



## **DUNCANVILLE INDEPENDENT SCHOOL DISTRICT 2019 – 2020 BOARD OPERATING PROCEDURES**

### **I. Board Meeting Agenda Development (BE Legal and Local)**

#### **A. Placing Items on the Agenda**

1. Board members must request to Board President, seven days in advance, any item they wish to have considered for placement on the agenda. Board members should take into consideration the recurring Board calendar when requesting that an item be placed on the Board's agenda.
2. The Superintendent alone, the Board President alone, or any two Board members can place an item on the agenda.
3. In Accordance with Texas open meeting laws, no item can be placed on the agenda less than 72 hours in advance of meeting, except in an emergency as permitted by the Texas Open Meetings Act.
4. The Board President shall ensure that any topics the Board or individual Board members have requested to be addressed are scheduled for deliberation at an appropriate time in the near future.
5. The Board President shall have discretion at any meeting to take an agenda item out of order to accommodate a participant.

#### **B. Items Eligible for Closed Meeting (BEC Legal)**

1. The posted agenda will allow for the Board to convene in closed meeting as permitted by the Texas Open Meetings Act.
2. Deliberation regarding personnel and student matters will occur in closed meeting unless otherwise required or permitted by law.
3. As questions regarding the requirements of the Texas Open Meetings Act arise, the Board shall request a written opinion of the Board's legal counsel.
4. Discussions during closed meeting shall remain confidential.

#### **C. Consent Agenda Items**

A consent agenda will be used for items of routine and/or recurring nature, generally requiring no discussion and grouped together under one heading. The Board President and Superintendent are encouraged to make liberal use of the consent agenda. The Superintendent will automatically place the following items on the consent agenda.



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1. Routine Items
2. Annual renewals of Region X and TEA items
3. Budget Amendments
4. Under \$500 tax refunds
5. Gifts, donations, and bequests
6. Financial information
7. Minutes of regular and special Board meetings
8. Minutes of joint meetings with City
9. Updates of Board policy
10. Routine personnel items
11. Routine bid recommendations

A Board member can request an item be removed from the consent agenda for individual consideration and voting. A request may be made by providing notice to the Superintendent and Board President as soon as practical prior to the meeting, or in sufficient time, as determined by the Superintendent, to enable staff to present information at the meeting necessary to address a Board member's question or concern.

### **D. Special and Emergency Meetings**

1. Special meetings of the Board may be called at the Board President's discretion, or on request by two or more members of the Board.
2. Written notice of the date, hour, place, and agenda of a special meeting of the Board shall be posted in accordance with law, and at least 72 hours prior to the scheduled time of a special meeting.
3. The Board President shall call an emergency meeting when the President or two or more members of the Board determine that an emergency recognized under the Texas Open Meetings Act warrants such a meeting. Board members, the media who have requested notice, and the public, shall be given at least two (2) hours' notice for such emergency meetings.



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

#### **A. Procedure**

1. Generally, any time four or more members are gathered and discuss Board business, it is considered a meeting under the Texas Open Meetings Act. See BE(Legal).
2. All Board Members are expected to conduct themselves professionally and ethically during all meetings and public forums. See BBF(Local).
3. The Board shall observe the parliamentary procedures as found in Robert's Rules of Order, Newly Revised, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.
4. If, during a meeting or public forum, any member conducts themselves in a manner that is unprofessional or prevents the accomplishment of Board business, the Board President may adjourn or recess the meeting.
5. Differences of opinion, if respectfully submitted, are not to be construed as unacceptable behavior but rather as alternate views on a subject.

#### **B. Discussions Regarding Agenda Items (BE Local)**

1. All discussions shall be directed solely to the item under consideration as posted on the agenda.
2. The Board President has the responsibility of keeping the discussion to the item under consideration and shall halt discussion that is unrelated to an item posted on the agenda.
3. A Board member should wait to be recognized by the Board President before beginning his/her comments on an agenda item.

#### **C. Voting (BE Local and Legal)**

Unless there is a valid basis to abstain, all members, including the Board President, will vote on all action items. A member's vote or failure to vote shall be recorded. No vote shall be taken by secret ballot. In case of a tie vote, no Board action is recognized and any action on the item is postponed.



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### **D. Persons Addressing the Board (BED Legal and Local)**

A Board meeting is not a “public meeting” in the true sense of the audience having a right to participate in discussion items before the Board. A school board meeting is a meeting held in public. Whether the audience is allowed to participate and, if so, the rules of participation are all controlled by the local Board. Citizens may address the Board during the Public Comments section of the agenda. The Board shall not tolerate disruption of the meeting by members of the audience. The Board President, with the assistance of local law enforcement officials, may remove the person causing the disruption after at least one warning. Additionally, the Board President or a majority of the Board may prescribe sanctions against any person addressing the Board that exceeds his or her time constraints and is not in compliance with the local Board policy.

#### **1. Public Comment**

- a. For items not on the agenda, the Board shall allot a period of time to hear persons who desire to make comments and address the Board. Persons who wish to address the Board must follow the requirements stipulated in Board Policy BED(Local).
- b. State law prohibits Board members from responding to speakers during public comment. The Board will carefully consider any concerns expressed and an administrator will investigate the matter. At the public speaker’s request, an administrator will contact him/her regarding his/her concern.
- c. The Board, through the presiding officer or Superintendent, can offer factual information, cite Board policy, or direct the administration to investigate items and report back to the Board but shall not engage in a two-way dialogue with a person speaking during public comment.
- d. The Board is assembled to gather input only. No action may be taken related to public comment.
- e. Speakers will limit their presentation to 5 minutes. The Secretary of the Board will be responsible for keeping the time. Group of more than five shall select a spokesperson to present their issue.
- f. If more than five speakers are present, speakers must limit their testimony to 3 minutes.



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- g.** Members of the public who desires to address the Board must deliver specific written information in conformance with Board Policy BED(Local) to the Chief Communications Officer no later than 4:30 p.m. of the day of the Board meeting.

### **2. Public Testimony**

- a.** Members of the public will be allowed to address the Board regarding an item on the agenda during the Board's open meeting. Persons who wish to address the Board must follow the requirements stipulated in Board Policy BED(Local). Addressing the Board for items not on the agenda will not be allowed.
- b.** Pursuant to Board Policy BED(Local), speakers that wish to address the Board will be allowed a maximum of 3 minutes to make their presentation. A member addressing the Board via a translator shall be allowed maximum of 5 minutes for his/her presentation.
- c.** Members of the public who desire to address the Board must deliver specific written information in conformance with Board Policy BED(Local) to the Chief Communications Officer no later than 4:30 p.m. of the day of the Board meeting.

### **E. Constituent Complaints (DGBA Legal and Local; FNG Legal and Local; and GF Legal and Local)**

Please note that the Board grievance policies provide that complaints should be resolved at the lowest possible administrative level. As such, when a person complains to a Board member, that member should direct the complainant to the appropriate Board policy and then the Board member should report the complaint to the Superintendent. Because of the Board's role at Level Three in the complaint process, the Board member should inform the person that he/she must remain impartial and not engage in the resolution of the complaint. Otherwise, the Board member would likely be required to recuse himself/herself from the complaint process.



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### **III. Requests for Records and Reports (BBE Legal and Local; BBF Local; BDD Legal and Local).**

#### **A. Records and Reports Defined.**

1. A District record is a document or other tangible information related to the operations of the District existing at the time of the request.
2. A report is defined as documents to be derived from an analysis of information in existing District records or the creation of new documents compiled from information in existing District records.

#### **B. Request for Reports.**

1. No individual Board member shall direct or require a District employee to prepare reports. All requests for reports must be made by Board action.

#### **C. Request for Records.**

1. Board members will communicate their individual requests for records to the Superintendent or designee while copying the request to the Board President. The Superintendent or designee will respond according to Board Policy BBE(Legal and Local) within the time frames allowed by law.
2. Board members shall not make requests directly to District employees. District employees, excluding the Superintendent or designee, shall *not* provide access to or copies of records to individual Board members without obtaining permission from the Superintendent.
3. When making a request, a Board member should use their best judgment as to whether the record requested is necessary for the performance of the Board's role to govern and oversee the management of the District. In determining the timing of any request, a Board member should consider the following: (1) the volume of information sought; (2) the amount of administrative time necessary to comply with the request; (3) whether the information sought is already scheduled to be provided in accordance with the recurring Board calendar; and (4) any impact upon the administration's management of other District priorities. The requesting Board member



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should confer with the Board President and the Superintendent in order to consider these issues related to a request.

4. Information requested by one Board member will be provided to all Board members.
5. If a Board member has a legal question requiring a response by the Board's attorney, he/she should refer the question to the Superintendent or the Board President, who will relay the answer to the Board or advise Board member to contact the attorney directly. This procedure is to ensure effective and efficient communication between the Board and attorney and that several Board members are not contacting the attorney regarding the same issue.

### IV. Board Members visit to School Campuses (BBE Legal and Local)

- A. Board members are encouraged to visit any campus.
- B. As a courtesy, Board members will inform the Superintendent of any visit as much in advance as possible to accommodate courtesy of staff's time, unless he Board member is attending a function to which he/she has been invited.
- C. Board members must honor campus rules and follow district guidelines regarding visitors.
- D. Board members will not assume a supervisory role with staff or students.
- E. Board members are not to go into teachers' classrooms or on to campuses for the purpose of evaluation or investigation.
- F. Board members will not assume a participatory role with staff or students unless specifically requested by campus staff.
- G. Board members are encouraged to interact with staff members but are *never* to give staff and other employees any directives.



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The notice requirement in this operating procedure does not pertain to visits as a parent, as a spectator at school events, or other events open to the general public.

### **V. Communications**

- A.** The Board and Superintendent are expected to function together as a leadership team as outlined in the Framework for School Board Development. See the Framework at BBD(Exhibit) and the Board Ethics Policy at BBF(Local).
- B.** Board members are expected to understand and comply with the Texas Open Meetings Act with respect to all Board communications. See BE(Legal) and BBD(Legal).
- C.** Superintendent will communicate with all Board members via electronic or written methods on a routine basis and in a timely fashion.
- D.** Superintendent will meet with each Board member on a periodic basis to further the purpose set forth in the Framework for School Board Development. See BBD(Exhibit).
- E.** Requests to Superintendent from Board President will be distributed to all Board members.
- F.** Board members will keep the Superintendent informed via voice mail, email, text, telephone, or fax.
- G.** Board members are advised that communications regarding school district business may be subject to public disclosure by the Texas Public Information Act.
- H.** Board members may communicate with other individual Board members or the Superintendent for the purpose of asking clarifying questions, providing





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clarifying information, or socializing under the circumstances that do not conflict with or circumvent the Texas Open Meetings Act.

- I. The Board shall communicate with its community through public hearings, regular Board meetings, and regular District communications.
- J. An individual Board member, when speaking outside a Board meeting, may state his/her opinion provided that the Board Member emphasizes at the beginning of his/her statement that the opinion being expressed is his/her and not the opinion of the Board. Board members shall honor action taken by the Board when making any individual statement related to Board business. See BBF(Local) and BBD(Exhibit).
- K. Board members shall not communicate with any other Board members for purposes of soliciting votes with respect to items of business that may come before the Board.
- L. Board members shall be bound by all provisions of the Texas Open Meetings Act concerning discussion during any closed meeting. See BEC(Legal).
- M. Board members are expected to communicate with each other and with District staff in a professional and collegial manner to support the mission of the District.
- N. It is expected that Board members will attempt to informally work out any personal and professional conflicts with each other such that the members continue to work in a collaborative and effective manner to serve the best interests of the District.
- O. If disputes arise between Board members related to Board business or these Board Operating Procedures that cannot be resolved through communications between the members, the Board President will attempt to informally mediate the dispute and achieve resolution. In the event the dispute remains



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unresolved, the issue will be presented to the Board for resolution in a closed meeting. If the issue is not resolved during closed meeting, the Board may take action as allowed by Board policy.

### **VI. Communications with the Media (GBBA Local)**

- A. The Board President or designee shall be the spokesperson for the Board to the media on issues related to:
  - 1. Board operations;
  - 2. Board actions; and
  - 3. Board's duty to govern and oversee the management of the public schools of the District.
- B. Press releases issues on behalf of the Board shall be approved by the Board President prior to the release, unless an emergency or public necessity exists.
- C. The Superintendent or a designee will be the official spokesperson for the District on issues of media attention related to District operations.
- D. Statements will not be made to the media regarding students, personnel or other matters protected by law.
- E. A Board member retains the right to speak to the media as an individual but must understand that any comment may be interpreted by viewers/readers as an official statement of the Board.
- F. In speaking as an individual, the Board member should:
  - 1. Clarify they are speaking as an individual and not for the Board. Make clear that the opinion being expressed is his/her own personal opinion and not the opinion of the Board.
  - 2. Refer the media representative(s) to the Board President for official statements of the Board.



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3. Refer the media representative(s) to the Superintendent or Communications Director for an official response from the District.
4. Whenever possible, notify the Board President and the Superintendent or designee about the media request prior to making an individual statement.

### **VII. Anonymous Phone Calls or Letters**

Board members will not respond to anonymous communications, unless the communication pertains to clear and present criminal, health, or safety issue. Any such communication, pertaining to criminal, health, or safety issues, will be forwarded to the Superintendent. The reason for this procedure is that anonymous reports are often not credible because they cannot be verified or investigated. It is also unfair to an accused person, such as a student or employee, who does not have the opportunity to face his/her accuser when a complaint is anonymous and not otherwise verifiable.

### **VIII. Involvement in Community Organizations**

Board members are encouraged to in community organizations throughout their tenure. The Board President may annually appoint a member to serve as the District's representative to an entity or organization of interest to the Board. The designated Board member shall be responsible for attending regular meetings. Additionally, the Board President shall annually designate a Board member to serve as a director of the Board of Directors of the DISD Education Foundation and will attend regular meetings.

### **IX. Board Operating Procedure Review**

These Board Operating Procedures shall be reviewed and updated annually in July of each year and will discussed as part of annual board training.

### **X. Board Training Requirements (BBD Legal and Local)**

- A. The Board and Superintendent shall annually participate in a team-building session. The session shall include a review of the roles, rights, and



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- responsibilities of a school board as outlined in the Framework for School Board Development. The session shall be used to plan continuing education activities for the year for the governance leadership team. See BBD(Exhibit) and Texas Administrative Code, Title 19, Part 2, Chapter 61, Subchapter A, Rule § 61.1.
- B. The Board must meet minimum annual requirements for training for the period.
  - C. The Texas Education Code requires the President of the Board to announce the status of earned training credits for each member of the Board of Trustees annually. The announcement requires the President of the Board to officially notify the community of continuing education hours received by members of the Board at the meeting at which the Board calls its election of trustees i.e. annually, whether or not an election is held.
  - D. New Board members shall participate in a local orientation session within 60 days after their election. The Superintendent's office will coordinate this session.
  - E. For specific polices related to Board member training see Board Policy BBD (Legal and Local).

### **XI. Reimbursable Expenses (BBG Local)**

#### **A. Expense Reimbursement**

1. All Board member training travel, paid for by the District, must have a direct benefit to the Board member's ability to perform as an effective Board member and the reimbursement of same will be approved by the Board President. Generally, the District will not pay for membership in special group organizations, with the exception of NSBA and TASB.
2. An amount for Board member travel expenses shall be approved in the budget each year.



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3. A Board member shall be reimbursed for reasonable, allowable expenses incurred in carrying out Board business only at the Board's request and for reasonable, allowable expenses incurred while attending meetings and conventions as an official representative of the Board.
4. Board members who cancel paid conferences without good cause that result in the district incurring expenses shall reimburse the District for the expenses.

### **B. Travel Expenses**

1. Payment for authorized and documented travel expenses shall be made in accordance with legal requirements by either of the following two methods:
  - a. Reimbursement, not to exceed the allowable rates, for use of a personal car or commercial transportation plus parking, taxi fares, lodging, meals and other incidental expenses.
  - b. Advancement of a set amount for use of a personal car or commercial transportation plus parking, taxi fares, lodging, meals and other incidental expenses. Any excess over actual allowable expenses shall be refunded to the District.
2. Accounting records shall accurately reflect that no state or federal funds were used to reimburse travel expenses beyond those authorized for state employees.

### **C. Documentation Required**

For any authorized expense incurred, the Board member shall submit a statement, with receipts to the extent feasible, documenting actual expenses and in accordance with procedures applicable to employee expense reimbursement.

### **D. Members' Expenses**

Local funds and state funds not designated for a specific purpose may be used for purposes determined by the Board to be necessary in the conduct of the public schools. Reimbursement of travel expenses for Board members is not illegal if the reimbursement is determined to be necessary in the conduct of the school and to serve a proper public purpose. Education Code 45.105(c); Atty. Gen. Op. H-133 (1973).



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### **E. Nonmembers' Expenses**

The Board may not pay the travel expenses of spouses and other persons who have no responsibilities or duties to perform for the Board when they accompany Board members to Board-related activities. Atty. Gen. Op. MW-93 (1979).

### **XII. Evaluation of Superintendent (BJCD Legal and Local)**

- A. The Board shall prepare a written evaluation of the Superintendent by December annually or in more frequent intervals at the discretion of the Board.
- B. The instrument used to evaluate the Superintendent shall be consistent with the Board policy and developed collaboratively with the Superintendent.
- C. The Board shall furnish the Superintendent with a copy of the completed evaluation and shall discuss its conclusions with the Superintendent in closed meeting.
- D. The Board may at any time conduct and communicate oral evaluations to augment its written evaluations.
- E. Goal setting for the following evaluation year shall be completed no later than September of each year and in accordance with the Board Policy BJCD (Legal and Local).

### **XIII. Evaluation of the Board (BG Legal)**

- A. The Board shall conduct a self-evaluation annually.
- B. The evaluation shall consider such items as role recognition, relationship with others, performance at Board meetings, self-improvement activities and other issues consistent with the Framework for School Board Development. See BBD(Exhibit).



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- C. The Board will use an instrument in compliance with Texas Education Code § 11.182.
- D. The Board may at any time conduct self-evaluation in closed session when necessary to discuss Board and/or Board-Superintendent relations.

### **XIV. Selection of Board Officers (BDAA Legal and Local)**

#### **A. General Guidelines**

1. Election of Board officers is governed by Board policies BDAA (Legal and Local). The election must be held at a properly noticed and posted meeting in compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.001 et seq.
2. No Board member shall hold office without one-year minimum current Board experience.
3. Any Board member who seeks to be elected to a specific officer position will notify the Board Secretary the Monday following the election of school board members. Upon receiving notice that a Board member seeks election to be an officer, the Board Secretary will promptly notify the other Board members of the intent of the Board member. If there is no current Board Secretary, notification flows up the chain of command for Board officers.
4. A Board member may choose to withdraw his/her name from consideration for an office by notifying the Board Secretary, who will then notify all Board members, at any time up until the election is conducted.
5. The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. Each officer should have completed their annual required continuing education hours on time and completed one year of board service. In addition, each officer shall commit to attending formal training of the specific officer position. Refer to Board Policy BDAA(Local) for designated duties of each officer.



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### **B. Selection of Board President**

The role of the president is to bring focus to Board discussion and facilitate Board decision-making. To be effective, the president cannot use the office of president to foster his/her own agenda. To do so creates disharmony and mistrust. A president must believe that reasoned, thoughtful, data-driven discussion will result in decisions for the best interest of the District, even if he/she may not personally agree with the decision. A president must work to achieve consensus among the Board members. To accomplish these objectives, a president must:

1. Be a consensus builder
  - a. not take sides
  - b. get people to compromise
  - c. insist that decisions be “data driven” rather than “I think”
2. Be strong
  - a. control meetings
  - b. be able to live with criticism
  - c. be willing to take unpopular stands
3. Listen (but not necessarily accept, believe, or act on everything he/she hears)
4. Be trustworthy
  - a. dependable (do what he/she promises to do)
  - b. open (no hidden agendas) honest (always ethical and truthful)
  - c. work effectively with the Superintendent
  - d. Be secure (i.e. does not “need” to be president)

A person should be selected to be president because he/she has the skills and values described above.

### **XV. Role and Authority of Board Members (BAA Legal; BBE Legal and Local)**

- A. Unless authorized by the Board, no Board member or officer has the authority to take Board action outside of a properly convened Board meeting.





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- B.** No individual Board member has the authority to direct District employees or staff in regard to the performance of their duties.
  
- C.** Board members as Parents (BBF Local and BBFA Legal)
  - 1. When communicating with staff, a Board member that is a parent of a student in the District is expected to make it clear to staff that he/she is acting as a parent and not as a Board member.
  - 2. Individual Board members must not request, expect, or require extraordinary consideration or preferential treatment for their children due to their position on the Board.

### **XVI. Facility or Part of Facility Naming Process**

- A.** Board Policy CW(Local) addresses the Board's role in naming school buildings or other facilities. In naming a school facility or building, the Board shall consider:
  - 1. A facility may be named for a person who has served the District or community, especially in service to children.
  - 2. A facility may be named for any local, state, or national heroic figure.
  - 3. A facility may be named for local residential or geographic area or a state or national landmark.
  - 4. If choosing to memorialize a person in the name of a facility, the person nominated for a memorial must have made a significant contribution to society or to public education, and his or her name must lend prestige to a facility.
  - 5. A facility to be named must be a separate structure or campus. An identifiable existing facility or campus shall not be fragmented by remaining portions of the structure or campus.
  
- B.** In order to name a facility, the Board shall direct the Superintendent to solicit recommendations of names. The Superintendent may appoint a committee to solicit and review recommendations. After solicitation of nominees by the committee, the committee shall, in a timely manner prescribed by the Board,



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submit to the Board three recommended names for Board consideration. The Board retains the final authority for the decision in naming facilities.

- C. For a detailed description of procedures for naming facilities, please refer to Board Policy CW(Local).