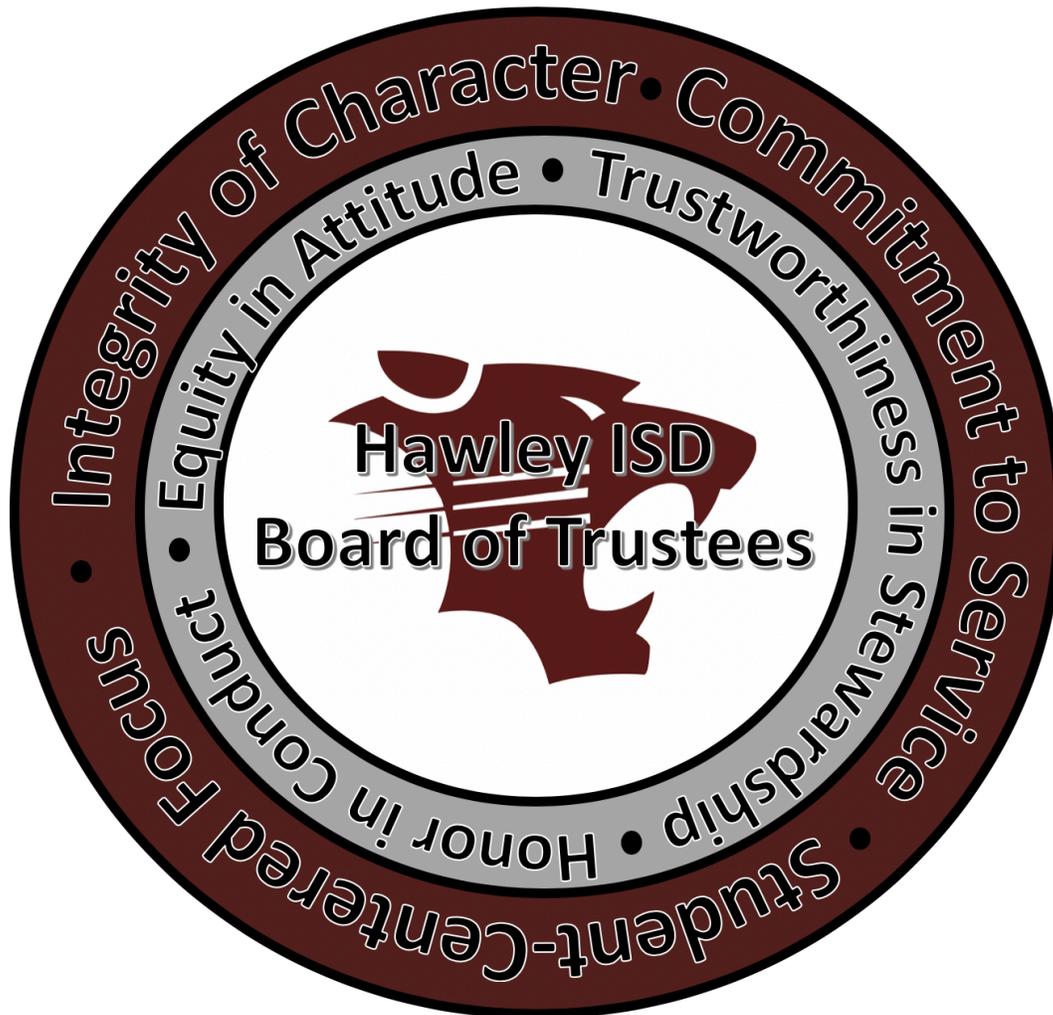


Hawley ISD Board Member
Standard Operations and Procedures
Code of Ethics



Board of Trustees

Nathan Knight, President
Randy Scott, Vice-President
Emilia Moreno, Secretary
Troy Bristow
Keith Hicks
David Strickland
Monte Vinson

Hawley ISD Board Member Standard Operations and Procedures Code of Ethics

The trustees, as a body corporate, have the exclusive power and duty to govern and oversee the management of the public schools of a district. The trustees may adopt rules and bylaws necessary to carry out these powers and duties. The board may act only by majority vote of the members present at a meeting held in compliance with Government Code Chapter 551 (Open Meetings Act), at which a quorum of the board is present and voting. Unless authorized by the board, a member of the board may not, individually, act on behalf of the board.

Mandatory Powers and Duties

A board shall:

- 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.
- Adopt a vision statement and comprehensive goals for the district and the superintendent and monitor progress toward those goals.
- Establish performance goals for the district concerning the academic and fiscal performance indicators.
- Provide oversight regarding student academic achievement and strategic leadership for maximizing student performance.
- Ensure that the superintendent is accountable for achieving performance results, recognizes performance accomplishments, and takes action as necessary to meet performance goals.
- Collaborate with the superintendent.
- Adopt a policy to establish a district- and campus-level planning and decision-making process.
- Publish an annual educational performance report.
- Adopt an annual budget for the district.
- Adopt a tax rate each fiscal year.
- Monitor district finances to ensure that the superintendent is properly maintaining the district's financial procedures and records.
- Ensure that district fiscal accounts are audited annually.
- Publish an end-of-year financial report for distribution to the community.
- Conduct elections as required by law.
- 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.

- 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.
- Adopt a policy providing for the employment and duties of district personnel.
- Limit redundant requests for information and the number and length of written reports that a classroom teacher is required to prepare.

Access to Information

An individual Board member, acting in his or her official capacity, shall have the right to seek information pertaining to District fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the public in accordance with the Public Information Chapter of the Government Code.

If a Board member is not acting in his or her official capacity, the Board member has no greater right to District records than a member of the public.

An individual Board member shall not have access to confidential student records unless the member is acting in his or her official capacity and has a legitimate educational interest in the records in accordance with policy FL.

The district may withhold or redact information, a document, or a record requested by a board member to the extent that the item is excepted from disclosure or is confidential under the Public Information Act or other law.

A board member shall maintain the confidentiality of information, documents, and records received from the district as required by the Family Educational Rights and Privacy

An individual Board member shall seek access to records or request copies of records from the Superintendent or other designated custodian of records, who shall respond within the time frames required by law. When a custodian of records other than the Superintendent provides access to records or copies of records to an individual Board member, the provider shall inform the Superintendent of the records provided.

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.

Visiting District Facilities

A Board member shall adhere to any posted requirements for visitors to first report to the main office of a District facility, including a school campus. Visits during the school or business day shall not be permitted if their duration or frequency interferes with the delivery of instruction or District operations.

Board Officers

The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. The Board may assign a District employee to provide clerical assistance to the Board. Officers shall be elected by majority vote of the members present and voting.

A vacancy among officers of the Board, other than the President, shall be filled by majority action of the Board.

Board officers shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.

In addition to the duties required by law, the President of the Board shall:

1. Preside at all Board meetings unless unable to attend.
2. Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.

The Vice President of the Board shall:

1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.
2. Automatically become President of the Board if a vacancy in that office occurs.

The Secretary of the Board 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.

Board Meetings

The notice for a Board meeting shall reflect the date, time, and location of the meeting.

Regular meetings of the Board shall normally be held on the third Monday of each month at 6:00 p.m. When determined necessary and for the convenience of Board members, the Board President may change the date, time, or location of a regular meeting with proper notice.

The Board President shall call special meetings at the Board President's discretion or on request by two members of the Board.

The Board President shall call an emergency meeting when it is determined by the Board President or two members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting.

Agenda

The deadline for submitting items for inclusion on the agenda is the fifth calendar day before regular meetings and the third calendar day before special meetings.

In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. Any Board member 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 topics that have been timely submitted by a Board member.

Before the official agenda is finalized for any meeting, the Superintendent shall consult the Board President to ensure that the agenda and the topics included meet with the Board President's approval. In reviewing the preliminary agenda, the Board President shall ensure that any topics the Board or individual Board members have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not have authority to remove from the agenda a subject requested by a Board member without that Board member's specific authorization.

Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meeting and at least two hours prior to the time of an emergency meeting.

Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, in accordance with law.

The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BEC]

The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by consensus of Board members.

The Board shall observe the parliamentary procedures as found in *Robert's Rules of Order, Newly Revised*, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.

Voting shall be by voice vote or show of hands, as directed by the Board President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request.

Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board President and the Board Secretary.

The official minutes of the Board shall be retained on file in the office of the Superintendent and shall be available for examination during regular office hours.

Discussions shall be addressed to the Board President and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Board President shall halt discussion that does not apply to the business before the Board.

The Board President shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the Board President shall not interfere with debate so long as members wish to address themselves to an item under consideration.

Closed Meetings

A board may conduct a closed meeting for the purposes described in the following provisions.

- A board may conduct a private consultation with its attorney only when it seeks the attorney's advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the requirement for open meetings.
- A board may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the board's position in negotiations with a third person.
- A board may conduct a closed meeting to deliberate a negotiated contract for a prospective gift or donation to a district if deliberation in an open meeting would have a detrimental effect on the board's position in negotiations with a third person.
- A board is not required to conduct an open meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee. However, a board may not conduct a closed meeting for these purposes if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.
- The closed meeting exception for personnel matters does not apply when a board discusses an independent contractor who is not a school employee, such as an engineering, architectural, or consultant firm, or when a board discusses a class or group of employees, not a particular employee.
- A board is not required to conduct an open meeting to deliberate in a case in which a complaint or charge is brought against a district employee by another employee and the complaint or charge directly results in the need for a hearing. However, a board may not conduct a closed meeting for this purpose if the employee against whom the complaint or charge is brought makes a written request for an open hearing.
- A board is not required to conduct an open meeting to deliberate in a case involving discipline of a public school child. However, a board may not conduct a closed meeting for this purpose if the child's parent or guardian makes a written request for an open hearing. *Gov't Code 551.082*
- A board is not required to conduct an open meeting to deliberate a matter regarding a student if personally identifiable information about the student will necessarily be revealed by the deliberation. This exception does not apply if an open meeting about the matter is requested in writing by a parent or guardian of the student or by the student if the student has attained 18 years of age.
- A board is not required to conduct an open meeting to deliberate the deployment, or specific occasions for implementation, of security personnel or devices; or a security audit.

- A board is not required to conduct an open meeting to deliberate: security assessments or deployments relating to information resources technology, network security information or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.
- A board shall conduct a closed meeting to discuss or adopt individual assessment instruments or assessment instrument items.
- A board is not required to conduct an open meeting to deliberate information confidential under Government Code 418.175–418.182, relating to Homeland Security. However, a board must make a tape recording of the proceedings of a closed meeting held to deliberate the information.
- A board is not required to conduct an open meeting to discuss or deliberate regarding commercial or financial information that the board has received from a business prospect that the board seeks to have locate, stay, or expand in or near a district and with which the board is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to such a business prospect.

If a closed meeting is allowed, a 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.

The Board may only discuss those items listed on the certified agenda and as limited by law. Information discussed during closed sessions MUST remain confidential.

A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given.

A board shall either keep a certified agenda or make a recording of the proceedings of each closed meeting, except for private consultation with a district's attorney. The certified agenda must include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and end of the closed meeting indicating the date and time. A presiding officer shall certify that a certified agenda is a true and correct record of the proceedings. If a recording is made, it must include announcements by the presiding officer at the beginning and end of the meeting indicating the date and time.

Closed meetings may not be recorded by an individual trustee against the wishes of a majority of a board.

A board shall preserve the certified agenda or recording of a closed meeting for at least two years after the date of the meeting. If a legal action involving the meeting is brought within that period, the board shall preserve the certified agenda or recording while the action is pending. Go

A certified agenda or recording of a closed meeting is available for public inspection and copying only under a court order issued as a result of litigation involving an alleged violation of the Open Meetings Act.

No board member shall participate in a closed meeting knowing that neither a certified agenda nor a recording of the closed meeting is being made.

No board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act, close or aid in closing a regular meeting to the public except as permitted under the Open Meetings Act, or participate in a closed meeting that is not permitted under the Open Meetings Act.

Citizens Addressing the Board

Audience participation at a Board meeting is limited to the public comment portion of the meeting designated for that purpose. 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.

At regular meetings the Board shall allot 30 minutes to hear persons who desire to make comments to the Board. Persons who wish to participate in this portion of the meeting shall sign up with the presiding officer or designee before the meeting begins and shall indicate the topic about which they wish to speak.

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.

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any person continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the person removed from the meeting.

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:

- Employee complaints: DGBA
- Student or parent complaints: FNG
- Public complaints: GF

Referring Complaints

If employees, parents, students, or other members of the public bring concerns or complaints to an individual Board member, he or she shall refer them to the Superintendent or another appropriate administrator, who shall proceed according to the applicable complaint policy.

When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.

Superintendent Evaluation

The Board shall prepare a written evaluation of the Superintendent at annual or more frequent intervals.

The Board shall furnish the Superintendent with a copy of the completed evaluation and shall discuss its conclusions with the Superintendent in a closed meeting, unless the Superintendent requests that the discussion be open.

A document evaluating the performance of a superintendent is confidential and is not subject to disclosure under the Public Information Act.

Board Self-Evaluation

The Board shall complete a written self-evaluation in closed session by consensus.

Media Inquiries

The Board President shall be the official spokesperson for the Board to the media. All Board members who receive calls from the media should direct them to the Board's spokesperson and notify the Board President and Superintendent of the call. Board members retain the right to speak to the media as individuals. However, they should make the distinction between speaking as an individual and as the Board of Trustees. When speaking as an individual, it is important for the media representatives to be reminded of the position or action of the Trustees as a body.

Phone Calls/Letters

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. A signed letter will be forwarded to the Superintendent and a response will be sent to the originator of the letter. The Superintendent will respond and send a copy to the full Board.

Addressing Issues Involving Your Own Children

While members of the Board of Trustees have no authority as individuals, it is sometimes difficult for staff members to see them as ordinary parents. Board members should make it clear that they are acting as parents. Board members should not request nor accept extraordinary consideration for their student. Board of Trustee members follow the same chain of command as non-board members.

Reimbursement of Expenses

A Board member shall be reimbursed for reasonable, allowable expenses incurred in carrying out Board business only at the Board's request and for reasonable, allowable expenses incurred while attending meetings and conventions as an official representative of the Board.

Payment for authorized and documented travel expenses shall be made in accordance with legal requirements by reimbursement, not to exceed the allowable rates, for use of a personal car or commercial transportation plus parking, taxi fares, lodging, meals, and other incidental expenses.

Accounting records shall accurately reflect that no state or federal funds were used to reimburse travel expenses beyond those authorized for state employees.

For any authorized expense incurred, the Board member shall submit a statement, with receipts to the extent feasible, documenting actual expenses and in accordance with procedures applicable to employee expense reimbursement.

Board Member Code of Ethics

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:

1. I will be fair, just, and impartial in all my decisions and actions.
2. I will accord others the respect I wish for myself.
3. I will encourage expressions of different opinions and listen with an open mind to others' ideas.
4. I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.
5. I will be responsive to the community by seeking its involvement in District affairs and by communicating its priorities and concerns.
6. I will work to ensure prudent and accountable use of District resources.
7. I will make no personal promise or take private action that may compromise my performance or my responsibilities.
8. I will tell the truth.
9. I will share my views while working for consensus.
10. I will respect the majority decision as the decision of the Board.
11. I will base my decisions on fact rather than supposition, opinion, or public favor.
12. I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.

13. I will consistently uphold all applicable laws, rules, policies, and governance procedures.
14. I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed.
15. I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.
16. I will diligently prepare for and attend Board meetings.
17. I will avoid personal involvement in activities the Board has delegated to the Superintendent.
18. I will seek continuing education that will enhance my ability to fulfill my duties effectively.
19. I will be continuously guided by what is best for all students of the District.

