Wharton Independent School District

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2020-2021 School Board Operating Procedures

Adopted: 7-17-07
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Personnel revisions: 8-31-2020

Administration

Michael J. O'Guin, Sr., Ed.D. ..... Superintendent
S.B. Pierson ..... Assistant Superintendent of Operations
Charli Lennon ..... Assistant Superintendent of Curriculum and Instruction
Crystal Valdez ..... Chief Financial Officer
Denise H. Ware, Ed.D. ..... Executive Director of Human Resources
Heath Roddy ..... Director of Technology
Cindy Mahalitc ..... Director of Student Services
Erin Andel ..... Director of Special Education
Montray Porter, Ph.D. ..... Director of Professional Development
Landy Williams ..... Chief of Police
Chad Butler ..... Athletic Director
Kim Moses ..... Business Manager

Board of Trustees

Curtis W. Evans ..... President
Steven Roberts ..... Vice President
Christine L. Stransky ..... Secretary
Dr. Cody Pohler ..... Member
Rachel Rust ..... Member
Chris Sparks ..... Member
Sherrell Speer ..... Member

It is the policy of Wharton ISD not to discriminate on the basis of race, color, religion, national origin, sex, disability or age.

Board Operating Procedures
Wharton ISD

In effective school systems, the Superintendent and the Board function as a "Team of Eight." A structured approach to developing a vision for the District and setting goals is enhanced by first developing a system of standard operating procedures. The School Board is the corporate policy-making body for the District, and the Superintendent and staff provide the leadership to cause Board policies to be implemented. Therefore, the Wharton ISD Board of Trustees and Superintendent function as a "Team of Eight" to provide open communication to the staff and patrons of the District.

The Wharton ISD Board of Trustees adopts these guidelines as Standard Operating Procedures to effectively communicate with staff and patrons of the District.

I. Developing Board Meeting Agenda

A. Placing Items on Agenda

1) The tentative agenda is created by the administration and presented to the Board President six (6) days before the regular Board meeting.

2) Board members must request through the Board President or the Superintendent in advance any item they wish to have considered for placement on the agenda.

3) The Board President or Superintendent shall place an item on the agenda if the item is requested by a Board member.

4) In accordance with the Texas Open Meetings Law, no member can place an item on the agenda less than 72 hours in advance of a meeting, except in an emergency as per Texas Code.

B. Items for Closed Session

1) All personnel issues must be conducted in a closed session unless specifically required by the Texas Open Meetings Law.

2) Anything that violates the right to privacy, i.e. Texas Open Records Act, cannot be placed on the agenda and/or discussed in open session.

3) Other matters excepted by Sub-Chapter D of the Open Meetings Act that will have a detrimental effect on the position of the District, i.e. attorney-client privilege.

C. Agenda for Special Meetings

1) Agendas for Special Meetings, set more than 3 months in advance of the meeting, should not be changed except in the case of urgent matters requiring Board action before the next regular meeting. The Board members should be notified as soon as possible about the addition of an urgent action to the Agenda of a Special Meeting.

II. Member Conduct during Board Meetings (Four members present constitutes a quorum for a meeting).

A. Citizen Addressing the Board

1) An opportunity is provided on all meeting agendas for citizens to address the Board. A citizen may address the Board on an agenda or non-agenda item by completing the form located inside the Boardroom and giving the form to the Superintendent or the Board President before the meeting begins. Each speaker is limited to five minutes.

2) If a citizen acts in a disruptive manner, the person will receive a verbal warning from the presiding officer. The warning should include informing the person that if the disruptive behavior continues, the person will be asked to leave the meeting. If the citizen continues the disruptive behavior and does not leave at the presiding officer's request, the presiding officer will ask security to escort the disruptive person off the premises. Once escorted off the premises, the person is not permitted to return during that meeting as per Policy BED (LOCAL).

3) Board members are not to sign up as citizens to be heard. As Board members, an agenda item can be requested in accordance with Board policy to discuss any item they wish to discuss.

B. Board Response to Citizens Addressing the Board

1) If a citizen to be heard asks questions of the Board, the Board will not respond or answer questions as per Policy BED (LOCAL), other than to provide specific factual information or the recitation of existing policy. The Board will not deliberate or decide regarding any subject raised by the citizen that is not included on the posted agenda for that meeting.

2) The presiding officer at the meeting shall determine whether a citizen addressing the Board has attempted to solve a matter through resolution channels established by policy; if not, the citizen shall be referred to the applicable policy in order to seek resolution.

3) If a citizen raises a subject that has not been included as an agenda item for that meeting, the only deliberation of or decision about that subject must be limited to a

proposal to place the subject on the agenda for a subsequent meeting. Any request made of the Superintendent to look into and/or brief the Board at a future meeting on a subject raised that was not on the agenda must be made by the presiding officer after the meeting is adjourned.

C. Discussion of Individual Employees/Students by Board or Audience

1) As noted above, if a citizen raises a complaint or concern, the presiding officer should determine whether the person addressing the Board has attempted to solve the issue administratively through the applicable complaint policies. If not, the citizen must be referred to the appropriate policy to seek resolution, and should not be permitted to speak during the citizens to be heard segment of the meeting.

D. Hearings and Public Hearings (including Level 3 appeals)

1) During public hearings, the Board is assembled only to gather information.

2) The Board will not answer questions or enter into dialogue except with their attorney in the case of an employee hearing.

3) Rules for the public hearing will be strictly adhered to:
    a) The Board will limit response to five minutes per testifier.
    b) The Board will accept written (signed) or oral testimony.
    c) The Board will not allow duplicate testimony.
    d) The Board will not allow any derogatory comments.

E. Board Shall Observe the Parliamentary Procedures in *Robert's Rules of Order, Revised*

1) All discussion shall be directed solely to the business currently under deliberation.

2) The Board President has the responsibility to keep the discussion to the motion at hand and shall halt discussion that does not apply to the business before the Board.

3) The Board President shall recognize a Board member prior to giving their comments.

F. Discussion by Board Members

1) Each member will have the opportunity to discuss an agenda item at least once before the item may be tabled, postponed, or action taken.

2) Any Board member who placed an agenda item on the Agenda will be given the first opportunity to discuss the item.

3) The following procedure applies to the open and closed sessions of all public Board meetings. Trustees and the Superintendent should switch all wireless electronic devices to silent mode during a public meeting. Trustees and the Superintendent should not communicate with one another or third parties or the public via electronic means during a public meeting. Trustees and the Superintendent should not communicate with any member of the District staff via electronic means during a public meeting except during emergencies. Board members and the Superintendent shall limit texting and receiving phone calls to matters of urgent importance and emergencies.

III. Voting

A. The Board President may vote on all action items or as a tie-breaker. The President should be consistent in this matter.

B. In case of a tie vote, the item is tabled. The President may bring the item back to the Board on a subsequent agenda.

IV. Individual Board Member Request for Information or Reports

A. Board members shall request information and/or reports through the Board President or the Superintendent.

B. The Superintendent will gather the information and/or report and disseminate it in a timely manner to the Board.

C. Board members are encouraged to advise the Superintendent of questions or concerns on agenda items before the Board meeting.

V. Citizen Request/Complaint to Individual Board Member

A. Remind the citizen, parent or student of the District's policies setting out the processes to be followed in order to resolve complaints and that the Board member must remain impartial in case the situation goes before the Board. Board members should explain that any involvement or discussions on their part beyond what is outlined in Board policy will require that the member not participate in any discussion or decisions involving the matter should the issue eventually be brought to the Board. It is important to effectively communicate that the District and the Board both have a desire to resolve all complaints, and to do so in accordance with District policies and procedures. The Board member approached by a citizen, parent or student with a complaint shall not attempt to investigate or resolve the issue. If the citizen expresses any concern or fear about using the complaint procedures applicable to the subject matter involved, the Board member should point out that the Board has policies that prohibit retaliation for

the filing of any complaints or grievances, and reiterate to the citizen, parent or student the importance of following the requirements of the policies established by the Board for the consideration and resolution of complaints or grievances.

B. Refer citizen to the Superintendent's Office.

C. The Board member shall promptly notify the Superintendent of a significant criticism or complaint.

D. Upon being informed of the significant complaint, the Superintendent or designee shall contact the citizen, parent or student in a timely manner to identify for the citizen, parent or student the applicable policies relating to the complaint and its resolution, and will inform the Board member who referred the matter to the Superintendent when this has been accomplished.

E. After timely investigation of the matter, the superintendent shall inform the Board of the results or status of such matters.

VI. Employee Request/Complaint to Individual Board Member

A. Remind the employee of the appropriate chain-of-command, that the District maintains a policy which outlines the procedures for filing a grievance or complaint, and that these procedures must be followed. If the employee expresses any concern or fear about using the complaint procedures applicable to the subject matter involved, the Board member should point out that the Board has policies that prohibit retaliation for the filing of any complaints or grievances, and reiterate to the employee the importance of following the requirements of the policies established by the Board for the consideration and resolution of complaints or grievances.

B. Remind the employee of the Board member's need to remain impartial because Level III complaints are heard in Board meetings as scheduled agenda items, and that any involvement or discussions on their part with the employee will require that the member not participate in any discussion or decision involving the matter. The Board member approached by the employee shall not attempt to investigate or resolve the complaint/grievance.

C. Promptly inform the Superintendent about the complaint/grievance.

D. The employee will hear from the Superintendent within a timely fashion unless the employee requests no contact from the Superintendent.

VII. Board Member Visit to School Campus

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

B. Board members are not to go into teachers' classrooms or to campuses for the purpose of evaluation or investigation.

C. While acting in their capacity as a member of the Board, members must notify the principal 24 hours in advance of visits to campuses, when they are not attending a scheduled activity.

VIII. Communications (All communications are subject to compliance with the Open Meetings Act)

A. The Superintendent will meet or visit by phone with the Board President on a routine basis.

B. The Superintendent will communicate information in a timely fashion to all Board members.

C. Requests to the Superintendent from any Board member will be distributed to all Board members.

D. The Board will keep the Superintendent informed via telephone calls, faxes, email or personal visits.

E. The Board will communicate with the community through public hearings, regular Board meetings and regular publications.

F. Individual Board members cannot speak in an official capacity outside the Boardroom.

IX. Evaluation of Superintendent

A. The Board President obtains input from all members of the Board on the approved indicators on the Superintendent's evaluation.

B. An evaluation is conducted in closed session.

C. A summative evaluation of the Superintendent will be conducted in January of each year.

X. Evaluation of the Board

A. The evaluation of the Board is an assessment of the completion of goals established by the Board.

B. The Board will complete the Board self-assessment and meet to discuss it.

XI. Role and Authority of Board Members and/or Board Officers (set down by state statute)

A. No Board member or officer has authority outside of a Board meeting.

B. No Board member may direct employees in regard to performance of duties.

C. The Board President shall:
1) Preside at all Board meetings
2) Appoint committees
3) Call special meetings
4) Sign all legal documents required by law

D. The Vice President shall act in the capacity of the President in the absence of the President.

E. The Secretary shall:

1) Keep accurate records of closed session Board meetings.

2) Call meetings and act in the capacity of the President in the absence of the President and Vice President.

3) Countersign all warrants

XII. Role of Board in Closed Session

A. The Board may only discuss those items allowed by law in closed session.

B. The Board must vote in public session.

C. Discussion during closed session must remain confidential.

XIII. Media Inquiries to the Board

A. The Board President or the Superintendent shall be the official spokesperson for the Board to the media/press on issues of media attention.

B. All Board members who receive calls from the media should direct them to the Board President or the Superintendent.

XIV. Anonymous Phone Calls and/or Letters

The Wharton ISD Board of Trustees encourages input; however, anonymous calls or letters will not receive Board attention, discussion or response and will not result in directives to the administration. Confidentiality is strictly maintained when possible.

XV. Reviewing Board Operating Procedures

Standard Board Operating Procedures will be reviewed and updated annually and will be part of Board training. These procedures may be modified at any time by a majority vote of the Board. Interpretation of Board Operating Procedures will be at the sole discretion of the Board.

XVI. Required Trustee Training (BBD LEGAL and BBD LOCAL)

A. Trustees are required to complete training as specified in Texas Education Code 11.159 according to local policy and assessed needs.
B. New Trustees shall participate in a local orientation session within sixty (60) days before or after their election or appointment. Three (3) additional hours of orientation to the Texas Education Code are to be completed within the first year of service.

C. All Trustees shall complete suggested TASB hours of continuing education annually.
D. Training to fulfill training required by state law may be delivered by ESC's or other registered providers. At least 50% of the continuing education required under new and sitting Trustees must be designed and delivered by persons not employed or affiliated with the Board member's local school district. No more than one hour of the required continuing education that is delivered by the local district may utilize self-instructional materials.
E. Each Trustee is free to select training sessions in order to meet the requirements of the Texas Education Code.
F. Each Trustee is allocated one-seventh (1/7) of the approved Board of Trustees travel budget. If any Trustee needs to change his/her travel plans after the district has confirmed arrangements, the additional financial cost will be deducted and reflected in the Trustee's allocated portion of the travel budget.
G. The Superintendent's executive assistant will prepare annual reports with training expenses for each Trustee by July 31st. The report will include the total amount of

training and expenses requested for each Trustee of all expenses to date. The entire report will be delivered to all trustees in electronic or printed form as required by district policy.

H. The minutes of the last Board meeting held in a calendar year must reflect whether each Trustee has met or is delinquent in meeting the requirement for training required to be completed as of the date of the meeting. Each year training hours for each Trustee shall be reported, with a statement of which Trustees have completed required training, which have exceeded required training, and which are deficient in required training, at the regular February meeting which is the same meeting that calls for the Board election. Please note failure of one or more Trustees to comply with the training rules can affect a district's accreditation status.

I. Any trustee deficient in training is not eligible for a nomination to hold an office of the Board.

J. It is the board's expectation that Trustees attending training and /or conferences at tax payer's expense will attend sessions.

TRAVEL/REIMBURSABLE EXPENSES (BBG LOCAL)

A. Board of Trustees will receive reimbursement for up to daily per diem allowance at the maximum meals and incidental expenses rates published by the State of Texas. These amounts include taxes. Itemized receipts will be required for meals. Un-itemized credit card receipts are not acceptable. The purchase of snacks is not reimbursable. The Trustee will be responsible for any expenses incurred for meals greater than the per diem allowance. The Trustee will not be reimbursed for any expenses for anyone other than the board member.

B. A Trustee's reasonable expenses will be paid from budgeted funds for the following:
    1. Carrying out the business of the Board request. Attending meetings and conventions as official representatives of the Board and/or membership in educational organizations.
    2. Mileage, commercial transportation, parking, lodging, meals and other incidental expenses, incurred in attending meetings and conventions as official representatives of the Board.
    3. Hotel expenses for meetings that are more than one day in duration and out of Region 3.
    4. All of the above expenses shall come from each board member's $1/7^{th}$ board member travel allotment and any expenses incurred in excess of such allotment

shall be the sole responsibility of the Trustee who incurred them without prior Board approval.

C. Any exception to this must be approved by a majority vote of the Board.

D. Trustees will fill out an expense report at the end of all travel and return it to the Superintendent's office within thirty (30) business days of the event with all receipts attached. Failure to comply may limit future travel. Trustees will follow district financial policy for reports of all travel. Trustees will use Travel Guidelines & Procedures, Travel Request and Travel Reimbursement Request forms located on the Wharton ISD website homepage under Departments→For Staff→WISD Internal Forms & Procedures.

E. Following a conference and training, Trustees may be given an opportunity to share verbally or in written form information they received that may be beneficial to their fellow Board members.

Leadership TASB

A. All eligible WISD Trustees are encouraged to apply for Leadership TASB

B. Trustees must obtain the necessary form from the Texas Association of School boards or online at www.TASB.org and do the following:

1. If accepted, request approval to attend from the Board as an agenda item at the closest Board meeting for the additional costs for the training if asking for the board to pay for the training and travel associated with the training; and
2. Request a scholarship to help with the additional Board training costs if asking the board to help pay for the training/travel; and
3. Apply all of the 1/7 board member's travel/training allotment towards the cost of the LTASB training except for the cost of any state required training that may not be covered in the LTASB training. (Example: Legislative update in alternate years)

No additional board training funds (additional to the 1/7) may be given for the first year or for a Trustee up for re-election.