

# Board Operating Procedures



**Devine Independent School District**

**2024-2025**

**TEAM OF EIGHT**

*Guidelines for Performance and Conduct*

# Devine Independent School District

## Board and Leadership Teams

### Team of Eight

Todd Grandjean.....	Superintendent of Schools
Nancy Pepper .....	Board President
Henry Moreno .....	Board Vice-President
Keri James .....	Board Secretary
Carl Brown .....	Board Member
Ali Buvinghausen .....	Board Member
Renee Frieda .....	Board Member
Chris Davis.....	Board Member

### Leadership Team

Todd Grandjean.....	Superintendent of Schools
Shannon Ramirez.....	Chief Financial Officer
Dawn Schneider.....	Student Services Director
Jenni Hagdorn .....	Special Education Director
Juan Gonzalez.....	Principal, Devine High School
Kandi Darnell.....	Principal, Devine Middle School
Michael Gomez .....	Principal, Devine Intermediate School
Magdalena Strickland .....	Principal, J. J. Ciavarra Elementary School
Kandy Stein .....	Transportation Supervisor
Darren VanFossen.....	Director of Operations/Custodial Services
Ruben Ramirez.....	Director of Grounds
Kailyn Rotramel .....	Director Library Services
Annette Benavidez .....	Admin Assistant, Food Services
Jesse Hinojosa.....	Director Technology Services
Joslyn Wilson .....	Director Nursing Services
James Sessions .....	Athletic Director

## **Devine ISD Vision Statement**

A dynamic educational community committed to a tradition of  
excellence

## **Devine ISD Mission Statement**

Empowering students to maximize their potential to achieve  
lifetime success

## **DEVINE ISD ETHICS STATEMENT**

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:

### **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 or that will needlessly harm the District if disclosed.

### **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.

### **Student-Centered Focus**

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

**BOARD OF TRUSTEES  
OF THE  
DEVINE INDEPENDENT SCHOOL DISTRICT  
ADOPTION OF  
BOARD OF TRUSTEES OPERATING PROCEDURES**

Annually, the DISD Board of Trustees reviews the Board’s operations guidelines and recommends revisions, as appropriate to ensure the Board maintains a current comprehensive, practical operations manual to guide and inform Board members in carrying out their official duties and governing the District; and

The Board has reviewed the operations manual and finds that it describes the practices and procedures the Board desires to follow in carrying out its official duties and governing the District;

The Board of Trustees hereby adopts the attached Board of Trustees Operating Procedures, and all Board members commit to following these unanimously agreed-upon practices and guidelines described in the manual.

Unanimously agreed upon and adopted on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Nancy Pepper

\_\_\_\_\_  
Renee Frieda

\_\_\_\_\_  
Henry Moreno, Jr.

\_\_\_\_\_  
Chris Davis

\_\_\_\_\_  
Keri James

\_\_\_\_\_  
Ali Buvinghausen

\_\_\_\_\_  
Carl Brown

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## **I. DEVELOPING BOARD MEETING AGENDA**

### **A. Placing items on agenda**

1. In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings.
2. Any Trustee 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 Trustee-requested topics that have been timely submitted.
3. The deadline for submitting items for inclusion on the agenda is noon on the Wednesday before regular meetings.
4. Before the official agenda is finalized for any meeting, the Superintendent shall consult with the Board President to ensure that the agenda and the topics included meet with the President's approval.
5. In accordance with Texas Open Meeting 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. Executive Session**

1. All personnel items where an individual employee's status with the District is discussed will take place in executive session unless specifically required by Texas Open Meeting Law to be in open session. The Board of Trustees reserves the right to go into executive session in accordance with Section 551.071 through 551.084 of the Texas Government Code to discuss any item(s) it is authorized to discuss in executive session in accordance with the Texas Open Meetings Act. Any necessary Board action related to such item(s) will be taken in open session following executive session.
2. Anything that violates the right to privacy, i.e. Texas Open Meeting Act, Texas Open Record Act, cannot be placed on the agenda.

### **C. Consent agenda items**

1. When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda.
2. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item.
3. For each item listed as part of a consent agenda, the Board shall be furnished with background material.
4. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.
5. Examples could include:
  - a. Annual renewal of Region XX and TEA items
  - b. Budget amendments
  - c. Financial information

- d. Minutes of regular and special Board meetings
- e. Updates of Board policy
- f. Bid recommendations

*Related Policies: BE (Local), BEC (Legal)*

## **II. MEMBER CONDUCT DURING BOARD MEETINGS**

(Four members present constitute a quorum for a meeting.)

### **A. Be Prepared**

1. The superintendent will ensure that supporting information required for informed decision-making is prepared in advance when possible and included in the board meeting agenda packet.
2. The superintendent will ensure that agenda packets are distributed to board members at least three days before scheduled board meetings.
3. Board members should be prepared to discuss, deliberate and take action on agenda items by doing the following:
  - a. Reading agenda packet materials before each board meeting.
  - b. Calling the superintendent with questions about agenda items or background information before the scheduled board meeting.
4. Receiving answers to questions in advance does not preclude board members from asking relevant questions about agenda items during board meetings.

### **B. Board shall observe the parliamentary procedures in Robert's Rules of Order**

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 has the right to recognize Board members prior to giving their comments.

### **C. Persons addressing the Board**

1. Audience participation at a Board meeting is limited to the public comment portion of the meeting designated for that purpose. The Board President shall read Policy BED (LOCAL) at the beginning of public comment. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.
2. At regular meetings the Board shall allot 30 minutes to hear persons who desire to make comments to the Board on items that are not on the posted agenda. Persons who wish to participate in this portion of the meeting shall sign up by completing a public participation form indicating the topic about which they wish to speak at least 5 minutes before the meeting begins. An individual's comments shall not exceed 3 minutes. If three (3) or more persons sign up to address the Board on a single topic, a spokesperson will be selected to speak for the group.
3. At all meetings, individuals wishing to make comments to the Board on items that are posted on the agenda, shall have 3 minutes to speak. Persons who wish to participate in this portion of the meeting shall sign up by completing a public information form indicating the topic about which they wish to speak at least 5 minutes before the meeting begins.



#### D. Board response to persons addressing the Board

1. Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.
2. The presiding officer or designee shall determine whether a person addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the person shall be referred to the appropriate policy (see list below) to seek resolution:
  - a. Employee complaints: DGBA
  - b. Student or parent complaints: FNG
  - c. Public complaints: GF

#### E. Discussion of individual employees or students by the Board or audience

1. The Board will not entertain negative comments on individual personnel by name or position in public session (employees or Board member).
2. The Board will not entertain negative comments on individual students in public session. (It is extremely important that each board member know that they must be the jury of the facts once any issue has followed Board policy by seeking administrative remedy and the issue is brought before the full board in a Level III hearing.)

*Related Policies: BED (Local), BE (Local)*

### III. VOTING

- A. Voting shall be by voice vote or show of hands, as directed by the President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request.
- B. The Board President will vote on all action items and can make or second motions.
- C. In case of a tie vote, the item fails. The President may bring the item back to the Board on a subsequent agenda.

*Related Policies: BDAA (Local), BE (Local)*

### IV. INDIVIDUAL BOARD MEMBER REQUEST FOR INFORMATION OR REPORTS

- A. Board members shall request information and/or existing reports through the Board President to the Superintendent.
- B. The Superintendent will gather the information and/or existing report and disseminate it in a timely manner to the entire Board.
- C. Board members are encouraged to advise the Superintendent of questions or concerns on agenda items before the Board meeting.
- D. In accordance with law, the District shall track and report any requests under this provision, including the cost of responding to one or more requests by any individual Board member for 200 or more pages of material in a 90-day period.

*Related Policies: BBE (Local & Legal)*

## **V. CITIZEN OR EMPLOYEE REQUEST/COMPLAINT TO INDIVIDUAL BOARD MEMBER**

- A. Listen briefly and respectfully. Remind the complainant of the board's responsibility to remain impartial and noncommittal because complaints may ultimately be brought to the board on appeal.
- B. Determine if the complainant wishes to express dissatisfaction or desires some action be taken to resolve an issue.
- C. The complainant should be referred to the appropriate policy outlining grievance procedures and informed that the steps listed in policy are necessary to protect everyone's rights while following an orderly process.
- D. Complainants who desire some action be taken should be directed to follow the "Chain of Command" outlined in district policy.
- E. If the complainant does not know the district's "Chain of Command," provide the following information:
  - 1. The complainant should first discuss the problem with the person in authority closest to the problem.
  - 2. If not satisfied with the resolution of the problem, the complainant should go to the administrative supervisor of the person noted in "1."
  - 3. The administrative supervisor will help the complainant initiate any correspondence or forms required by policy and attempt to resolve the complaint.
  - 4. If still not satisfied, the complainant may appeal to the superintendent or a designee for resolution.
  - 5. If the superintendent is unable to resolve the issue or the complainant is still not satisfied, the formal complaint is brought to the board following local policy.
- F. Board members will inform the superintendent of complaints from staff and community but will not direct the superintendent to take specific actions.
- G. The superintendent shall inform the board of the resolution of complaints referred by board members if the complaint requires superintendent intervention.
- H. Level III Grievances will be heard only at a special called meeting.
- I. When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Trustee may request that the issue be placed on the agenda.

**Related Policies:** *DGBA (LEGAL and LOCAL), FNG (LEGAL and LOCAL), GF (LOCAL), BBE (local)*

## **VI. BOARD MEMBER VISIT TO SCHOOL CAMPUS ACTIVITY**

- A. Board members are encouraged to attend as many school events as their time permits.
- B. Board members are required to check in with the principal's office and follow campus guidelines for visitors.

- C. Board members shall not go into teachers' classrooms or campuses for the purpose of evaluation or investigation.
- D. Board members may not give any direction to any staff or students.
- E. When visiting with teachers of their own children, board members will make it clear that they are acting as parents rather than as board members.

*Related policies: GKA (Legal), BBF (Local), BBFA (Legal)*

## VII. COMMUNICATION

### A. GENERAL COMMUNICATION

1. Superintendent will meet with the Board President on a routine basis.
2. Superintendent will communicate with all Board members regularly.
3. Superintendent will communicate information in a timely fashion to all Board members.
4. Requests for written/verbal information and/or reports (short answers or information that is readily available) will be provided by the Superintendent to all board members.
5. Board will communicate with the community through public hearings, regular Board meetings, and publications.
6. Individual Board members cannot speak for the Board of Trustees unless authorized to do so by the Board of Trustees through an official act.

### B. BOARD MEMBERS COMMUNICATION BETWEEN MEETINGS

1. Board Members may use mail, email, voice mail, text messaging, fax, phone, special committee meetings or personal contact to communicate with each other; however, Board Members shall never meet, talk, text or e-mail in a group large enough to constitute an official meeting, typically four (4) or more, unless notice has been posted. In email or text messaging, "Reply to All" should be avoided.
2. Board members shall avoid physical quorums as stated above to remain in compliance with the Open Meetings Act.
3. In keeping with the Open Meetings Act, Board members shall also avoid walking quorums by avoiding speaking of school district business in secession via phone, in person, text or email. No "pre-polling" of votes allowed as this violates open meetings act.
4. Board Members who participate in social media such as, but not limited to, Facebook, Google+, LinkedIn or Twitter, should be careful to avoid online conversations that could be construed as speaking for the Board or constituting an online Board meeting, continuing board business from a past or future meeting, or portraying the Board/District in a negative connotation.

### C. OTHER TYPES OF COMMUNICATION

1. **Communications/Meetings with the Staff:** Trustees should refrain from communications with staff that circumvent or undermine the Superintendent's authority, including, but not limited to, directing staff or soliciting information without the Superintendent's knowledge and consent. Trustee concerns or questions regarding a staff member's performance should be referred to the Superintendent.
2. **Communications with Vendors:** Trustees shall not directly or indirectly communicate with vendors or bidders to the district regarding any pending bid or contract proposal.

3. **Communications with Outside General Counsel:** Communications with outside general counsel should be approved by the Board President unless a concern relates to the Board President's alleged misconduct.
4. **Confidential Information:** Trustees will not publicly disclose information that law requires be kept confidential; this includes student or personnel information and attorney-client privileged communications. Also included is any information to which trustees have access by virtue of their positions as trustees that has not been made public if to do so would compromise the Board or the administration in the conduct of district business. Trustees should refrain from commenting on pending legal matters including lawsuits, administrative proceedings, and grievances.
5. **Communications Amongst Trustees:** The Open Meetings Act prohibits trustees from knowingly deliberating district business with a quorum of trustees outside of a publicly posted and publicly held board meeting. Communications related to district business must not be sent from one trustee to more than two other trustees, even if no reply is requested, expected, or received. Trustees receiving messages should not forward them or "reply all" if a quorum of trustees will receive the message. Trustees should not use "blind carbon copy (bcc:)" when sending e-mail to other trustees. If a trustee wishes to share information with the entire Board, the information should be submitted to the Superintendent who may then provide the information to the entire Board, if DISD Board of Trustees Team Operating Procedures supports; however, the Superintendent cannot serve as a conduit for trustee deliberation of district business.

## VIII. EVALUATION OF SUPERINTENDENT

### A. Summative Evaluation in January

1. The president will distribute blank evaluation instruments to each member at least two weeks in advance of the summative evaluation meeting along with instructions for completing the instrument.
2. The superintendent will prepare a report and present it to the president for distribution to board members with the blank evaluation instruments. The report will include:
  - a. Summary results on superintendent performance goals established following the previous year's summative evaluation
  - b. Summary of progress on current year's district goals
  - c. Report on student performance as required by the state
  - d. Any additional district or professional highlights the superintendent believes will demonstrate effective performance for the past year
3. The president will compile all results of the summative evaluation in a written document

B. Board workshop to develop superintendent performance goals using district goals, data from TAPR report, and results of most recent summative evaluation; determine progress reports needed and dates to present to board. (February)

C. Board workshop to review instrument and process; revise if needed and adopt instrument for the coming year; budget discussion tied to board goals. (March)

D. Superintendent incorporates priorities from district goals and superintendent performance goals into district improvement plans and budget being drafted for next year. (April)

E. Board elections. (May)

F. Review evaluation process with new board members. (June)

- G. Formative evaluation; superintendent gives progress report on this year's performance goals. (July)
- H. Board reviews superintendent evaluation policy and confirms dates and process for January summative evaluation. (October)
- I. Board workshop to review and update district goals using data from most recent TAPR report. (November)
- J. Superintendent's "state of the district" report to the board; blank evaluation forms, copy of superintendent contract, and comparison information regarding superintendents' salaries and benefits distributed to board members. Report on district goals. (Early December)

*Related policies: BJCD (LEGAL) and BJCD (LOCAL)*

## **IX. EVALUATION OF THE BOARD**

- A. By July workshop/retreat, the Board/Superintendent team is assessed and evaluated, operating procedures are reviewed and updated, and new board member orientation is conducted.
- B. The evaluation of the Board and Superintendent is an indication of the success the Governance Team is having in meeting established goals.

*Related policies: BBD (Legal), BAA (Legal)*

## **X. CRITERIA AND PROCESS FOR SELECTING BOARD OFFICERS**

- A. At the first meeting after election and verified qualification of Trustees, the members of the Board shall organize by selecting:
  - 1. A president, who shall be a member of the Board.
  - 2. A secretary, who may or may not be a member of the Board.
  - 3. Such other officers and committees as the Board may deem necessary.
- B. Board members must serve a minimum of 1 year as a trustee in order to qualify to serve as a board officer.
- C. Elections are held in May of each year.

*Related policies: BDAA (Local & Legal)*

## **XI. ROLE AND AUTHORITY OF BOARD MEMBER AND/OR BOARD OFFICERS**

- A. No Board member or officer has authority outside the Board meeting.
- B. No Board member can direct employees in regard to performance of duties.
- C. The Board President shall
  - 1. Preside at all Board meetings,
  - 2. Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.

3. Call Special Meetings,
4. Sign all legal documents required by law.

D. The Vice President shall

1. Act in capacity of President in the absence of the President.
2. Automatically become President of the Board if a vacancy in that office occurs.

E. The Secretary shall

1. Ensure that an accurate record is kept of the proceedings of each Board meeting.
2. Ensure that notices of Board meetings are posted and sent as required by law.
3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.
4. Sign or countersign documents as directed by action of the Board.

*Related policies: BDAA (Local & Legal), BBE (Local & Legal)*

## **XII. ROLE OF BOARD IN EXECUTIVE SESSION**

- A. If a closed meeting is allowed, the Board shall not conduct the closed meeting unless a quorum of the Board first convenes in an open meeting for which proper notice has been given and the presiding officer has publicly announced that a closed meeting will be held and has identified the section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held.
- B. Board can only discuss those items listed on the executive session agenda and as limited by law.
- C. Board must vote in public session.
- D. Discussions during executive session must remain confidential.

*Related Policies: BE*

## **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. All Board members who receive calls from the media should direct them to the Board President or designee. Individual board members can answer media questions related to their personal stance on pending issues; however, the Board President will be the official spokesperson for the Board as a whole.

*Related Policies:*

## **XIV. ANONYMOUS PHONE CALLS AND/OR LETTERS AND SOCIAL MEDIA**

- A. The Devine 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.

- B. Board Members who participate in social media should be careful to avoid online conversations with each other that would violate the Texas Open Meetings Act. Account is subject to subpoena.
- C. Use of social media, texting or other forms of electronic communication are subject to open records requests.
- D. Trustees should follow the guidelines suggested in the TASB document, "Social Media Guidelines for School Board Members" (in the TASB Board Portal). Trustees who post on social media or host internet sites regarding matters relevant to district business will include a disclaimer providing that such postings are not made on behalf of the Board or district.
- E. Avoid discussing specific school district business on social media, especially if other board members are on the same page, post or comment thread. This could constitute a "walking quorum" and violate the Open Meetings Act. (GP)
- F. Electronic devices may not be used by members during closed session discussions.

*Related policies:*

## **XV. BOARD TRAVEL GUIDELINES**

- A. Board members should contact the Superintendent's Secretary to make arrangements to travel on Board business.
- B. Board members will use district funds for designated personal expenses, not for family members.
- C. Board members may request a district vehicle and money for travel as allowed by the district.
- D. Meals and travel expenses will be reimbursed at the current per diem rates (lodging reservations may be made by district using district credit card).
- E. Board members should be prudent in spending taxpayer's money.

## **XVI. CAMPAIGNING FOR RE-ELECTION**

- A. School Board incumbents running for reelection should not request or accept support from District employees during work time.
- B. School Board candidates will not accept or solicit help from District employees during work time, or to be performed during work time.

## **XVII. BOARD TRAINING**

Board members will meet all board training requirements as outlined in TEC 11.159, 19 TEC 61.1, and HB 3834. As training requirements change, the list below will be amended.

## A. NEW BOARD MEMBERS

1. Local district orientation (3 hours)
2. Orientation to the TEC (3 hours)
3. Open Government Training (Open Meetings Act and Public Information Act) (1 hour each)
4. 10 hours of CTE (Includes the 5 hours listed "B")

## B. ON-GOING TRAINING FOR NEW AND EXPERIENCED BOARD MEMBERS

1. Legislative Update (Legislative years)
2. Cybersecurity (Annually)
3. Evaluating & Improving Student Outcomes (Bi-Annually)
4. Child Abuse/Human Trafficking (Annually)
5. Safety Training as required by HB690
6. Annual Teambuilding Training (3 hours)
7. 5 hours CTE

## C. NEW BOARD MEMBER ORIENTATION

1. The Superintendent or his/her designee will conduct a pre-election information meeting with all school board candidates to inform them of training regulations, TASB Candidate Forum workshop dates, TASB materials for candidates, form filings, Board Code of Conduct, Board major activities calendar, first few meetings and retreat dates.
2. Region XX Education Service Center will conduct the District Orientation for new Board members and will supply training materials from the Texas Association of School Boards (TASB).
3. The Board President will coordinate an orientation meeting for the new Board members.
4. The Superintendent will coordinate a meeting for the new Board members with members of the Superintendent's Cabinet.
5. The new Board members will attend the Board/Superintendent Team Building Retreat scheduled following the election.
6. The Board President will assign a Board mentor for all new Board members.

*Related Policies: BBD (Legal)*

## **XVIII. ADVOCACY**

- A. Board Members are encouraged to be advocates, not only for DISD, but for all public education. Through trainings and conferences, Board members will become familiar with those issues affecting DISD and other school districts across the state.
- B. Working with legislators and other elected officials locally and on the state and national level is part of what we do as Board members. Building these partnerships serves to strengthen all of public education.
- C. Board members are encouraged to serve as representatives, delegates, or members to local, state, and national organizations. Board members should inform the Board President if they have areas of interest for this service.



## **XIX. BOARD MEMBER BOP VIOLATIONS**

If a Board Member has a serious, specific, concern about the performance of another member which appears to be in violation of Board Operating Procedures or Policies, the recommended process for addressing such concerns shall be the following:

- A. The concerned member shall have a private conversation with the member in question in order to work out the differences or resolve the issue(s).
- B. If the concern(s) remain, the concerned member will meet privately with the Board President and outline the specific issue(s). The Board President and the concerned member will meet with the member in question and attempt to resolve the issue(s). If the concern is with the performance of the Board President, the Vice President will be notified and will meet with the concerned member.
- C. If the issue is still not resolved, the concerned member will hold a conference with the Board President (or Vice President with concerns regarding the President) and the Superintendent (or the Superintendent's designee) to develop a plan of action to resolve the concerns.
- D. When the concerned member has gone through the outlined steps above and the issue(s) remain unresolved, the concerned member will, through the Board President, request that an item be placed on a regularly scheduled agenda as an executive/closed session item, posted as "Evaluation of Individual Board Member Performance".
- E. Should the Board determine that reprimand or censorship is warranted, such action may only be take in duly posted public meeting.
- F. No action may be taken that would conflict with the Texas Open Meetings Act. Nothing in this operating procedure shall be construed to limit a Board Member's constitutional rights.

*Related Policies: BBC (LEGAL), BBF (LOCAL)*

## **XX. CENSURE OF A BOARD MEMBER**

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

- C. The Board may choose to withhold financial resources from the offending Board Member. Examples might be disallowance of reimbursement for attendance at conventions, seminars, or other district travel plans.
- D. Under extreme conditions the Board may agree to ask the offending Board member to resign. However, a Board Member may only be removed from office for incompetency, official misconduct, public intoxication or conviction of a felony.

*Related Policies: BBC (LEGAL)*