

SILSBEE INDEPENDENT SCHOOL DISTRICT  
BOARD OF TRUSTEES

**BOARD OPERATING PROCEDURES**

2018-2019

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**PURPOSE AND INTENT**

These Board Operating Procedures are intended to guide and assist the Silsbee Board of Trustees in the effective conduct of its business. They are not intended to take precedence over Legal Policy, state and/or federal law and neither are they intended to over rider enacted Local Board Policy.

If there is a conflict or inconsistency between these operating procedures with existing, Local Policy every effort will be made to bring them into alignment with each other, so as to reflect the intent of the board in matters of its operations.

**PROCEDURES AND GUIDELINES**

**I. BOARD MEETING AGENDA**

A. Placing Items On The Agenda

- a. Board members will submit proposed action items and policy change proposals to the superintendent and/or the board president.
- b. The superintendent will provide board members with information on the item, administrative position, and recommendations.
- c. Unless a proposal is specifically pulled by the board member, items will appear on the next regular board meeting agenda.
  - i. A trustee may ask the superintendent during a meeting to put an item on the next agenda, if a provision for such action is not a posted item.
  - ii. District administrative staff will prepare recommended motions for agenda items as necessary, to be used at the discretion of the board.

B. The board president will solicit board members on a monthly basis for agenda item requests sufficiently in advance of the next regular board meeting.

C. Closed/Executive Session Agenda Items

- a. Discussion regarding the following items must take place in closed executive session according to applicable state law(s).
  - i. All personnel issues must be conducted in an executive session unless specifically required by the Texas Open Meetings Act.
  - ii. Anything that violates right to privacy provisions of the Texas Open Meetings Act cannot be placed on the agenda.
  - iii. Consultation with the attorney.
  - iv. Sale, lease or value of real estate.
  - v. Negotiations involving a gift or donation.
  - vi. Discussions regarding security deployment or devices.
  - vii. Student discipline matters.
  - viii. Complaints brought by one employee against another employee.
- b. Confidentiality in accordance with Silsbee I.S.D. Board policy BEG (LOCAL) and 551.146, Tex. Gov't. Code:
  - i. No board member may reveal to any person the statements or comments made by another Board member or other authorized persons in attendance at a closed (executive) session of the Board of Trustees.
  - ii. See Section XIII, Item F for additional clarification.

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- D. Questions about agenda items, requests for information, trustee correspondence with the superintendent, and administrative response:
  - a. All questions or requests should be directed through the superintendent's office.
  - b. Regardless of which trustee submits a request, the response will be submitted to all members of the board, along with the original request.
- E. Major agenda items, including new and expensive projects to be proposed must be dealt with in the following sequence
  - a. Consideration by appropriate committee
  - b. Discussion item for regular board
    - i. Action item with committee recommendation
- F. Consent Agenda items
  - 1. Consent Agenda items are considered to be routine by the Board of trustees and will be enacted with one motion.
    - a. There will be no separate discussion of Consent Agenda items unless a board member so requests.
    - b. Consent Agenda items requested for separate discussion will be removed from the Consent Agenda and placed onto the Regular Agenda for consideration.
  - 2. To the extent possible, the superintendent should be notified in advance of any interest to pull a consent agenda item for discussion and consideration as a regular agenda item.
- G. Special meetings may be called by the Board president after consultation with the superintendent, or may be called if requested by three (3) trustees to the superintendent or the Board president.

**II. CONDUCT DURING BOARD MEETINGS**

- A. All Board members are expected to model the Board Member Ethics Policy as described in BBF (LOCAL) — see attached.
- B. If during a meeting, a board member violates a 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 and vice president will talk privately with the offending board member.
  - b. If the offending board member continues to be in violation, a public warning will be issued in open session by the president.
  - c. If the offending board member continues to be in violation, any member of the board may move for the removal of that individual with a majority vote of those.
- C. Voting
  - a. Voting shall be by voice vote or show of hands at the discretion of the presiding officer.
    - i. An individual board member may request that a particular vote be taken by show of hands or by roll call.
    - ii. A member may request that their vote be recorded in the minutes.
  - b. All members are encouraged to vote on all action items put to a vote, unless required to abstain in order to avoid a conflict of interest [See policy BBFA(LEGAL) or BBFB(LEGAL)]
    - i. The presiding officer will note for the record any members that are abstaining from a vote for legal purposes.
    - ii. Otherwise, a member may request that their abstention be recorded in the minutes per

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BE(LOCAL).

- c. Board member response to a person addressing the board during Public Forum
  - i. Guidelines for public and trustee participation during the Public Forum portion of a board meeting is in accordance with Policy BED (LOCAL)
    - 1. Public participation in Public Forum requires that the person(s) sign in and indicate the topic they wish to speak about.
    - 2. An individual or an individual representing a group shall have a five (5) minute time limit to address the board with their comments or concerns.
    - 3. The board's response during the Public Forum portion of the meeting is limited by law and policy:
      - a. The board should determine whether the person has attempted to resolve the matter through administrative procedures,
      - b. The board may only respond with factual information and only make inquiries of fact.
      - c. The board shall NOT deliberate or take action on any matter during the Public Forum portion of the meeting.
      - d. The board may deliberate or take action during the regular portion of the meeting ONLY if that item has been properly posted as an agenda item for that meeting.
  - ii. The Board shall not tolerate any disruption of meetings by members of the audience.
    - 1. When a member of the public is disruptive t he/she will receive a verbal warning from the presiding officer.
    - 2. When a member of the public continues his/her disruption and receives a second infraction, the presiding officer will ask security to escort the person or persons from the premises.

If the disruptive individual should attend a subsequent board meeting and again engage in disruptive conduct, the Board president may order the individual to be removed, and direct the school district's attorney to seek a temporary restraining order from a court of competent jurisdiction, prohibiting the disruptive individual from attending subsequent board meetings.

D. Discussion of Agenda Items

- a. The board president or presiding officer will manage and facilitate the discussion of an agenda item.
  - i. If a board member requested an agenda item, he/she will be given first opportunity to discuss the item and explain his/her position.
  - ii. Subsequently, each member will have the opportunity to discuss an item at least once before the item may be tabled, postponed, or enacted.
- b. By point-of-order, the presiding officer shall limit discussion to the pros and cons of the item under deliberation.
- c. The member that requested the agenda item will be given the first opportunity to make the motion, upon request of the presiding officer.
- d. Committee chairs will be given the first opportunity to make a motion on an agenda item that has gone through his/her committee.

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**III. BOARD MEMBER INQUIRIES BETWEEN BOARD MEETINGS**

- A. A board member shall make requests for reports or already existing information through the superintendent.
  - a. If the request cannot be immediately granted, then superintendent will inform the board member of the manpower and time needed to compile request for information if a report does not already exist or the information is not in an appropriate format.
    - i. The superintendent's response to request should be shared with the entire board if presented outside a regular meeting and include the original request.
  - b. The information will be presented at the next scheduled board meeting.
- B. A request for information that is directed to the board's counsel shall be requested through the Board president or the superintendent.
  - a. General information requests or inquiries about the legal interpretation of policy may also be directed to TASB's Legal Services at (800) 580-7529.
  - b. A copy of the attorney's billable time log shall be included in the Bill's Payable portion of the Consent Agenda and shall include details of board member requests not channeled through either the president or superintendent.
- C. A board member may request that the board president discuss with the superintendent a request for information or a concern during routine meeting(s) prior to the next regular board meeting.

**IV. CITIZEN REQUEST OR COMPLAINT OUTSIDE OF A BOARD MEETING OR HEARING**

- A. Whenever a citizen makes a complaint or makes a request to a board member outside of a board meeting the Board member shall abide by Board Policy stated in FNG(LEGAL), FNG(LOCAL) and FNG(EXHIBIT).
- B. In particular:
  - a. The board member shall refrain from discussing the particulars of a complaint in order to remain impartial and protect due process should the situation come before the board for deliberation.
  - b. Explain "chain of command" and refer the citizen to the lowest level of administration to which the complaint can be taken for review.
  - c. The board member shall inform the superintendent of the complaint as a matter of professional courtesy.
- C. When appropriate, the superintendent or designee shall communicate with the citizen in a timely manner and provide follow-up to the board member as a matter of professional courtesy.
- D. The board and its members should promptly refer all criticisms, complaints, and suggestions, regardless of the source.
  - a. The superintendent shall promptly investigate such matters and inform the Board the status of such matters and the results of actions taken to resolve the matter.
  - b. Upon further study, the superintendent may recommend appropriate board action.

**V. EMPLOYEE REQUESTS OR GRIEVANCES DIRECTED TO A BOARD MEMBER(S)**

- A. Board members that are contacted directly by an employee shall abide by board policy DGBA(LEGAL), DGBA(LOCAL), and DGBA(EXHIBIT)
- B. A board member receiving a direct request or employee grievance should act accordingly:

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- a. Remind employee of chain of command.
- b. Remind employee of the due process procedure and your need to remain impartial.
- c. Discuss the incident with the superintendent in a timely fashion, and if appropriate, with the Board president.

**VI. VENDOR REQUESTS AND RELATIONSHIPS**

- A. Individual board members should avoid direct vendor contacts and should not directly respond to requests for information or address a concern outside of a regular board meeting.
- B. Vendors that contact board members directly should be referred to the superintendent or the appropriate designee.
- C. Board members shall file the proper "conflict of interest" statements should they have ties to vendors that either do business or are attempting to do business with the district.
  - a. Board members shall abstain from voting on items where a stated conflict of interests exists

**VII. CAMPUS VISITS AND SUPPORT OF DISTRICT EVENTS**

- A. Board members are encouraged to make every effort to attend special events and support of extracurricular activities as a representative of the board.
- B. Board members must sign-in or register their presence at a campus at the time of a visit as a matter of professional courtesy and respect for campus security procedures.
  - a. Board members are not to go into teachers' classrooms or campuses for the purpose of evaluation or investigation.
  - b. Board members should not go anywhere on campus without approval of the campus administration.
- C. A board member shall notify the superintendent's office in the event of a concern or complaint by campus personnel and/or direct that individual to the chain of command.

**VIII. COMMUNICATIONS**

- A. Nominally, the superintendent shall provide to the board a weekly update regarding any issues or concerns. As needed, the superintendent shall communicate with the board on a more frequently basis.
  - a. Information sent to any board member shall be distributed to all board members.
  - b. When communicating information of a sensitive nature in an update, the superintendent shall designate the information as confidential.
  - c. Board members shall respect the confidential nature of sensitive information.
- B. Individual board members shall keep the superintendent informed of any issues or concerns either by telephone calls, e-mails, or personal visits.
  - a. Board member e-mails or communications to the superintendent that address issues or concerns of a personal and confidential nature shall be kept private unless that board member assents to a request to pass that information directly along.
- C. The Board can communicate with the community as a body corporate through public hearings, regular Board meetings, and regular publications.
  - a. Individual board members cannot speak in an official capacity outside a properly convened board meeting.

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- b. Individual board members cannot call a public meeting or participate in a public meeting as a representative of the board without prior authorization of the board.
- D. The Silsbee ISD Board of Trustees encourages public input
  - a. Anonymous calls or letters will not receive Board attention, discussion or response and will not result in directives to the administration.
- E. The board, either individually or collectively, shall not deliberate school district policy with district employees other than the superintendent.
  - a. The board or individual board members may discuss with other district employees so designated by the superintendent in matters of governance, district policy and oversight.
  - b. The board or individual board members shall refrain from attempts to manage day-to-day operations of the district.
- F. The board, individually or collectively, shall not undertake to interpret board policy in discussions with District employees other than the superintendent or his designates.
  - a. In response to inquiries from employees about board policy interpretations, board members should refer the employee to the superintendent or his designate, whose responsibility it is to apply board policies to individual circumstances based on precedent.
  - b. The superintendent or designate should also be prepared to provide the appropriate grievance form for any employee who disagrees with Administration's interpretation of board policy.
- G. The board, individually or collectively, shall not undertake to interpret administrative policy in discussions with District employees other than the superintendent or his designates.
  - a. In response to inquiries from employees about administrative policy interpretations, board members should refer the employee to the superintendent or his designate, whose responsibility it is to apply board policies to individual circumstances based on precedent.
  - b. The superintendent or designate should also be prepared to provide the appropriate grievance form for any employee who disagrees with Administration's interpretation of administrative policy.
- H. The board, either individually or collectively, shall not discuss an employee's employment, assignment, reassignment, salary and benefits, evaluation or other terms and conditions of employment with any employee other than the superintendent or the superintendent's designee.
- I. The Board agrees to address and resolve all disputes, disagreements, and complaints with the superintendent in a professional, legal and ethical manner.

**IX. SUPERINTENDENT EVALUATION**

- A. The superintendent's will develop and present to the board annual performance goals and objectives that are in alignment with:
  - a. The District's Statement of Vision & Goals
  - b. District and Campus Improvement Plans prepared by the various advisory teams.
  - c. Annual priorities established with the board during the period of a formative (mid-term) review.
  - d. Consensus feedback from prior annual evaluations and mid-term reviews.
- B. The superintendent shall receive a summative evaluation each January that covers

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performance over the prior twelve months.

- a. The superintendent may receive a formative evaluation (mid-term) each summer that covers progress on current goals and/or objectives with feedback from the board
- C. The superintendent's evaluation instrument shall be reviewed by committee and changes will be adopted by the board on an annual basis.
- D. The board president shall document the results of the annual summative evaluation and provide the superintendent with a signed copy upon adoption by the board.
- E. The superintendent's evaluation is considered personal & confidential amongst the team-of-eight.

**X. BOARD SELF-EVALUATION**

- A. The board shall evaluate its professional growth and leadership development on an annual basis.
  - a. As part of the team-of-eight concept, the board enables the superintendent to operate the district in a safe and effective manner.
  - b. The success of the district is dependent upon a board that acts professionally and that best balance the interests of all stakeholders.
- B. Evaluation of the Board will be conducted annually in a workshop session per policy BG(LOCAL) BOARD SELF EVALUATION once it is adopted.
  - a. The board shall develop and/or adopt a self evaluation instrument that will be reviewed and approved on an annual basis

**XI. SELECTION OF BOARD OFFICERS**

- A. Election of officers:
  - a. At the first meeting after high school commencement exercises and upon the swearing in of newly elected or incumbent trustees, the members of the Board shall choose to reorganize by electing officers according to the following guidelines and principles:
    - i. Under ordinary circumstances, officers on the board shall be by order of progression on either an annual or bi-annual basis
      - 1. Secretary, who shall be a member of the board.
      - 2. Vice-President, who shall be a member of the board.
      - 3. President, who shall be a member of the board.
      - 4. Immediate Past-President
        - a. In the event that the outgoing president is still a member of the board, he/she shall fill the unelected position of past-president and act as a resource to the board and the incoming president
    - ii. Under ordinary circumstances, the qualifications of an officer shall be:
      - 1. Completed their first three-year term of service
      - 2. Have completed the basic TASB ISD training sequence
      - 3. Is up-to-date on their annual training requirements
      - 4. Demonstrates or continues to demonstrate a commitment to the team-of-eight concept
      - 5. Demonstrates or continues to demonstrate a commitment to develop

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themselves to be in leadership

6. Is diligent and faithful in their duties as a board member and as a member of any assigned committees

b. Nominally, any officer shall be limited to two (2) consecutive years in the same office.

**XII. ROLE AND AUTHORITY OF BOARD MEMBER AND/OR BOARD OFFICER**

A. The role of the board and its elected officers are set down by state statute and enacted in policy.

B. The board member is part of the body corporate and has NO authority outside or properly convened meetings of the board or its committees.

a. No Board member shall direct employees with regard to performance of duties.

b. Board members must abide by the Open Meetings Act.

C. In addition to duties stated elsewhere, the Board president shall:

a. Preside over properly convened board meetings.

b. Establish and appoint committee membership (This section, and section XIII were deleted because each president will have authority to create committees he/she deems appropriate and necessary)

c. Sign all legal documents and warrants as required by law.

D. The vice president shall:

a. Act in the capacity of presiding officer in the president's absence.

b. Sign or countersign legal documents and warrants as necessary.

E. The secretary shall:

a. Keep or cause to be kept, an accurate record of the proceedings of the Board meetings.

b. Send, or cause to be sent, all notices of Board meetings in accordance to the Open Meetings Act

c. Act in the role of presiding officer in the absence of the president and vice president.

d. Sign or countersign warrants as other documents as necessary.

**XIII. ROLE OF THE BOARD IN EXECUTIVE (CLOSED) SESSION**

A. Under the appropriate conditions, the Board may conduct a properly convened closed session as described in BEC(LEGAL) for the purpose of discussion and/or deliberating of items such as:

a. Consultation with the board's attorney.

b. The purchase, exchange, lease, or valuation of real property.

c. Negotiated contracts for prospective gift(s) or donation(s).

d. The appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee of the district.

e. Complaints and grievances.

f. Disciplinary hearings.

g. The deployment of security measures and/or security personnel.

h. Any other item authorized by the law and enacted by district policy to be considered in closed session



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- B. Rules for Posting Executive Session Agenda Items.
  - a. The process for requesting closed session agenda items will follow the same guidelines for open meeting agenda items.
  - b. The posted agenda items will list the topics to be discussed in executive session in sufficient detail so as to be informative to the public and board members yet still maintain the intent and confidentiality of the closed session.
  - c. Topics allowable for discussion in executive session are limited by law and are more fully described in district policy.
- C. Entering into Executive Session:
  - a. The board may enter into executive session after the following requirements have been met:
    - i. The presiding officer properly convenes an open meeting for which notice has been given.
    - ii. The presiding officer publicly announces in open meeting:
      - 1. That an executive (closed) session will be held as authorized by Chapter 551, Tex. Gov't. Code
      - 2. That no final action, decision, or vote will be taken by the board while in executive session pursuant to 551.101.
      - 3. That any final action will be taken in open session.
  - b. The board must reconvene the open meeting after an executive session, prior to adjourning the meeting.
- D. Record of items discussed in executive session.
  - a. The record of executive session proceedings shall be provided for review by every board member present prior to sealing *when* such recordings are made
- E. Confidentiality of Executive Session
  - a. In accordance with the requirements of Silsbee I.S.D. Board Policy BEC (LEGAL), and 551.146, Tex.Gov't. Code
    - i. No Board member shall reveal statements or comments made in by board members while in executive/closed session.
    - ii. No Board member shall reveal statements or comments made by authorized person(s) in attendance at an executive/closed session of the board.
  - b. Member shall exercise good judgment in respecting the confidentiality of comments made in closed/executive session.

**XIV. MEDIA INQUIRIES TO THE BOARD**

- A. The board president shall be the official spokesperson for the board to the media/press on issues of media attention.
  - a. Media inquiries to individual board members should be directed to the board president or the superintendent.
  - b. Unless specifically designated **by the board** on a particular occasion, no individual board members shall act in the capacity as an "official spokesperson" to the media.
- B. Individuals may only speak to the media about his/her position on an issue; and shall not offer speculation on how they think the board might act or what position it might take on an issue of media attentions.

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- C. Individual board members should refrain from using social media to communicate on behalf of the board.
- D. The board president and any trustees that may be in the position of being the boards designated media representative shall obtain appropriate media training.

**XV. RESPONSE TO SIGNED LETTERS OF COMPLAINT**

- A. A signed letter shall be forwarded to the superintendent.
- B. Upon investigation of the matter, the superintendent will process the complaint in accordance with the applicable SISD board policy.
- C. Unsigned letters or anonymous complaints shall not be addressed by the board or superintendent

**XVI. REVIEWING BOARD OPERATING PROCEDURES**

- A. These Board Operating Procedures and Code of Conduct will be reviewed annually and revised as needed.
- B. The Board will adopt the Board Operating Procedures and Board Code of Conduct annually.
- C. Annual review of these procedures shall be part of annual board training. These procedures become part of the local orientation training for newly elected board members.

**XVII. BOARD TRAINING**

- A. The Board will participate in the appropriate board training each year.
- B. Newly elected board members shall:
  - a. Complete Tier I Board Member training as soon as possible after election.
  - b. Review this procedure with the board president and superintendent as part of their local orientation.
  - c. Complete the necessary Open Meetings Act and Public Records training in the prescribe time and manner.
- C. Annually, all board members shall participate *in* Team of Eight and long-term district planning, as required.
- D. Board members will review Conflict of Interest Policy, BBFA (LEGAL), each year and sign as required BBFA (EXHIBIT).