turned over to the administration to review and bring recommendations back to the Board for consideration at a subsequent meeting.

2. In any event, the item will be placed on the agenda for deliberation no later than 60 days after presentment.

c. No item can be placed on the Agenda less than 72 hours in advance of the meeting, unless an emergency or urgent public necessity exists.

C. Any Agenda item added to the agenda after the original posting shall be done so in accordance with state laws.

D. Items submitted for Closed/Executive Session must be in compliance with the Texas Open Meetings requirements.

E. Items may be removed from the agenda once published upon the recommendation of the Board President or the Superintendent of Schools. However, neither the Superintendent of Schools nor the Board President shall have the authority to remove from the agenda any item that has been requested by two or more Board Members if 60 calendar days would have elapsed since the initial request was made.

Policy References: BAA (Legal); BE (Local); BE (Legal)

IV. Requests/ Complaints to Individual Board Members

A. To the extent the complaint appears to require administrative action, Board Members are encouraged to ask the individual to follow the steps described in policy GF(Local) for complaints by the general public, DGBA (Local) for employee complaints and FNG (Local) for student/parent complaints.

B. In the event a Board Member is involved in a complaint prior to a Board appeal, the Board Member should recuse him/herself from the Board panel hearing the issue.

C. To the extent that the complaint is general in nature, Board Members shall respond as they deem appropriate, but shall attempt to ensure that the complainant understands the limited role of a trustee in acting on behalf of the district – that is, that trustees are a body corporate, and that much responsibility has been legally delegated to the Superintendent of Schools. See BAA(Local) and BAA(Legal).

Policy References: GF (Local); GF (Legal); BAA(Local); BAA(Legal);DGBA (Local); FNG (Local); and FNG (Legal)

V. Board Member Campus Visits

- A.** Board Members are encouraged to visit any campus.
- B.** As a courtesy to the Administration, Board Members will make every effort to notify the Superintendent at least one school day in advance of visiting a campus, if the school is not already aware of your visit. The Superintendent will communicate with the campus administration and the Board Member to facilitate the visit being mutually convenient and productive.
- C.** Board Members must check in at the principal's office following campus guidelines.
- D.** All Board Members visits are to be escorted or directed by a staff member designated by the principal.
- E.** Board Members may communicate with any staff member without interrupting scheduled learning periods or interfering with the learning process.
- F.** Board Members will not assume a supervisory role with staff or students.
- G.** Board Members will not participate in staff activities unless specifically requested to do so by a campus administrator.

This does not pertain to visits as a parent, as a spectator to school events, or other events open to the general public.

Policy References: BBE (Local); BBE (Legal); GKA (Local); GKA (Legal); GKC (Local); GKC (Regulations)

VI. Communicating with the Media & the Community

- A.** The Superintendent of Schools shall be the official spokesperson for the District to the media on issues of media attention that relate to District operations.
- B.** The Board President shall be the official spokesperson for the Board to the media on issues of media attention that require a response from the Board. The Board President should make clear when he or she is speaking in the capacity as the Board President or as an individual trustee.
- C.** Board Members are appointed representatives of the public and have every right to express their individual views to the community or the media.
- D.** 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. Listen politely and respectfully.

2. Refer questions about specific District activities to the appropriate staff person or spokesperson when they do not know the answers.
- E. The Board Members encourages community input, but will not respond to or act on the basis of anonymous calls or letters.
 - F. Signed letters to the Board Member will be forwarded to the President or the Superintendent of Schools for inclusion in the weekly Board information packet if not of a confidential or personal nature. The Superintendent of Schools may determine that providing the communication to the Board Members might compromise their ability to be impartial in a future Board proceeding, in which case the Board Members may only be notified that a communication has been received.
 - G. A Board Member retains the right to speak to anyone as an individual, but must understand that any comment will likely be interpreted by the listener as being an “official” statement of the Board.
 - H. In speaking, the Board Member:
 1. Should clarify that he/she is speaking as an individual Board Member and not for the Board of Trustees.
 2. Should remind the media representative(s) of the position or action of the Board of Trustees related to the issue in question.

Policy References: BE (Legal); BR (Local); GB (Local); GBA (Legal); GBBA (Local); GBBA (Regulation)

VII. Evaluation of Superintendent

- A. The instrument used to evaluate the Superintendent shall be based on the Superintendent’s job description found in BJA (Local) and performance goals and shall be adopted by the board.
- B. The Board shall prepare a written evaluation of the Superintendent at annual or more frequent intervals
- C. The Board shall furnish the Superintendent with a copy of the completed evaluation and shall discuss its conclusion with the Superintendent in a closed meeting.
- D. The Board may at any time conduct and communicate oral evaluations to augment its written evaluations.

Policy References: BJCD (Local) and BJA (Local)

VIII. Board Members Ethics BBF (Local)

The Board President will present a copy of the Board Member's Ethics policy to each Board Member annually. Each Board Member shall be responsible for signing an agreement to abide by the Ethics policy.

As a Board Member:

- A.** I will promote the best interests of the District as a whole
- B.** I will be fair, just, and impartial in all my decisions and actions.
- C.** I will accord others the respect I wish for myself.
- D.** I will encourage expressions of different opinions and listen with an open mind to others' ideas.
- E.** I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.
- F.** I will be responsive to the community by seeking its involvement in District affairs and by communicating its priorities and concerns.
- G.** I will work to ensure prudent and accountable use of District resources.
- H.** I will make no personal promise or take private action that may compromise my performance or my responsibilities.
- I.** I will tell the truth.
- J.** I will share my views while working for consensus.
- K.** I will respect the majority decision as the decision of the Board.
- L.** I will base my decisions on fact rather than supposition, opinion, or public favor.
- M.** I will bring about desired changes through legal and ethical means.
- N.** I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.
- O.** I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- P.** I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed.
- Q.** I will focus my attention on fulfilling the Board's responsibilities of goal-setting, policymaking, and evaluation.
- R.** I will diligently prepare for and attend Board meetings.
- S.** I will avoid personal involvement in activities the Board has delegated to the Superintendent of Schools.
- T.** I will seek continuing education that will enhance my ability to fulfill my duties effectively.

IX. Responsibilities of the Board According to State Law

All powers and duties not specifically delegated by statute to TEA or the State Board are reserved for the Board. *Education Code 11.151(b)*

The Board shall:

A. Govern and oversee the management of the public schools of the District. *Education Code 11.151(b)*

B. Monitor progress toward the District's comprehensive goals. *Education Code 11.1511(b)(2)* [See AE]

C. Establish performance goals for the District concerning:

1. The academic and fiscal performance indicators under Subchapters C, D, and J, Chapter 39; and
2. Any performance indicators adopted by the District.
Education Code 11.1511(b)(3)

D. Adopt a policy to establish a District- and campus-level planning and decision-making process. *Education Code 11.1511(b)(5), .251(b)* [See BQ series]

E. Adopt and file a budget for the succeeding fiscal year. *Education Code 11.1511(b)(7), 44.004, .005* [See CE]

F. Monitor District finances to ensure that the Superintendent of Schools is properly maintaining the District's financial procedures and records. *Education Code 11.1511(b)(9)*

G. Have District fiscal accounts audited annually 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. *Education Code 11.1511(b)(10), 44.008(a)* [See CFC]

H. Publish an end-of-year financial report for distribution to the community. *Education Code 11.1511(b)(11)*

I. Select the internal auditor if the District employs an internal auditor. The internal auditor shall report directly to the Board. *Education Code 11.170*

J. Ensure that the Superintendent of Schools implements and monitors plans, procedures, programs, and systems to achieve appropriate, clearly defined, and desired results in the major areas of District operations. *Education Code 11.051(a)*

K. Ensure that the Superintendent of Schools:

1. Is accountable for achieving performance results;
2. Recognizes performance accomplishments; and
3. Takes action as necessary to meet performance goals.
Education Code 11.1511(b)(4)

L. Appraise the Superintendent of Schools annually using either the Commissioner's

recommended appraisal process or a process and criteria developed by the District. *Education Code 21.354(c)* [See BJCD]

M. Publish an annual report describing the District's educational performance including campus performance objectives and the progress of each campus toward those objectives. *Education Code 11.1511(b)(6), 39.306* [See AIB, BQ series]

N. Select a depository for District funds. *Education Code Ch. 45, Subch. G* [See BDAE]

O. Acquire and hold real and personal property in the name of the District. *Education Code 11.151(a); Local Gov't Code 271.004* [See CHG]

P. Hold all rights and titles to the school property of the District, whether real or personal. *Education Code 11.151(c)* [See CI]

Q. Adopt a policy providing for the employment and duties of District personnel. *Education Code 11.1513* [See BJ series, DC series, DEA series]

R. Limit redundant requests for information and the number and length of written reports that a classroom teacher is required to prepare. *Education Code 11.164(a)* [See DLB]

S. 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. *Education Code 11.164(b)* [See also DLB]

T. Make decisions relating to terminating the employment of District employees employed under a contract to which Education Code Chapter 21 applies, including terminating or not renewing an employment contract to which that chapter applies. *Education Code 11.1511(b)(14)*

U. Seek to establish working relationships with other public entities to make effective use of community resources and to serve the needs of public school students in the community. *Education Code 11.1511(b)(1)*

V. By rule, adopt a process through which District personnel, students or the parents or guardians of students, and members of the public may obtain a hearing from the District administrators and the Board regarding a complaint. *Education Code 11.1511(b)(13)*

The Board may:

A. Adopt rules and bylaws. *Education Code 11.151(d)* [See BF]

B. Enter into contracts as authorized under the Education Code or other law and delegate contractual authority to the Superintendent of Schools as appropriate. *Education Code 11.1511(c)*

C. Receive bequests and donations or other moneys or funds coming legally into its hands in the name of the District. *Education Code 11.151(a)* [See CDC]

D. Exercise the right of eminent domain to acquire property. *Education Code 11.155*

- E. Execute, perform, and make payments under contracts, which may include leases, leases with option(s) to purchase, or installment purchases, with any person for the use, acquisition, or purchase 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. *Local Gov't Code 271.005*
- F. Authorize the sale of any property, other than minerals, held in trust for free school purposes. *Education Code 11.154(a)* [See CDB]
- G. Employ, retain, contract with, or compensate a licensed real estate broker or salesperson for assistance in the acquisition or sale of real property. *Education Code 11.154(c)*
- H. Request the assistance of the attorney general on any legal matter. The District must pay any costs associated with the assistance. *Education Code 11.151(e)*
- I. Sue and be sued in the name of the District. *Education Code 11.151(a)*

The Board and the Superintendent of Schools shall work together to:

- A. Advocate for the high achievement of all District students;
- B. Create and support connections with community organizations to provide communitywide
- C. support for the high achievement of all District students;
- D. Provide educational leadership for the District, including leadership in developing the District vision statement and long-range educational plan;
- E. Establish Districtwide policies and annual goals that are tied directly to the District's vision statement and long-range educational plan;
- F. Support the professional development of principals, teachers, and other staff; and
- G. Periodically evaluate Board and Superintendent of Schools leadership, governance, and teamwork.

Education Code 11.1512(b)

Policy References: AEA (Local); BAA (Legal); BAA (Local); BBD (Local); BBD (Exhibit); BBE (Legal); BBE (Local); BDAA (Local); BDAA (Legal); BF (Local)

X. Compliance with Operating Procedures

- A.** Individual Board Members and/or the Superintendent of Schools are encouraged to express their concerns about a Board Member's compliance with Board Operating Procedures directly with that member, verbally, followed by any written communication.
- B.** If the issue isn't resolved after personal discussions between the individuals involved, then discussion with the Board President is appropriate. The Board President shall discuss the concern with the Board Member in question on behalf of the individual concerned, or the President shall moderate a discussion between those involved. If the concern involves the Board President, the Board Secretary shall serve in this role.
- C.** If the issue still isn't resolved, the Board President shall place an item on the next meeting agenda for a Closed/Executive Session posted as "Deliberation of Duties of a Public Officer." Alternatively, two Board Members can notify the Board President and request the item be placed on the next meeting agenda.
- D.** In Closed/Executive Session, the individuals with the concern shall state their concern and provide specific examples to support that concern and the Board shall discuss the concern. Among other options to resolve the matter in Closed/Executive Session, Board Members may encourage the Board Member to attend specific training related to the Board Operating Procedures.
- E.** If the Board Member in question does not believe his or her behavior is in conflict with Board Operating Procedures even in the Closed/Executive Session discussion, the matter will be addressed by majority vote of the Board in open session, with options including, but not limited to, the following:
- F.** Require the Board Member to attend specific training related to the
 - 1. Board Operating Procedures.
 - 2. Removal from any Board-appointed office.
 - 3. Formally reprimanded in public meeting.
- G.** Discussions about compliance concerns should be intended to resolve the concern while avoiding any punitive actions. Discussions could include reminding the Board Member whose behavior is in question about the adopted Board Operating Procedures how the questionable behavior does not comply with those procedures. The discussion could also identify more appropriate alternatives to the questionable behavior or refer the Board Member to policies or procedures that outline approved ways to deal with the issue that prompted the questionable behavior.
- H.** While the Superintendent of Schools is encouraged by these procedures to report to the Board President or other members in the event a compliance concern is not addressed individually, Board Members will not take concerns about fellow Board Members to the Superintendent of Schools.

Policy References: BAA (Local); BBC (Legal); BBE (Legal); BBE (Legal); BBF (Local); BDAA (Local); BDAA (Legal); BF (Local)

XI. New Board Member Orientation

Board Members must be properly and thoroughly informed about the school district they serve as well as the role and responsibilities of a Board Member. The Board Operating Procedures will provide an excellent starting point.

- A.** As a supplement to the information provided in relation to his/her appointment, a District orientation for a new Board Member will be scheduled to begin within one month of the date of their appointment.
- B.** In addition to the training required by State law [see BBD (Legal)], orientation shall be provided to new Board Members under the guidance of experienced Board Members and the Superintendent of Schools.
- C.** Orientation and development shall be considered an ongoing process for all Board Members.
- D.** The orientation will include, but not be limited to:
 - 1. Board of Trustee Operating Procedures
 - 2. District Improvement Plan (DIP)
 - 3. Any Board Adopted Annual Plan
 - 4. Budget information including the Annual Financial Report and
 - 5. Auditor's Report
 - 6. Training on Accessing District Electronic Communications
 - 7. Important calendar dates for Board Briefings and Board Meetings
 - 8. E-Rate Training
 - 9. Ethics Policy Training
 - 10. Internal /External Audit Training
 - 11. Board Code of Conduct
 - 12. Board Structure Overview
 - 13. Compliance Training per State Law
 - 14. Board Policy Training and Robert's Rules of Order
- E.** Texas Open Meetings Act – 90 days after taking oath
- F.** Public Information Act – 90 days after taking oath
- G.** State Board of Education
- H.** Board agenda amendments and substitutions – Board Members should be adequately trained on the policy and process for substitutions or changes of the Board agenda during meetings, and how such substitutions should be communicated, presented, and resolved.

**Policy References: BBD (Local); BBD (Legal); BBD (Exhibit); and BDAA (Local)
BDAA (Legal)**

XII. Board Members' Continuing Education

- A.** In addition to the orientation and team building training, a Board Member shall receive additional continuing education on an annual basis, in fulfillment of assessed needs and based on the frame work for governance leadership. The continuing education may be provided by a regional education service center or other registered provider.
- B.** At least 50 percent of the continuing education shall be designed and delivered by persons not employed or affiliated with the Board Member's District. No more than one hours of the required continuing education that is delivered by the local district may use self-instructional materials.
- C.** In the first year of service, a Board Member shall receive at least ten hours of continuing education. Up to five of the required ten hours may be fulfilled through online instruction, provided the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
- D.** After the first year of service, a Board Member shall receive at least five hours of continuing education annually. A Board Member may fulfill the five hours of continuing education through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
- E.** The Board President shall receive continuing education related to leadership duties of the Board President as some portion of the annual requirement.
- F.** In addition to the training required by State law [see BBD (Legal)], orientation shall be provided to new Board Members under the guidance of experienced Board Members, the Office of Board Services, and the Superintendent of Schools.
- G.** External Auditor recommended training:
- H.** Ethics and Tone at the Top – The Board President or designee shall conduct annual ethics training for Board Members. Such training should include what constitutes good ethical conduct, the Board's role in risk oversight at the District, what avenues exist for reporting known or suspected inappropriate conduct, who is responsible for receiving and responding to reports of inappropriate conduct, and how they can continue to promote the appropriate Tone at the Top.
- I.** Conflicts of Interest – Annually, the board shall receive training geared to enhance and communicate policies and procedures to guide Board Members in what to do if they identify a conflict of interest or if they suspect that an unreported conflict exists. Such procedures could help ensure a uniform approach and understanding of what constitutes a conflict, the process for reporting such conflicts, and who within the District should handle receipts of any conflicts or suspected conflicts by Board Members.

- J. Role in Risk Oversight – Executive Director for Finance should annually conduct a training on Risk Oversight. Understanding the risks facing the District is an important role of the Board.
- K. The Board should receive regular updates from Business Office and others as appropriate within the District on the results of risk assessments performed, including the risk of fraud and corruption. Board Members should be aware of not only the risks, but the programs and controls established across the District to mitigate and respond to such risks. Regular reporting to the Board will increase awareness and transparency of the activities in the District focused on reducing and mitigating the risk of fraud and corruption.

Policy Reference: BBD (Legal); BBD (Local); BBD (Exhibit)

XIII. Board Members' Expenses

1. Annually, Board Members shall be allocated a budget for travel, professional development training, and reasonable expenses associated with attending functions of District-related organizations in the San Antonio area. Individual Board Members shall not authorize any other expenditure, including the use of District personnel.
2. The following travel costs shall be budgeted for the board:
 - a. Travel costs incurred on trips for state and federal legislative matters;
 - b. Meetings with TEA; and
 - c. Travel costs incurred in representing the District as the Board appointed delegate representative to the Texas Association of School Boards.
3. Board Members shall reimburse the District for any expenses that are advanced by the District for anticipated expenses. The Business Department shall promptly notify the Board Member of the costs to be repaid to the District.
4. Board Members shall complete the Travel Settlement Form with receipts, if required, within a month of the travel.
5. Board Members shall receive per diem according to the established GSA schedule. Board members will not be required to turn in receipts, however, it is expected that money not used be returned to the district.

Policy References: BBG (Legal); BBG (Local); BBG (Exhibit)

XIII. Board Member Request for Information

1. Board Members will direct their individual requests for information through the Superintendent of Schools.

a. An individual Board Member has an inherent right of access to records maintained by the District when the Board Member requests the records in his or her official capacity. *Atty. Gen. Op. No. JM-119 (1983)* When there are competing confidentiality or security concerns, it may be proper for the Board Members to establish reasonable procedures to preserve confidentiality, but the District may not absolutely prohibit an individual Board Member from viewing records involving District business that are otherwise properly available to the Board as a governmental body. *Atty. Gen. Op. No. GA-138 (2004)*

b. Individual Board Members, acting in their official capacity, have access to any records pertaining to District fiscal affairs, business transactions, governance, and personnel, including existing reports and internal correspondence that properly may be withheld from members of the general public in accordance with the Public Information Chapter of the Government Code. [See GBA]

2. Individual members have access to personally identifiable student records that properly may be withheld from members of the general public only in accordance with policies FL(LEGAL) and (LOCAL).

3. An individual Board Member is encouraged to seek access to or copies of existing records through the Superintendent of Schools. Other District employees providing access to or copies of records to individual Board Members shall inform the Superintendent of Schools or designee of the records provided, who shall then forward to all Board Members.

4. Individual Board Members shall not direct or require District employees to prepare reports or any information in existing District records or to create a new record compiled from information in existing District records. Directives to staff regarding the preparation of reports shall be by Board action. If information is not readily available in any form, then it is the responsibility of the Superintendent of Schools to respond to the requesting trustee with an estimated timeline for preparing and delivering the report.

5. The Superintendent of Schools may provide alternative methods for the requested information if the information is not readily available in the format requested, including copies of multiple reports of existing information. If after receiving the estimated timeline the Board Member wishes to proceed, the item will be placed on the next Board agenda. The agenda item will be titled, "Board Requests for New Reports." This agenda item is intended to include only requests for information that have been previously submitted to the Superintendent of Schools and with respect to which the Superintendent of Schools has responded would require the preparation of a new report rather than the mere forwarding or copying of existing information.

6. This agenda item does not include new requests for information that have not been previously submitted to the Superintendent of Schools since Board Members do not need to request that the Superintendent of Schools forward or provide the Board Members with copies of existing information at a Board Meeting.

7. The Board Members may consult with employees with respect to matters of educational policy and conditions of employment. The Superintendent of Schools or designee may adopt and make reasonable rules, regulations, and agreements to provide for such consultation, but they shall not limit or affect the power of the Board to govern and oversee the management of District schools.

8. The Board Members may take action in the open portion of the same meeting to direct the Superintendent of Schools to respond to the request for information by providing it to all Board Members within an appropriate timeline.

Policy References: BAA (Legal); BBE (Local); BBE (Legal), BE (Local); DLB (Legal); GBAA (Legal)

XV. Communicating with Board Members

Policy References: BBE (Local); BE (Local); BJA (Local)

- A.** The Superintendent of Schools will formally communicate with all Board Members weekly.
- B.** The Superintendent of Schools will communicate requested information to all Board Members in a reasonable time without unduly interfering with the regular conduct of District business. The Administration will respond within a week with an estimate of the time for completion of the request.
- C.** The Superintendent of Schools will distribute to all Board Members any information requested by any Board Member.
- D.** Board Members may communicate with other individual Board Members or the Superintendent of Schools for the purpose of asking clarifying questions, providing clarifying information, or socializing under circumstances that do not conflict with or circumvent the Texas Open Meetings Act.
- E.** Board Members who wish to share information relevant to District business or issues before the Board will relay the information to the Board President or Superintendent of Schools for placement on the Board agenda or, if appropriate, distribution to all Board Members in the weekly information packet.
- F.** Board Members will direct their individual requests for information through the Superintendent of Schools.
- G.** Information sent to any Board Member will be distributed to all Board Members.

XVI. Concerns about the Performance of Employees Other Than the Superintendent of Schools

A. When a Board Member becomes concerned about the performance of District employees he/she must bring his/her concerns directly to the Superintendent of Schools and inform the Board President. Such concerns may include but are not limited to:

1. Actions which are illegal
2. Violations of Board Policy
3. Actions which are harmful to the District's or Board's reputation
4. Issues of safety

B. Board Members must remain cognizant that District personnel are the responsibility of the Superintendent of Schools, not the Board Members.

C. The Superintendent of Schools is obligated to listen to such concerns, review the matter and notify the Board Members of the resolution of the matter to the extent allowed by policy and law.

Policy References: DGBA (Local); DH (Local); DH (Regulation); DI (Local); DI (Regulation); DN (Local)

XVII. Public Participation in Meetings

The Board Meeting is held in public to facilitate public understanding, not for the purpose of public participation.

- A. District patrons may address the Board at the designated time in accordance with board policy BED (Local) or if called on by the President to provide clarification of an issue on the agenda.
- B. The Board Members shall listen to the public comments, but may not take action related to the comments made during the Public Forum portion of the agenda.
- C. The Board President will be the designated spokesperson for the Board should any response to the speaker be required. The President may:
 1. Make a statement of specific factual information in response to the speaker, including reference to board policy, if applicable.
 2. Ask the Superintendent of Schools to make a statement of specific factual
 3. information in response to the speaker, including a reference to policy, if
 4. applicable.
- D. The President will limit speakers to five (5) minutes each to remain with the one hour allotted for citizens participating in pursuant to BED (Local).

Policy References: BE (Local); BE (Legal); BED (Local); BED (Legal)

XVIII. Closed/Executive Session

- A.** Board Members will not disclose confidential information that is discussed in closed meetings regarding personnel, students, certain real estate issues, security devices, or other subjects protected by law.
- B.** Board Members may confirm that the Board discussed a particular topic during closed session if that topic was listed on the agenda and the presiding officer announced the Board would discuss it in closed session as allowed by law.
- C.** Board Members may state that the Board is restricted both by law and its Code of Ethics from disclosing any such information, including information about medical situations, student records, personal identification data, evaluations, investigations, and performance plans or sanctions.
- D.** Board Members will not release the certified agenda or tape recording of a closed session.

Policy References: BE (Local); BEC (Local); BEC (Legal); DGBA (Legal); GF (Local); GF (Legal)

XVIII. Public Information Program – Access to Public Information

In accordance with Board Policy GBA (Local), the District shall operate a Web site at www.lacklandisd.net. The purpose of this policy is to provide transparency through an electronic central depository for the public to access frequently requested and available District Information and documentation. The information and documentation shall be maintained in accordance with the state records retention schedule.

The following categories of information, except as otherwise restricted by state and federal law, shall be posted in electronic format without the necessity of a public information request under the following heading:

1. LACKLAND ISD:

- a.** Official adopted budget
- b.** Vendor conflict of interest forms (relationships with employees and Board Members) when a conflict is disclosed by the vendor.

2. LISD BOARD OF TRUSTEES:

- a.** Board Member conflict of Interest form.
- b.** Meeting agendas.
- c.** Meeting minutes.

Texas Association of School Administrators Required Internet Postings

Note: The statutory provisions listed below “require” posting *only if* a school district maintains a Website

Administrative

Notice of School Board Meeting (Government Code, §551.056(a)-(b))

Requires the posting of a meeting notice on the district’s website, if a website is maintained.

Agenda for School Board Meeting (Government Code, §551.056)

Requires the agenda to be concurrently posted with the meeting notice on the website if the school district maintains a website and contains all or part of the area within the corporate boundaries of a municipality with a population of 48,000 or more. Campus Report Card, Performance Report, District Rating (Education Code, §39.362), as amended by HB 3 (81st Legislature)

Campus Report Cards

Requires a school district that maintains a website to post the most recent campus report card for each campus in the district, the information in the most recent performance report, the most recent accreditation status and performance rating of the district, and a definition and explanation of each accreditation status and performance rating.

Targeted Improvement Plan (Education Code, §39.106(e-1)(2), as amended by HB 3 (81st Legislature)

Requires a school district to post on its website, prior to a hearing, the targeted improvement plan a Board of Trustees will consider.

School Board’s Employment Policies (Education Code, §21.204(d))

Requires the posting of the employment policies on the website, if a website is maintained.

Group Health Coverage Report and Plan (Education Code, §22.004(d), as amended by HB 2427 (80th Legislature))

Requires a school district that does not participate in the TRS uniform group insurance program to post on its website, if it maintains a website, the annual report submitted to TRS and a copy of the group health coverage plan.

Conflict Disclosure Statements and Questionnaires (Local Government Code, §176.009(a), as amended by HB 1491 (80th Legislature))

Requires access to statements and questionnaires on the website if a school district maintains a website; school districts are not required to maintain a website.

Vacancy Postings (Education Code, §11.1513(d)(1)(B), as amended by SB 300 (81st Legislature))

Allows at least ten days notice of a vacant position requiring a certificate or license to be posted on the district's website, if the school district maintains a website.

Superintendent of School's Contract (FIRST, Title 19 Administrative Code, §109.1005(b)(2)(A))

Allows the publication of the Superintendent of School's contract on the district's Internet website in lieu of submitting it in the district's annual financial management report. Check Register (FIRST, Title 19 Administrative Code, §109.1002(e)(2)(D))

Allows the publication of the check register on the district's website to receive points in calculating the 65% expenditure requirement. Political Contributions and Expenditures Report (Election Code, §254.04011(b), as amended by HB 336 (82nd Legislature))

Requires a school district located wholly or partly in a municipality with a population of more than 500,000 and a student enrollment of more than 15,000 to post on the district's website the contributions and expenditures report of a member of the Board of Trustees, a candidate for a school trustee position, or a specific-purpose committee supporting, opposing, or assisting a candidate.

Finance

Electricity, Water, and Natural Gas Costs (Government Code, §2264.001(b), as amended by HB 3693 (80th Legislature))

Requires the posting of the metered amounts of electricity, water, and gas consumption for which the district is required to pay and the aggregate amounts of those services.

Summary of Proposed Budget (Education Code, §44.0041, as amended during the 79th Legislature, Third Called Session)

Requires a school district to post on the district's website a summary of the proposed budget if it maintains a website; summary must be concurrently posted with notice of the budget.

Adopted Budget (Education Code, §39.084, as amended by HB 3 (81st Legislature))

Requires a school district to prominently display on the district's website for three years an external link of the budget adopted by the Board of Trustees.

Proposal for Qualifying Project (Government Code, §2267.066(2)(A), as amended by SB 1048 (82nd Legislature))

- Requires a school district to post a copy of the proposal on its website.

Academic

Testing for Home Schooled Students (Education Code, §29.916(c), as amended by HB 1844, (80th Legislature))

Requires a school district to post on its website, if it maintains one, the dates that PSAT/NMSQT or any college advanced placement test will be administered, the availability of the exams to home schooled students and the procedures to register for them.

College Credit Programs (Education Code, §28.010(b), as amended by SB 282, (80th Legislature))

Allows a school district to post on its website a notice regarding the availability of college credit programs in the district.

Bullying Reporting Procedure (Education Code, §37.0832(e), as amended by HB 1942 (82nd Legislature))

Requires a school district to post on its website, to the extent practicable, the procedure for reporting bullying.

Health

Physical Activity Policies (Education Code, §28.004(k))

Requires a school district to post on its website, if it maintains a website, a statement of its physical activity policies for elementary, middle school, and junior high school students and statement of the number of times during the preceding year the health advisory council met, whether the district has adopted and enforces policies to ensure that campuses are complying with vending machine and food service guidelines, and whether the district has adopted and enforces policies that penalizes the use of tobacco products by students.

Immunization Awareness (Education Code, §38.019, as amended by HB 1059 (80th Legislature))

Requires a school district that maintains a website to prominently post in English and Spanish the immunizations required for public school, any immunizations or vaccines recommended for public school students, any health clinics that offer the influenza vaccine, and a link to the Department of State Health Services website where a person can learn about the procedures to claim an exemption from the immunization requirements.

If you have any questions or know of other material that must be posted, please contact Dr. Burnie Roper at 210-357-5002.