

# DeSoto ISD Board of Trustees Operating Procedures 2019-2020



## **PURPOSE**

The purpose of the *DeSoto ISD Board of Trustees Team Operating Procedures* is to provide trustees with information about the role and responsibilities of their office and to delineate Board policies that relate to the functioning of the Board. In all cases, if a difference exists between the *Team Operating Procedures* and Board Policy, Board Policy always takes precedence.

### **Team Operating Procedures Agreement**

1. The following procedures reflect an understanding among the members of the Board of Trustees and between the Board and Superintendent. These procedures do not supersede adopted Board Policy, but are intended as an operational guide.
2. The Board will annually review the Team Operating Procedures and Board Policies pertaining to governance. This review shall take place as soon as possible after the election of new Trustees.
3. Any Board member may propose additions or modifications to these procedures.
4. The full Board and the Superintendent must agree to any changes to the Team Operating Procedures.

## **I. BOARD MEETINGS**

### **A. Placing Items on Agenda**

1. The Superintendent and Board President jointly create the agenda.
2. Agenda items are also created by the administration (Cabinet) and presented to the Superintendent for consideration.
3. Any two Board members may request that an item be placed on the agenda 14 days prior to the meeting.

### **B. Items that Cannot be Placed on the Public Portion of the Agenda**

1. All personnel issues must be discussed in closed session unless specifically required otherwise by the Texas Open Meetings Act.
2. Anything that violates an individual's right to privacy, as defined by Texas Open Meetings Act and Texas Open Records Act cannot be placed on the public meeting portion of the agenda.

### **C. Use of Consent Agenda**

1. Voting items that are routine or should not need discussion will be placed on the consent agenda. The Board President and Superintendent are encouraged to make liberal use of the consent agenda. A single Board member can remove an item from the consent agenda three days prior to posting; the item shall be moved to the action items section of the agenda to be discussed and voted on at that time. Consent agenda items shall have no discussion.

### **D. Agenda Packet**

1. Agenda packets will include all supporting documentation for all items 10 days in advance of the meeting. Board members will review Board packet prior to meetings.

## **II. CITIZEN PARTICIPATION DURING BOARD MEETINGS**

- A. Individuals must register to speak by completing a "Citizen Participation" form and placing it in the box designated in front of the Board President before the Board meeting begins.
- B. Community members are allowed to address the Board only during the public forum section of the agenda except when called upon by the Board President. Per HB2840 New Law, community member can only speak in reference to an item on the agenda.

- C. Each speaker is limited to five minutes. The Board secretary will be responsible for keeping the time. If 10+ citizens register to speak, each speaker will be allowed three minutes. Per HB2840, any non-English speaker or those who communicate through ASL, must be given at least twice the time. *Effective September 1, 2019.*
- D. If five or more individuals register to address the Board on a single item, a spokesperson may be selected to speak for the group. In such cases, the spokesperson will be allowed to speak for eight minutes.
- E. The Board President will ensure that opposing viewpoints are heard in alternating order.
- F. The Superintendent will assure that follow up and/or resolution by administration will be communicated to the Board in a timely manner.

### III. MEMBER CONDUCT DURING BOARD MEETINGS

*Any time four or more Board members are gathered AND school business is discussed, it is considered a meeting and must meet the requirements of the Texas Open Meetings Act.*

#### A. Parliamentary Procedure

- 1. The Board shall be guided by Parliamentary Procedure as detailed in Robert's Rules Of Order unless pre-empted by Board Policy or procedures or by a majority vote of the Board at a meeting.

#### B. Response to Citizens

- 1. Board members can hear comments but will not engage in dialogue with one another or the citizen addressing the Board. Board members may ask clarifying questions and state factual information and Board policy.
- 2. The Board President may direct administration to investigate item(s) and report back to the Board at a designated meeting. (If appropriate)

#### C. Discussion of Individual Employees or Students by the Board or Audience

- 1. The Board will not hear complaints or grievances about individual employees or students in public session unless requested by the employee or student who is the focus of the complaint or grievance.

#### D. Formal Hearing

- 1. Hearings will be conducted according to the applicable Board policy.

#### E. Board Town Meetings

- 1. The purpose of Board Town meetings is to inform the public and to gather information.
- 2. The Board President or designee will chair this meeting.
- 3. Community members wishing to voice complaints will be directed to the Superintendent.
- 4. All Board Members will be informed by calendar invite of all town meetings.

#### F. 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 a Board member prior to giving his/her comments.

**G. Discussion of Motions**

1. All discussion shall relate directly and solely to the business under deliberation on the agenda.
2. All Board members will be recognized by the Board President prior to giving their comments.
3. The Board President will allow each member an opportunity to speak before giving the floor to a Board member who has already made comments about an agenda item.
4. Board members shall be courteous to one another and to citizens addressing the Board.
5. Once a vote is taken by the Board, each decision is an action by the whole, binding upon each member and should be supported by each member.
6. Each member will be allowed three minutes to ask questions or comment before he or she must yield the floor, upon return the member will be allowed (3) additional minutes for rebuttal. Making it a total of (6) minutes to speak regarding an agenda item.

**H. Participation in Public Meetings**

1. Board members are expected to conduct themselves professionally and ethically during all meetings and public forums: no rude remarks, interruptions, yelling, name calling, or disrespectful verbal or body language.
2. If, during a public meeting or public forum, a board member conducts himself or herself in a manner that violates this standard, the board president may call for a recess or adjourn the meeting. If a majority of the board disagrees with the recess or adjournment, then the meeting must continue. However, the offending board member may be reprimanded if the rest of the board unanimously agrees.

**IV. VOTING**

- A. All members, including the Board President, will vote on all action items.
- B. All Board members will vote on all action items, except when there is a legal conflict of interest.
- C. Any member may abstain from voting and must state the reason for abstaining. The abstention will be recorded in the minutes.

**V. INDIVIDUAL BOARD MEMBERS REQUESTS FOR RECORDS OR REPORTS**

- A. A report is any information or data that is in an existing document.
- B. All Board members shall request records and/or reports through the Superintendent and copy the Board President. If the report is generated it must be sent to all Board members.
- C. The Superintendent will gather records and/or reports and disseminate items in a timely manner to the entire Board. The Board will develop any specific criteria for staff reports. The Superintendent cannot honor a request for a report unless it goes to the Board President.
- D. The requesting Board member may place a request for a report on the agenda of a future Board meeting if the Superintendent did not generate the report.

- E. The District shall comply with the provisions of the Texas Education Code relating to Board members making requests in their official capacity, including, but not limited to the requirements for posting the cost of responding and reporting to the Texas Education Agency the annual cost of responding to Board members.

## VI. CITIZEN COMPLAINTS

- A. **When a citizen informally\* complains to a Board member, the Board member shall:**
  - 1. Remind the citizen of due process and that the Board member must remain impartial in case the situation goes before the Board.
  - 2. Refer citizen to appropriate person in the administration.
  - 3. Inform the Superintendent of the complaint.
- B. A Board member may not individually investigate a complaint
- C. When appropriate, the Superintendent or designee shall communicate with the citizen in a timely manner and follow-up with the Board member.

## VII. EMPLOYEE AND STUDENT COMPLAINTS

- A. When an employee or student informally\* complains to a Board member, the Board member shall:
  - 1. Refer employee or student to appropriate person in the administration. This referral should be to the closest administrator not directly involved.
  - 2. Remind the employee or student of the due process procedure and remain impartial.
  - 3. Inform the Superintendent of the complaint.
- B. A Board member may not individually investigate a complaint.
- C. When appropriate, the Superintendent or designee shall follow-up with the Board member.

***\*NOTE: Board members must refrain from speaking to any citizen or employee involved in the formal complaint process. Should they have prior knowledge of a situation through informal channels, they must abstain from the formal process.***

### D. Employee Grievances

- 1. Members must be fully informed on Board policies relating to the process for employee grievances and appeals.
- 2. All Grievance or appeal-related materials received by a member and anything heard at a hearing must be held in the strictest confidence.
- 3. Members may only consider information that is presented during the grievance or appeal process; members will not privately seek out information regarding a grievance or appeal. If a Board member knows, or learns anything about a grievance appeal case except what is admitted through the documents that might render him or her unable to hear the grievance or appeal impartially, then he or she must inform the Superintendent immediately and may be asked to recuse himself or herself from the Hearing.

4. Only the Board president can make public statements arising from closed grievance or appeal.
5. If a Board Member is named in a grievance other board members can request that he or she must abstain from voting, but should take part of the actual procedure.

### **VIII. VISITS TO CAMPUSES**

- A. All Board members are encouraged to attend any school events as their time permits.
- B. Individual Board members are not to go into teachers' classrooms for the purpose of evaluation or investigation.
- C. Board members are expected to notify Superintendent/Principal prior to campus visit.

### **IX. COMMUNICATIONS**

- A. The Board is committed to and encourages community input through surveys, public forums and on-going communications activities.
- B. The Board President will communicate with the Superintendent on a routine weekly basis to discuss issues of the District.
- C. Requests from the Board President to the Superintendent will be distributed to all Board members.
- D. An individual Board member, when speaking outside the Board Room, may state his/her opinion provided that the Board member emphasizes that the opinion being expressed is his/her personal opinion and not the opinion of the Board.
- E. The Board will communicate with its community through public hearings, regular Board meetings, the news media, and regular publications.
- F. Individual Board members cannot speak in an official capacity outside the Board Room.
- G. Requests from individual Board members for information should be directed to the Superintendent or designee. Requests from individual Board members for reports derived from analysis of information in existing District records will require approval by Board action. *Any Report in Existence May Be Requested.*

### **X. EVALUATION OF SUPERINTENDENT'S PERFORMANCE**

The Superintendent's evaluation will be completed no later than January of each year. See policy BJCD (LEGAL and LOCAL).

### **XI. EVALUATION OF SCHOOL BOARD'S PERFORMANCE**

See BBF (LOCAL) Board Members Ethics.

### **XII. PROCESS FOR SELECTING BOARD OFFICERS**

- A. Officers will be elected to the positions of President, Vice-President, and Secretary.

- B. Elections will be held after the swearing-in ceremony following the May election and at other times deemed necessary by the Board.
- C. It is preferred that no Board member would be elected as president without a minimum of two years of Board experience.

### **XIII. ROLE AND AUTHORITY OF BOARD MEMBERS AND/OR BOARD OFFICERS**

- A. The role and authority of Board members is provided 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; and
  - 4. sign all legal documents required by law.
- E. The Vice-President shall:
  - 1. act in the 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; and
  - 4. sign or countersign warrants and other documents as required by state law or Board Policy.
  - 5. serve as Time Keeper
- G. **Board Members Concerns and Complaints:**
  - 1. If a Board member has a serious, specific concern about the performance of another member, which appears to be in violation of the Board standards of professional practice manual, he or she shall meet privately with the other member to resolve the issue, and if the concern remains, meet privately with the Board president.
  - 2. If the Board president is not able to resolve the concern, he or she will arrange a meeting with both members.
  - 3. If the issue is still not resolved, the president will place it on the agenda of the next Executive session under the heading "consideration of the duties of the public office."

### **XIV. ROLE AND AUTHORITY IN CLOSED SESSION**

- A. The Board can only discuss those items listed on the closed session agenda and as limited by law while in closed session.
- B. The Board must vote in public session.
- C. Discussions during closed session must remain confidential.

- D. No person, other than Board members and the Superintendent, is entitled to attend or participate in Executive Sessions. Others may be invited to participate by consent of the Board president and Superintendent.
- E. For the propose of discussing his or her employment or job performance, and only for this reason, the Board may exclude the Superintendent from an Executive Session.
- F. If it is in the interests of the district for a statement to be made regarding a closed-session discussion, the Board president will compose an official public statement that meets with the approval of a majority of the Board. Any such statement must comply with the limitations of the law.

#### **XV. 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. The Superintendent will be the official spokesperson for the District Operations issues.
- B. Board members should feel free to speak to the media about issues provided that they make it clear that they cannot speak for the Board and do not speculate, discuss personnel matters, or talk about issues in litigation.

#### **XVI. ANONYMOUS PHONE CALLS/LETTERS**

- A. The 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.

#### **XVII. RESPONSE TO SIGNED LETTERS**

- A. The Board of Trustees senior executive assistant will draft a standard letter written by the Board president.

#### **XVIII. BOARD CANDIDATE AND NEW BOARD MEMBER ORIENTATION**

- A. The Board and Superintendent will conduct a pre-election information meeting with all school Board candidates concerning training regulations, filing of forms and the Board activities calendar, including the first several Board meetings following the election and retreat dates.
- B. The Superintendent will conduct the District orientation for the new Board members, including information regarding Texas Association of School Board (TASB) New Board Member Training. (See policy BBD (Local)). This orientation will include presentations from the areas of Instruction, Finance, Facilities, Communications and Administration.
- C. The Board will coordinate an orientation for the new Board members with Board officers.
- D. The Board President will schedule a Board/Superintendent Team Building Retreat following the election.



- E. At the called Board meeting in which new Board members are installed, the Board will discuss Board members roles and responsibilities.
- F. Orientation of new Board members to the District will be held within 14 days of installation and the oath of office.

## **XIX. BOARD ELECTIONS**

- A. Swearing in of new Board Members will be held after the Canvass of the Election, but prior to the next regular scheduled Board Meeting. A special Called Meeting will be held.

## **XX. CALENDAR**

- A. The Board will maintain a written annual calendar of Board events outlining major Board activities by month.

## **XXI. TRAVEL/MEMBERSHIP DUES**

- A. Legitimate expenses incurred by Board members while traveling on official school business shall be deemed reimbursable if consistent with Board policy and state and federal laws. Amounts for reimbursement shall be consistent with district procedures for staff members. Each Board Member should be allotted up to \$4,000.00 for travel per year. Elected TASB Delegate only will be allotted registration, travel and meals above the allotted amount.

Specific requirements for reimbursement include, but are not limited to, the following:

1. No reimbursement is permitted for alcoholic beverages.
2. No reimbursement is permitted for expenses of a spouse, children, or other family members.
3. Rooms will be booked at a convention-sponsored hotel or equivalent or the Board member will pay the difference in room rates. Single or double rooms are allowed.
4. Board members may attend conferences and receive reimbursement for meals, hotel, travel expenses, mileage, rental cars, registration, and other reasonable expenses.

## **XXII. PERSONNEL APPOINTMENTS**

- A. The Board may, by state law, only approve or reject candidates brought forward by the Superintendent. Board members may not lobby for specific hiring decisions.
- B. Board members may not advise the Superintendent on specific hiring decision unless such input is sought. Board members may, however, assist the Superintendent by identifying individuals with specific professional expertise.
- C. Board members must abstain from any votes on personnel issues where a conflict of interest is clear, as defined in Board policy and/or statute.

- D. It is the expectation of the Board that community and school leaders will have an opportunity to provide input on the selection of principals, but that the Superintendent will have sole responsibility for recommending principal appointments.
- E. Nothing in this procedure shall prevent or in any way limit the ability of Board members to discuss concerns about specific existing employees with the Superintendent – but only with the Superintendent.

AGREED THIS 26 DAY OF August, 2019:

**DeSoto ISD Board of Trustees**

Karen Daniel, *President*

DeAndrea Fleming, *Vice President*

Kathy Goad, *Secretary*

Aubrey C. Hooper *Trustee*

Tiffany Clark, *Trustee*

Amanda Sargent, *Trustee*

Cynthia Banks, *Trustee*

Dr. D'Andre Weaver, *Superintendent*

Handwritten signatures in blue ink on lined paper corresponding to the names on the left. The signatures are: Karen Daniel, DeAndrea Fleming, Kathy Goad, Aubrey C. Hooper, Tiffany Clark, Amanda Sargent, Cynthia Banks, and Dr. D'Andre Weaver.