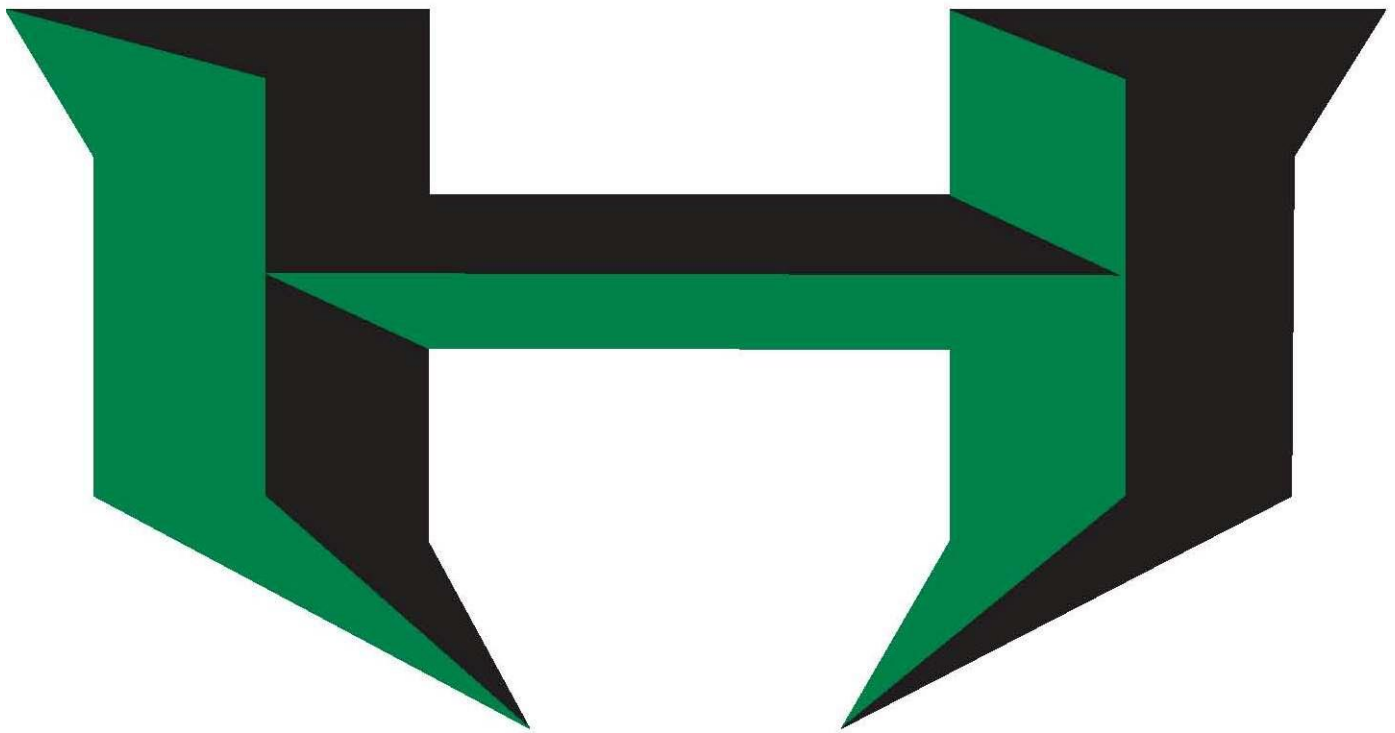


BOARD OPERATING PROCEDURES



Hamlin Independent School District

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Board Operating Procedures Hamlin Independent School District

In effective school systems, the Superintendent and the Board function as a “TEAM OF EIGHT.” A structured approach to first developing a vision for the district and setting goals is enhanced by first developing a system of standard operating procedures. The School Board is the corporate policy making body for the district and the Superintendent and staff provide the leadership to cause Board policies to be implemented. Therefore, the Hamlin ISD Board of Trustees and Superintendent function as a “TEAM OF EIGHT” to provide open communication to the staff and patrons of the district.

The Hamlin Board of Trustees adopts these guidelines as Standard Operating Procedures to effectively communicate with staff and patrons of the district.

I. DEVELOPING BOARD MEETING AGENDA

A. Who can place items on agenda? **BE (LOCAL)**

1. The agenda is developed by the Superintendent in consultation with the Board President.
2. The Superintendent, the Board President, or any Board member can place items on the agenda for presentation to the Board.
3. Complaints brought by parents/students, employees, or the public will not be placed on the agenda by any Board member, except in accordance with Board policies **FNG (LOCAL), FOD (LEGAL), DGBA (LOCAL), AND GF (LOCAL)**.
4. In accordance with Texas open meeting laws and Board policy, no member can place an item on the agenda later than 12:00 p.m. 3 (three) calendar days in advance, except in an emergency as defined by the Texas Government Code.

B. Use of Consent Agenda

1. In order to expedite Board meetings and address routine and reoccurring business in an efficient manner, the Board will use a consent agenda to the greatest extent possible. The consent agenda will be used to take action on items such as the following:
 - a. Routine Items
 - b. Annual Renewals of Region XIV and TEA Items
 - c. Budget Amendments
 - d. Financial Information
 - e. Minutes of Regular and Special Board Meetings
 - f. Updates of Board Policy
 - g. Routine Personnel Items
 - h. Routine Bid Recommendations
 - i. Gifts, donations and bequests

2. If requested by a Board member, an item listed under the consent agenda shall be immediately withdrawn for separate discussion and acted upon individually.

3. Items Eligible for Executive Session

- a. **551.071. CONSULTATION WITH ATTORNEY.** A governmental body may not conduct a private consultation with its attorney except: (1) when the government body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. Added by Acts 1993, 73rd Leg., ch. 268, § 1, eff. Sept. 1, 1993.
- b. **551.072. DELIBERATION REGARDING REAL PROPERTY.** A governmental body 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 position of the governmental body in negotiations with a third person. Added by Acts 1993, 73rd Leg., ch. 268, §1, eff. Sept. 1, 1993.
- c. **551.074. PERSONNEL MATTERS.** (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee. (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. Added by Acts 1993, 73rd Leg., ch. 268, §1, Sept. 1, 1993.
- d. **551.076. DELIBERATION REGARDING SECURITY DEVICES.** This chapter does not require a governmental body to conduct an open meeting to deliberate the deployment, or specific occasions for implementation, of security personnel or devices. Added by Acts 1993, 73rd Leg., ch. 268, §1, eff. Sept. 1, 1993.
- e. **551.082. SCHOOL CHILDREN; SCHOOL DISTRICT EMPLOYEES; DISCIPLINARY MATTER OR COMPLAINT.** (a) This chapter does not require a school board to conduct an open meeting to deliberate in a case: (1) involving discipline of a public school child; or (2) in which a complaint or charge is brought against an employee of the school district by another employee and the complaint or charge directly results in a need for a hearing. (b) Subsection (a) does not apply if an open hearing is requested in writing by a parent or guardian of the child or by the employee against whom the complaint or charge is brought. Added by Acts 1993, 73rd Leg., ch. 268, §1, Sept. 1, 1993.
- f. **551.0821. SCHOOL BOARD: PERSONNALLY IDENTIFIABLE INFORMATION ABOUT PUBLIC SCHOOL STUDENT.** (a) This chapter does not require a school board to conduct an open meeting to deliberate a matter regarding a public

school student if personally identifiable information about the student will necessarily be revealed by the deliberation. (b) Directory information about a public school student is considered to be personally identifiable information about the student

- g. **551.083. CERTAIN SCHOOL BOARDS; REGARDING CONSULTATION WITH REPRESENTATIVE OF EMPLOYEE GROUP.** This chapter does not require a school board operating under a consultation agreement authorized in Section 13.901, Education Code, to conduct an open meeting to deliberate the standards, guidelines, terms, or conditions the board will follow, or instruct its representatives to follow, in a consultation with a representative of an employee group. Added by Acts 1993, 73rd Leg., ch. 268, §1, eff. Sept. 1, 1993.
- h. **551.084. INVESTIGATION; EXCLUSION OF WITNESS FROM HEARING.** A governmental body that is investigating a matter may exclude a witness from a hearing during the examination of another witness in the investigation. Added by Acts 1993, 73rd Leg., ch. 268, §1, eff. Sept. 1, 1993.

II. MEMBER CONDUCT DURING BOARD MEETINGS (Any time four or more Board members are gathered and deliberate on school business, it is considered a meeting.)

BE (LOCAL)

- A. Board members are expected to attend and participate in duly called meetings of the Board. Board members will come to Board meetings prepared to discuss and take action on all items on the agenda. At a minimum, each Board member is expected to have done the following prior to arrival at every Board meeting:
 - 1. Studied the material in the Board Packet sent to them prior to the meeting; and
 - 2. Resolved questions by contacting the Superintendent.
- B. Board policy **BED (LOCAL)** shall be used to govern patrons wishing to address the Board in open forum.
- C. Board response to patrons addressing the Board: 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. Board President should direct administration to investigate item(s) and report back to Board at a designated meeting.
- D. Limit on participation: Audience participation at a Board meeting is limited to the portion of the meeting designated for that purpose (15 minutes total; 5 minutes per person). At all other times during a Board meeting, the audience shall not enter in to discussion or debate on matters being considered by the Board, unless recognized by the presiding officer.
- E. Discussion of employee performance (Board/Audience):

1. The Board will not entertain comments on individual District personnel in open session, unless required by law.
 2. The Board will not entertain comments on individual students in open session, unless required by law.
- F. Board shall observe the parliamentary procedures in Robert’s Rules of Order.
- G. Discussion of motions:
1. All deliberations will be solely related to agenda items.
 2. The Board President will insure deliberations remain germane to the agenda.
 3. Each Board member has the responsibility to ensure his/her comments remain focused on agenda items.
 4. The Board President will rule any deliberations that stray from the agenda as “out of order.”
 5. The Board President can recognize Board members before they give their comments.

III. VOTING

- A. 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 or a conflict that would impair the Board member’s judgment in violation of Board Member Ethics.
- C. All voting shall be by voice or show of hands and shall be recorded in the official minutes. No vote shall be by secret ballot.
- D. Each Board decision, even when there are dissenting votes, shall be an action by the whole Board and binding upon each member.
- E. Individual members are encouraged to express their opinions during the discussion of motions, but following the vote, members shall publicly discuss only the decision of the whole Board. In case of a tie vote the item is tabled for further discussion and reconsidered or returned on the next agenda as an action item.

IV. INDIVIDUAL BOARD MEMBER REQUEST FOR INFORMATION OR REPORTS

- A. All Board member requests for information must be in accordance with District policy **BBE (LOCAL)**.
- B. All Board member requests to Superintendent for information will be reported to the full Board in the Board Packets.
- C. The majority of the Board is required to request new reports.

- D. If the Superintendent communicates to the Board prior to a regularly scheduled Board meeting, the Superintendent shall address therein any Board member requests for information and give a brief summary of action taken.

V. CITIZEN REQUEST/COMPLAINT TO INDIVIDUAL BOARD MEMBER

- A. When a citizen complains to a Board member, the Board member shall:
 - 1. Remind the citizen of due process **FNG (LOCAL)** and **GF (LOCAL)** 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. Only if appropriate, Board members shall inform Superintendent of complaint.
 - 4. Board member must talk to Superintendent within 24 hours. Superintendent will respond to citizen in a timely fashion.

VI. EMPLOYEE REQUEST/COMPLAINT TO INDIVIDUAL BOARD MEMBER

- A. When an employee complains to a Board member, the Board member shall:
 - 1. Remind employee of the due process procedure **DGBA (LOCAL)** and remain impartial.
 - 2. Refer employee to appropriate person in the chain-of-command.
 - 3. If appropriate, Board member will talk to Superintendent in a timely fashion about the complaint. Employee will hear something from the Superintendent within a timely fashion unless the employee requests no contact from the Superintendent.

VII. BOARD MEMBER VISIT TO SCHOOL CAMPUS ACTIVITY

- A. Board members are encouraged to attend special events on campuses to represent the Board in support of activities.
- B. Board members are not to go into teacher's classrooms or campuses for the purpose of evaluation or investigation.
- C. Board members will notify administration of individual visits to campuses when they are not attending a scheduled activity.
- D. Board members do not carry Board authority into the building. They serve as any other individual of the school district. (see XI B).

VIII. COMMUNICATIONS

- A. Superintendent will communicate information in a timely fashion to all Board members (i.e., email, phone, letters, etc.).

- B. Superintendent will be available to confer with Board members to discuss District issues on an as needed basis, communicating critical information to all Board members in a timely fashion within context of the Open Meetings Act.
- C. Board members will keep Superintendent informed of critical issues as they become aware of them.
- D. Board will communicate with the community through public hearings, regular Board meetings, and publications.
- E. Board members are board members only in a duly called open meeting and cannot speak in an official capacity outside the Boardroom. **BBE (LOCAL)**
- F. Every effort will be made by Board / Administrative Team to communicate effectively with each other so that decisions will be based upon the best information and facts available.

IX. SUPERINTENDENT AND BOARD EVALUATIONS

- A. Evaluation of the Superintendent will be conducted in accordance with District policy **BJCD (LOCAL)**. The evaluation instrument shall have been developed collaboratively between the Superintendent and Board, adopted in advance, and shall be based upon observable, job-related behavior.
- B. The Board will develop and review outcome-based evaluation instruments annually for the Superintendent and biannually for the Board.
- C. The Superintendent's evaluation is confidential by law and may not be disclosed without the Superintendent's consent. The Board's self evaluation is a public record subject to disclosure upon request. Board's evaluation is conducted every February.
- D. Board President obtains input from other members on Board approved indicators by the December meeting. Evaluation is conducted in closed meeting by consensus at the January meeting.

X. CRITERIA AND PROCESS FOR SELECTING BOARD OFFICERS

- A. Selection of Board officers will be governed by District policy **BDAA (LOCAL)**.
- B. Officers will be elected for the position of President, Vice-President, and Secretary. The Board Vice-President shall assume position of President only if elected to that office **BDAA (LOCAL)**.
- C. Officers shall serve for a term of one year or until a successor is elected **BDAA (LOCAL)**.

XI. ROLE AND AUTHORITY OF BOARD MEMBER AND/OR BOARD OFFICERS (as set by State statute and District Policy BBE and BDAA)

- A. No Board member or officer has authority except when the Board meeting is in session.
- B. No Board member can direct employees in regard to performance of their duties.
- C. With regard to hiring personnel, the following shall apply:
 - 1. The Superintendent has sole authority to make recommendations to the Board regarding the selection of all contractual personnel.
 - 2. The Board delegates to the Superintendent final authority to hire noncontractual personnel on an at-will basis.
 - 3. The Principal must approve each teacher or staff appointments to the Principal's campus from a pool of applicants.
 - 4. For community sensitive positions such as principal and coach, etc., the Superintendent may ask the Board to participate in the recruitment and selection process with the Superintendent.
- D. The Board corporately has the following authority:
 - 1. Govern and oversee the management of the District.
 - 2. Employ and appraise, at least annually, the Superintendent.
 - 3. Levy and collect taxes and issue bonds.
 - 4. Adopt and file an annual budget.
 - 5. Have District financial accounts audited by a Texas certified accountant at the conclusion of each fiscal year.
 - 6. Publish an annual report describing the District's educational performance.
 - 7. Receive bequests and donations.
 - 8. Select a depository for District funds.
 - 9. Call elections and canvass the returns.
 - 10. Acquire and hold real and personal property in the name of the District.
 - 11. Execute, perform, and make payments under contracts, including leases, leases with options to purchase, and installments.
 - 12. Exercise the right of eminent domain to acquire property.
 - 13. Adopt and periodically review District policy.
- E. The President shall:
 - 1. Preside at all Board meetings.
 - 2. Appoint committees.
 - 3. Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.
 - 4. Be an *ex officio* member of all committees.
 - 5. Sign all legal documents required by law.

F. The Vice-President shall:

1. Act in the capacity of the President in the absence of the President.
2. Become President of the Board only upon being elected to the position.

G. The Secretary shall:

1. Be responsible for accurate recording of Board meetings.
2. In the absence of the President and Vice-President, call the meeting to order and act as presiding officer.
3. Sign or countersign documents as directed by action of the Board.
4. Review any filings required by law (Political Action Committee Notice).

XII. ROLE OF BOARD IN EXECUTIVE SESSION

- A. Board can only discuss those items listed on the agenda and permitted by law in executive session.
- B. All votes must be made in open session.
- C. Information received during Executive session must remain confidential.

XIII. SUPERINTENDENT'S ROLE AND AUTHORITY

- A. The role of the Superintendent shall be the educational leader and chief executive officer of the District.
- B. The authority and duties of the Superintendent include:
 1. Assuming administrative responsibility and leadership for the planning, operation, supervision, and evaluation of the education programs, services, and facilities of the District and for the annual performance appraisal of the District's staff.
 2. Assuming administrative responsibility and leadership for the assignment and evaluation of all personnel of the District other than the Superintendent and making recommendations regarding the selection of such personnel.
 3. Initiating the termination or suspension of an employee or the nonrenewal of an employee's term contract.
 4. Managing the day-to-day operations of the District as its administrative manager.
 5. Preparing and submitting to the Board a proposed budget.
 6. Preparing recommendations for policies to be adopted by the Board and the implementation of adopted policies.

7. Provide leadership for the attainment of student performance in the District based upon the state's academic excellence indicators and other indicators as may be adopted by the State Board or local Board.
8. Prepare Board agenda and meeting materials in cooperation with the Board President.
9. Accurately prepare and submit in a timely manner any and all reports required by TEA, federal and state agencies, the Board, and courts of law.
10. Direct and supervise all financial accounting and ensure that funds are expended legally, in accordance with the approved budget, and controlled effectively. **CAA (LOCAL), FINANCIAL ETHICS.**
11. Ensure District compliance with all applicable state and federal requirements.
12. Develop, evaluate and revise annually the District Improvement Plan, with the assistance of the District Improvement Team.

XIV. MEDIA INQUIRIES TO THE BOARD

- A. On issues before the Board, the Board President and the Superintendent shall be the official spokespersons for the Board to the media.
- B. All Board members who receive calls from the media should refer them to the Board President or the Superintendent, as appropriate.

XV. ANONYMOUS PHONE CALLS AND/OR LETTERS

- A. The Hamlin Board of Trustees encourages input; however, anonymous calls or letters should not usually receive Board attention, discussion, or response and will not result in directives to the administration. Confidentiality is strictly maintained when possible.

XVI. RESPONSE TO SIGNED LETTERS

- A. Typically, only signed letters will be forwarded to the Superintendent, who will respond and send a copy to the full Board.

XVII. ANNUAL BOARD ORIENTATION AND REORIENTATION

- A. These Board Operating Procedures will be reviewed and updated annually at the Regular July Board meeting, unless deferred until a later meeting date, with the Board's approval.
- B. District Policy **BBF (LOCAL), Board Member Ethics**, will also be reviewed annually at the Regular Board meeting, unless deferred until a later meeting date, with the Board's approval.

Ethics for School Board Members

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 of 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 keep confidential information that is privileged 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

APPENDIX – BOARD POLICIES

- I. BBD EXHIBIT
- II. BBD LEGAL
- III. BBD LOCAL
- IV. BBE LEGAL
- V. BBE LOCAL
- VI. BBF LOCAL
- VII. BDAA LEGAL
- VIII. BDAA LOCAL
- IX. BE LEGAL
- X. BE LOCAL
- XI. BED LEGAL
- XII. BED LOCAL
- XIII. BJCD EXHIBIT
- XIV. BJCD LEGAL
- XV. BJCD LOCAL
- XVI. CAA LOCAL
- XVII. CAA EXHIBIT
- XVIII. DGBA LEGAL
- XIX. DGBA LOCAL
- XX. FNG LEGAL
- XXI. FNG LOCAL
- XXII. FOD LEGAL
- XXIII. GF LEGAL
- XXIV. GF LOCAL