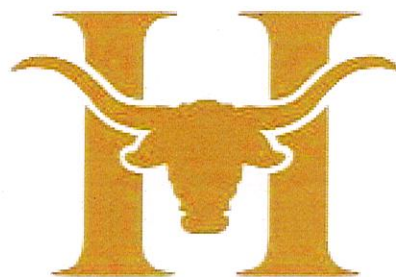


JIM HOGG COUNTY INDEPENDENT
SCHOOL DISTRICT
Board of Trustees
Code of Ethics
and
Board-Superintendent Operating
Procedures



Revised - September 7, 2022

Table of Contents

I.	Developing Board Meeting Agendas	1
II.	Questions About the Agenda.....	2
III.	Board Member Preparation for Meetings.....	2
IV.	Member Conduct at Board Meetings/Public Forums.....	3
V.	Member Decorum and Social Media Policy	5
VI.	Member Participation in Discussion, Debate, and Voting	6
VII.	Attendance by Videoconference Call	7
VIII.	Meeting Minutes and Recordings	7
IX.	Requests for Information, Documentation, or Reports Other than Agenda Items	8
X.	Vendor Relations.....	9
XI.	Conflicts of Interest.....	9
XII.	Citizen Request/Complaint to Individual Board Member	12
XIII.	Employee Request/Grievance to Individual Board Member	12
XIV.	Communications	13
XV.	Board-Superintendent Covenants	14
XVI.	Communication with Legal Counsel	14
XVII.	Communication with the Media	14
XVIII.	Communication with the Community.....	15
XIX.	Response to Inquiries About Closed/Executive Session	16
XX.	Board Member Visits to School Campuses.....	16
XXI.	Access to District Technology and Electronic Communications	17
XXII.	Evaluation of Superintendent	18
XXIII.	Evaluation of Board.....	19
XXIV.	Selection of Board Officers.....	19
XXV.	Board Training Requirements.....	19
XXVI.	Travel Reimbursement.....	20
XXVII.	Powers and Duties of a Board Member and/or Board Officer	21
XXVIII.	Role of Board in Executive Session	22
XXIX.	Expressing Concerns About Another Member's Performance	22
XXX.	Board Hearings of Employee Grievances and Student and Parent Grievances	23
XXXI.	Violation of Board-Superintendent Operating Procedures	24
XXXII.	Reviewing Board-Superintendent Operating Procedures.....	24

JIM HOGG COUNTY INDEPENDENT SCHOOL DISTRICT

PREFACE

Under Texas statute, the Board of Trustees, as a body corporate, has the exclusive power and duty to govern and oversee the management of the public schools of the District. Tex. Educ. Code § 11.151(b). These Board-Superintendent Operating Procedures (“Procedures”) describe the general means and manner through which the Board will carry out this statutory charge.

In order for the Board to operate as a body corporate, individual Board members should be familiar with and respect the standards expressed here. The Board recognizes that in some instances the Board is agreeing to impose limits beyond those strictly required by law or policy. These Procedures are not intended to carry the force of law or policy, nor are they intended to confer legal rights on any other person. Likewise, these Procedures are not intended to take precedence over Board Policy.

The expressions here are intended to be dynamic, affirmative expressions of the understandings of the Board about how to operate as a corporate body. If there is a conflict or inconsistency between these Procedures and Local Board Policy, every effort will be made to revise Board Policy to reflect the intent of the Board in these Procedures.

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 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.

DUTIES OF THE BOARD AND THE SUPERINTENDENT

Duties of the Board

Duties reserved by law to the local Board of Trustees include:

- Serving as a body corporate and with the exclusive power and duty to govern and oversee the management of the public schools of the District.
- Adopting rules and policies as necessary to carry out Board functions.
- Establishing 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.
- Adopting a vision statement and comprehensive goals for the District and the Superintendent and monitoring progress toward those goals.
- Establishing performance goals for the academic and fiscal performance indicators as outlined in law and any locally adopted performance indicators.
- Ensuring that the Superintendent is accountable for achieving performance results, recognizes performance accomplishments, and takes action as necessary to meet performance goals.
- Adopting a policy to establish a District- and campus-level planning and decision-making process.
- Publishing an annual educational performance report.
- Adopting an annual budget for the District as well as a tax rate for each fiscal year.
- Monitoring District finances to ensure that the Superintendent is maintaining proper procedures and records, and ensuring an annual audit of fiscal accounts.
- Publishing a year-end financial report to the public.
- Conducting elections.
- Adopting process through which District personnel, students, parents, and members of the public may obtain a hearing regarding a grievance or complaint.
- Complying with the requirements of the Texas Open Meetings Act for all Board meetings.

Duties of the Superintendent

Duties reserved by law to the District's Superintendent include:

- Assuming administrative responsibility and leadership for the organization of education programs, services, facilities, and staff appraisals.
- Assuming administrative authority and responsibility for the assignment, supervision, and evaluation of District personnel
- Overseeing compliance with facilities standards.
- Initiating the termination or suspension of an employee or the nonrenewal of an employee's contract.
- Managing the day-to-day operations of the District, including implementing and monitoring plans, procedures, programs, and systems to achieve clearly defined and desired results in major areas of District operations.
- Administering and preparing the budget.
- Providing leadership for the attainment and, if necessary, improvement of student performance in the District.

- Ensuring adoption of the student code of conduct and other student disciplinary rules and procedures as necessary.
- Recommending policies to be adopted by the Board and implementing the adopted policies.
- Developing administrative regulations, as needed.
- Organizing the District's central administration and consulting with District-level committees.
- Submitting reports as required by state or federal law, rule, or regulation.
- Providing joint leadership with the Board to ensure the team's responsibilities are carried out.
- Carrying out any other contractual duties assigned to the Superintendent by the Board.

Collaboration between the Board and Superintendent

The Texas Education Code also specifies certain tasks that the Board and Superintendent are expected to perform collaboratively for the good of the District. Statute states that the Board and Superintendent shall work together to:

- Advocate for the high achievement of all District students;
- Create and support connections with community organizations;
- Provide educational leadership for the District;
- Establish district-wide policies and annual goals that are tied directly to the strategic plan;
- Support the professional development of principals, teachers, and other staff; and
- Periodically evaluate Board and Superintendent leadership, governance, and teamwork.

OPERATING PROCEDURES

I. Developing Board Meeting Agendas

Procedure:

1. Agendas are drafted by the Superintendent in consultation with the Board President, but final approval for the agenda is the sole authority of the Board President.
2. Any Board member may request that a subject be included on an agenda for a meeting. The Board President shall ensure that any topics the Board or individual Trustees request to be addressed shall be on that agenda or scheduled for deliberation at an appropriate time in the near future. The President shall not have authority to remove from the agenda a subject requested by a Trustee without that Trustee's specific authorization.
3. The deadline for submitting items for inclusion on the agenda is the seventh business day before the regular board meeting. No item can be placed on the Board Meeting Agenda less than seven business days in advance of the meeting unless an emergency or urgent public necessity exists.
4. Board members who have questions about a particular Board Meeting Agenda item will follow the "Questions about the Agenda" operating procedure.
5. The Superintendent shall be sure that adequate backup materials are provided for each Board Meeting Agenda item and the information will be relayed to Board members at least three (3) calendar days prior to the meeting.
6. For major action items, related and relevant information will be included with the backup materials.
7. The Board may, by consensus, remove an item from the agenda if sufficient backup materials are not provided in a timely manner, unless an emergency or urgent public necessity exists.
8. All personnel issues must be conducted in an executive session unless specifically required by the Texas Open Meetings Act.
9. The Consent Agenda shall be items agreed to by the Board:
Board members may call the Superintendent with questions regarding consent agenda items prior to the meeting; if more discussion is warranted, that item may be pulled at the request of any Board member and considered as an action item. Consent items may include:
 - (a) All routine items
 - (b) Annual renewals of Region I, Shared Service Agreements and TEA matters
 - (c) Budget amendments
 - (d) Tax refunds
 - (e) Gifts, donations and bequests
 - (f) Financial information

- (g) Minutes of regular and called Board meetings
 - (h) Updates of Board Policy
 - (i) Routine personnel items
 - (j) Routine bid considerations
 - (k) Items recommended by the Superintendent
10. Regular meetings of the Board will begin at 6:00 P.M. and shall be held on the third Wednesday of the month. 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.

II. Questions About the Agenda

Procedure:

1. Board members will direct any Agenda-related questions to the Superintendent prior to the Board meeting.
2. If the requested information is not available, the Superintendent shall inform the Board member prior to the start of the meeting.
3. Requests for additional materials relating to regular Board Meeting Agenda items shall be made at least one business day – but no less than eight hours –prior to the beginning of the Board Meeting.
4. If the Superintendent feels that a request for additional information or materials is not readily available, would interfere with District operations, or cannot reasonably be prepared before the Board meeting, the Superintendent or designee will notify the requesting Board member and the Board President.
5. The Superintendent or designee will ensure that any additional materials or information that is provided to one Board member is provided to all Board members.
6. If a Board member has requested information or materials, and the request has been denied or delayed in such a manner that the Board member feels that he/she will not be able to make an informed decision, the request will be placed on the agenda.
7. If the Board President determines that the request should be honored, the Board President and the Superintendent will determine the appropriate timeline for presentation to the Board members and the Agenda item will be pulled from that agenda.

III. Board Member Preparation for Meetings

Procedure:

1. The Superintendent will ensure that all necessary or requested information is supplied to the Board members to allow for informed decisions. Agenda packets will be delivered simultaneously with the posting of the Agenda or otherwise as

soon as possible thereafter. .

2. Board members should read and study the packet prior to each meeting.
3. Board members should direct Agenda related questions to the Superintendent at least eight hours before the meeting. If the information is not available, the Superintendent will inform the Board member prior to the beginning of the Board meeting.
4. By consensus of the Board, an item may be tabled from the Agenda if sufficient information is not provided in a timely manner.

IV. Member Conduct at Board Meetings/Public Forums

Procedure:

1. All Board members are expected to conduct themselves professionally and ethically during all meetings and public forums. Examples of behavior that will not be tolerated are rude remarks, interruptions, yelling, name calling and disrespectful verbal or body language.
2. During posted meetings, all members will conduct themselves according to Roberts Rules of Order, Newly Revised.
3. If, during a meeting, a Board member violates Robert's Rules of Order, the following disciplinary procedures will be enforced:
 - (a) President or any member will ask for a recess and the President will talk privately with the offending Board member.
 - (b) If the offending member continues to be in violation, the President will issue a public warning in open session.
 - (c) If the offending Board member continues to be in violation, any member of the Board may call for public censure and removal from that meeting, requiring a 2/3 vote according to Robert's Rules of Order for disruption of a Public Meeting.

Note: Differences of opinion, if respectfully submitted, are not to be construed as unacceptable behavior but rather as alternate views on a subject and should be encouraged.

4. Board members shall treat administrators, teachers or any District employee participating in a Board meeting with respect. The same level of respect shall apply in any Public Forum or Social Media Platform.
5. Citizens addressing the Board:
 - (a) Audience participation at Board meetings is limited to the portion of the meeting designated as Open Forum. 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 recognized by the presiding officer.

- (b) At regular Board meetings, the Board shall permit public comment regardless of whether the topic is an item on the agenda posted with notice of the meeting.
- (c) At all other Board meetings, public comment shall be limited to items on the agenda posted with notice of the meeting.
- (d) Individuals who wish to participate during the portion of the meeting designated for public comment shall sign up with the presiding officer or designee before the meeting begins as specified in the Board's procedures on public comment and shall indicate the agenda item or topic they wish to address the Board.
- (e) Public comment shall occur at the beginning of the meeting. Except as permitted by this policy and the Board procedures on public an individual's comments to the Board shall not exceed three minutes per meeting.
- (f) When necessary for effective meeting management or to accommodate large numbers of individuals wishing to address the Board, the presiding officer may make adjustments to public comment procedures, including adjusting when public comment will occur during the meeting, reordering agenda items, deferring public comment on non-agenda items, continuing agenda items to a later meeting, providing expanded opportunity for public comment, or establishing an overall time limit for public comment and adjusting the time allotted to each speaker.
- (g) **However, no individual shall be given less than one minute to make comments.**
- (h) 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.
- (i) The Board expects that each speaker will be courteous, respectful and model for the District's students how one can conduct themselves in a professional manner even when disagreeing with another's views. Any person, whether speaking to the Board or not, who engages in disruptive action during a Board meeting will be asked to leave the meeting room after one warning. If necessary, the Board President or member presiding over the meeting may request assistance from law enforcement to remove a disruptive person from the meeting room.

6. Board response to patrons addressing the Board:

- (a) Board members can hear comments.
- (b) The Board President may direct administration to investigate item(s) and report back to the Board.
- (c) Board members cannot respond or enter into discussion with the audience during the meeting as:

- i. Items on the agenda will be discussed as appropriate and scheduled on the agenda.
 - ii. Items not on the agenda do not permit Board members to respond or discuss except to make factual statements or refer to Board Policy.
 - iii. If a speaker fails to restrict his or her comments to the topic they identified when signing up, the Board President, or other member presiding over the meeting shall immediately interrupt the speaker and issue a verbal warning that the comments remain on the identified topic. Should a speaker refuse to comply with this warning, he or shall forfeit the remaining time allotted. Speakers who fail to indicate which topic they wish to speak on when signing up with the designee shall not be allowed to address the Board.
- (a) Complaints and Concerns - The Board will not allow complaints regarding individual personnel in open session unless required by law.
- (b) The Board will not allow complaints against individual students in public session unless required by law.
- (c) To the extent an individual makes a complaint or addresses a concern about an individual employee or student, the Board President or other member presiding over the meeting shall immediately interrupt the speaker and, if applicable, direct the speaker to avail themselves of the applicable grievance policy or other appropriate procedure for addressing their concerns or to ensure that further comments do not violate the Board's procedures.
- 7. More information pertaining to public participation during Board meetings may be found under Board Policies BED (Legal) and BED (Local), available online at <https://pol.tasb.org/Policy/Code/729?filter=BED>
- 8. Discussion of Motions
 - (a) All discussions shall be directed solely to the business currently under deliberation.
 - (b) The Board President has the responsibility to keep the discussion to the motion at hand and shall halt discussions that do not apply to the business currently before the Board.

V. Member Decorum and Social Media Policy

- 1. In the spirit of maintaining the decorum of meetings and public forums, and as role models for the community, staff and students of the District, all Board Members are expected to refrain from embarrassing or berating other Board Members.
- 2. As community figures, Board Members shall be held to the same professional and ethical standards that apply to Board Meetings/Public Forums in their personal use of "Social Media." The term "Social Media" includes, but is not limited to, Facebook.

Twitter, Snapchat, LinkedIn, Instagram and WhatsApp.

3. A Board Member's Social Media platforms should clarify that communications are being made as an individual Board Member and not as an official District spokesperson.
4. Board Members shall avoid discussing District business with a quorum of the Board on Social Media.
5. Board Members shall avoid Social Media communications which may be perceived as a predetermination on a pending Board matter.
6. Board Members shall not disseminate District content in their possession through Social Media which has not already been distributed by the District to the public.
7. Social Media communications about Board meeting outcomes and discussions shall be limited to information which was disseminated during the open portions of the meeting.
8. Board Members shall avoid posting or sharing content via Social Media which is lewd, obscene, or otherwise inappropriate and which may reflect negatively upon the District. "Sharing" as used in this section includes, but is not limited to re-posting, re-tweeting, liking, linking to, or otherwise discussing.
9. Harassing or discriminatory communications involving District students should be reported to the Board President and Superintendent immediately.
10. When using a District-issued electronic device or District electronic communication systems, Board Members shall comply with the District's acceptable use policy.
11. Any concerns that a Board Member may have about another Board Member's violation of this Operating Procedure V shall be addressed through the process outlined in section XXVII, "Expressing Concern About Another Member's Performance."

VI. Member Participation in Discussion, Debate, and Voting

Procedure:

1. *Roberts Rules of Order, Newly Revised*, is the parliamentary procedure adopted in policy by this Board; meetings, motions and debate shall follow these guidelines.
2. All members are expected to conduct themselves with professionalism, respect and integrity and according to Operating Procedure IV, "Member Conduct at Board Meetings/Public Forums."
3. The President, or chairperson, of a meeting will recognize any member who wishes to speak on a subject.
4. As a general guideline, at the beginning of the discussion on an agenda item, each Board member will be allowed three minutes to ask questions or comment before he/she must yield the floor to another Board member who wishes to speak. Board members will not be allowed to speak a second time until every Board member who

wishes to speak has spoken once.

5. Debate and discussion may continue until such time as each Trustee feels that he/she has had adequate time to ask clarifying questions or make other comments, unless other time restrictions have been imposed by the Board.
6. Questions or comments must always be germane to the current agenda item.
7. No member shall coerce another member to vote in a particular manner, and no member may attempt to solicit votes in any manner inconsistent with the Texas Open Meetings Act.
8. No member will criticize any other member with regard to his/her questions, discussion, or vote.
9. If, during a meeting or public forum, any Board member conducts himself/herself in a manner that is intolerable or prevents the accomplishments of the goals of the meeting/forum, the Board President may adjourn the meeting. If a majority of the Board disagrees with the adjournment, then the meeting must continue. However, the offending Board member agrees to leave for the remainder of the meeting or forum if the remaining Board members unanimously agree.
10. Although it is the duty of every member who has an opinion on a question to express it by his vote, the Board member can abstain.
11. Board members abstaining from voting may briefly state their reason for the abstention. Nothing in this operating procedure shall be construed to limit a Board member's ability to ask questions during the Board Meeting.
12. An item may not be brought back onto an agenda when that item has already been discussed/considered unless the majority of the Board agrees to place the item back on the agenda.

VII. Attendance by Videoconference Call

Procedure:

1. A member of the Board who participates in a meeting by videoconference call shall be considered absent from any portion of the meeting during which audio or video communication with the member is lost or disconnected.
2. If a Board member is lost or disconnected from a videoconference call, the Board may continue the meeting only if a quorum of the body remains present at the meeting location or, if applicable, continues to participate in a meeting conducted under Government Code section 551.127(c).

VIII. Meeting Minutes and Recordings

1. The Texas Open Meetings Act requires the Board to either keep minutes or make a recording of its open meetings. The minutes or tape recording of the Board's open meeting must be accessible to the public in accordance with Texas Government Code section 551.022.

2. The minutes of an open meeting must:
 - (a) State the subject matter of each deliberation;
 - (b) Indicate each vote, order, decision, or other action taken;
 - (c) Indicate each member's attendance at or absence from the meeting;
 - (d) Reflect the board's acceptance or rejection of the superintendent's recommendation for selecting district personnel;
 - (e) Reflect, in the minutes **of the last regularly scheduled board meeting** held before an election of trustee, whether each trustee has met or is deficient in satisfying his or her required training as of the anniversary of the date of the trustee's election or appointment. If the minutes reflect that the trustee is deficient, the district shall post the minutes on the district's Internet website within ten (10) business days of the meeting and maintain the posting until the trustee meets the requirements.

IX. Requests for Information, Documentation, or Reports Other than Agenda Items

1. Board Members will direct their individual requests for detailed or sensitive non-agenda information to the Superintendent or Board President.
2. Information requested by one Board Member shall be provided to all Board Members at the same time.
3. If the Board determines that the request for information should be honored, it will determine, with the Superintendent, an appropriate timeline for presentation of the information to all Board Members.
4. The Superintendent will inform the Board Member requesting the information that that the request is subject to being tracked under Section 11.1512 of the Texas Education Code and provide the requesting Board member the appropriate form for the Board member to complete. *See Exhibit A* attached to these procedures.
5. If the Board Member proceeds with the request and completes the form, the administration will track the request and respond in accordance with District policy and these procedures. For tracking purposes, the "cost" of the request will be calculated as if the Board member requested one complete set of records, even if duplicates are provided to the rest of the Board. The cost will be calculated using the Texas Attorney General rules for charges under the Texas Public Information Act. No cost will be charged to the Board Member.
6. If the Board Member's written request seeks access to records that are confidential under the Texas Public Information Act or other law, the Superintendent may provide access to the records in full, provided that the Board Member is making the request in their official capacity. If the district provides records, or documents, additional security controls may be required.
7. If the Board Member requests access to District records in a personal capacity, as opposed to their official capacity as a Board member, the Superintendent will direct the Board member to the District's procedure pertaining to public requests for public

information.

8. The District must respond to a Board Member's request for information, documents and records maintained by the District not later than the 20th business day after the date the District receives the request, this period may be extended for a period not to exceed the 30th business day in compliance with statutory requirements.
9. If the District fails to provide the requested information in the time required, the Board Member may bring suit against the District for injunctive relief, court costs, and reasonable attorney's fees.

X. Vendor Relations

Procedure:

1. Vendors and Board members shall be prohibited from making oral or written contact with each other individually for the purpose of soliciting a purchase or contract or discussing an outstanding bid or proposal that a vendor has submitted or will submit between the time a request for proposal or a bid is formally released and a recommendation is made by the administration to the Board.
2. If a vendor or Board member violates this prohibition during this time frame, consideration of the vendor for award of the bid or proposal shall be invalidated.
3. Board members shall be notified of reported or known violations and possible actions that may occur.

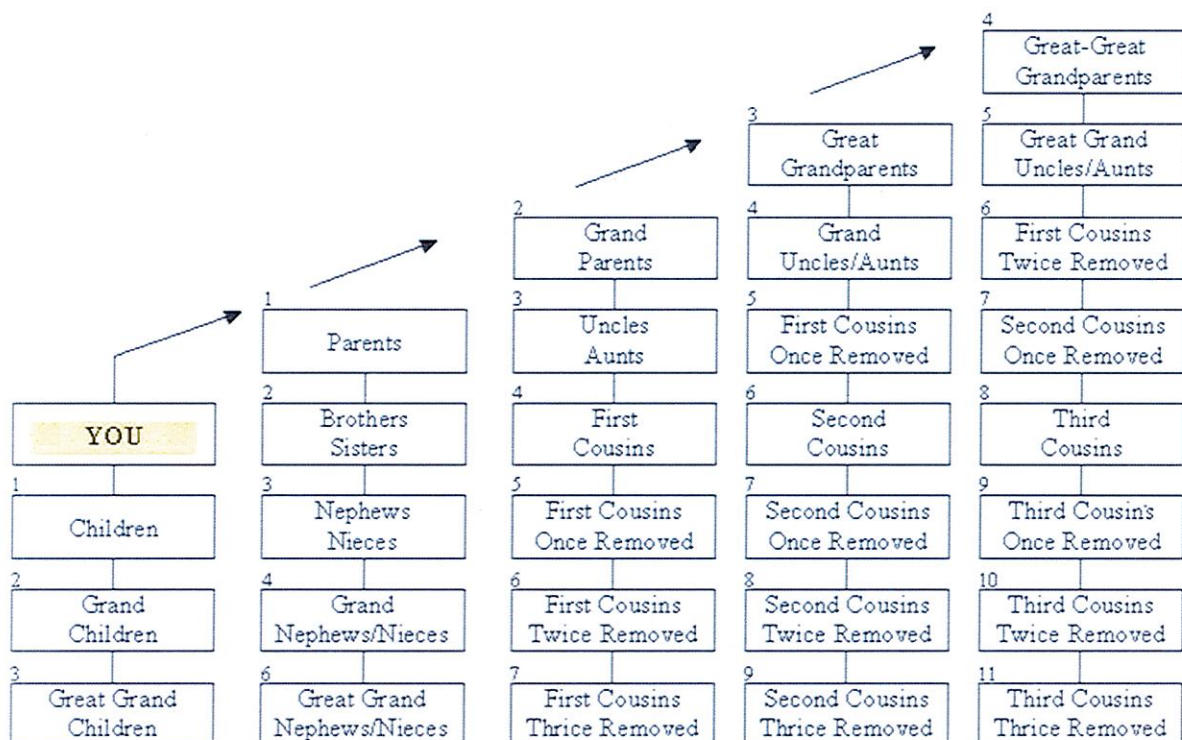
XI. Conflicts of Interest

1. Board Members owe a duty of loyalty to the District and Board Members must avoid any business activity that conflicts with the interests of the District.
2. Board Members' outside business interests, including passive or active investments, must not adversely affect the Board Member's duty to the District.
3. If a Board Member has a substantial interest in a business entity or in real property, the local public official shall, before a vote or decision on any matter involving the business entity or the real property, file an affidavit stating the nature and extent of the interest if:
 - (a) In the case of a substantial interest in a business entity, the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
 - (b) In the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.
4. The affidavit shall be filed with the official records administrator of the District in accordance with Board Policies BBFA (Legal) and (Local), such policies are available on-line at <https://pol.tasb.org/Policy/Code/1275?filter=BBFA>.

5. Further, Board Members must file a conflicts disclosure statement with respect to a vendor if the vendor enters into a contract with the District or the District is considering entering into a contract with the vendor, and the vendor:
 - (a) Has an employment or other business relationships with the Board Member or the Board Member's family member and the business relationship results in the Board Member or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the Board Member becomes aware that (i) a contract between the District and the vendor has been executed or (ii) the District is considering entering into a contract with the vendor;
 - (b) Has given to the Board Member or the Board Member's family member one or more gifts with an aggregate value of more than \$100 in the twelve months preceding the date the Board Member becomes aware that (i) a contract between the District and the vendor has been executed or (ii) the District is considering entering into a contract with the vendor; or
 - (c) Has a family relationship with the Board Member?
6. A gift accepted by the Board Member or the Board Member's family member that is a political contribution under the Election Code or food accepted as a guest does not require the filing of a conflicts' disclosure statement.
7. Conflicts disclosure statements must be filed with the District's records administrator no later than 5:00 p.m. on the 7th business day after the date the Board Member becomes aware of the facts requiring the filing of the statement.
8. Except as provided by Board Policy, a public official may not appoint a person to a position that is to be directly or indirectly compensated from public funds or fees of office if:
 - (a) The person is related to the public official by consanguinity (blood) within the third degree or by affinity (marriage) within the second degree; or
 - (b) The public official holds the appointment or confirmation authority as a member of a local board and the person is related to another member of the board by blood or marriage within a prohibited degree. ***Please see the attached guidance on Page 11.***

Degrees of Family Relationships

Degrees of relationship by blood (consanguinity)



Relationships by Marriage (Affinity)

A relationship by blood is also referred to as being related by consanguinity. A relationship by marriage is sometimes referred to as being related by affinity.

A husband and wife are related in the first degree by marriage. For other relationships by marriage, the degree of relationship is the same as the degree of underlying relationship by blood. Example: John and Steve are brothers and are therefore second-degree relatives by blood. John's wife, Linda, is related to Steve in the second degree by marriage.

See Tex. Gov't Code Section 573.025

XII. Citizen Request/Complaint to Individual Board Member

Procedure:

1. When a citizen complains to a Board member, the Board member should remind the citizen of due process and that the Board member must remain impartial in case the situation goes before the Board.
2. Refer the citizen to the appropriate place in the chain of command and report the concern to the Superintendent.
3. The Board member shall inform the Superintendent of complaint.
4. When appropriate, the Superintendent or designee shall communicate with the citizen in a timely manner and follow-up with the Board member.
5. The Board, individually or collectively, shall promptly refer all significant criticisms, complaints and suggestions, regardless of the source, called to its attention to the Superintendent for study and appropriate action or recommendation.
6. The Superintendent shall promptly investigate such matters and shall inform the Board of the results or status of such matters.

XIII. Employee Request/Grievance to Individual Board Member

Procedure:

1. Listen respectfully and remain impartial.
2. Ask if the complainant has followed the District's procedures and/or chain of command.
3. If the complainant does not know the procedures or chain of command, inform the complainant that he or she must first speak with the appropriate staff member. If not satisfied, then the complainant must go to the appropriate administrator in charge of the campus or department where the concern arose. If not satisfied, the complainant must then contact the appropriate Central Office administrator. If the complainant is still not satisfied, he/she must conference with the Superintendent or designee.
4. The Board member will inform the Superintendent of the issue or complaint.
5. The Superintendent will inform the Board member of the resolution of any referred issue.

Note: This policy shall not be construed to apply to complaints alleging criminal activity.

XIV. Communications

Procedure:

1. The Superintendent will communicate with all Board members periodically via the Board information packet.
2. The Superintendent will communicate requested information to all Board members in a reasonable time
3. The Superintendent will distribute to all Board members any information requested by the Board President or a Board member.
4. Board members may not communicate with other individual Board members for purposes of soliciting votes in support of or opposition to items of business that may come before the Board.
5. Board members who wish to share information relevant to District business or issues before the Board may relay the information to the Board President or Superintendent for placement on the Board Agenda or, if appropriate, distribution to all Board members in the bi-weekly Board information.
6. The Superintendent will, via e-mail, release significant information including News Releases to the Board members as expediently as possible.
7. The Board President should communicate with the Superintendent on a regular basis.
8. The Board members should keep Superintendent informed via telephone calls or personal visits.
9. The Board members can communicate with the community through public hearings, regular Board meetings, and regular publications.
10. Individual Board members cannot speak in an official capacity outside the Board Room or call or attend meetings as a representative of the Board without prior authorization of the Board.
11. The Jim Hogg County ISD Board of Trustees encourages input; however, anonymous calls or letters may not receive Board attention, discussion or response and may not result in directives to the administration.
12. The Board, individually or collectively, shall not discuss public business or public policy over which the Board has control with employees of the District other than the Superintendent and other employees designated from time to time by the Superintendent, unless the Superintendent is notified in advance and agrees to such discussion.
13. The Board, individually or collectively, shall not discuss with anyone regarding an employee's employment, assignment, reassignment, salary and benefits, evaluation, or other terms and conditions of employment with any employee other than the Superintendent and his designees, unless the Superintendent is notified in advance and agrees to such discussion. Furthermore, the Board agrees to address and resolve all disputes, disagreements, and complaints with the Superintendent in a

professional and legal manner.

14. Individual Board members shall not meet with or discuss District business with vendors, current or prospective, as per procedure in Item XII.

XV. Board-Superintendent Covenants

Procedure:

1. To build and maintain productive and effective relationships between the Board and the Superintendent, both the Board and the Superintendent seek to maintain a system of communication and interaction that builds upon mutual respect and trust.
2. To further that aim, the Board and the Superintendent will exercise honesty in all written and interpersonal interactions, seeking with great care to avoid misleading information, demonstrate respect for the opinions and comments of each other, focus on issues rather than personalities, communicate with each other in a timely manner to avoid surprises, criticize privately and praise publicly, maintain appropriate confidentiality, assume good intent on the part of other Board members and the Superintendent, and respond to requests and inquiries in a timely manner.
3. Furthermore, the Board and Superintendent shall make every reasonable effort to protect the integrity and promote the positive image of the District, Board, Superintendent, and staff, and share credit for successful District initiatives, actions, and awards, and avoid blame for the failure or ineffectiveness of legitimate District initiatives or actions.

XVI. Communication with Legal Counsel

Procedure:

1. Individual Board members shall channel legal inquiries through the Superintendent or Board President, or Board's designee, as appropriate when seeking advice or information from the District's legal counsel. Board members shall copy the Board President and Superintendent on all direct communications with the District's legal counsel; all responses will be disseminated in writing to all board members.
2. Upon request of the Board or when deemed necessary by the Superintendent, the Superintendent shall report advice from legal counsel.

XVII. Communication with the Media

Procedure:

1. The Board President or designee shall be the official spokesperson for the Board to the media on issues of media attention that require a response from the Board.
2. The Superintendent or a designated staff member shall be the official spokesperson for the District on issues of media attention that relate to District operations.
3. The Board President may make statements on behalf of the Board only on actions or positions upon which the Board has taken official action, unless an emergency

or public necessity exists.

4. A Board member who receives a call from the media requesting information, comments, or an interview regarding District business will direct the caller to the Board President or Superintendent.
5. The Superintendent will notify Board members of any media requests. If the matter is urgent, the Superintendent will notify the Board President and each Board member via phone or e-mail, whichever is more practical.
6. Statements shall not be made to the media regarding personnel or other matters protected by law.
7. A Board member retains the right to speak to the media as an individual, but must understand that any comment will likely be interpreted by viewers/readers as an "official" statement of the Board.
8. In speaking as an individual, the Board member should:
 - (a) clarify that he/she is speaking as an individual and not for the Board of Trustees,
 - (b) remind the media representative(s) that official statements of the Board are made only by the Board President, and
 - (c) remind the media representative(s) of the position or action of the Board of Trustees related to the issue in question.
9. Press releases issued on behalf of the Board will be approved by the Board President prior to release unless an emergency or public necessity exists.
10. If individual Board members are pressed for information discussed or presented in closed/executive session, that Board member will state clearly that he/she can give no information other than what is posted on the agenda. If pressed further, the Board member will refer the inquiry to the Board President or Superintendent.
11. When it is apparent to the Board that it would be in the best interest of the students, staff, community, or Board to make a statement regarding anything that occurs in or results from a closed/executive session, the Board President will compose an official public statement that meets with the approval of the Board. Any such statement must comply with the limitations of the law.

XVIII. Communication with the Community

Procedure:

1. Board members are encouraged to participate in community activities as liaisons between the public and the school district. When doing so, Board members are expected to listen politely and respectfully, relay information about the District in a positive and truthful manner, and refer questions about specific District activities/issues to the appropriate staff person or spokesperson when they do not know the answers.
2. The Board of Trustees encourages community input, but should not respond or act

on the basis of anonymous calls, letters, or e-mails unless the communication pertains to criminal, health, or safety issues.

3. Signed letters to the Board of Trustees, an individual Board member or the Superintendent will be forwarded to the Board President or Superintendent for inclusion with a notation of any action taken, if the letter is not of a confidential or personal nature.
4. A Board member retains the right to speak to anyone as an individual, but must understand that any comment will likely be interpreted by the listener as being an "official" statement of the Board.

XIX. Response to Inquiries About Closed/Executive Session

Procedure:

1. Given the legal and sensitive nature of closed/executive sessions, the members of the Board understand that the law requires that all such sessions are strictly confidential.
2. When it is apparent to the Board that it would be in the best interest of the students, staff, community or Board to make a statement regarding anything that occurs in or results from a closed/executive session, the Board President will compose an official public statement that meets with the approval of a majority of the Board. Any such statement will comply with the limitations of the law.
3. If individual Board members are pressed for information regarding closed/executive sessions that Board member will state clearly that he/she can give no information other than what is posted on the agenda. If pressed further, the Board member will refer the inquiry to the Board President or Superintendent.

XX. Board Member Visits to School Campuses

Procedure:

1. Board members are encouraged to visit any campus.
2. As a courtesy, Board members will inform the campus principal and the Superintendent's Office of any visit 24 hours in advance of the visit whenever possible, unless the Board member is attending a function to which he/she has been invited.
3. Board members must check in at the principal's office following district guidelines.
4. In accordance with local school guidelines, Board members may be requested to present a driver's license or other proof of identification when signing in at the principal's office. Board members may also be required to have an ID badge or visitor's badge visible while on campus.
5. All visits are to be escorted or directed by a staff member designated by the principal.
6. Board members may communicate with any staff member without interrupting

scheduled learning periods or interfering with the learning process.

7. Board members will not assume a supervisory role with staff or students.
8. Board members will not assume a participatory role with staff or students unless specifically requested by campus staff.⁹ 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.
10. While present on a school campus, Board members should remember their unique role in the District and avoid signaling that they are present to inspect the campus or solicit input about school operations.
11. Board members are permitted to serve in limited volunteer roles within the District; however, volunteer service should be informal and not involve a routine obligation. Board members must not assume roles that would normally be performed by employees at the direction of District staff. As with other campus visits, the Superintendent and campus administrator should be informed in advance if a Board member plans to volunteer in the District.

Note: This operating procedure does not pertain to visits as a parent or as a spectator to school events or other events open to the general public.

XXI. Access to District Technology and Electronic Communications

Procedure:

1. Board members may be issued devices or access to District technology resources, including e-mail accounts, primarily to expedite the performance of their official duties. Limited personal use of District technology is permitted if the use imposes no tangible cost on the District and does not unduly burden the District's technology resources. Any use of District technology resources requires the Board member's acceptance of the District's acceptable use agreement as well as written agreement that the District may monitor the Board member's use.
2. Board members will be familiar with, and comply with, all provisions of Board Policy BBI (Legal) and (Local), regarding use of technology, including compliance with requirements to retain certain records contained on either District or personal technology resources.
3. Board members will bear in mind that records created using District technology resources may constitute school district records and may be subject to public disclosure under the Texas Public Information Act.
4. Board members who maintain public information on a privately owned device shall:
 - a. Forward or transfer the public information to the District or a district server to be preserved by the District; or
 - b. Preserve the public information in its original form in a backup or archive and on the privately owned device for the time prescribed under Texas Government Code Section 552.004(a).

XXII. Evaluation of Superintendent

Procedure:

1. The Board shall prepare a written and comprehensive evaluation of the Superintendent's performance at annual or more frequent intervals. Such evaluation should be completed not less than six (6) weeks prior to the annual anniversary of the Superintendent's hire date.
2. The Board shall use an evaluation document using either
 - a. The commissioner of education's recommended appraisal process and criteria; or
 - b. An appraisal process and performance criteria that are:
 - i. Developed by the district in consultation with the district and campus-level committees; and
 - ii. Adopted by the Board.
 - c. In addition to the procedures and criteria determined by the Board, the Commissioner's recommended appraisal process and criteria shall include, at a minimum, an annual evaluation of the superintendent and a student performance domain.
3. The Board shall, by consensus, agree on the final evaluation and furnish the completed presentation to the Superintendent. The Board shall discuss the conclusions of the evaluation with the Superintendent in a closed meeting, unless the Superintendent requests that the discussions be open.
4. It shall be the Board President's responsibility to facilitate the evaluation and schedule the presentation to the Board during an Executive Session duly posted for that purpose. This presentation shall be at least four (4) weeks prior to the Superintendent's annual hire date.
5. Any action resulting from the evaluation shall be at the sole discretion of the Board, and agreed to by a majority of the members, in a manner consistent with the Texas Open Meetings Act.
6. Within thirty (30) days of completion of the evaluation, the Board and the Superintendent shall meet and agree upon the specific evaluation criteria to be used for the next year. The Board may, at its discretion, revise the criteria at any time if a majority of the board concurs.
7. The Board may conduct a review of the Superintendent's performance and progress towards meeting the Board's goals and other evaluation criteria. Any actions or adjustments resulting from this review are at the sole discretion of the Board and agreed to by a majority of the Board in a manner consistent with the Texas Open Meetings Act. The Board may at any time conduct and communicate oral evaluations to augment its written evaluations.
8. The Board will ensure that the evaluation process and document(s) will follow all local, state and national regulations or guidelines.

XXIII. Evaluation of Board

Procedure:

1. Evaluation of the Board will be conducted in a workshop session.
2. Board evaluation instrument will be reviewed and approved in February of each year, or annually as appropriate.

XXIV. Selection of Board Officers

Procedure:

1. The Board shall elect a President, Vice President, and Secretary. Such officers shall be elected by a majority vote of the members present and voting.
2. A vacancy among officers of the Board shall be filled by a majority action of the Board.
3. Board officers shall serve for a term of two years, or until a successor is elected. Officers may succeed themselves in office.
4. Election of Officers: The Board of Trustees may, at their discretion, re-elect a president, vice president, or secretary after each election and qualification of Board members. The Board may also reorganize at other times.

XXV. Board Training Requirements

1. The Board must meet minimum annual and biennial requirements for training for the period between January 1 and December 31.
2. For new Board Members, the training requirements include:
 - (a) Three (3) hours of Local District Orientation within one hundred twenty (120) days of appointment or election;
 - (b) Three (3) hours of Orientation to Texas Education Code Training within one hundred twenty days (120) days of appointment or election;
 - (c) Three (3) hours of Team-Building Training (Team of Eight) with the Board and Superintendent;
 - (d) One (1) hour of Open Meetings Training within ninety (90) days of appointment or election;
 - (e) One (1) hour of Public Information Act Training within ninety (90) days of appointment or election
 - (f) Three (3) hours of Evaluating and Improving Student Outcomes within one hundred twenty (120) days of appointment or election;
 - (g) One (1) hour of Identifying and Reporting Abuse and Trafficking within one hundred twenty (120) days of appointment or election;
 - (h) Ten hours of additional continuing education credits; and

- (i) Cybersecurity as certified by the Texas Department of Information Resources.
- 3. For experienced Board Members, the training requirements include:
 - (a) Update to the Texas Education Code after each regular legislative session and each called special session affecting education;
 - (b) Three (3) hours of Team-Building Training (Team of Eight) with the Board and Superintendent annually;
 - (c) Three (3) hours of Evaluating Student Academic Performance and Setting Goals every two (2) years;
 - (d) One (1) hour of Identifying and Reporting Abuse and Trafficking every two (2) years;
 - (e) Five (5) hours of additional continuing education credits annually;
 - (f) Cybersecurity as certified by the Texas Department of Information Resources.
- 4. The Texas Education Code requires Board President to announce at the last regular meeting held *before an election of Trustees*, a report on the training Board Members have received to date and whether or not they have met the required training. In addition to required training activities, Board Members are encouraged to join the Texas Association of School Boards (TASB) and attend the TASB convention as well as other relevant conventions, conferences, or clinics.
- 5. For specific legal polices related to Board Member training see Board Policies BBD (Local) and (Legal), and BBD (Exhibit) available on-line at <https://pol.tasb.org/Policy/Code/1275?filter=BBD>.
- 6. For specific legal polices related to Board member training see District Policy BBD (LOCAL), BBD (LEGAL), and BBD (EXHIBIT) available on-line at <http://pol.tasb.org/Home/Index/174>.

XXVI. Travel Reimbursement

Procedure:

- 1. An amount for Board member travel expenses shall be approved in the budget each year.
- 2. Reimbursement to Board members for reasonable travel expenses for attendance at regional, state, or national conventions, conferences, and workshops shall be made by the District when attendance is authorized by the Board and deemed by the Board to be necessary in the conduct of the public schools.
- 3. Prior to any Board member travel (paid by the District), the Board shall review the details of the anticipated travel by the Board member. The entire Board shall receive a breakdown of the anticipated travel expenditures, which shall, at a minimum, include hotel, airfare, rental vehicle, meals, and conference costs. Board members shall not be reimbursed for travel unless a majority of the Board at a legally called meeting approves the travel expenses.

4. If the Board member fails to reimburse the District for any unauthorized expenditures prior to a subsequent travel request, the District shall debit the Board member's subsequent travel expenditures by the amount the Board member owes the District.
5. The District may not pay the travel expenses of spouses and other persons who have no responsibilities or duties to perform for the Board when they accompany a Board member to Board-related activities. No reimbursement shall be made for alcoholic drinks, personal calls, guest expenses, or other personal expenses.
6. As specified in District Policy BBG (LOCAL), payment for authorized and documented travel expenses shall be made in accordance with legal requirements by either reimbursement (not to exceed the allowable rates) or advancement of a set amount.
7. Any expenses incurred by the Board member exceeding allowable expenses shall be the sole responsibility of the Board member.
8. For specific policies related to Board Member Travel Reimbursement, see District Policy BBG (LEGAL), and BBG (LOCAL) available online at <http://pol.tasb.org/Home/Index/174>.

XXVII. Powers and Duties of a Board Member and/or Board Officer

Procedure:

1. The powers and duties of a Board member and/or Board officer as set out in Education Code §11.151 and Policy BAA (LEGAL) available at [https://pol.tasb.org/Policy/Download/729?filename=BAA\(LEGAL\).pdf](https://pol.tasb.org/Policy/Download/729?filename=BAA(LEGAL).pdf)
2. The Board, as a body corporate, have the exclusive power and duty to govern and oversee the management of the public schools of the district. All powers and duties not specifically delegated by statute to the agency or to the State Board of Education are reserved for the Board members, and the agency may not substitute its judgment for the lawful exercise of those powers and duties by the Board.
3. All rights and titles to the school property of the district, whether real or personal shall be vested in the Trustees and their successors in office. The Trustees may, in any appropriate manner, dispose of property that is no longer necessary for the operations of the school district.
4. A school district may request the assistance of the attorney general on any legal matter. The district must pay any costs associated with the assistance.
5. No Board member or officer has authority outside the Board meeting.
6. No Board member can address or direct employees in regard to performance of duties.
7. The Board President shall preside at all Board meetings and appoint committees.
8. The Board President shall call a special meeting at the President's discretion or on

request by two members of the Board and sign all legal documents required by law.

9. The Board Vice-President shall: (a) act in capacity of President in the absence or incapacity of the President.
10. The Board Secretary shall: (a) keep, or cause to be kept, an accurate record of the proceedings of Board meetings; (b) ensure that notices of Board meetings are posted and sent as required by law; (c) in the absence of the President and Vice President, call the meeting to order and act as presiding officer; and (d) sign or countersign warrants and other documents as directed by the Board.

XXVIII. Role of Board in Executive Session

1. The Board may only discuss those items listed on the executive session agenda as prescribed by law.
2. During executive sessions, the Board can deliberate properly posted items but may not take action related to those items. All Board action, including voting, must occur in open session under Chapter 551 of the Texas Government Code.
3. Discussions and information shared during executive sessions shall remain **CONFIDENTIAL**.
4. The Board must convene in open session with proper posting prior to the presiding officer announcing a recess into executive session. The posted agenda for the executive session must be read aloud indicating the items to be discussed in executive session under Chapter 551 of the Texas Government Code.
5. The Board may require the District's chief business official, curriculum director, or a person holding an equivalent position to appear at an executive session or to testify at a public hearing held by the Board. The Superintendent may not interfere with such an appearance or testimony.
6. The Board shall keep a certified agenda with minutes attached of the proceedings of each executive session. Only Members of the Board of Trustees, whether present at the executive session or not, can review the minutes of an executive session without a court order. A Board Member wishing to review an agenda of an executive session should contact the Board President to submit the official request for a date, time and place for review of specified agenda. Minutes are to be sealed, kept confidential and stored in a locked place.

XXIX. Expressing Concerns About Another Member's Performance

Procedure:

1. Individual Board members are encouraged to express their concerns about another member's performance directly to that member.
2. If addressing the issue directly with the member does not resolve the concern, then

discussion with the Board President is appropriate.

3. The Board President shall discuss the concern with the individual in question on behalf of the reporting Board member or shall moderate a discussion between the members. If a quorum of the Board is involved, the meeting must be posted and conducted in accordance with the Texas Open Meetings Act.
4. The Board President shall remind the Board member whose behavior is in question about the adopted code of ethics and discuss how the questionable behavior does not comply with the code. The discussion also will identify more appropriate alternatives to the questionable behavior or refer the Board member to policies or procedures that outline approved ways to deal with the issue that prompted the questionable behavior.
5. If the Board member in question does not believe his or her behavior is in conflict with the Board's code of ethics, an agenda item specifying "evaluation of individual Board members' performance " may be listed on the agenda for an upcoming Board meeting.
6. The matter will be discussed by the full Board in closed session in an attempt to clearly identify behavior that may be inappropriate and discuss possible solutions or alternative approaches that may have a more positive impact on team cohesion and effectiveness.
7. If the concern involves the Board President, a member may discuss his or her concerns with the Board Vice-President.
8. Board members will not take concerns about fellow Board members to the Superintendent.
9. Board members will not speak negatively about another member, superintendent, or staff in the community.

XXX. Board Hearings of Employee Grievances and Student and Parent Grievances

Procedure:

1. Given the serious and delicate nature of employee grievances, each Board member is responsible for studying Policy DGBA (Legal & Local) and FNG (Legal and Local), the Board policies relating to the process of grievances.
2. All grievance-related materials received by a Board member must be held in the strictest confidence. A Board member shall neither share information from that documentation nor what is heard during the actual grievance proceeding(s). After the grievance proceeding, Board members must leave all grievance-related documentation with the Superintendent or designee.
3. Board members may only consider information that is presented during the grievance process; members will not privately seek out information regarding any grievance. If a Board member knows or learns anything about a grievance, except what is admitted through the grievance documents, that might render him/her unable to hear the grievance impartially, then he/she must tell the Superintendent

and/or Board President immediately.

4. Any public statements arising from an employee grievance will be made by the Board President.
5. Any Trustee who violates the Board Policy on grievances may be subject to action as outlined in Violation of Operating Procedures.

XXXI. Violation of Board-Superintendent Operating Procedures

Procedure:

1. Upon inclusion on the agenda and public posting in accordance with the law, the Board may convene in executive session to discuss a violation of the Code of Conduct and Standard Operating Procedures, or other Board policies, so long as the deliberation is confined to the duties, discipline, or complaint against a Board member.
2. The Board member may request that the deliberation be conducted in open session.
3. As a consequence of these deliberations, the Board may elect to do nothing, or may reconvene in open session and vote to:
 - a. Publicly reprimand the Board member;
 - b. Recommend additional training for the Board member;
 - c. Authorize the Board President to remove the Board member board officer positions and membership on any district or campus level committee. The Board may utilize any or all of these sanctions as allowed by this section.

Note: Nothing provided herein shall be construed to alter, modify, or limit in any way the rights of school district personnel and members of the public to file complaints against the Board or Board members under applicable Board policies.

XXXII. Reviewing Board-Superintendent Operating Procedures

Procedure:

1. The Board may review the contents of these Procedures annually as part of the Board self-evaluation.
2. The Board may also review the Procedures periodically, as when a new member joins the Board. The Superintendent's office will maintain a copy of the Procedures and will recommend updates if a legal or policy change necessitates a change to the Procedures.
3. Revisions to these Board Operating Procedures will be considered during a lawfully-called meeting of the Board.