

Agua Dulce ISD Board Operating Procedures Achieving Excellence Through Success



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Agua Dulce ISD Board Operating Procedures

Table of Contents

Topic	Page
Board Member Ethics	3
Reauthorization of Board Operating Procedures	4
New Board Member Orientation	4
Executive/Closed Session Attendance and Confidentiality	5
Board Member Responses to Community or Employee Complaints	5
Board Officers Authority and Role	6
Election of Officers	7
Phone/Voice Mail, Written Correspondence, including, but not limited to, Email, Text Messages or Social Media Protocol	7
Censure of a Board Member	8
Board Participation in Discussion, Debate and Voting	8
Superintendent's Performance Evaluation	9
The Superintendent's Contract Evaluation	9
Board Member Contacts with Campuses and District Staff	9
Preparation of the Monthly Board Meeting Agenda	10
Board Member Preparation for Meetings	10
Board Participation during Meetings/Public Forums	11
Board Member Requests for Information Other than Agenda Items	12
Hiring of Personnel other than the Superintendent	12
Board Member Vacancies	13
Board members express concern about superintendent's performance	13

Agua Dulce ISD Board Operating Procedures

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:

STUDENT- CENTERED FOCUS

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

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.

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.

Related Policies: BBF(LOCAL)

Agua Dulce ISD Board Operating Procedures

The Board defines the district's policies and goals that shall reflect the district's advocacy for all students. Board members serve as advocates for all students by providing leadership at the local, state, and national level. The policies set by the Board will ensure the district's mission and goals are achieved. A responsibility of the Board is to hire a Superintendent, who then implements the policies and goals adopted by the Board. The Board shall evaluate the Superintendent's job performance based upon these policies and goals on an annual basis.

A district is only as strong as the Superintendent/Board relationship, also referred to as the "Team of Eight." The Superintendent is the CEO of the organization and the Board is a governing body, much like a Board of Directors is a business setting. The Board must give the Superintendent leeway to accomplish the directives provided by the Board without getting involved in the day-to-day operations of the district and campuses.

An effective Board member communicates with the Superintendent about a concern. It is the Superintendent's job to address concerns. Board members should not violate the chain of command. Doing so causes disrespect and unclear expectations between staff, the Superintendent, and the Board.

Reauthorization of Board Operating Procedures

These operating procedures will be reviewed after elections are held and prior to the start of the school year. The Board shall use this document to reflect a continuous improvement model.

Board Protocol

New Board Member Orientation

- New Board Member will have a meeting with staff designated by the superintendent to discuss logistical information before their first board meeting. As a supplement to the information provided in relation to his/her candidacy, a district orientation for a new Board Member will be scheduled within the first month of them taking the Oath of Office.
- At a minimum, the Superintendent and Board President will participate in the orientation. Additional administrative staff also may be included to provide specific information about the district.
- The orientation should include, but will not be limited to the following:
 - Board Operating Procedures and Board Policies.
 - o Superintendent's overview of district administrative organization
 - o Training to access district electronic communications.
 - o District budget overview.
 - o District goals overview.
 - o Expense reimbursement procedures
 - o Board annual calendar and briefing of upcoming events.
 - o Framework for School Board Development from SBOE
 - o Board Book Training
 - o Student Performance Overview
 - o Board Members Ethics BFF (Local)
 - o Ethics Conflict of Interest Disclosure BBFA (Legal)
 - o Ethics Prohibited Practices BBFB (Legal)
 - o Superintendent Goals
- New Board Members should feel free to ask questions of the Superintendent, Board President, and other Board members.

Agua Dulce ISD Board Operating Procedures

- New Board Members will be offered a six-month refresher of any of the above orientation material.

Related Policies: BBD(LEGAL), BBD(EXHIBIT), BBF(LOCAL), BBFA(LEGAL), BBFB(LEGAL),

Executive/Closed Session Attendance and Confidentiality

- Executive/closed session is a closed meeting and usually precedes a Board Meeting or Work Session.
- Board Members are encouraged to make every effort to attend all meetings. If a member is unable to attend, he/she will notify the Board President and/or the Superintendent, as soon as possible. The absent Board Member will contact the Superintendent or Board President and request a verbal recap of the session, if needed.
- Topics that can be discussed in executive/closed session include the following:
 - o Personnel: Resignations, employment, evaluation, appointment, assignments, terminations, non-renewal, additions, and extension and/or renewal of contracts of individual teachers, individual administrators, individual support staff, and Superintendent's evaluation and/or contract (Policies related to these topics can be found on the online Agua Dulce ISD Board Policy Manual
 - o Private consultation with the attorney regarding contemplated litigation or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551.
 - o Discuss purchase, exchange, lease, sale or value of real property.
 - o Deliberation regarding economic development negotiations.
 - o School children; school district employee; disciplinary matter or complaint.
- All matters discussed in executive/closed session are considered confidential. Board Members will not disclose executive/closed session conversations.
- The Board Secretary will record the closed session meeting. After the Board President has signed, the electronic recording and signed the certified agenda it will be given to the Executive Assistant to the Superintendent.

Related Policies: BEC(LEGAL), DGBA(LEGAL), DGBA(LOCAL), FNG(LEGAL), FNG(LOCAL) GF(LEGAL), GF(LOCAL)

Board Member Responses to Community or Employee Complaints

- Listen respectfully and remain impartial.
- The chain of command is the appropriate channel to take to get problems solved, and the person at the lowest level and closest to the problem should strive to solve an issue.
- Ask if the complainant has followed the district's procedures and/or chain of command. Determine if the escalation process is formal or informal by referring to FNG(LOCAL) for student/parent issues, GF(LOCAL) for community issues, and DGBA(LOCAL) for employee issues.
- If the complainant does not know the procedures or chain of command, provide the information about the informal and formal grievance processes by referring to policies mentioned above. Even after initiating the formal complaint process, a complainant is encouraged to seek an informal resolution of his/her concerns. A complainant whose concerns are resolved may withdraw a formal complaint at any time.
- The Superintendent will inform Board Members of the resolution, or progress, of any referred issue.
- If a matter becomes a formal grievance and the Board Member knows or learns anything about the

Agua Dulce ISD Board Operating Procedures

grievance or appeal case, except what is admitted through the formal documents, that might render him/her unable to hear the grievance or appeal impartially, then he/she must inform the Superintendent immediately and will be expected to recuse himself/herself from the hearing.

**This policy will not be construed to apply to complaints alleging criminal activity.

- If a Board Member is made aware of an issue or concern received from a parent, community member or staff member, the Board Member shall notify the Superintendent and Board President in a timely manner. The timeline and content of the response shall be determined by the Superintendent and Board President. A response shall be provided to the Board Member in a timely manner.

Related Policies: BBE(LEGAL), BBE(LOCAL), BED(LEGAL), BED(LOCAL), DAA(LEGAL) DG(LEGAL), DGBA(LEGAL), DGBA(LOCAL), DIA(LEGAL), DIA(LOCAL), DNA(LEGAL), DNA(LOCAL), FB(LEGAL), FB(LOCAL), FFH(LEGAL), FFH(LOCAL), FNG(LEGAL), FNG(LOCAL), GF(LEGAL), GF(LOCAL)

Board Officers Authority and Role

The duties include but are not limited to the following:

President

- The Board President is the “face of the Board.” The president presides at all Board Meetings.
- Appoint Board members to both committee participation and chairmanships [BDB (LOCAL)];
 - Calls special meetings;
 - Speaks on behalf of the Board at most district-wide events, when requested;
 - Is a signatory on district checks, legal documents approved by Board action, Board resolutions and student diplomas;
- The President has the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.
- The Board President will redirect other board members as appropriate.

Vice President

- The Board Vice President presides at any Board Meetings when the Board President is unable to attend.
- Speaks on behalf of the Board at events the Board President is unable to attend;
- Works with Board President to appoint Board Members to both committee participation and chairmanships
- Where appropriate, and performs other duties as directed by the Board.

Secretary

- The Board Secretary presides at any Board Meetings that the Board President and Vice-President are unable to attend
 - Speaks on behalf of the Board at events the Board President and Vice President are unable to attend.
- Times speakers at grievance hearings; Is a signatory on district checks, legal documents approved by Board action, Board resolutions and student diplomas;
- Keeps or cause to be kept an accurate record of the proceedings of each Board meeting;
- Performs other duties as directed by the Board.

Agua Dulce ISD Board Operating Procedures

Election of Officers

- Election of Board Officers is governed by Board Policies BDAA (LEGAL), BDAA (LOCAL), and 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. Board Members will comply with the requirements of the Board's Policies, Operating Procedures and the Texas Open Meetings Act in the selection of officers.
- Board Officers shall serve for a term of one year. Officers may succeed themselves in office.
 - At that meeting, the members of the Board shall organize by electing Board Officers [BDAA (LEGAL)].
 - In open session, in compliance with the Texas Open Meetings Act, the current Board President will preside over the election of the Board Officers. The current Board President will entertain nominations. Board members will not self-nominate or second their own nomination to serve as an officer from the dais. A nomination requires a second. If additional nominations are made, then each office will be voted on separately by the Board according to Robert's Rules of Order. The Board will vote for each office in turn, beginning with the Board President. If there is more than one nominee for a position, candidates will be voted on in the order of their nomination.
 - Newly elected officers will assume responsibility for their office immediately upon election to the Board Office.
- In the event of a vacancy in an officer's position the Board may, by majority action of the Board at any duly called meeting, fill the vacancy.
- The newly elected president shall meet with the Superintendent within the first month of the election of officers to review all matters pending, to ensure the newly elected president has all the information required of the office, and to be sure all operating procedures are completed in a timely manner.

Related Policies: BDAA(LEGAL), BDAA(LOCAL)

Phone/Voice Mail, Written Correspondence, including, but not limited to, Email, Text Messages or Social Media Protocol

- Board Members are encouraged to respond to phone calls, written correspondence, including, but not limited to, e-mail, text messages or social media from constituents, but should bear in mind that any such responses may be subject to Public Information Act requests and may be applicable to the Texas Open Meetings Act.
- A Board Member retains the right to respond to an individual but must understand that such communication may be interpreted as being an official statement of the Board. The member should do the following:
 - Emphasize that he/she is responding as an individual and not on behalf of the Board.
- Board Members are encouraged to share communications they receive with the Superintendent if the following applies, and they feel it would be appropriate:
 - The information is not of a personal or confidential nature.
 - The Board does not engage in any conversation or action which would violate the Texas Open Meetings Act.
- Board Members will not respond to anonymous communications. Any such communication, pertaining to criminal, health or safety issues, will be immediately forwarded to the Superintendent for action. Board Members will be informed, if appropriate.

Agua Dulce ISD Board Operating Procedures

- If a Board Member receives any communication which he/she perceives to be of a threatening nature, the Board Member will immediately call and forward the communication to the Superintendent for action. Superintendent will contact all Board Members, if deemed necessary.
- Board members who participate in social media, such as but not limited to Facebook and Twitter, should be careful to avoid online conversations that could be construed as speaking for the Board of constituting an online board meeting.

Related Policies: BBF(LOCAL), GBA(LEGAL)

Censure of a Board Member

- If a Board Member acts in a manner that is unbecoming of a member and disruptive to the business of the district, the Board with the advice of legal counsel can pass a resolution to censure that Board Member. This would consist of a calmly worded statement identifying the following:
 - The inappropriate behavior of the named Board member.
 - The desired behavior.
 - A statement of agreement by a majority of the Board members that the behavior is inappropriate.
- Resolutions are non-binding, but they have the effect of publicly disciplining a colleague, since removal from office is rare.

Related Policies: BBC(LEGAL)

Board Participation in Discussion, Debate and Voting

- Robert's Rules of Order, Newly Revised is the parliamentary procedure adopted in policy by this Board. Meetings, motions, and debate will follow these guidelines unless suspended by a two-thirds vote of members present.
- All Board Members are expected to conduct themselves with professionalism, respect, integrity.
- The Board President, or chair, of a meeting will recognize any member who wishes to speak on a subject.
- Debate and discussion must continue until such time as each Board Member feels that he/she has had adequate time to ask clarifying questions or make other comments, unless the previous question has been moved and adopted. Questions or comments must always be germane to the current agenda item.
- No Board Member will coerce another member to vote in a particular manner, and no member may attempt to solicit votes in any manner inconsistent with the Texas Open Meetings Act.
- No Board Member will criticize any other member with regard to his/her questions, discussion, or vote.
- Although it is the duty of every Board Member who has an opinion on a question to express it by his/her vote, he/she can abstain since he/she cannot be compelled to vote.
- Only Board Members who are counted as present may participate in discussion, debate or voting.
- The Board President will vote on all action items.
- In case of a tie vote, the agenda item will be included at the next regular scheduled board meeting.
- Dissenting and abstaining votes shall be recorded in the minutes of the Board Meeting.
- Once a majority decision has been reached, individual Board members will publicly support that vote.
- Nothing in this operating procedure will be construed to limit a Board Member's ability to ask questions during the board meeting.

Agua Dulce ISD Board Operating Procedures

Related Policies: BE(LEGAL), BE(LOCAL), BBF(LOCAL)

Superintendent's Performance Evaluation

- In January, the Board will conduct a summative performance evaluation to discuss progress on the current year's goals using the Commissioner's Recommended Appraisal Instrument.
- Formative performance evaluations may be conducted at least once a year. The Board will provide the Superintendent with adequate notice of any evaluation and format.
- In December, the Board will receive the superintendent evaluation scale and supporting documentation.
- During executive/closed session, Board members may ask questions of and discuss results with the Superintendent at this time prior to completing their individual evaluations.
- In February, the Board will meet to discuss their individual evaluation results and discuss the performance results as a team. The Board will, by consensus, agree on the final evaluation. This final evaluation document will be presented and discussed with the Superintendent, along with any recommendations for next year's personal goals and contractual modifications, in executive/closed session.
- Any action resulting from the evaluation will be at the sole discretion of the Board and agreed to by a majority of the members, in a manner consistent with the Texas Open Meetings Act.

Related Policies: BBD(EXHIBIT), BF(LOCAL), BJA(LEGAL), BJA(LOCAL), BJCD(LEGAL), BJCD(LOCAL), BJCD(EXHIBIT)

The Superintendent's Contract Evaluation

- Superintendent's contract evaluation is usually completed in February to coincide with the Superintendent evaluation process.
- Board counsel, rather than staff, sends the contract to the Board President who sends it to the superintendent.
- The Board will determine if any contractual additions, changes, or deletions should occur.
- After the performance evaluation process, but prior to September, Board discussion regarding Superintendent's compensation and benefits will occur. This timing is reflective of the annual budgeting process that occurs in the summer.
- The Board President will work with the General Counsel to make any modifications to the Superintendent's contract by September 1.
- The Board President will submit a copy to all Board Members for review.

Related Policies: BJCE(LEGAL), BJCF(LEGAL), BJCF(LOCAL), BJCF(EXHIBIT), BJCG(LEGAL)

Board Member Contacts with Campuses and District Staff

- Board Members are encouraged to visit any campus. Campus visits should be coordinated with the appropriate administrator unless the Board Member is attending a function to which he/she has been invited.
- Board Members must honor the campus rules and follow district guidelines regarding visitors while on campus.

Agua Dulce ISD Board Operating Procedures

- Board Members may communicate with any staff member without interrupting scheduled learning periods or interfering with the learning process.
- Board Members will not assume a supervisory role with staff or students.
- Board Members will not assume a participatory role with staff or students unless specifically requested by campus staff.
- Do not attempt to solve problems or make promises.
- Remember you are a public servant. Your actions and behavior should reflect this critical role.
- Make positive observations about the campus and express any concerns privately to the Superintendent.
- Board members are encouraged to know staff members but are never to give staff members directives. *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.

Related Policies: BBE(LEGAL), BBE(LOCAL)

Preparation of the Monthly Board Meeting Agenda

- Agendas are drafted by the Superintendent in consultation with the Board President, but final approval for the agenda is the sole authority of the President.
- A Board member may request that a subject be included on the agenda for a meeting.
- The deadline for submitting items for inclusion on the agenda is the third business day before regular meetings and the third business day before special meetings.
- In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. Any Board member may request that a subject be included on the agenda for a meeting, and the Superintendent shall include on the preliminary agenda of the meeting all topics that have been timely submitted by a Board member.
- Before the official agenda is finalized for any meeting, the Superintendent shall consult the Board President to ensure that the agenda and the topics included meet with the Board President's approval. In reviewing the preliminary agenda, the Board President shall ensure that any topics the Board or individual Board members have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not have authority to remove from the agenda a subject requested by a Board member without that Board member's specific authorization.
- Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meeting and at least one hour prior to the time of an emergency meeting.

Related Policies: BE(LEGAL), BE(LOCAL)

Board Member Preparation for Meetings

- Board Members will read and study the packet prior to each meeting.
- Board Members will direct their individual requests for additional materials or information relating to agenda items to the superintendent.
- The Superintendent or designee will ensure that any additional materials or information that is

Agua Dulce ISD Board Operating Procedures

provided to one Board Member is provided to all Board Members. This operating procedure will not limit a Board Member's ability to ask questions during the Board Meeting.

- In order to honor the time of the administrative staff, Board Members will make every attempt to submit questions about Board Meeting agenda items as soon as possible before a meeting.
- If the requested information is not readily available or requires a significant investment of time that will divert staff from established priorities, the Superintendent will notify the requestor and the Board President as soon as possible.

Related Policies: BE(LEGAL), BE(LOCAL)

Board Participation during Meetings/Public Forums

- All Board Members are expected to conduct themselves professionally and ethically during all meetings and public forums.
- Cell phone use should be limited to such a degree that it is not distracting to others at the dais, members of the audience or the board member communicating. Board member shall remove themselves from the dais if communication is of an emergency nature that requires their full attention. Board Members should remember that communications regarding district business, even if done through a personal device, are subject to the Public Information Act and may be requested by members of the public.
- Board President is permitted to have phone or iPad available for communication with General Counsel and/or security during board meetings.
- During posted meetings, all members will conduct him/herself according to Robert's Rules of Order, Newly Revised.
- If, during a meeting or public forum, any member conducts themselves in a manner that is intolerable or prevents the accomplishment of goals, the Board President may adjourn or recess the meeting.
- Differences of opinion, if respectfully submitted, are not to be construed as unacceptable behavior but rather as alternate views on a subject.
- In compliance with the Texas Open Meetings Act and subsequent Attorney General Opinions, Board Members who cannot attend, but would like to listen to a called meeting, may listen via phone, but cannot speak once the meeting begins. The minutes may reflect the following: "[BOARD MEMBER] was unable to attend the meeting in person. Pursuant to the Open Meetings Act, [BOARD MEMBER] was not permitted to participate in the meeting, but, [BOARD MEMBER] did call in and was able to listen to all the discussion on each of the agenda items discussed."
- Meetings held by teleconference may only occur if an emergency or public necessity exists, as defined by the Texas Open Meetings Act, and it is difficult or impossible to convene a quorum of the Board at one location. Such meetings must meet all requirements of the Texas Open Meetings Act.
- A Board Member not present at the physical location of a regular board meeting may participate via videoconference under Gov't Code 551.127. The Board Member shall be counted as present at the meeting for all purposes. A meeting may be held if a quorum, including the Board Member presiding over the meeting, is physically present at one location. A board member wishing to participate via videoconference shall notify the Board President and Superintendent before the meeting. Such meetings must meet all the requirements of the Texas Open Meetings Act.

Related Policies: BE (LEGAL), BED(LEGAL), BED(LOCAL), BBF(LOCAL)

Agua Dulce ISD Board Operating Procedures

Board Member Requests for Information Other than Agenda Items

- Board Members will communicate their individual requests for detailed or sensitive non-agenda information to the Superintendent or district staff member while copying the request to the Board President, as deemed appropriate.
- If the requested information can be provided from readily available data with no diversion of staff's time, then it will be provided within a reasonable amount of time after the request.
- If the request requires a special report that will divert staff time from established priorities, the Superintendent will notify the requestor and the Board President. The Board President will determine if the request should be considered by the full Board or will direct the Board Member to procedures regarding placing an item on the agenda.
- The Board President may elect to place the request for information on a future meeting agenda to determine if a majority of the Board agrees the requested information is important for its future decision-making.
 - If the Board agrees that the information is important for future decision-making, then the Superintendent will direct that a standing report be developed and provided as requested by the Board and commit to a time frame for providing the information.
- Information requested by one Board Member will be provided to all Board Members at the same time. Should a Board Member request District employees perform follow-up actions, these requests shall be sent to the Superintendent and Board President who will determine the appropriate response timeline and venue.

Related Policies: BBE(LEGAL), BBE(LOCAL), BDD(LEGAL), BJA(LOCAL)

Hiring of Personnel other than the Superintendent

- All school district employees report to the Superintendent. The Superintendent is the only employee of the Board.
- Board Members may not advise the Superintendent on specific hiring decisions unless such input is sought.
- Board Members should refrain from writing letters of recommendation for any person seeking employment in ADISD.
- The Board is not involved in the interviewing process of district employees.
- The Superintendent or the Superintendent's designee is responsible for making all hiring recommendations to the Board.
- Board Members may not lobby for specific hiring decisions.
- Board Members must abstain from any votes on personnel issues where a conflict of interest is clear, as defined in Board policy and/or statute.
- If a Board Member has written a recommendation letter for the recommended candidate, he/she must abstain from voting on the candidate's hiring.
- Nothing in this procedure will prevent or in any way limit the ability of Board Members to discuss concerns about specific existing employees or potential candidates with the Superintendent and the Board President.

Related Policies: DBE(LEGAL), DBE(EXHIBIT), DC(LOCAL), DC(LOCAL)

Agua Dulce ISD Board Operating Procedures

Board Member Vacancies

- Vacancies on the Board may, and do, occur at times other than at the end of a term. Trustee vacancies may occur if a Trustee moves out of the school district, resigns for personal reasons, encounters sudden death or illness, or some other valid reason to resign.
- The departing Board Member should give written notice of impending resignation and deliver it to the Board President. Possible courses of action include:
 - Special election
 - Regularly scheduled election
 - Appointment until a regularly scheduled election
 - Leave seat vacant

Related Policies: BDAA(LEGAL), BDAA(LOCAL)

Board members express concern about superintendent's performance

- A Board Member who has a concern about the professional performance of the Superintendent will discuss such concern with the Board President who will determine the most appropriate manner to bring the concern to the Superintendent's and the Board's attention.
- Concern about the Superintendent's professional performance may include the following:
 - A breach of any term of the Superintendent's contract.
 - Violation of a state or federal statute.
 - Violation of a Board Policy or Operating Procedure. Failure within a reasonable amount of time to address a specific issue identified by a majority of the Board.

Define process to resolve concern

The following process may be used:

- The concerned Board Member will meet privately with the Superintendent to discuss his/her concerns in order to resolve the issue(s).
- If the concerned member, in addition to one other Board Member does not feel that the resolution is satisfactory, then the two members may request, through the Board President, that an item be placed on a regularly scheduled agenda as an executive/closed session item, posted in accordance with the Texas Open Meetings Act. The concerned member must inform the Board President of the specific nature of any concern(s) which prompted the request for an executive/closed session. In addition, the Board President may, of his/her own accord, place an item on a regularly scheduled agenda as an executive/closed session to discuss concerns about the professional performance of the Superintendent.

Resolve concern

- If an executive/closed session is called, the Board must listen to the concern(s) and make a determination if the issue raised is cause for concern. Failure to make such a determination will end the executive/closed session.
- If the majority of the Board determines that there is a violation or breach of one of the aforementioned items, legal counsel will be contacted.

Related Policies: BJA(LEGAL), BJA(LOCAL), BJCE(LEGAL), BJCF(LEGAL), BJCF(LOCAL), BJCF(EXHIBIT), BJCG(LEGAL), DH(LEGAL), DH(LOCAL), DH(EXHIBIT)