

2010

# ECISD BOARD OF TRUSTEES PROCEDURES

## MISSION

The mission of the ECISD Community, a passionate, unified, world class leader in education, is to develop world ready, life-long learners who discover their unique gifts, achieve personal success, and fuel their community by building unified, comprehensive community support and participation that fosters a standard of excellence; serving as advocate and steward for all students; ensuring relevant teaching, engaged learning, and dynamic innovation; and maximizing all available resources.

## THE TEAM OF EIGHT



President  
Dr. Donna Smith



Vice President  
Fay Batch



Secretary  
Yollie Wilkins



Board Member  
Dr. Ray Beaty



Board Member  
Carol Gregg



Board Member  
Dr. Donnie Norwood



Board Member  
Tom Pace



Superintendent  
Hector Mendez

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## INTRODUCTION

In most matters, the Board's actions are governed by Federal Law, LEGAL or LOCAL Policy. LEGAL policy refers to state laws, which can only be changed by the Legislature. LOCAL policy is a formal interpretation of LEGAL policy and can only be changed by a Board action. Board Procedures govern actions not otherwise covered by LEGAL and LOCAL policy. The following are descriptions of customary practices by this Board.

**BOARD MEMBER ETHICS**

BFF (Local)

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:

**E**QUITY

- I will be fair, just, and impartial in all my decisions and actions.
- I will accord others the respect I wish for myself.

## IN ATTITUDE

- I will encourage expressions of different opinions and listen with an open mind to others' ideas.

**T**RUSTWORTHINESS

- I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.

## IN STEWARDSHIP

- 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.

**H**ONOR

- I will tell the truth.

## IN CONDUCT

- 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.

**I**NTEGRITY

- I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.

## OF CHARACTER

- I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed.

**C**OMMITMENT

- I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.

## TO SERVICE

- I will diligently prepare for and attend Board meetings.
- I will avoid personal involvement in activities the Board has delegated to the Superintendent.

**S**TUDENT-CENTERED

- I will seek continuing education that will enhance my ability to fulfill my duties effectively.

## FOCUS

**BOARD LEGAL STATUS  
POWERS AND DUTIES**

BFF (Local)

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:

- |  |  |
|--|--|
| GOVERNANCE                                       | 1. Govern and oversee the management of the public schools of the District. <i>Education Code 11.151(b)</i>  |
| COMPREHENSIVE GOALS                              | 2. Monitor progress toward the District’s comprehensive goals. <i>Education Code 11.1511(b)(2)</i> [See AE]  |
| PERFORMANCE GOALS                                | 3. Establish performance goals for the District concerning: <ul style="list-style-type: none"> <li>a. The academic and fiscal performance indicators under Subchapters C and I, Chapter 39, respectively; and</li> <li>b. Any performance indicators adopted by the District.</li> </ul> <i>Education Code 11.1511(b)(3)</i> |
| PLANNING AND DECISION-MAKING PROCESS<br>TAX RATE | 4. Adopt a policy to establish a District- and campus-level planning and decision-making process. <i>Education Code 11.1511(b)(5), 11.251(b)</i> [See BQ series]<br>5. Adopt a tax rate each fiscal year as required by Tax Code 26.05. <i>Education Code 11.1511(b)(8)</i>  |
| ANNUAL BUDGET                                    | 6. Adopt and file a budget for the succeeding fiscal year. <i>Education Code 11.1511(b)(7), 44.004, 44.005</i> [See CE]  |
| FINANCIAL PROCEDURES                             | 7. Monitor District finances to ensure that the Superintendent is properly maintaining the District’s financial procedures and records. <i>Education Code 11.1511(b)(9)</i>  |
| ANNUAL AUDIT                                     | 8. 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. <i>Education Code 11.1511(b)(10), 44.008(a)</i> [See CFC]   |
| FINANCIAL REPORT                                 | 9. Publish an end-of-year financial report for distribution to the community. <i>Education Code 11.1511(b)(11)</i>   |
| INTERNAL AUDITOR                                 | 10. Select the internal auditor if the District employs an internal auditor. The internal auditor shall report directly to the Board. <i>Education Code 11.170</i>   |
| SUPERINTENDENT                                   | 11. Ensure that the Superintendent implements and monitors plans, procedures, programs, and systems to achieve appropriate, clearly defined, and desired results in the major areas of District operations. <i>Education Code 11.051(a)</i>  |

12. Ensure that the Superintendent:
- a. Is accountable for achieving performance results;
  - b. Recognizes performance accomplishments; and
  - c. Takes action as necessary to meet performance goals.

*Education Code 11.1511(b)(4)*

ANNUAL SUPERINTENDENT APPRAISAL	13. Appraise the Superintendent annually using either the Commissioner's recommended appraisal process or a process and criteria developed by the District. <i>Education Code 21.354(c)</i> [See BJCD]
PERFORMANCE REPORT	14. Publish an annual report describing the District's educational performance including campus performance objectives and the progress of each campus toward those objectives. <i>Education Code 11.1511(b)(6), 39.053(a)</i> [See BQ series, BR]
DEPOSITORY	15. Select a depository for District funds. <i>Education Code, Ch. 45, Subch. G</i> [See BDAE]
ELECTIONS	16. Conduct elections as required by law. <i>Education Code 11.1511(b)(12)</i> 17. Canvass election results as required by law. <i>Election Code 67.003</i> [See BBB]
PROPERTY ACQUISITION	18. Acquire and hold real and personal property in the name of the District. <i>Education Code 11.151(a); Local Gov't Code 271.004</i> [See CHG]
TITLE TO PROPERTY	19. Hold all rights and titles to the school property of the District, whether real or personal. <i>Education Code 11.151(c)</i> [See CI]
PERSONNEL	20. Adopt a policy providing for the employment and duties of District personnel. <i>Education Code 11.1513</i> [See BJ series, DC series, DEA]
RESTRICTIONS ON WRITTEN REPORTS	21. Limit redundant requests for information and the number and length of written reports that a classroom teacher is required to prepare. <i>Education Code 11.164(a)</i> [See DLB]
PAPERWORK REVIEW	22. Review paperwork requirements imposed on classroom teachers and transfer to existing noninstructional staff a reporting task that can reasonably be accomplished by that staff. <i>Education Code 11.164(b)</i> [See also DLB]
TERMINATION OF EMPLOYMENT	23. 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. <i>Education Code 11.1511(b)(14)</i>
RELATIONSHIPS WITH OUTSIDE ENTITIES	24. 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. <i>Education Code 11.1511(b)(1)</i>
GRIEVANCES	25. 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)*

RULES AND  
BYLAWS

The Board may:

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

TAX COLLECTION

2. Issue bonds and levy, pledge, assess, and collect an annual ad valorem tax to pay the principal and interest on the bonds as authorized under Education Code 45.001 and 45.003.

TAX OFFICIALS

3. Levy, assess, and collect an annual ad valorem tax for maintenance and operation of the District as authorized under Education Code 45.002 and 45.003.

*Education Code 11.1511(c)* [See CCA, CCG]

4. Employ and compensate a tax assessor or collector, as the Board considers appropriate. *Education Code 11.1511(c), 45.231(a); Tax Code 6.22* [See BDAF]

CONTRACTS

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

BEQUESTS

6. 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]

EMINENT DOMAIN

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

LEASE OF  
PERSONAL  
PROPERTY

8. 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 purchases 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*

SALE OF PROPERTY

9. Authorize the sale of any property, other than minerals, held in trust for free school purposes. *Education Code 11.154(a)* [See CDB]

MINERAL RIGHTS

10. Sell minerals in land belonging to the District. *Education Code 11.153(a)* [See CDB]

REAL ESTATE  
BROKER

11. 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)*

ATTORNEY  
GENERAL

12. 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)*

LAWSUITS

13. Sue and be sued in the name of the District. *Education Code 11.151(a)*

COLLABORATION WITH  
THE SUPERINTENDENT

The Board and the Superintendent shall work together to:

1. Advocate for the high achievement of all District students;

2. Create and support connections with community organizations to provide community-wide support for the high achievement of all District students;
3. Provide educational leadership for the District, including leadership in developing the District vision statement and long-range educational plan;
4. Establish District wide policies and annual goals that are tied directly to the District's vision statement and long-range educational plan;
5. Support the professional development of principals, teachers, and other staff; and
6. Periodically evaluate Board and Superintendent leadership, governance, and teamwork.

*Education Code 11.1512(b)*

### TEAM OPERATIONS

The following are Board procedures, which are a combination of Legal and Local policy and actions governed by custom.

- 1) PLACEMENT OF AN ITEM ON THE AGENDA – BE (Local)
  - 1.1 Any Board Member may place an item on the agenda by sending a request to the Board President or the Superintendent at least 5 business days before the meeting.
  - 1.2 The Board President will ensure that any topics that the Board or an individual Member has requested to be addressed will appear on that agenda or will be scheduled for deliberation at an appropriate time in the near future.
  - 1.3 The Board President cannot remove an item from an agenda requested by a Board Member without that Board Member's permission.
  - 1.4 Personnel issues may be placed on an agenda, but by law must be discussed in closed session.
  - 1.5 Because of state law, no one can place an item on an agenda less than 72 hours in advance except in an emergency as defined by the Texas Government code.
- 2) COMMUNICATION AMONG TRUSTEES
  - 2.1 A Board Member may not discuss an issue outside of a meeting with more than two other Board Members. To do so is considered a "walking quorum," and violates state open meetings laws.
  - 2.2 Board Members may communicate with other individual Board Members or the Superintendent or staff for the purposes of asking clarifying questions, providing clarifying information or socializing under circumstances that do not conflict with or circumvent the Texas Open Meetings Act.



- 2.3 Board Members may not communicate with other individual Board Members for purposes of soliciting votes in support of or opposition to items of business that may come before the Board.
  - 2.4 Board Members who wish to share information relevant to District business or issues before the Board may relay the information to the Board President and/or Superintendent for placement on the Board Agenda or, if appropriate, distribution to all Board Members in the weekly Board update.
- 3) REQUESTS FOR WRITTEN INFORMATION FROM STAFF – BBE (Local)
- 3.1 Requests for written information should be directed to the Superintendent who shall forward the request to the appropriate personnel.
  - 3.2 Information requested by one Board Member shall be provided to all Board Members.
  - 3.3 If the requested information is deemed not readily available or if a satisfactory time line cannot be negotiated and the Board Member wishes to proceed, the request will be placed as an Executive Session item and posted as “Consideration of the Duties of a Public Officer” on the next Board meeting agenda.
  - 3.4 No action may be taken which would conflict with the Open Meetings Act.
- 4) CAMPUS VISITATION
- 4.1 Board Members are encouraged to visit any campus.
  - 4.2 As a courtesy, Board Members will inform the campus Principal of any visit 24 hours in advance of the visit whenever possible, unless the Board Member is attending a function to which he/she has been invited.
  - 4.3 Board Members must check in at the Principal’s office following District guidelines, and must have their identification badge visible.
  - 4.4 Board Members will not assume a supervisory role with staff or students.
- \*\* This operating procedure does not pertain to visits as a parent, as a spectator to school events or other events open to the general public.
- 5) COMMUNICATION WITH THE COMMUNITY – BBE (Local ), FNG (Local) & GF (Local)
- 5.1 Listen respectfully and impartially.
  - 5.2 Refer complainant to the ECISD website or Human Resources (334-7137) for grievance policy and forms. Review chain of command with the complainant.
  - 5.3 Refer to Superintendent or appropriate administrator.
  - 5.4 Inform the Superintendent of the concern in a timely manner.
  - 5.5 Anonymous phone calls or emails: the Board encourages input; however, anonymous calls or letters will not receive Board attention, discussion or response and will not result in directives to the administration.

- 5.6 Information pertaining to anonymous phone calls or emails should be provided to the Superintendent.
- 5.7 Because the Board is the final body to hear a grievance, Board Members should be cautious in listening informally to complaints so that they do not compromise their ability to be impartial should they be required to rule on the complaint as a formal grievance.
- 6) COMMUNICATION WITH EMPLOYEES – BBE (Local) & DGBA (Local)
- 6.1 Listen respectfully and impartially. Inquire if the employee has followed the District's procedures and/or chain of command.
- 6.2 If the employee is not familiar with the procedures or chain of command refer the employee to the ECISD website or Human Resources (334-7137) for grievance policy and forms.
- 6.3 Because the Board is the final body to hear a grievance, Board Members should be cautious in listening informally to complaints so that they do not compromise their ability to be impartial should they be required to rule on the complaint as a formal grievance.
- 7) COMMUNICATION WITH THE MEDIA
- 7.1 The Board President shall be the official spokesperson for the Board to the media.
- 7.2 The Superintendent shall be the official spokesperson for the District on issues of media attention relating to District operations.
- 7.3 Statements shall not be made to the media regarding personnel or other matters protected by the law.
- 7.4 A Board Member retains the right to speak to the media as an individual, but must understand that any comment will likely be interpreted by viewers/readers as an "official" statement of the Board.
- 8) EMAIL COMMUNICATION
- 8.1 Board Members may respond to emails from constituents, but should bear in mind that any such responses may be subject to the Public Information Act.
- 8.2 A Board Member retains the right to respond to emails as an individual, but must understand that such communication may be interpreted by the reader as being an "official" statement of the Board.

### MEETINGS

- 9) MEETING PREPARATION
- 9.1 The Superintendent will ensure that all necessary or requested information is supplied to the Board Members to allow for informed decisions. Agenda packets will be electronically posted and delivered (3) days in advance for meetings. Items not available when the

- Agenda is electronically posted and/or delivered will be electronically posted or delivered in the weekly packet immediately prior to the meeting.
- 9.2 Board Members will read and study the packet prior to each meeting.
- 9.3 Board Members will direct Agenda related questions to the Superintendent or appropriate staff member.
- 10) PARTICIPATION DURING MEETINGS AND OPEN FORUMS—BED (Local)
- 10.1 CITIZEN ADDRESS – it is the desire of the Board that interested citizens attend their regularly scheduled monthly meetings or any special meeting where school business is transacted provided the meeting is not closed for reasons permitted by statute. The two avenues of citizen address consist of being placed on the agenda to make a presentation or completing the required form the day of the Board meeting to comment on an agenda item.
- 10.2 CITIZEN REQUEST TO HAVE AN ITEM PLACED ON THE AGENDA - In order for an individual or group to place an item on the agenda of a Board meeting, the individual or group must submit a written request six working days before the date of the Board meeting to the Superintendent or President of the Board. The request shall include the person's name, address, telephone number, and the subject matter to be presented.
- 10.3 CITIZEN REQUEST TO ADDRESS AN ITEM ALREADY ON THE AGENDA – he/she shall request in writing up and till the start of the Board meeting to comment on any agenda item during its scheduled time and are allowed five minutes unless the **majority of the Board or the Board President grants an extension**. A Member of the Board shall be designated to serve as keeper of the time.
- 10.4 Board Members may or may not respond to citizen address; in most instances Board members should refrain from responding.
- 10.5 The Board President shall acknowledge the citizen making the address and advise him/her that the comments will be taken under advisement or may direct administration to investigate items and report back to the Board at a designated meeting.
- 10.6 The Board will not entertain comments on individual district personnel or individual students in public session.
- 11) BOARD MEMBER CONDUCT DURING MEETINGS
- 11.1 Board Members will conduct themselves according to standards outlined in Robert's Rules of Order.
- 11.2 The Board President must recognize a Board Member before that person may comment on a motion.
- 11.3 All discussion shall be directed solely to the business under deliberation.
- 11.4 The Board President shall keep the discussion focused on the motion at hand and halt discussion that does not apply to the business before the Board.

- 11.5 The Board President shall facilitate discussion of the business before the Board by asking questions and by requesting input from each Board Member.
- 11.6 All Board Members, including the President, shall vote or officially abstain on each motion.

12) OFFICER SELECTION - **BDAA (Local)**

- 12.1 The Board shall elect a President, a Vice President, and a Secretary who shall be Members of the Board.
- 12.2 Board Members shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office. Board elections shall be conducted each June during the regular Board Meeting.

### BOARD DEVELOPMENT

13) New Member Orientation

- 13.1 As a supplement to the information provided in relation to his/her candidacy, a District orientation for a new Board Member will be scheduled to begin within two weeks of the date a new Board Member takes the Oath of Office.
- 13.2 At a minimum, the Superintendent and Board President will participate in the orientation. Other Board Members and additional administrative staff may also be included to provide specific information about the District.
- 13.3 If more than two additional Board Members participate in the orientation at one time, the orientation will be conducted in accordance with the Texas Open Meetings Act.
- 13.4 The orientation must include but will not be limited to:
1. Board/Superintendent Team Operating Procedures and Board Policies
  2. Superintendent's overview of District Administrative Organization
  3. Board President's overview of Board Communication
  4. Budget
  5. Texas Open Meetings Act laws
  6. District Strategic Plan
  7. Requirements for ongoing Board Member education and opportunities
  8. Board's annual calendar and briefings of upcoming events
  9. Expense reimbursement procedures

14) Annual Team Building Activity – **BBD (Legal)**

- The entire Board, including all Board Members, shall annually participate with the Superintendent in a team building session facilitated by the regional education service center or any registered provider.
- 14.1 Annually the Board should reviews its goals and conduct a self-assessment.

### PLANNING

- 15.1 The Board should conduct an annual review of the Strategic Plan and District Goals.

- 15.2 The Board should conduct an annual review of District elements (local policies, operating procedures, improvement plans, and progress toward accomplishment of goals, instructional programs, and programs other than instructional).
- 15.3 The Board should create and maintain an activity calendar.

### PERSONNEL

#### 16) Superintendent Evaluation – BJCD (Legal)

- 16.1 The Superintendent shall be appraised on an annual basis.
- 16.2 The Board shall use either the commissioner's recommended appraisal process and criteria [see BJCD (Exhibit)] or an appraisal process and performance criteria that are developed by the District in consultation with the District and campus-level committees and adopted by the Board.

#### 17) Hiring of Personnel other than the Superintendent

- 17.1 The Board hires the Superintendent.
- 17.2 Board Members should refrain from writing letters of recommendation for any person seeking employment with ECISD. Should a Board Member write such a letter, he/she must abstain from voting on the candidate's hiring.