

FABENS ISD
BOARD PROCEDURES
Adopted July 16, 2003
Board Workshop October 29, 2022
Board Approved November 16, 2022

I. Developing Board Meeting Agendas:

A. Placing Items on Agenda

1. The Board President, the Superintendent, or any Board member can place an item on the agenda or ask for an item to be brought back up, with member's name on the item (Board Policy BE)
2. A Trustee shall not ask the Superintendent during a meeting to put an item on the next agenda, when this is not an agenda item
3. In accordance with Texas Open Meeting Laws, the agenda must be finalized and posted at least 72 hours in advance of a meeting, except in an emergency as per Texas Government Code (Board Policy BE)
 - a. The 72 hour in advance rule shall only be bypassed in emergencies
 - b. Except in those emergencies, items must be submitted seven (7) days before a regular Board meeting, or five (5) days before a special meeting
4. Trustees shall provide backup material for their agenda items if available

B. Items that cannot be on the agenda other than for Closed Session

1. All personnel issues must be conducted in a closed session, unless specifically required by the Texas Open Meetings Act to be conducted in an open meeting
2. Anything else required to be in closed session by the Texas Open Meetings Act

C. Use of Consent Agenda:

1. Board requests prior to the Board meeting and after the Board receives their agenda packets must be addressed and responded to within 24 hours. However, requests for additional information or clarification of an agenda item shall be submitted by members of the board of trustees to the Superintendent no later than Monday noon, on the week of a regularly scheduled board meeting. Board President will remind Board member when questions could/should have been submitted prior to Board meeting.
2. Regardless of which member of the Board submits a request for additional information or clarification, the response will be submitted to all members of the Board. Such response will be provided in an approved format, which identifies the individual board member making the request, and the administrator who provided the information or coordinated the response
3. When the response to a request for additional information or clarification of an agenda item generates additional questions, a verbal response may be coordinated between an individual board member and a member of the administration through the Superintendent's office
4. A Trustee request to remove an item from the Consent Agenda for discussion and a separate vote should be communicated to the Board President and/or Superintendent at least 48 hours before the meeting.

- D. Major (new and expensive) agenda items should be put on the agenda for information and discussion for at least one regular Board meeting prior to the regular meeting when final action is required, time and deadlines permitting.

II. Member Conduct During Board Meetings

- A. All board members are expected to model the Framework for School Board Development (BBD [Exhibit]), Board Member Ethics (Board Policy BBF), and follow Robert's Rules of Order
- B. If during a meeting, a Board member violates Robert's Rules of Order, the following disciplinary procedures will be enforced:
 - 1. President or any member will ask for a recess and the President and Vice-President will talk privately with the offending board member
 - 2. If the offending member continues to be in violation, a public warning will be issued in open session by the President
 - 3. If the offending Board member continues to be in violation, any member of the Board may call for public censure (to be considered at a future properly noticed meeting), and in the case of disruption of the meeting, removal from that meeting, both requiring a 2/3 vote according to Robert's Rules of Order
- C. Personal privilege will not be used to chastise, embarrass or disagree with another Board member
- D. Voting
 - 1. All members, including the Board President, will vote on all action items
 - 2. A member will not abstain from voting except in the case of a personal conflict of interest, which is at the exclusive judgment of the Trustee who wishes to abstain.
- E. Persons addressing the Board
 - 1. When a member or members of the public are disruptive, they will receive a verbal warning from the President
 - 2. When a member or members of the public continue with a second infraction, the President will ask security to escort the person or persons off the premises and he/she may not return during that meeting
- F. Agenda item discussion by Board members
 - 1. Each member will have the opportunity to discuss an item at least once before the item may be tabled or postponed.
 - 2. The member placing an item on the agenda will be allowed to make the motion and given the opportunity to discuss an item first. The intention is to save the Board time by allowing the member the opportunity to explain their reasons for placing an item on the agenda.
 - 3. Members must limit their discussion to the pros and cons of the item under discussion.
 - 4. Time limits on discussion:

- a. Each member will be allowed to discuss an item twice for three minutes each time
- b. If a member feels that the item requires additional time, the member may move that the Board suspend the rules. Such a motion requires a second and majority vote.

III. Information or reports requested by Board member between Board meetings

- A. A Board member may request existing information and/or reports through the Superintendent. If the information does not exist and a report must be generated that will require more than one hour by staff, it must be requested through an agenda item and a majority vote of the Board.
- B. Individual Trustees shall channel legal inquiries through the Superintendent or Board President (Board Policy BDD). A response from the attorney requiring more than an hour of billable time, must be requested through an agenda item and a majority vote of the Board, unless both the president and the superintendent agree that the item cannot wait for the next regularly scheduled meeting. If the item is directly related to the superintendent, the president and an additional Trustee may request the report.

IV. Citizen Request/Complaint to individual Board member

- A. When a citizen complains to a Board member, the Board member should:
 - 1. Remind the citizen of due process (parent/student and public complaint policies, FNG and GF) and that the Board member must remain impartial in case the situation goes before the Board
 - 2. Refer citizen to appropriate person in the chain-of-command
 - 3. Board member shall inform Superintendent of complaint
- B. When appropriate, the Superintendent or designee shall communicate with the citizen in a timely manner and follow-up with the Board member

V. Employee Request/Complaint to individual Board member

- A. When an employee complains to a Board member, the Board member should:
 - 1. Remind employee of chain-of-command
 - 2. Remind employee of the due process procedure (employee grievance policy, DGBA) and remain impartial
 - 3. Board member is encouraged to discuss the incident with Superintendent in a timely fashion

VI. Board member visits to school campus

- A. Board members are encouraged to attend special events on campuses in support of activities

- B. Board members are not to go into teachers' classrooms or campuses for the purpose of evaluation or investigation of personnel
- C. Board members must notify principal through the Superintendent's office in advance of visits to campuses when they are not attending a scheduled activity

VII. Communications

- A. The Board President will meet with the Superintendent on a routine weekly basis
- B. Information sent to any Board member will be distributed to all Board members
- C. Trustees will keep Superintendent informed via telephone calls or personal visits
- D. Board will communicate with the community through public hearings, regular Board meetings, and regular publications
- E. Individual Board members cannot speak in an official capacity outside the Board Room or call or attend meetings as a representative of the Board without prior authorization of the Board

VIII. Evaluation of Superintendent (Board Policy BJCD)

- A. The superintendent evaluation instrument and process uses the Commissioner-Recommended Student Performance Domain/Superintendent Evaluation Form.

IX. Evaluation of Board (Board Policy BG)

- A. The TEAM OF EIGHT concept is compelling; therefore, the Superintendent and Board shall succeed or fail together.
- B. Evaluation of the Board will be conducted in a workshop session
- C. Evaluation of the Board will be conducted every June
- D. Board evaluation instrument that may be used is TASB's XG Board Self-Assessment

X. Selection of Board Officers (Board Policy BDAA)

- A. Election of Officers: At the first meeting after each election and certification of newly elected Trustees, the members of the Board shall organize by electing the following officers:
 - 1. A president, who shall have been a member of the Board for at least one year prior to election
 - 2. A vice-president, who shall be a member of the Board
 - 3. A secretary, who shall be a member of the Board

XI. Role and Authority of Board Member and/or Board Officer (Board Policies BBE, BDAA)

- A. Set down by State statute
- B. No Board member or officer has authority outside the Board meeting
- C. No Board member can direct employees in regard to performance of duties
- D. The Board President shall:
 - 1. Preside at all Board meetings
 - 2. Appoint committees
 - 3. Call special meetings
 - a. The President of the Board shall call a special meeting at the President's discretion or on request by a member of the Board (Board Policy BE)
 - 4. Sign all legal documents required by law
- E. The Vice-President shall:
 - 1. Act in capacity of President in the absence of the President
 - 2. Sign or countersign warrants or other documents as necessary
- F. The Secretary shall:
 - 1. Keep, or cause to be kept, an accurate record of the proceedings of Board meetings
 - 2. Send, or cause to be sent, all notices of Board meetings
 - 3. Act in role of President in the absence of the President and Vice-President
 - 4. Sign or countersign warrants and other documents as necessary

XII. Role of Board in Closed Session (Board Policy BEC)

- A. Agenda Posting for Closed Sessions. The posted agenda will list all topics anticipated to be discussed in closed session, as identified by applicable law and Policy. Tex. Gov't Code 551.041
- B. Entering Closed Session. The Board may enter into closed session after the following requirements have been met:
 - 1. The Board has first been convened in open meeting for which notice has been given
 - 2. The presiding officer has publicly announced in open meeting that a closed session will be held
 - 3. The presiding officer has identified the section or sections of Chapter 551, Tex. Gov't Code, which authorize the holding of such closed session
 - 4. The presiding officer has publicly announced that no final action, decision, or vote will be taken by the Board while in closed session. 551.101
- C. Matters Under Discussion. Closed sessions are authorized for the following purposes (Board Policy BEC):

1. For a private consultation with the Board's attorney with respect to pending or contemplated litigation, settlement offers, and matters where the attorney's duty to the Board, pursuant to the Code of Professional Responsibility of the State Bar of Texas, clearly conflicts with the provisions of the Open Meetings Act (to be identified as Legal Matters with appropriate additional detail in the notice) 551.071
2. To discuss the purchase, exchange, lease, or value of real property and negotiated contracts for prospective gifts or donations (to be identified as Real Estate/Donations with appropriate detail in the notice) 551.072
3. To consider the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee or to hear complaints or charges against a public officer or employee unless such officer or employee requests a public hearing (to be identified as Personnel with appropriate detail in the notice) Attv.Gen.Op. H-496 (1975). 551.074
4. To consider discipline of a public school child or children unless an open hearing is requested in writing by a parent or guardian of the child (to be identified as Hearings with appropriate detail in the notice) 551.082
5. To consider the deployment or specific occasions for implementation of security personnel or devices 551.076
6. To discuss any other item authorized by law to be considered in closed session

D. Actions, Decisions or Votes. No final action, decision, or vote shall be taken while the Board is in closed session. The presiding officer shall so state prior to entering into closed session. The Board shall reconvene the open meeting after a closed session, prior to adjourning the meeting 551.102

E. Record of Items Discussed in Closed Session. The certified agenda of Closed Session proceedings may be provided for review by every Board member present upon request prior to sealing

XIII. Media Inquiries to the Board

- A. The Board President shall be the official spokesperson for the Board to the media/press on issues of media attention
- B. A Board member should only speak to media about his/her position on an issue; not what the Board thinks or speculation about the future

XIV. Anonymous Phone Calls and/or Letters

- A. The Fabens 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. The only exceptions to this will be in the case of a potential child abuse report, or a threat to the safety of students or school personnel.

XV. Response to Signed Letters of Complaint

- A. The Fabens ISD Board of Trustees encourages input. A signed letter will be forwarded to the Superintendent and a response using a standard form will be sent by the Superintendent. The Superintendent will respond and send copy to all board members.

XVI. Reviewing Board Operating Procedures

- A. Standard Board Operating Procedures will be reviewed and updated annually in June and will be part of Board Training and orientation

XVII. Role of Operating Procedures

These Operating Procedures are intended to supplement, not replace, supersede, or supplant, Board policies. In case of any conflict, Board Policies shall be given controlling effect. They provide a guide to the Board of Trustees in conducting its business, but are not intended to confer or create any legal rights.