

SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT



BOARD OPERATING PROCEDURES MANUAL

A Proud Community of Champions – Soaring to Excellence!

Last Approved 10/15/2025

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I. INTRODUCTION

Welcome to the official Board Operating Procedures Manual (the “Manual”) for San Elizario Independent School District (“SEISD”). In successful school systems, the superintendent and school board function as a “Team of Eight,” unified in their commitment to their district’s success. To strengthen this partnership, the SEISD Board of Trustees (sometimes referred to herein as the “Board”) has adopted the Board Operating Procedures in this Manual to support clear, effective communication between the Board and the Superintendent, between the Board and District staff and between the Board and the broader District community. These procedures are aligned with SEISD’s Code of Ethics, Vision Statement, and all applicable laws and policies that govern the Board’s and SEISD’s operations.

The Board Operating Procedures in this Manual are designed to guide and support Board Members and the Superintendent in carrying out District business responsibly and effectively. While these procedures are an important framework, they do not create legal rights for any third party, nor do they override existing Board Policy. Should any conflict or inconsistency arise between these Procedures and adopted Board Policy, every effort will be made to revise either Board Policy or the Operating Procedures to reflect the Board’s intentions accurately, in compliance with state and federal law.

This manual is not static; it will be routinely reviewed and updated to reflect evolving best practices in school governance, allowing SEISD to benefit from the most current, effective governance strategies. By committing to regular evaluations, the Board strives to ensure that its practices consistently serve the district’s interests, foster positive educational outcomes, and reinforce trust with the community. As we work in the spirit of collaboration and teamwork, these operating procedures demonstrate our dedication in holding ourselves accountable to all stakeholders.

II. HOW TO USE THIS MANUAL

Approved by a majority of the Board of Trustees, this Manual serves as a guiding framework for the Board’s governance, responsibilities, and conduct, ensuring that all actions align with SEISD’s mission, values, and dedication to educational excellence. Through this Manual, SEISD’s Board of Trustees aspires to uphold the highest standards of governance, continuously reflecting on its practices to enhance the district’s ability to serve students, staff, and the broader community effectively.

III. BOARD’S MISSION STATEMENT, VISION AND VALUES

Vision

San Elizario ISD: A Proud Community of Champions – Soaring to Excellence!

Mission

It is the mission of the San Elizario Independent School District to graduate students with skills to meet the demands of a changing world by promoting student success as non-negotiable, channeling resources to match learning needs of students, employ and retain a quality staff so that San Elizario is a proud, innovative and academically superior district

Board's Student Outcome Goals for the Superintendent

The Board's student outcome goals, as aligned with the school system vision, are:

Student Outcome Goal 1:

The percentage of students taking the Math STAAR test showing growth from previous year to current year will increase from 61% Spring 2025 to $\geq 77\%$ by Spring 2027.

See appendix 1 pg. 34.

Student Outcome Goal 2:

The percentage of students taking the Reading Language Arts STAAR test showing growth from previous year to current year will increase from 66% Spring 2025 to $\geq 72\%$ by Spring 2027.

See appendix 1 pg. 34.

Student Outcome Goal 3:

SEISD will increase the percentage of College, Career, and Military Readiness (CCMR) points earned annually by SEHS seniors from 30% in May 2023 to $\geq 88\%$ by June 2028 as measured by the A-F Accountability System.

See appendix 1 pg. 35.

The Superintendent shall interpret and implement the Board's student outcome goals and, in consultation with the Board, select goal progress measures (GPMs) for each student outcome goal. For any school year during which the Board's student outcome goals are not met, the Superintendent shall make reasonable progress toward meeting the student outcome goals. The Board's student outcome goals shall be the Superintendent's first priority for resource allocation.

Board's Constraints for the Superintendent

In attaining the Board's student outcome goals, the Superintendent shall not:

1. Allow the collaborative partnership between home, school, and community to deteriorate.
2. Allow adult convenience or preference to take priority over the academic progress of our students. The Superintendent shall interpret and implement the Board's Superintendent constraints

Theory of Action

If the district supports all students in reaching their individual educational goals; and if the district commits to all students learning the same standards but when necessary, reach them using differentiated time, resources, and approaches (Walters and Marzano, 2006); and if actions demonstrate leadership is expected from everyone as we support risk-taking and learning from setbacks in our support of success; and if accountability is defined as being responsible to peers and colleagues in the pursuit of learning (Lambert, 2002), then the district and through campuses, will be able to accomplish the Board's student outcome goals while operating within the Board's constraints.

IV. ACCOUNTABILITY AND STRUCTURE POLICIES

The Board's Role

The Board shall:

1. Ensure creation of a shared **vision** that promotes improved student outcomes. The Board shall accomplish this by incorporating the community's vision and values into student outcome goals and fulfill our mission—all within the constraint.
2. Provide guidance and direction for accomplishing the vision. The Board shall accomplish this by creating a structure for the school system through distinct Board and Superintendent roles and responsibilities, which includes selecting the Superintendent, delegating to the Superintendent the authority and responsibility to implement the Board's goals within law and the Superintendent constraints, and considering and voting on the Superintendent's recommendations.
3. Promote the vision. The Board shall accomplish this by providing **advocacy** for students, families, staff, and stakeholders.
4. Work with the superintendent to lead the school system toward the vision. The Board shall accomplish this by behaving in a manner that demonstrates the **unity** of the Board and the school system.

In carrying out the above activities, the Board shall at all times comply with the Education Code and other laws, as applicable.

Superintendent's Role

The Superintendent, as the Board's sole delegate for managing school system operations, shall be responsible for accomplishing any reasonable interpretation of the Board's student outcome goals within the boundaries provided by the Board and Superintendent constraints and state and federal law.

State and federal law require board adoption of policies on a variety of topics. The Board's adopted policies in the school system's local board operating manual constitute compliance with these legal requirements. In accordance with state law, the Superintendent shall be responsible for preparing

recommendations for policies to be adopted by the Board, overseeing implementation of adopted policies, and developing appropriate administrative regulations. In recommending policy for Board adoption, the Superintendent shall identify when the Board is required to adopt policy or has statutory decision-making authority that cannot be delegated to the Superintendent. Required board policy addressing administrative issues shall be handled by consent agenda, with the Superintendent informing the Board of substantive changes.

Any operational issues not required to be Board adopted shall be addressed in administrative policy/regulations and the Board shall take necessary steps to remove such issues from its local policies.

Board's Constraints for the Board

The Board shall operate within the Board's role, as defined above, and the Board's operating procedures. The Board, either collectively or through the actions of individual Board Members, shall not:

- Deviate from the Board's operating procedures, particularly related to the protocol of communication.
- Deviate from the agenda once it is set three (3) business days in advance.

Board Self-Evaluation

The Board shall conduct self-evaluations at least once a year. The Board shall self-evaluate using the TASB - Effective Board Practices: An Inventory for School Boards. See appendix 7 pg. 41.

V. ADVOCACY AND UNITY

Code of Ethics

As a member of the Board, I shall promote SEISD's best interests as a whole and, to that end, shall adhere to the following ethical standards:

Equity in Attitude

- I will remain fair, just, and impartial in all my decisions and actions.
- I will treat others with the respect I wish to receive.
- I will foster an environment that encourages diverse opinions and actively listen to others' ideas with an open mind.

Trustworthiness in Stewardship

- I will uphold accountability to the public by accurately representing the District's programs, priorities, and progress.
- I will engage with the community by inviting their involvement in District affairs and effectively communicating the District's priorities and concerns.
- I will strive to ensure the prudent and responsible use of District resources.

- I will refrain from making personal promises or taking private actions that could compromise my ability to fulfill my responsibilities.

Honor in Conduct

- I will be truthful in all matters.
- I will share my perspective openly and work toward building consensus.
- I will uphold the majority decision as the official decision of the Board.
- I will make decisions based on facts, not on assumptions, opinions, or public sentiment.
- I will collaborate with my colleagues and resolve any disagreements respectfully through proper channels, in line with Board Policy and established Operating Procedures.
- I will treat my colleagues, District leaders, staff, and community members with courtesy, honesty, and respect at all times, including during Board meetings, one-on-one meetings, conferences, District events, and social gatherings.

Integrity of Character

- I will maintain my independent judgment and not yield to any individual or group if it compromises the best interests of the District as a whole.
- I will consistently adhere to all applicable laws, rules, policies, and governance procedures.
- I will protect confidential information that is legally privileged or could unnecessarily harm the District if disclosed.
- I will acknowledge and respect the integrity of my predecessors and colleagues.

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.
- I will comply with all District policies adopted by the Board.

Student-Centered Focus

- I will be continuously guided by what is best for all students of the District.
- I will focus on issues involving Board priorities and policies rather than personalities.

Board Member as Parent

- As a parent, within the District, a Board member shall:
 - Clearly indicate to staff when communicating that they are acting in the capacity of a parent, not as a Board member.
 - Refrain from requesting, expecting, or requiring any extra consideration or preferential treatment for their children due to their position on the Board.

A Board member shall not:

- Make any personal promise or take any private action that may compromise the Board member's performance or responsibilities.
- Text or communicate electronically with others to discuss District business or personal business during Board meetings in closed or open session.
- Record district personnel or board members without their consent.
- Make negative statements regarding the performance of the Superintendent, board members, or staff. Such statements may only be made when acting in an official capacity and in accordance with law and Board Policy.

Board members will execute the SEISD Professional Standards of Conduct attached to these procedures and return the executed document to the Board President who will authorize the Superintendent or Superintendent's designee to maintain such documents on behalf of the Board.

VI. BOARD MEMBER SOCIAL MEDIA POLICY

1. **Good comportment, especially on social media, is in the District's interest and serves as the best PR.**
2. **Do NOT overshare and verify the truth of your information.** You should be particularly careful about the information you share on social media and make certain that you do not overshare. Remember that a violation of the Open Meetings Act carries criminal penalties that include fines, jail time or both. Likewise, there are legal consequences for communicating false information such as defamation or libel suits. Moreover, be mindful of the confidential nature of certain information shared with you and limit the content of your communication to information that San Elizario ISD has previously released to the public.
3. **Speak for yourself, and yourself only.** Although you are free to communicate with others on social media, please do not use your personal social media accounts to speak on behalf of the school board or San Elizario ISD. If you choose to communicate on social media about San Elizario ISD business, please ensure that you specify that you are communicating as an individual and not on behalf of the board or the school district.
4. **Do not communicate with other board members through social media.** In doing so, you run the risk of establishing a quorum and discussing district business outside of a publicly noticed meeting which would violate Open Meetings laws.
5. **Avoid re-creating board meeting events and discussions.** Doing so can lead to unintended contradictions or confusion. Instead, direct the public to key administration, meeting minutes, agendas, publicly available documents, etc.
6. **Don't jump to conclusions and make pre-determinations.** Do not publicly communicate about your consideration or decision-making on matters that have not yet reached the board for possible action. Be mindful of the legal processes for certain matters and refrain from even the appearance of making pre-determinations or decisions outside of the established or required

process (for example, due process hearings for teacher nonrenewals, employee grievance hearings, adoption of tax rate, etc.).

7. **Refrain from involving yourself as a witness in a matter that may result before the Board.** If you are approached or contacted with a complaint, redirect the complainant to the appropriate administrator. Be sure to promptly inform the Superintendent and Board President of the matter.
8. **Remember that you are a temporary custodian of records under state law.** Under recent legislative changes to the Public Information Act, board members, public officials, and employees are required to maintain all records pertaining to district business. This includes communication by text, personal email and social media. This means that your social media communications are presumed.
9. **Seek legal advice prior to deleting public comments or blocking participants.** Even if you're using a personal social media account, deleting public comments or blocking persons with whom you disagree have the potential of violating the constitutional tenets of free speech—especially if the communication relates to district business. Check with the district's legal counsel before taking any action, or better yet disable all public comment functions on your account.
10. **Quickly report any possible illegal or criminal activity, to include threats against district employees, students and public officials.** Report the information to the Superintendent, Board President and law enforcement.

VII. ROLE & DUTIES OF THE SUPERINTENDENT

The Superintendent, as the Board's sole delegate for managing school system operations, shall be responsible for implementing the Board's student outcome goals within the limits set by Board and Superintendent constraints, and in compliance with state and federal laws. This includes:

- **Policy and Compliance:**

The Superintendent will recommend policies for Board adoption and oversee their implementation, ensuring the Board's adopted policies meet legal requirements. The Superintendent shall identify policies requiring Board action or statutory decision-making authority that cannot be delegated. All policies addressing administrative issues will be handled via consent agenda, with the Superintendent informing the Board of substantive updates. Administrative issues not requiring Board adoption will be addressed in administrative policy and regulations, with the Board taking steps to remove such items from its local policies.

- **Educational and Operational Leadership**

The Superintendent is tasked with organizing education programs, services, and facilities and providing leadership to improve student performance. This includes assuming responsibility for the assignment, supervision, and evaluation of District personnel,

including the authority to initiate termination, suspension, or nonrenewal of employee contracts.

- **District Operations and Budget Management**

The Superintendent manages daily District operations, including implementing and monitoring plans, procedures, programs, and systems to achieve clear results. This includes preparing and administering the District budget, overseeing compliance with facility standards, and ensuring the adoption and enforcement of the student code of conduct and other disciplinary rules.

- **Administrative Organization**

The Superintendent will organize central administration, consult with District-level committees, and develop any necessary administrative regulations.

- **Reporting and Accountability**

The Superintendent will submit required reports in accordance with state and federal law, provide leadership in partnership with the Board, and fulfill any additional contractual duties assigned by the Board.

VIII. ROLE OF BOARD OFFICERS AND BOARD MEMBERS

Board President Responsibilities:

- Preside over all board meetings.
- Call special meetings as needed.
- Sign all legal documents as required by law.
- Fulfill all duties and obligations as outlined by Board Policy, state and federal statutes, and applicable regulations.

Board Vice-President Responsibilities:

- Act in the capacity of Board President in the absence of the Board President.
- Fulfill all duties and obligations as outlined by Board Policy, state and federal statutes, and applicable regulations.

Board Secretary Responsibilities:

- Ensure accurate records are maintained.
- Act as Board President in the absence of both the Board President and Vice-President.

IX. EVALUATION OF THE SUPERINTENDENT

1. **Evaluation Instrument:** The Board shall approve the evaluation instrument for the School Superintendent, which shall be developed with the input of the Superintendent.
2. **Annual Performance Evaluation:** The Board shall prepare a comprehensive written evaluation of the Superintendent's performance at least annually, or more frequently if deemed necessary. This evaluation must be completed before the anniversary of the Superintendent's hire date.
3. **Evaluation Criteria:** The evaluation will utilize a document that includes both general subjective goals and objective performance-related goals. All criteria will align with the Board's mission and goals for academic achievement and overall District performance.
4. **Consensus and Discussion:** The Board shall reach a consensus on the final evaluation and present it to the Superintendent. The conclusions will be discussed in a closed meeting, unless the Superintendent requests an open discussion.
5. **Facilitation and Scheduling:** The Board President will facilitate the evaluation process and schedule the presentation during a duly posted Executive Session at least four (4) weeks prior to the Superintendent's annual hire date.
6. **Action Based on Evaluation:** Any actions resulting from the evaluation will be at the sole discretion of the Board and must be agreed upon by a majority of Board Members in accordance with the Texas Open Meetings Act.
7. **Future Criteria Agreement:** Within thirty (30) days of completing the evaluation, the Board and the Superintendent shall meet to agree on the specific evaluation criteria for the next year. The Board may revise these criteria at any time with a majority consensus.
8. **Performance Reviews:** The Board may conduct ongoing reviews of the Superintendent's performance and progress towards meeting established goals. Any resulting actions or adjustments will be at the Board's discretion and require a majority agreement, consistent with the Texas Open Meetings Act. The Board may also conduct oral evaluations at any time to supplement written evaluations.
9. **Regulatory Compliance:** The Board will ensure that the evaluation process and all related documents adhere to local, state, and national regulations and guidelines.

X. BOARD MEMBER CAMPUS VISITS

- Board members are encouraged to visit any campus, but they must treat administrators and campus personnel with respect to avoid undermining their authority.
- Board members should arrange visits with the Superintendent at least 24 hours in advance, except when attending a scheduled campus activity to which they have been invited.
- As a courtesy, board members will inform the campus principal and the Superintendent's Office of any visit 24 hours in advance whenever possible.

- Board members must check in at the principal's office following District guidelines and present a driver's license or other proof of identification as required. They should wear their District ID badges while on campus.
- All visits are to be escorted or directed by a staff member designated by the principal.
- Board members may communicate with any staff member regarding topics within the scope of their visit, provided that such communication does not interrupt scheduled learning periods or interfere with the learning process. If board members wish to discuss other matters, they must notify the Superintendent in advance of their visit.
- Board members will not assume a supervisory or participatory role with staff or students unless specifically requested by campus staff.
- 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.

XI. BOARD AND SUPERINTENDENT COLLABORATION

Board Member Concerns About Superintendent Performance

1. If, at any time, a Board Member becomes concerned that the Superintendent may have (1) breached any term of the Superintendent's contract; (2) violated a state or federal statute; (3) violated a Board Policy or Operating Procedure; or (4) failed within a reasonable amount of time to address a specific issue identified by the Board, the following process will be used:
 - a. The concerned Board Member will meet privately with the Superintendent to discuss their concerns in order to resolve the issue(s). The concerned Board Member may elect to bring their concerns to the Board Chair instead who will assist in resolving the issue(s).
 - b. If the concerned Board Member does not feel that the resolution is satisfactory, the Board Member may request, through the Board Chair, that an item be placed on the next regular meeting agenda as a Closed Meeting item, posted in accordance with Texas Government Code. The concerned Board Member must inform the Board Chair in writing of the specific nature of any concern(s) which prompted the request for a Closed Meeting.
 - c. In addition, the Board Chair may, of their own accord, place an item on a regularly scheduled meeting agenda as a Closed Meeting item to discuss concerns about the professional performance of the Superintendent.
2. In the event that a Closed Meeting is called, the Board must listen to the concern(s) and make a determination if the issue raised is truly cause for concern. Failure to make such a determination shall end the Board Meeting.

3. If the majority of the Board determines that there is a violation or breach of one of the items listed, the following process will be followed:
 - a. The exact nature of the deficiency will be documented and discussed with the Superintendent.
 - b. A plan for remediation will be written, to include action(s) to be taken and timelines.
 - c. The Board Chair shall monitor the plan for compliance and the results will be made part of the Superintendent's annual performance evaluation.
 - d. It shall be the responsibility of the Board Chair to ensure that all documentation relating to performance deficiencies shall be appropriately placed in the Superintendent's personnel file.

Board Member Concerns About Employee (other than Superintendent) Performance

1. Concerns About Employee Performance: When a Board Member has concerns regarding the performance of District employees, they must communicate those concerns directly to the Superintendent and inform the Board Chair. Such concerns should be limited to the following categories:
 - a. Illegal actions;
 - b. Egregious violations of Board policy; or
 - c. Actions that may harm the District's or Board's reputation.
2. Responsibility for Personnel: Board Members should recognize that the management of District personnel is the sole responsibility of the Superintendent, not the Board.
3. Superintendent's Obligations: The Superintendent is required to listen to these concerns, review the relevant matters, and notify the Board of the resolution, as permitted by policy.
4. Safety-Related Concerns: If a Board Member has concerns about the performance of District employees that relate to the safety of employees, students, the Board, or the community, they must notify the Superintendent and, if appropriate, the police department.

XII. BOARD TRAVEL/TRAINING

Professional Development:

Board members shall attend professional development and conferences to assist them in their duties and responsibilities, as well as to acquire continuing education credit. Conferences that board members may attend include:

- TASB Conference
- National School Board Conference
- Far West Texas Association
- Region 19 sessions
- TASB Online training sessions

- MASBA (Mexican American School Board Association)
- NALEO Educational Fund (National Association of Latino Elected and Appointed Officials)

Following any board-approved or paid travel, all traveling board members are required to provide a verbal report in open session at the next board meeting regarding:

- Hours of training completed
- Attendance at all or most sessions offered
- Highlights of any information or training received

Travel Reimbursement:

1. Reimbursement: Board members shall be reimbursed for reasonable and allowable travel expenses incurred while carrying out board business at the Board’s request, as well as for expenses incurred while attending meetings and conventions as official representatives of the Board when attendance is authorized and deemed necessary for the conduct of public schools.
2. Spouse Expenses: The District will not pay the travel expenses of spouses or other individuals accompanying a Board Member to Board-related activities unless those individuals have responsibilities or duties to perform for the Board.
3. Payment for Expenses: In accordance with Board Policy BBG (Local), payment for authorized and documented travel expenses will be made in compliance with legal requirements, either through reimbursement (not to exceed allowable rates) or by advancing a set amount. Board members shall coordinate travel to board meetings and conventions, including commercial transportation and lodging, with the District’s designee. If the designee cannot coordinate travel-related expenses, the District shall reimburse the member for incurred expenses, not to exceed allowable rates.
4. Advancements for Expenses: The District may advance a set amount of funds for personal car use, taxi fares, meals, and other incidental expenses. Any excess over allowable expenses shall be refunded to the District.
5. Expense Documentation: For any authorized expenses incurred, board members shall submit a statement documenting actual expenses, with receipts provided to the extent feasible.
6. Additional Policies: For specific policies related to Board Member Travel Reimbursement, refer to Board Policy BBG (Legal) and BBG (Local), available online at TASB Policy.

XIII. BOARD MEETING GUIDELINES AND PROCEDURES

Board Meeting Procedures

- The San Elizario ISD Board shall meet on a regular monthly business session on the second Wednesday in the Boardroom.

- Changes in the date and / or place to accommodate holidays and special events shall be approved by the Board in advance.
- Additional meetings may be called as needed.
- Anytime four (4) or more Board members are gathered to discuss school district business, it is considered a meeting.
- Failure to post such a meeting is considered a violation of the Texas Open Meetings Act.
- The Board shall observe the parliamentary procedures in Robert's Rules of Order, except as otherwise provided in Board procedural rules or by law.
- Board members are expected to attend and participate in duly called meetings.
- Board member may be permitted to attend a meeting of the Board of Trustees through virtual participation only if the board member is physically unable to attend in person due to illness or other personal emergency.
- Board members should come to the Board meetings prepared to discuss and take action on all items on the agenda. At a minimum, each member is expected to review the board packet provided before the meeting and, when possible, resolve any questions by reaching out to the Superintendent or relevant administrative staff in advance.

Board Agenda Procedures

1. Agenda Creation and Approval

- The Superintendent prepares the agenda in consultation with the Board President, who holds final approval authority over the official agenda.
- Board Members may request that a subject be included on an agenda for a meeting. The Board President must ensure that any topics requested by Board Members for inclusion are either placed on the agenda or scheduled for future deliberation. The Board President cannot remove a requested agenda item without the requesting Board Member's authorization.

2. Focus on Student Outcomes

- Agenda items should align with the Board's goals, with a focus on improving student outcomes and monitoring progress toward adopted goals.

3. Submission Deadlines and Additions

- Items for inclusion on the agenda must be submitted by the fifth working day before regular meetings and the third calendar day before special meetings.

- No item can be added less than three (3) business days in advance, except in exigent circumstances.
- Additional agenda items after the original posting must comply with state laws.

4. Agenda Notifications and Backup Materials

- Board Members are given notice of regular and special meetings at least three (3) business days prior and at least one hour prior for emergency meetings.
- Backup materials for each agenda item are provided at least three (3) business days in advance. If this deadline cannot be met, materials should be delivered to the Board as soon as possible before the meeting.
- For action items, relevant information should accompany backup materials. The Board may, by consensus, remove an item from the agenda if adequate backup materials are not available, unless an emergency or urgent necessity exists.

5. Consent Agenda

- Items on the Consent Agenda, determined by the Board President, generally include:
 - routine items,
 - annual contract renewals,
 - budget amendments,
 - tax refunds,
 - donations,
 - financial information,
 - minutes from prior meetings,
 - routine personnel items,
 - routine bid recommendations,
 - policy updates, and
 - construction amendments.
- Board Members may ask questions about consent items before the meeting. If further discussion is required, any member can request that an item be pulled from the Consent Agenda and discussed as an action item.

6. Executive Sessions

Executive Session may be needed according to the Texas Education Code or Texas Open Meetings Act.

- All personnel issues shall be conducted in an executive session unless specifically required by the Texas Open Meetings Law.
- Anything that violates the right to privacy, (Texas Open Meeting Act, Texas Open Records Act) cannot be placed on the open agenda.

- Anything that falls under the Texas Government Code 551.072 such as private consultation with the board's attorney, discussing purchases, exchange, leases, or value of real property, discussing negotiated contracts for prospective gifts or donations, discussing personnel or to hear complaints against personnel, deliberation regarding security devices, considering discipline of a public school child, or complaint or charge against personnel, considering the stands, guidelines, terms or conditions the board will follow, or will instruct its representative to follow, in consultation with representatives of employee groups, excluding witnesses from a hearing.
- Should any final action, decision, or final vote be required in the opinion of the school Board with regard to any matter considered in such closed or executive meeting or session, then the final action, or final vote shall be either in the open meeting covered by the Notice upon the reconvening of the public meeting or at a subsequent public meeting of the School Board upon notice thereof; as the School Board shall determine.
- The Board prohibits the use of technology that has recording capabilities during executive sessions without prior permission from board.
- Discussions during closed sessions shall remain confidential.

7. Questions About the Agenda

- Board Members should follow the procedures herein for making inquiries on agenda items.

Board Executive Session Procedures

1. Conducting Executive Sessions for Personnel and Sensitive Matters

- Personnel matters and issues that could infringe on privacy rights are handled in executive sessions, unless otherwise required by the Texas Open Meetings Act.
- Any topics that involve privacy concerns, as specified by the Texas Open Meeting Act or the Texas Open Records Act, cannot be included on the open agenda, in compliance with the law.

2. Authorized Topics for Executive Session

- The Board may only discuss items listed on the executive session agenda, as prescribed by Texas Government Code Sections 551.071 - 551.076, which cover:
 - Private consultations with the Board's attorney,
 - Discussion of property transactions,
 - Negotiations for prospective gifts or donations,
 - Personnel matters or complaints against personnel,

- Deliberations about security devices, student discipline, and complaints against personnel,
- Considerations of the Board's stance or guidelines for consultations with employee group representatives.

3. Confidentiality and Limitations of Executive Sessions

- Discussions and information shared during executive sessions are strictly confidential by law, and all Board Members understand the requirement to uphold this confidentiality.
- The Board prohibits the use of any recording devices in executive sessions unless prior permission is granted.
- If Board Members are approached for information about executive session matters, they will refer to the posted agenda as the extent of public disclosure and will direct further inquiries to the Board President or Superintendent.

4. Public Statements Post-Executive Session

- Should a statement regarding discussions or outcomes of an executive session be deemed in the best interest of the district, the Board President will compose an official statement with approval from the Board majority. Such statements must comply with legal restrictions.

5. Recessing to Executive Session and Documentation Requirements

- The Board must convene in an open session with appropriate posting before recessing into an executive session. The agenda items for executive session are to be read aloud, specifying the matters to be discussed under Chapter 551 of the Texas Government Code.
- The Board keeps a certified agenda, with minutes attached, documenting each executive session. Only Board Members, regardless of their attendance at the session, may review these minutes without a court order.
- To review executive session minutes, Board Members must contact the Board President to arrange a secure review. The minutes are sealed, stored securely, and remain confidential.

6. Actions Following Executive Session

- No action or voting can occur during executive sessions; all Board actions, including final decisions and votes on executive session matters, are conducted in open session per Chapter 551 of the Texas Government Code.

- If any final action, decision, or vote is necessary following an executive session discussion, it must occur in an open session or at a subsequent public meeting with proper notice, as determined by the Board.

Participation in Discussion, Debate, and Voting

1. Parliamentary Procedure

- The Board follows *Robert's Rules of Order, Newly Revised* as its parliamentary procedure for meetings, motions, and debates.

2. Member Conduct

- All Board Members are expected to act with professionalism, respect, and integrity in alignment with the Board's "Member Conduct at Board Meetings/Public Forums" guidelines.
- No Trustee shall coerce another member to vote in a specific manner or solicit votes in a way that conflicts with the Texas Open Meetings Act.
- Trustees shall not criticize each other's questions, discussions, or votes.

3. Recognition and Debate

- The Board President, or the presiding member, will recognize any Board Member wishing to speak on a subject.
- Debate may continue until each Trustee has had sufficient time to ask questions or make comments unless a motion to end debate is adopted.
- Questions or comments must relate directly to the current agenda item.

4. Discussion of Motions

- All discussions are limited to the business currently under deliberation as listed on the agenda.
- The Board President is responsible for ensuring that discussions remain focused on the motion at hand and has the authority to halt any off-topic discussions.
- The Board Chair may make motions, second motions, participate in debates, and vote on all matters.

5. Voting Protocols

- Board Members are expected to vote on all motions unless there is a legal conflict of interest as defined by law (Policies BBFA and BBFB).
- Members may abstain from voting and are allowed to briefly explain their reason for abstention.
- Members must abstain from voting when such action would violate the Board's policies or federal or state law.
- Voting is conducted by a show of hands or voice vote, and all votes, including dissenting and abstaining votes, will be recorded in the minutes.
- Each Board decision, even when there are dissenting votes, shall be an action by the simple majority of the Board and binding upon each member.
- Individual members are encouraged to express their opinions during the discussion of motions, but following the vote, members shall publicly discuss only the decision of the whole Board.

XIV. BOARD MEMBER REQUESTS FOR INFORMATION, DOCUMENTATION, REPORTS OR REPORTS OTHER THAN AGENDA ITEMS

Access to Information for Decision-Making

- Board Members are entitled to the information necessary to make informed decisions on matters before them. Board Members may email or call the Superintendent or designated staff to request information.
- If a request requires significant staff time, the Superintendent and Board Chair will consult with the requesting Board Member to find a reasonable solution.
- Information requested by any Board Member will be shared with all Trustees.
- If a Board Member wishes to request district records in a personal capacity, as opposed to his or her official capacity as a Board Member, the Board Member shall use the Districts procedure for requests under the Public Information Act. SEISD will respond to the request following its standard procedures for all public information requests.

Requesting District Records Outside of Board Meetings

- When a Board Member, acting in an official capacity, requests specific records maintained by the District outside of a board meeting, the Superintendent will notify the Board Member that the request is tracked under Texas Education Code Section 11.1512 and will provide the necessary tracking form.

- Tracking is not required for requests related to upcoming agenda items made before or during a board meeting.
- If a member requests information that requires an excessive amount of staff time to complete, the Superintendent and Board Chair shall consult with the member to find a reasonable solution.
- Board members shall email the Superintendent all information requests and copy the Board President. The Superintendent will add the request to the Board Communication Matrix Chart. The Board Communication Matrix Chart shall be utilized as followed:
 - 1. Board member emails Superintendent their request for records and copies the Board President;
 - 2. Superintendent adds the request to the Matrix Chart (i.e., request, date, question, concern reported, assigned to, due date, status/outcome), and assigns administrator and due date; and
 - 3. Update Board accordingly of request and outcome.
- When information is requested by a Board member, it will be provided to all Trustees.
- By law, the District must post, in a place convenient to the public, the cost of responding to one or more requests submitted by a board member if the request(s) are for 200 or more pages of material in a 90-day period. The district must report annually to the Texas Education Agency (TEA) the number of requests submitted by a board member during the preceding school year and the total cost to the district of responding to requests during that school year.

Access to Confidential Records

- Board Members may access confidential records only if they are acting in an official capacity and have a legitimate educational interest, as outlined in Board Policy FL. Additional security measures may apply.
- If the Board Member requests information in a personal capacity, the Superintendent will direct them to follow the District’s public information request procedures.
- Board Members will recognize students’ rights to privacy and SEISD’s obligations under the Family Educational Rights and Privacy Act (“FERPA”)
- The district may withhold or redact information, documents, or records that are excepted from disclosure or are confidential under the PIA or other law, including FERPA.

Timely Response to Information Requests

- By law, as the general rule, SEISD shall respond to a Board Members' request for information no later than the 20th business day after the date the District receives the request.
- As an exception to the general rule, the district may take a reasonable additional period of time, not to exceed the 30th business day after the date the district receives the request, to respond to a request if compliance by the 20th business day would be unduly burdensome given the amount, age, or location of the requested information. The administration shall inform the requesting Board Member of the reason for the delay in providing the requested information and the date by which the information will be provided.

Tracking

- Tracking is not required by Section 11.1512 when a board member requests records or a report during a board meeting.

Prohibition on Requiring New Analyses or Records

- Board Members may not direct or require District employees to conduct analyses or create new records from existing data. Requests for new reports or analyses should be made through official Board action.

XV. BOARD/VENDOR RELATIONS

Vendor Contact Prohibition

1. **Prohibited Contact:** Vendors and Board Members are prohibited from making oral or written contact with each other individually for the purpose of soliciting a purchase or contract related to District business or discussing an outstanding bid or proposal submitted or to be submitted to the District between the formal release of a request for proposal or bid and the administration's recommendation to the Board.
2. **Consequences of Violation:** If a vendor or Board Member violates this prohibition, consideration of the vendor for award of the bid or proposal shall be invalidated.
3. It is a criminal offense for a vendor who bids on or receives a contract from the District while having a certain prohibited relationship with a Board Member. A prohibited relationship exists if a Board Member:
 1. Has a substantial interest in the vendor or subcontractor hired by the vendor;
 2. Is related to in the second degree by consanguinity or affinity to someone with a substantial interest in the vendor; or
 3. Has received or been promised a gift or in-kind services from the vendor valued at more than \$250.

4. Notification of Violations: Board Members shall be notified of reported or known violations, along with potential actions that may result from the violation.

Conflicts of Interest

1. Duty of Loyalty: Board Members owe a duty of loyalty to the District and must avoid any business activities that conflict with the District's interests.
2. Outside Business Interests: Board Members' outside business interests, including passive or active investments, must not adversely affect their duty to the District.

Affidavit for Substantial Interest:

- If a Board Member has a substantial interest in a business entity or real property, they must file an affidavit before voting or deciding on matters involving the business or property. The affidavit must disclose the nature and extent of the interest if:
 - (a) For a business entity, the action will have a special economic effect on the business entity, distinguishable from its effect on the public.
 - (b) For real property, it is reasonably foreseeable that the action will affect the value of the property in a way that distinguishes it from the effect on the public.
- Filing with District: The affidavit must be filed with the official records administrator of the District, following Board Policy BBFA (Legal), which is available online at [BBFA\(LEGAL\)](#).

Conflicts Disclosure for Vendors:

- Board Members must file a conflicts disclosure statement if a vendor enters into or is under consideration for a contract with the District and the vendor:
 - (a) Has a business relationship with the Board Member or their family that results in taxable income exceeding \$2,500 during the 12-month period prior to the Board Member becoming aware of the contract.
 - (b) Has given a gift (or multiple gifts) valued at over \$100 during the 12-month period prior to the Board Member becoming aware of the contract.
 - (c) Has a family relationship with the Board Member.
- Exemptions: Gifts accepted as political contributions under the Election Code or food accepted as a guest do not require a conflicts disclosure statement.
- Filing Deadline: 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 Board Member becomes aware of the need to file.

- Please See Appendix 8 to review the Local Government Officer Conflicts Disclosure Statement.

Appointment Restrictions

- Appointment of Relatives: A public official may not appoint a person to a position that is directly or indirectly compensated from public funds 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.
 - (b) The public official holds appointment or confirmation authority as a member of a local board and the person is related to another member of the board within the prohibited degree.

XVI. BOARD MEMBERS' COMMUNICATIONS PROCEDURES

Board Communications

- The Board is committed to, and encourages, community input through the use of surveys, public forums, the District website, District publications, and on-going communication-forms.
- The Superintendent and Board Chair shall communicate information in a timely manner to all Trustees.
- Unless otherwise approved or authorized by the Board, individual members cannot speak in an official capacity or otherwise represent the views of the Board. The Board Chair and / or his / her designee shall be the official spokesperson for the Board to the media / press on issues of media attention.
- Any Board member may respond to general, factual inquiries. If the Board member is unsure of the correct facts, they should direct the inquiry to the appropriate administrative staff.
- All Board members who receive phone calls from the media should direct them to the Board's spokesperson (Superintendent) and notify the Board Chair and Superintendent of the call.
- The SEISD Board of Trustees encourages input; however, anonymous calls, letters or emails will not receive the Board's attention, discussion or response. The Superintendent will be made aware of the anonymous calls, letters or emails for informational purposes only.

Superintendent Communications with the Board

- The Board President and Superintendent are expected to maintain regular communication.

- The Superintendent will periodically update all Board Members through the Board information packet and respond to information requests within a reasonable time.
- Information requested by the Board President or any Board Member will be shared with all Board Members.
- Significant updates, such as news releases, will be promptly emailed to Board Members.

Community Engagement Procedures

- The board shall listen and discuss the vision and values of students in accordance to the monitoring calendar.
 - At least two board members shall co-lead each session intended to accomplish this objective. All board members are welcome but the Open Meetings Act shall be followed.
 - A presentation slideshow and a written script approved by the board chair shall be used at every session intended to accomplish this objective.
- The board shall listen and discuss the vision and values of families, staff, and community members, in accordance to the monitoring calendar.
 - At least two board members shall co-lead each session intended to accomplish this objective. All board members are welcome but the Open Meetings Act shall be followed.
 - A presentation slideshow and a written script approved by the board chair shall be used at every session intended to accomplish this objective.
- The board shall host a community meeting to discuss progress toward student outcome goals with low performing campuses at least twice per school year in accordance with the monitoring calendar.

Texas Open Meetings Act Compliance

- To adhere to the Texas Open Meetings Act, Board Members may not communicate with three or more other Board Members to solicit support or opposition on items of business.

Board Member Concerns about Another Board Member's Performance

1. If a Board Member believes that another Board Member has violated the Board Code of Ethics, Board Operating Procedures, Board Policy, State or Federal law, it is the responsibility of the concerned Board Member to discuss the alleged violation with the other Board Member in private prior to taking any other action, unless the nature of the allegation requires immediate escalation to the Board Chair.

2. If, after the concerned Board Member has privately discussed the alleged violation with the other Board Member, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the concerned Board Member may submit, in writing, the allegation to the Board Chair (arbiter). If the Board Chair is involved in the allegation, the concerned Board Member may instead submit the allegation, in writing, to the Board Vice-Chair or the next most senior Board Member not involved in the allegation who is then obligated to serve as arbiter instead.
 - a. The Board Members involved will conference to discuss the alleged violation. All parties are strongly encouraged not to allow any further escalation of these procedures and the arbiter's duty is to work to avoid such escalation.
3. If, after the conference, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the Board Chair will call a special meeting of the Board to discuss the alleged violation. The Board Chair may call upon the District's General Counsel or an external legal advisor to investigate the nature of the allegations. The findings of this investigation will be presented at a special meeting of the Board.
4. If, after the special meeting of the Board to discuss the alleged violation, the Board determines that additional consideration of the alleged violation is warranted, the allegation and the investigative findings will be placed on the next regular meeting agenda.
5. In order for the alleged violation to be considered, one of the following three motions must be made and seconded: a motion to dismiss allegations, a motion to admonish or a motion to censure.
 - a. In order to protect the overriding principle of freedom of speech, the Board shall not impose admonition or censure on any of its members for the exercise of their First Amendment rights. In order to ensure the right to a fair jury trial, the Board shall not impose admonition or censure on any of its members for the violation of any law while civil or criminal charges are pending. However, when the civil or criminal proceedings are final, the Board need not be bound by the conclusions of the Court and may again pursue admonition or censure.
 - b. A motion to dismiss allegations concludes these procedures and exonerates the accused Board Member. Once a motion to dismiss allegations has passed concerning a given alleged violation, no other motions concerning that alleged violation are in order. A motion to dismiss allegations requires the simple majority vote of the Board to pass.
 - c. An admonition is a one-time punitive action which serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to admonish must be presented in writing and must contain the exact language of the alleged violation and the proposed admonition. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a

majority vote to pass.

- d. A censure is an action that is permanent for the period specified by a majority of the Board. A censure serves as a penalty imposed against a board member for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to censure must be presented by another board member in writing and must contain the exact language of the alleged violation, the proposed censure, and the period of censure. A copy of the written request to censure must be provided to the accused Board Member at least seventy-two (72) hours prior to the board meeting during which the censure motion will be considered. A motion to censure requires a majority vote to pass.

Official Representation Outside Board Meetings

- Individual Board Members may not speak on behalf of the Board or represent the Board in meetings or public forums without prior Board authorization.
- Board Members may respond to general, factual inquiries, but should direct uncertain queries to the appropriate staff.

Board Member Responses to Comments and/or Complaints

- Board Members will listen respectfully and remain impartial.
- Board Members will ask if the commentator / complainant has followed the District's procedures and / or chain of command.
- If the commentator / complainant does not know the procedures or chain of command, provide the following information / steps:
 - a. The commentator / complainant must first speak with the appropriate staff member. If not satisfied then;
 - b. The commentator / complainant must go to the appropriate administrator in charge of the school or department where the comment/concern arose. If not satisfied, then;
 - c. The commentator / complainant must contact the appropriate central office administrator. If not satisfied, then;
 - d. The commentator / complainant will conference with the Superintendent (or designee).
- The Board Member will inform the Superintendent if an issue has advanced to or beyond Step b and will include the nature of the comment / complaint, the commentator / complainant and to whom the commentator / complainant has been referred.

- The Superintendent will inform the Board Member of the resolution of any referred comment / complaint.
- This procedure shall not be construed to apply to comments / complaints alleging criminal activity.

XVII. PUBLIC COMMENT PROCEDURES

Citizen Participation During Board Meetings

1. **Audience Participation:** Audience participation at Board meetings is limited to the designated public comment portion of the meeting. At all other times, the audience shall not enter into discussion or debate on matters being considered by the Board unless recognized by the presiding officer.
2. **Signing Up for Public Comment:** Individuals who wish to speak during the public comment portion must sign up with the presiding officer or designee before the meeting begins. on the day of the meeting. They must indicate the topic they wish to address and provide any other required information.
3. **Timing and Duration:** Public comments are allowed at the beginning of each Board meeting, with each speaker allocated up to three minutes (five minutes if a translator is required). The presiding officer may adjust these time limits as necessary, but no speaker will be allowed less than one minute.
4. **Agenda and Non-Agenda Items:** Speakers must indicate the specific agenda item or topic they wish to address. Those who do not specify an agenda item or fail to remain on their identified topic will be given one warning before forfeiting their remaining time.
5. **Public Comment Procedures for Regular and Special Meetings:** At Regular and Special Meetings, public comment is limited to items on the agenda posted with notice of the meeting except for recognitions by school or community organizations that highlights student or employee awards or accomplishments.
6. **Adjustments for Meeting Management:** The presiding officer may adjust public comment procedures for effective meeting management, such as reordering agenda items, continuing certain items to a later meeting, or establishing an overall time limit for public comment.
7. **Expected Conduct:** Speakers are expected to be respectful, courteous, and to demonstrate professionalism, even when expressing differing viewpoints. Disruptive behavior, including but not limited to the use of derogatory language, threatening gestures, or peculiar conduct disrupting the meeting, will result in one warning. Repeated disruptive actions may lead to removal with the assistance of law enforcement if necessary.

8. **Disruptive Conduct:** The Board shall not tolerate disruption of the meeting by members of the audience. Speakers or others who engage in disruptive behavior shall be ruled out of order by the presiding officer. Disruptive behavior and actions include, but are not limited to:
 - (a) Using racial slurs, insulting, profane, threatening, derogatory, or abusive language, making violent or threatening gestures;
 - (b) Wearing clothing with derogatory symbols or language;
 - (c) Strange, curious, odd, outlandish, peculiar, and irrational conduct that is disruptive to the orderly conduct of a board meeting; and
 - (d) Wearing clothing and/or a mask that is intended to, or has the effect of, concealing the identity of the individual. Masks and respirators designed to contain respiratory droplets and breath particles and are worn for health reasons shall be permissible.
9. **Prohibition on Electioneering:** No electioneering, including the distribution of political materials, will be permitted during the meeting.
10. **Signage and Handouts:** Signs, placards, or banners are not allowed inside the Board room. Citizens wishing to distribute printed materials to the Board or audience must submit them for review by 5:00 p.m. prior to the meeting to the Superintendent's Office.. Approved materials will be distributed only before or after the public comment portion.

Board Response to Public Comments

1. **Listening to Comments:** The Board will listen respectfully and remain impartial to public comments. Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board may not deliberate or take action on items not posted on the agenda.
2. **Referrals for Further Action:** The Board President may direct the administration to investigate issues raised and report back.

Handling of Employee/Student Issues in Public Comment

1. **Prohibition of Specific Complaints:** Public comment is not intended for the presentation of allegations of employee or student misconduct, requests for employee or student discipline, personal attacks on individuals, shaming or demeaning individuals associated with the District, or disclosing personal information about district employees or students. Complaints about individual personnel or students are not permitted in open session unless required by law. Personal complaints, requests for disciplinary action, and disclosures of private information are inappropriate for public comment.
2. **Referrals to Resolution Channels:** If an individual makes a complaint or addresses a concern about an individual employee or student, the presiding officer or designee shall immediately interrupt the speaker to determine whether they have attempted to resolve the matter through established administrative channels. If they have not, the speaker will be referred to the appropriate grievance policy (see partial list below) to seek resolution:

- (a) Employee complaints: DGBA
- (b) Student or parent complaints: FNG
- (c) Public complaints: GF
- (d) Sexual harassment complaints (Employees): DIA
- (e) Sexual harassment complaints (Students): FFH
- (f) Complaints against peace officers: CKEA

XVIII. BOARD COMPOSITION, LENGTH OF TERMS AND ELIGIBILITY

The SEISD Board of Trustees is comprised of 7 members, all positions shall be elected by place and each Board member shall be elected for four-year terms in November.

The election for places 1,2, and 3 shall be held in 2025, 2029, 2032, and in four-year intervals thereafter. The election for places 4, 5, 6, and 7 shall be held in 2027, 2031, 2034, and in four-year intervals thereafter.

Board member eligibility and qualifications requirements are set forth in board policy BBB (Legal).

1. Be a United States citizen.
2. Be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable.
3. Have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.
4. Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities.
5. Must not be a registered sex offender.
6. Have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:
 - (a) For an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot.
 - (b) For a write-in candidate, the date of the election at which the candidate's name is written in.
 - (c) For an appointee to an office, the date the appointment is made.
7. Be registered to vote in the territory from which the office is elected on the date described at item 5, above.

XIX. BOARD HEARING OF GRIEVANCES AND COMPLAINTS

1. Given the serious and delicate nature of employee grievances, each Board Member is responsible for studying Board Policies DGBA (Legal) & DGBA (Local), the policies relating to the process of employee grievances, found here:

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=439&code=DGBA#legalTabContent>

2. All grievances 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. 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; Board Members will not privately seek out information regarding any grievance. If a Board Member knows or learns anything about a grievance case 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 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 the following Procedure XXII titled "Violation of Board Operating Procedures."

XX. VIOLATION OF BOARD OPERATING PROCEDURES

- 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 these Board Operating Procedures, or other Board policies, so long as the deliberation is confined to the duties, discipline, or complaint against a Board Member.
- The Board Member may request that the deliberation be conducted in open session.
- 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; or
 - (b) Recommend additional training for the Board Member.

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

XXI. ACCESS TO DISTRICT TECHNOLOGY

- 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.

- Board members will be familiar with, and comply with, all provisions of Board Policy BBI (Local), regarding use of technology, including compliance with requirements to retain certain records contained on either District or personal technology resources.
- 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.

XXII. SEISD BOARD CONFIDENTIALITY AGREEMENT

Given the legal and sensitive nature of closed/executive sessions conducted by the SEISD. Board, the Members of the Board understand that the law requires that all such sessions are strictly confidential. Please refer to Appendix 2 to review and sign the SEISD Board Confidentiality Agreement.

XXIII. BOARD OF TRUSTEES PROFESSIONAL STANDARDS OF CONDUCT

A board member's civility and professionalism are critical attributes that provide for an effective structure of Board governance, which supports the overall success of SEISD ("District"). As such, as an elected member of the District's Board of Trustees ("Board"), I pledge to carry out my duties and conduct myself as follows:

- I. 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, I shall refrain from embarrassing or berating other Board Members;
- II. I will listen willingly, even when my opinions differ;
- III. I will cooperate with my colleagues and resolve disagreements respectfully through the appropriate channels, pursuant to Board policy and established Board Operating Procedures;
- IV. I will treat colleagues, District administrators, staff, and members of the community with courtesy, honesty, and respect at all times during Board meetings, individual meetings, conferences, District-sanctioned events, and social events;
- V. I will recognize the integrity of my predecessors and colleagues;
- VI. I will not use my cellphone to text others to discuss District or personal business during Board meetings in closed and open session;

- VII. I will not use my cellphone or any other recording device to record conversations held with District personnel or Board Members during Board meetings in closed session, open session, and individual meetings;
- VIII. I will strictly guard confidential information received or discussed during Board meetings that is protected under applicable law or rule;
- IX. I will provide support for the Superintendent, employees of the District, and my colleagues so they may perform their proper functions on a professional level;
- X. I will express concerns about another member’s performance or conduct in accordance with these Board Operating Procedures;
- XI. I will give these Professional Standards of Conduct the same level of reverence as the Code of Ethics;
- XII. I will comply with all federal, state, and local laws relating to my service as a School Board Member;
- XIII. I will comply with all District policies as adopted by the Board;
- XIV. I will be guided continuously by what is best for all students of the District;

By pledging to abide to the above-referenced Professional Standards of Conduct, I understand that any act or omission that violates the Professional Standards of Conduct may subject me to sanctions and public censure.

Signed this _____ day of _____ 2024.


[Board Member Printed Name]

[Board Member Signature]







Date

XXIV. APPENDIX

Appendix 1: Student Outcome & Goal Progress



SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT
A Proud Community of Champions – Soaring to Excellence

HB 3 Student Outcome Goals and Goal Progress Measures; 2024-2028
 Revised September 9, 2025

MATHEMATICS

Student Outcome Goal 1 (HB 3; 3-year Goal)
 The percentage of students taking the Math STAAR test showing growth from previous year to current year will increase from 61% Spring 2025 to $\geq 77\%$ by Spring 2027.

Goal 1 Annual Targets

2024	2025	2026	2027
61%	71%	74%	77%
(Released data, TEA 8/2025)	(Released data, TEA 8/2025)		

Goal Progress Measure (GPM) 1.1 (District; 1-year Goal)

- The Overall Measure of Math Growth for all Pre-K students (English) will increase from 97% at Wave 2 in January of 2025 (MOY) to $\geq 98\%$ in January of 2026 (MOY) as measured by the CIRCLE School Average Growth Report.
- The Overall Measure of Math Growth for all Pre-K students (Spanish) will increase from 91% at Wave 2 in January of 2025 (MOY) to $\geq 93\%$ in January of 2026 (MOY) as measured by the CIRCLE School Average Growth Report.

Goal Progress Measure (GPM) 1.2 (District; 1-year Goal)

- The iReady MOY Math (English/Spanish) assessment will help identify what percent of students are at grade level based on the recommended composite score. $K \geq 362$, $1^{st} \geq 402$, $2^{nd} \geq 428$

Goal Progress Measure (GPM) 1.3 (District; 1-year Goal)

- The percentage of Approaches of all 3rd graders which take the Math STAAR Interim Assessment early Spring of 2026 will be at 75%.

READING

Student Outcome Goal 2 (HB 3; 5-year Goal)
 The percentage of students taking the Reading Language Arts STAAR test showing growth from previous year to current year will increase from 66% Spring 2025 to $\geq 72\%$ by Spring 2027.

Goal 2 Annual Targets:

2024	2025	2026	2027
66%	66%	69%	72%
(Released data, TEA 8/2025)	(Released data, TEA 8/2025)		



SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT
A Proud Community of Champions – Soaring to Excellence



HB 3 Student Outcome Goals and Goal Progress Measures; 2024-2028
 Revised September 9, 2025

Goal Progress Measure (GPM) 2.1 (District; 1-year Goal)

- Each of the nine pre-reading skills (English) for all Pre-K students will increase by $\geq 4\%$ from BOY Wave 1 in Sept. of 2025 to MOY Wave 2 in Jan. of 2026 as measured by the CIRCLE School Average Growth Report.
- Each of the eight pre-reading skills (Spanish) for all Pre-K students will increase by $\geq 4\%$ from BOY Wave 1 in Sept. of 2025 to MOY Wave 2 in Jan. of 2026 as measured by the CIRCLE School Average Growth Report.

Goal Progress Measure (GPM) 2.2 (District; 1-year Goal)

- The mClass MOY (DIBELS) reading assessment will help identify what percent of students are at grade level based on the recommended composite score. (English) K ≥ 371 , 1st ≥ 389 , 2nd ≥ 389
- The mClass MOY (Lectura) reading assessment will help identify what percent of students are at grade level based on the recommended composite score. (Spanish) K ≥ 352 , 1st ≥ 390 , 2nd ≥ 388

Goal Progress Measure (GPM) 2.3 (District; 1-year Goal)

- The percentage of Approaches of all 3rd graders which take the Reading STAAR Interim Assessment (English) early Spring of 2026 will be $\geq 70\%$.
- The percentage of Approaches of all 3rd graders which take the Reading STAAR Interim Assessment (Spanish) early Spring of 2026 will be at $\geq 68\%$.

CCMR

Student Outcome Goal 3 (HB 3; 3-year Goal)

SEISD will increase the percentage of College, Career, and Military Readiness (CCMR) points earned annually by SEHS seniors from 30% in May 2023 to $\geq 88\%$ by June 2028 as measured by the A-F Accountability System.

Goal 3 Annual Targets:

2023	2024	2025	2026	2027	2028
30%	40%	52%	64%	76%	88%
(Target met! Actual: 50%)	(Target met! Actual: 77%)				

Goal Progress Measure (GPM) 3.1 (District; 1-year Goal)

The percentage of SEHS seniors earning a CCMR point by meeting any of the CCMR criteria will increase from 52% in May of 2025 to $\geq 64\%$ by May of 2026 as measured by the OnData Suite CCMR Early Warning System.

GPM 3.1 Note: CCMR points in May are always lower than the final A-F result since credits for point-earning courses haven't posted yet.

Appendix 2:

BOARD MEMBER CONFIDENTIALITY AGREEMENT

Given the legal and sensitive nature of closed/executive sessions conducted by the SEISD. Board, the Members of the Board understand that the law requires that all such sessions are strictly confidential.

Therefore, in accordance with the SEISD Board Operating Procedures, no Board Member shall knowingly, intentionally, or recklessly disclose confidential information gained by reason of attendance during a closed/executive session of the SEISD Board or by reason of his or her capacity as a Board Member.

This includes, but is not limited to, information related to: (1) SEISD schoolchildren or their parents, guardians, or family members; (2) real-estate or property transactions or donations involving SEISD; (3) consultations with the Board’s attorney with respect to pending or contemplated litigation or settlement offers; (4) the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of an SEISD employee; (5) a grievance, complaint, or charge against an SEISD employee; (6) the deployment or specific occasions for implementation of security personnel or devices; or (7) any other item authorized by law to be considered in closed/executive session.

Further, no Board Member shall use information gained by reason of attendance during a closed/executive session of the SEISD Board or by reason of his or her capacity as a Board Member to advance any personal interest, whether financial, employment-related, or otherwise. No Board Member shall engage in any activity where he or she is expected to disclose confidential information gained by reason of serving on the SEISD Board.

Any breach of this Confidentiality Agreement shall be considered inappropriate behavior and a breach of the Board’s code of ethics and shall result in an agenda item specifying “evaluation of individual board member’s performance” being listed at an upcoming Board meeting. The Board Member’s breach of this Confidentiality Agreement shall be discussed in closed/executive session at said meeting, and the Board may act to sanction the Board Member for his or her breach in accordance with the SEISD Board Operating Procedures.

Additionally, the Board Member acknowledges that, in receiving confidential information, they commit to ensuring the continued confidentiality of such information. The Board Member is aware that, in accordance with Texas Government Code §552.352, disclosing confidential information would constitute official misconduct and be considered a misdemeanor punishable by either a fine of up to \$1,000.00, confinement in the county jail for up to six months, or both.

Your signature below indicates that you have read, understand, and agree to abide by this Confidentiality Agreement.

[Board Member Printed Name]

[Board Member Signature]

Date

Appendix 3: Board Monitoring Calendar



SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT
A Proud Community of Champions – Soaring to Excellence



**Board Monitoring Calendar
 2026-2027**

Month	HB 3 or other Progress Monitoring--District	Campus Progress Monitoring + Campus Happenings Video
August 2026	<p><u>Analysis of STAAR/EOC Results from Spring 2026 Testing</u></p> <ul style="list-style-type: none"> Subgroup data <p><u>TELPAS Results from Spring 2026 Testing</u></p> <ul style="list-style-type: none"> Subgroup data 	
September 2026	<p><u>Goal 3 (HB 3):</u></p> <ul style="list-style-type: none"> Overall CCMR Percentages for SEHS <p>Campus and District Improvement Plans for 2026-2027</p>	SEHS
October 2026	A-F Accountability Ratings for 2026	
November 2026	<p><u>Goal 1 (HB 3):</u></p> <ul style="list-style-type: none"> Overall Performance in 3rd Grade STAAR Math Subgroup data 	GEMS
January 2027	<p><u>Goal 2 (HB 3):</u></p> <ul style="list-style-type: none"> Overall Performance in 3rd Grade STAAR Reading Subgroup data 	
February 2027	<p><u>GPM 1.1 (HB 3)</u></p> <ul style="list-style-type: none"> PK--Meeting Wave 2 Math Targets PK--Wave 1 to Wave 2 Math Growth Subgroup data <p><u>GPM 1.2 (HB 3):</u></p> <ul style="list-style-type: none"> K-2--Meeting Math Targets for MOY Subgroup data 	
March 2027	<p><u>GPM 1.3 (HB 3):</u></p> <ul style="list-style-type: none"> Grade 3—Meeting Math Targets based on Interim Assessment Subgroup data <p><u>Mid-Year Academic Growth Check-in:</u></p> <ul style="list-style-type: none"> PK-HS reading and math academic Interim Assessment Data 	Loya Primary
April 2027	<p><u>GPM 2.1 (HB 3):</u></p> <ul style="list-style-type: none"> PK--Meeting Wave 2 Reading Targets PK--Wave 1 to Wave 2 Reading Growth Subgroup data <p><u>GPM 2.2 (HB 3):</u></p> <ul style="list-style-type: none"> K-2--Meeting Reading Targets for MOY Subgroup data 	Alarcon Elementary
May 2027	<u>GPM 2.3 (HB 3):</u>	Sambrano Elementary

Revised May 27, 2026



SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT
A Proud Community of Champions – Soaring to Excellence



Board Monitoring Calendar
2026-2027

Month	HB 3 or other Progress Monitoring--District	Campus Progress Monitoring + Campus Happenings Video
	<ul style="list-style-type: none"> Grade 3—Meeting Reading Targets based on Interim Assessment Subgroup data 	
June 2027	<u>GPM 3.1 (HB 3):</u> <ul style="list-style-type: none"> Progress towards meeting CCMR criteria for 2027 cohort 	Borrego Elementary

Revised May 27, 2026

Appendix 4: Board Member Pledge

As a duly elected or appointed Board Member, I pledge the following to my colleagues and the San Elizario School District:

- I shall attend professional development training and conferences approved and paid for by the school district with public funds;
- I shall be a good steward of public funds and attend most or all training sessions offered; and
- I further pledge as a representative of the school district to conduct myself in a professional and ethical manner at all times during my sponsored travel.

Appendix 6: BBFA (Legal) and BBFB (Legal)

San Elizario ISD
071904

ETHICS
CONFLICT OF INTEREST DISCLOSURES

BBFA
(LEGAL)

Note: For information regarding conflicts of interest and depository contracts, see BDAE.
See also CBB for conflict of interest requirements when federal funds are involved.

Substantial Interest Affidavit

If a local public official has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

1. 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
2. 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.

The affidavit must be filed with the official recordkeeper of the district.

Local Gov't Code 171.004(a)–(b)

Abstention Exception

If a trustee is required to file and does file an affidavit, that trustee shall not be required to abstain from further participation in the matter or matters requiring such an affidavit if a majority of the trustees are likewise required to file and do file affidavits of similar interests on the same official action. *Local Gov't Code 171.004(c)*

Definitions

Local Public Official

“Local public official” means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district (including a school district), central appraisal district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature. *Local Gov't Code 171.001(1)*

Substantial Interest

Business Entity

A person has a substantial interest in a business entity if:

1. The person owns:
 - a. Ten percent or more of the voting stock or shares of the business entity, or
 - b. Either ten percent or more or \$15,000 or more of the fair market value of the business entity; or

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2. Funds received by the person from the business entity exceed ten percent of the person's gross income for the previous year.

Local Gov't Code 171.002(a)

"Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law. *Local Gov't Code 171.001(2)*

Real Property

A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more. *Local Gov't Code 171.002(b)*

First-Degree
Relatives

A local public official is considered to have a substantial interest under Local Government Code 171.002 if a person related in the first degree by consanguinity or affinity, as determined under Government Code Chapter 573 [see DBE], has a substantial interest under that section. *Local Gov't Code 171.002(c)*

Separate Vote on
Budget

The board shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a trustee has a substantial interest. Except as provided at Abstention Exception above, the affected trustee may not participate in that separate vote. The trustee may vote on a final budget if the trustee has complied with Local Government Chapter 171 and the matter in which the trustee is concerned has been resolved. *Local Gov't Code 171.005*

Violations

A local public official commits an offense if the official knowingly:

1. Violates Local Government Code 171.004.
2. Acts as surety for a business entity that has work, business, or a contract with the district.
3. Acts as surety on any official bond required of a trustee.

Local Gov't Code 171.003

Voidable Actions

The finding by a court of a violation of Local Government Code Chapter 171 does not render an action of the board voidable unless the measure that was the subject of an action involving a conflict of interest would not have passed without the vote of the person who violated the chapter. *Local Gov't Code 171.006*

Private Corporation

It shall be lawful for a local public official to serve as a member of the board of directors of private, nonprofit corporations when such officials receive no compensation or other remuneration from the

nonprofit corporation or other nonprofit entity. *Local Gov't Code 171.009*

Conflicts Disclosure Statement

A local government officer shall 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:

1. Has an employment or other business relationship with the local government officer or a family member of the officer, and the business relationship results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that:
 - a. A contract between the district and the vendor has been executed; or
 - b. The district is considering entering into a contract with the vendor;
2. Has given to the local government officer or a family member of the officer one or more gifts, and the gift or gifts have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:
 - a. A contract between the district and the vendor has been executed; or
 - b. The district is considering entering into a contract with the vendor; or
3. Has a family relationship with the local government officer.

Gifts—Exception

A local government officer is not required to file a conflicts disclosure statement in relation to a gift accepted by the officer or a family member of the officer if the gift is:

1. A political contribution as defined by Election Code Title 15; or
2. Food accepted as a guest.

Local Gov't Code 176.003(a)–(a-1)

Filing Date

A local government officer shall file the conflicts disclosure statement with the records administrator of the district not later than 5:00 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement. *Local Gov't Code 176.003(b)*

Vendor Questionnaire

A person who is both a local government officer and a vendor of a district is required to file the required vendor questionnaire only if

the person enters or seeks to enter into a contract with the district or is an agent of a person who enters or seeks to enter into a contract with the district. [See CHE] *Local Gov't Code 176.006(e)*

Definitions	
<i>Agent</i>	"Agent" means a third party who undertakes to transact some business or manage some affair for another person by the authority or on account of the other person. The term includes an employee. <i>Local Gov't Code 176.001(1)</i>
<i>Business Relationship</i>	"Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on: <ol style="list-style-type: none">1. A transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;2. A transaction conducted at a price and subject to terms available to the public; or3. A purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency. <i>Local Gov't Code 176.001(1-a)</i>
<i>Contract</i>	"Contract" means a written agreement for the sale or purchase of real property, goods, or services. <i>Local Gov't Code 176.001(1-d)</i>
<i>Family Member</i>	"Family member" means a person related to another person within the first degree by consanguinity or affinity, as described by Government Code Chapter 573, Subchapter B. [See DBE] <i>Local Gov't Code 176.001(2)</i>
<i>Family Relationship</i>	"Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Government Code Chapter 573, Subchapter B. [See DBE] <i>Local Gov't Code 176.001(2-a)</i>
<i>Gift</i>	"Gift" means a benefit offered by a person, including food, lodging, transportation, and entertainment accepted as a guest. The term does not include a benefit offered on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient. <i>Local Gov't Code 176.001(2-b)</i>
<i>Investment Income</i>	"Investment income" means dividends, capital gains, or interest income generated from: <ol style="list-style-type: none">1. A personal or business checking or savings account, share draft or share account, or other similar account;

ETHICS
CONFLICT OF INTEREST DISCLOSURES

BBFA
(LEGAL)

2. A personal or business investment; or
3. A personal or business loan.

Local Gov't Code 176.001(2-d)

*Local
Government
Officer*

"Local government officer" means a member of the board, the superintendent, or an agent of the district who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. *Local Gov't Code 176.001(4)*

*Records
Administrator*

"Records administrator" means the director, superintendent, or other person responsible for maintaining the records of the district or another person designated by the district to maintain statements and questionnaires filed under Local Government Code Chapter 176 and perform related functions. *Local Gov't Code 176.001(5)*

Vendor

"Vendor" means a person who enters or seeks to enter into a contract with a district. The term includes an agent of a vendor. The term includes an officer or employee of a state agency when that individual is acting in a private capacity to enter into a contract. The term does not include a state agency except for Texas Correctional Industries. *Local Gov't Code 176.001(7)*

*Duties of Records
Administrator*

A records administrator shall:

1. Maintain a list of local government officers of the district and shall make that list available to the public and any vendor who may be required to file a conflict of interest questionnaire under Local Government Code 176.006; and
2. Maintain the statements and questionnaires that are required to be filed under Government Code Chapter 176 in accordance with the district's records retention schedule. [See CPC]

Local Gov't Code 176.0065

Internet Posting

A district that maintains an internet website shall provide access to the statements and to questionnaires required to be filed under Local Government Code Chapter 176 on that website. *Local Gov't Code 176.009*

Violations

A local government officer commits an offense if the officer is required to file a conflicts disclosure statement under Local Government Code 176.003 and knowingly fails to file the required conflicts disclosure statement with the appropriate records administrator not later than 5:00 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement. It is an exception to the application of this provision that the local government officer filed the required conflicts disclosure statement not later than the seventh business day after

**Affidavit Disclosing
Interest in Property**

the date the officer received notice from the district of the alleged violation.

A board may reprimand, suspend, or terminate the employment of an employee who knowingly fails to comply with a requirement adopted under Local Government Code 176. [See DF series]

Local Gov't Code 176.013(a), (d), (f)

[See CHE for violations by a vendor.]

A public servant who has a legal or equitable interest in property that is to be acquired with public funds shall file an affidavit within ten days before the date on which the property is to be acquired by purchase or condemnation.

The affidavit must be filed with the county clerk of the county in which the public servant resides and the county clerk of each county in which the property is located.

The affidavit must:

1. State the name of the public servant and the public servant's office, public title, or job designation;
2. Fully describe the property;
3. Fully describe the nature, type, and amount of interest in the property, including the percentage of ownership interest;
4. State the date when the person acquired an interest in the property;
5. Include a verification as follows: "I swear that the information in this affidavit is personally known by me to be correct and contains the information required by Section 553.002, Government Code"; and
6. Contain an acknowledgment of the same type required for recording a deed in the deed records of the county.

Gov't Code 553.002

Definition

"Public servant" means a person who is elected, appointed, employed, or designated, even if not yet qualified for or having assumed the duties of office, as:

1. A candidate for nomination or election to public office, or
2. An officer of government.

Gov't Code 553.001

Violations

A person commits an offense if the person violates Government Code 553.002 and the person has actual notice of the acquisition or intended acquisition of the legal or equitable interest in the property. A person who violates Government Code 553.002 by not filing the required affidavit is presumed to have the intent to commit an offense. *Gov't Code 553.003*

Trustee Financial Statement

The board by resolution adopted by majority vote may require each member of the board to file the financial statement required of state officers under Government Code Chapter 572, Subchapter B with the board and the Texas Ethics Commission.

Not later than the 15th day after the date a board adopts this resolution, the board shall deliver a certified copy of the resolution to the Texas Ethics Commission. A resolution applies beginning on January 1 of the second year following the year in which the resolution is adopted. A member of a board that has adopted a resolution is not required to include, in a financial disclosure statement, financial activity occurring before January 1 of the year following the year in which the resolution is adopted.

The commissioner by order shall require the members of the board to file the financial statement required of state officers under Government Code Chapter 572, Subchapter B in the same manner as the members of a board that have adopted a resolution if the commissioner determines that:

1. A board member has failed to comply with filing and recusal requirements applicable to the member under Local Government Code Chapter 171;
2. The district financial accounting practices are not adequate to safeguard state and district funds; or
3. The district has not met a standard set by the commissioner in the financial accountability rating system.

The commissioner may require filing financial statements covering not more than three fiscal years and beginning on January 1 of the second year following the date of the commissioner's order. A member of a board subject to an order issued by the commissioner is not required to include, in a financial disclosure statement, financial activity occurring before January 1 of the year following the year in which the order is issued. The commissioner may renew the requirement if the commissioner determines that a condition described above continues to exist.

Government Code Chapter 572, Subchapter B applies to a trustee subject to these provisions as if the trustee were a state officer, and

Violations

governs the contents, timeliness of filing, and public inspection of a statement filed under these provisions.

A trustee serving in a district that has adopted a resolution or that is subject to an order issued by the commissioner commits an offense if the trustee fails to file the statement required by the resolution or order.

Education Code 11.064

**Prohibited Activities
by Public Servants—
State Law**

"Public servant" means a person elected, selected, appointed, employed, or otherwise designated as one of the following, even if the person has not yet qualified for office or assumed his or her duties:

1. An officer, employee, or agent of government; or
2. A candidate for nomination or election to public office.

Penal Code 1.07(a)(41)(A), (E)

Bribery

A person commits an offense if the person intentionally or knowingly offers, confers, or agrees to confer on another, or solicits, accepts, or agrees to accept from another, any benefit:

1. As consideration for the recipient's decision, opinion, recommendation, vote, or other exercise of discretion as a public servant or voter;
2. As consideration for a violation of a duty imposed by law on a public servant; or
3. That is a political contribution as defined by Election Code Title 15 or an expenditure made and reported in accordance with Government Code Chapter 305 (regarding registration of lobbyists), if the benefit was offered, conferred, solicited, accepted, or agreed to pursuant to an express agreement to take or withhold a specific exercise of official discretion, if such exercise of official discretion would not have been taken or withheld but for the benefit.

"Benefit" means anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare the beneficiary has a direct and substantial interest.

Penal Code 36.01(3), .02

Illegal Gifts

A public servant who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government commits an offense if the public servant solicits, accepts, or agrees to accept any benefit from a person the public servant knows is interested in or likely to become interested in any contract, purchase, payment, claim or transaction involving the exercise of the public servant's discretion. *Penal Code 36.08(d)*

A public servant who receives an unsolicited benefit that the public servant is prohibited from accepting under the provision above may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes. *Penal Code 36.08(d), (i)*

Exceptions

Illegal Gifts does not apply to:

1. A fee prescribed by law to be received by a public servant or any other benefit to which the public servant is lawfully entitled or for which the public servant gives legitimate consideration in a capacity other than as a public servant;
2. A gift or other benefit conferred on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient;
3. A benefit to a public servant required to file a statement under Government Code Chapter 572, or a report under Election Code Title 15, that is derived from a function in honor or appreciation of the recipient if:
 - a. The benefit and the source of any benefit in excess of \$50 is reported in the statement; and
 - b. The benefit is used solely to defray the expenses that accrue in the performance of duties or activities in connection with the office which are nonreimbursable by the state or political subdivision;
4. A political contribution as defined by Election Code Title 15;
5. An item with a value of less than \$50, excluding cash or a negotiable instrument as described by Business and Commerce Code 3.104;
6. An item issued by a governmental entity that allows the use of property or facilities owned, leased, or operated by the governmental entity; or
7. Food, lodging, transportation, or entertainment accepted as a guest and, if the donee is required by law to report those items, reported by the donee in accordance with that law.

Penal Code 36.10

Honoraria and
Expenses

A public servant commits an offense if the public servant solicits, accepts, or agrees to accept an honorarium in consideration for services that the public servant would not have been requested to provide but for the person's official position or duties. This provision does not prohibit a public servant from accepting transportation and lodging expenses or meals in connection with a conference or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent those services are more than merely perfunctory. *Penal Code 36.07*

**Abuse of Official
Capacity**

A public servant commits an offense if, with intent to obtain a benefit or with intent to harm or defraud another, intentionally or knowingly violates a law relating to the office or employment, or misuses government property, services, personnel, or any other thing of value, belonging to the government that has come into the public servant's custody by virtue of the person's office or employment.
Penal Code 39.02(a)

"Law relating to a public servant's office or employment" means a law that specifically applies to a person acting in the capacity of a public servant and that directly or indirectly imposes a duty on the public servant or governs the conduct of the public servant. *Penal Code 39.01(1)*

"Misuse" means to deal with property contrary to:

1. An agreement under which the public servant holds the property;
2. A contract of employment or oath of office of a public servant;
3. A law, including provisions of the General Appropriations Act specifically relating to government property, that prescribes the manner of custody or disposition of the property; or
4. A limited purpose for which the property is delivered or received.

Penal Code 39.01(2)

Official Oppression

A public servant acting under color of the public servant's office or employment commits an offense if the public servant intentionally subjects another to sexual harassment.

A public servant acts under color of the public servant's office or employment if the person acts or purports to act in an official capacity or takes advantage of such actual or purported capacity.

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly.

Penal Code 39.03(a)(3), (b), (c)

**Misuse of Official
Information**

A public servant commits an offense if, in reliance on information to which the public servant has access by virtue of the person's office or employment and that has not been made public, the person:

1. Acquires or aids another to acquire a pecuniary interest in any property, transaction, or enterprise that may be affected by the information;
2. Speculates or aids another to speculate on the basis of the information; or
3. As a public servant, including as a school administrator, coerces another into suppressing or failing to report that information to a law enforcement agency.

A public servant commits an offense if with intent to obtain a benefit or with intent to harm or defraud another, the public servant discloses or uses information for a nongovernmental purpose that:

1. The person has access to by means of the person's office or employment; and
2. Has not been made public.

"Information that has not been made public" means any information to which the public does not generally have access, and that is prohibited from disclosure under Government Code Chapter 552 (the Public Information Act).

Penal Code 39.06(a), (b), (d)

Nepotism

Except as provided by law, a public official may not appoint, confirm the appointment of, or vote for the appointment or confirmation of the appointment of an individual to a position that is to be directly or indirectly compensated from public funds or fees of office if:

1. The individual is related to the public official within the third degree by consanguinity (blood) or within the second degree by affinity (marriage); or
2. The public official holds the appointment or confirmation authority as a member of a local board and the individual is related to another member of the board within a prohibited degree.

Gov't Code 573.002, .041 [See DBE]

"Public official" means:

1. An officer of this state or of a district, county, municipality, precinct, school district, or other political subdivision of this state; or

2. An officer or member of a board of this state or of a district, county, municipality, school district, or other political subdivision of this state.

Gov't Code 573.001(3)

The nepotism law governs the hiring of an individual, whether the individual is hired as an employee or an independent contractor.
Atty. Gen. Op. DM-76 (1992)

A public official may not approve an account or draw or authorize the drawing of a warrant or order to pay the compensation of an ineligible individual if the official knows the individual is ineligible.
Gov't Code 573.083

*Counties with
Population
35,000 or More*

If, under the district's employment policy [see DC], the board delegates to a superintendent the final authority to select district personnel:

1. The superintendent is a public official for the purposes of the nepotism prohibitions of Government Code Chapter 573 only with respect to a decision made under that delegation of authority; and
2. Each member of the board remains subject to the nepotism prohibitions with respect to all district employees.

For purposes of this provision, a person hired by a district before September 1, 2007, is considered to have been in continuous employment [see DBE] and is not prohibited from continuing employment with the district subject to the abstention requirements.

Education Code 11.1513(f), (h)

*Counties with
Population Less
Than 35,000*

The provisions at Counties with Population 35,000 or More do not apply to a district that is located:

1. Wholly in a county with a population of less than 35,000; or
2. In more than one county, if the county in which the largest portion of district territory is located has a population of less than 35,000.

Education Code 11.1513(g)

A member of a board that has delegated to the superintendent final authority for personnel selection is not a public official with appointment authority for purposes of the nepotism prohibitions of Government Code 573.041. *Atty. Gen. Op. GA-123 (2003)*

	<p>With respect to renewed contracts, however, board members may be the relevant public officials for nepotism purposes. <i>Atty. Gen. Op. GA-177 (2004)</i></p>
Former Board Member Employment	<p>A trustee of a district may not accept employment with the district until the first anniversary of the date the trustee's membership on the board ends. <i>Education Code 11.063</i></p>
Incompatibility of Office	<p>The common law rule of incompatibility prohibits one person from holding two offices if the duties are in conflict or if one is subordinate to the other. Offices are legally incompatible when the faithful and independent exercise of one would necessarily interfere with the faithful and independent exercise of the other. <i>Thomas v. Abernathy County Line Indep. Sch. Dist., 290 S.W. 152 (Tex. Comm. App. 1927); Turner v. Trinity Indep. Sch. Dist., 700 S.W.2d 1 (Tex. Ct. App. 1983); Atty. Gen. Op. JM-634 (1987), MW-450 (1982)</i></p>
Instructional Materials Violations	<p>A trustee commits an offense if the trustee receives any commission or rebate on any instructional materials or technological equipment used in the schools with which the trustee is associated.</p>
Rebates	
Gifts	<p>A trustee commits an offense if the trustee accepts a gift, favor, or service that:</p> <ol style="list-style-type: none">1. Is given to the person or the person's school;2. Might reasonably tend to influence a trustee in the selection of instructional material or technological equipment; and3. Could not be lawfully purchased with state instructional materials funds. <p>"Gift, favor, or service" does not include staff development, in-service, or teacher training; or ancillary materials, such as maps or worksheets, that convey information to the student or otherwise contribute to the learning process.</p> <p><i>Education Code 31.152</i></p>
Free Materials	<p>A person commits an offense if the person knowingly violates any law providing for the purchase or distribution of free instructional materials for the public schools. <i>Education Code 31.153</i></p>
Prohibited Activities by Public Servants—Federal Law	<p>"Public official" includes a person acting for or on behalf of the United States, or any department, agency, or branch thereof, in any official function, under or by authority of any such department, agency, or branch of government. The term includes any person who has been nominated or appointed to be a public official, or has been officially informed that such person will be so nominated or appointed. <i>18 U.S.C. 201(a); Dixon v. U.S., 465 U.S. 482, 499 (1984)</i> ("To be a public official under section 201(a), an individual</p>

must possess some degree of official responsibility for carrying out a federal program or policy.”); U.S. v. Franco, 632 F.3d 880 (5th Cir. 2011)

A public official commits an offense if the public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for:

1. Being influenced in the performance of any official act;
2. Being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or
3. Being induced to do or omit to do any act in violation of the official duty of such official or person.

18 U.S.C. 201(b)(2)

Bribery—Federal Programs

“Agent” means a person authorized to act on behalf of another person or a government and, in the case of a government, includes a servant or employee, and a partner, director, officer, manager, and representative.

“Government agency” means a subdivision of the executive, legislative, judicial, or other branch of government, including a department, independent establishment, commission, administration, authority, board, and bureau, and a corporation or other legal entity established, and subject to control, by a government or governments for the execution of a governmental or intergovernmental program.

If a district receives, in any one year period, benefits in excess of \$10,000 under a federal program involving a grant, contract, subsidy, loan, guarantee, insurance, or other form of federal assistance, an agent of the district commits an offense if the agent:

1. Embezzles, steals, obtains by fraud, or otherwise without authority knowingly converts to the use of any person other than the rightful owner or intentionally misapplies, property that:
 - a. Is valued at \$5,000 or more, and
 - b. Is owned by, or is under the care, custody, or control of the district; or
2. Corruptly solicits or demands for the benefit of any person, or accepts or agrees to accept, anything of value from any person, intending to be influenced or rewarded in connection with

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ETHICS
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any business, transaction, or series of transactions of the district involving anything of value of \$5,000 or more.

This provision does not apply to bona fide salary, wages, fees, or other compensation paid, or expenses paid or reimbursed, in the usual course of business.


18 U.S.C. 666

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Effective Board Practices: An Inventory for School Boards



1. A vision statement is in place for the district.

1.1 The vision statement meets the criteria for a well-developed vision statement listed in the supporting materials.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
<i>You can check "Yes" for the above item if you check "Yes" to all the criteria below:</i>			
a. Your vision statement is written.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
b. It lists or describes desired qualities for at least each of the following: students of the district, the community, and the schools in the district.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
c. Staff and community input was solicited in some fashion and was considered.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
d. All current members of the board and the superintendent have agreed, in a formal adoption or readoption by the board, to be guided by the vision.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>

1.2	The board reviews and readopts the vision through formal board action.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
<i>You can check "Yes" for the above item if you check "Yes" to all the criteria below:</i>				
a.	The board has formally adopted or readopted its vision statement within the last five years.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
b.	The board's annual calendar of activities or another written document clearly specifies when the vision statement will next be considered for review.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
1.3	The vision is disseminated throughout the district.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
<i>You can check "Yes" for the above item if you check "Yes" to all the criteria below:</i>				
a.	The vision statement is clearly posted in the board meeting room or copies are available at each meeting.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
b.	The vision statement is available on all campuses and all staff members have been informed about it.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>

2. A comprehensive statement of goals for the district is in place.

2.1	The board adopts or reaffirms a comprehensive list of district goals each year through formal board action.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
<i>You can check "Yes" for the above item if you check "Yes" to all the criteria below:</i>				
a.	The board formally adopted or reaffirmed a list of goals within the past 12 months.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
b.	Workshop documents from the goal-setting process indicate the board considered a broad range of district issues and student achievement measures before limiting the goals to those included in its list.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
c.	Each member of the board can state in general terms the substantive content of current goals.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
d.	The board can point to specific, written criteria that will be used to assess whether the district is succeeding in reaching its goals.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>

2.2 Mechanisms for disseminating the goals for the district are clearly identified and in writing. **Yes** **No** **Unsure**

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Current goals are either posted in the board room or made available to the audience at board meetings. **Yes** **No** **Unsure**

b. The goals are available on all campuses and the district Web site, and all staff members have been informed about them. **Yes** **No** **Unsure**

2.3 The board is familiar with administration's written plans for accomplishing the goals. The plans include time lines for implementation, specific mechanisms for assessing the effectiveness of the plans, and specific times for reporting to the board on progress. **Yes** **No** **Unsure**

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board has looked at copies of, or been formally briefed about, the administration's plans for accomplishing the current district goals. **Yes** **No** **Unsure**

b. The written plans state what results the board will see after implementation and include time lines for implementation, procedures for assessing effectiveness, and a schedule for progress reports to the board. **Yes** **No** **Unsure**

3. Board actions reinforce the central importance of the goals to the work of the district.

3.1 Deliberation on major items before the board routinely includes a discussion of the recommended action's impact on meeting district goals. **Yes** **No** **Unsure**

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials routinely summarize the impact agenda items will have on the achievement of current goals. **Yes** **No** **Unsure**

b. Board deliberations routinely include an acknowledgement of whether the given agenda item directly or indirectly supports a district goal. **Yes** **No** **Unsure**

3.2 The board's superintendent evaluation instrument and process focus first and foremost on the superintendent's success in addressing the board-adopted goals. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

- a. Board agenda materials or minutes indicate the board formally adopts written priority performance goals for the superintendent at the beginning of the evaluation cycle. Yes No Unsure
- b. The majority of the priority performance goals for the superintendent are clearly derived from current or former district goals. Yes No Unsure
- c. The board's regularly scheduled formative and summative evaluation conferences begin with reports by the superintendent on actions taken in support of the priority performance goals or with summaries of reports provided earlier. Yes No Unsure

3.3 The board's budget review process specifically identifies how goals are funded in the proposed budget, whether funding is adequate, and whether funding priorities are consistent with board-adopted goals. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

- a. Board agenda materials or minutes indicate that the board annually discusses budget priorities with the superintendent in advance of the superintendent's budget preparation. Yes No Unsure
- b. Budget review materials used in adopting the current district budget clearly identify the funding associated with each district goal. Yes No Unsure

4. The board monitors plan implementation and district success in a formal, scheduled manner.

4.1 Time lines in the plans for reporting to the board are incorporated into the board's annual activity calendar and included on appropriate monthly agendas. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

- a. Board agendas or minutes from the past 12 months indicate the board received and formally discussed at least one report of progress on district goals. Yes No Unsure
- b. The board's calendar for the coming year lists the months in which reports on goal implementation will be provided. Yes No Unsure

Oversight of Management

5. Goals, performance standards, and/or benchmarks have been established for major aspects of district operations.

- 5.1 The board receives information annually from the superintendent on the goals, standards, or benchmarks the administration uses to assess effectiveness for the major areas of district operations. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

- a. Board agenda materials or minutes from the past 12 months indicate the board and superintendent formally discussed goals, standards, or benchmarks the superintendent uses in assessing operational effectiveness in major areas. Yes No Unsure
- b. The board can point to a document or documents outlining the measures used by the administration to assess success in at least three major areas of district operations. Yes No Unsure

- 5.2 The board receives regular, scheduled updates on operations effectiveness as measured against standards or benchmarks. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

- a. Board agenda materials or minutes indicate that the board received a report on operations success relative to established standards or benchmarks within the last 12 months. Yes No Unsure

6. The board is familiar with the broad outlines of the systems the superintendent has put in place to manage district operations.

- 6.1 The board and superintendent have a schedule for periodic updates on major management systems in the district, including presentations on how benchmark data is used to plan improvements. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

- a. Board agenda materials or minutes indicate the board received a briefing on at least one major management system within the past 12 months. Yes No Unsure
- b. The board can point to a document with a schedule for briefings on major management systems. Yes No Unsure

7.2 The board has adopted and annually reaffirms an ethics statement or code of conduct for board members. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board can point to a code of conduct or ethics statement that has been formally adopted by the board. Yes No Unsure

b. Board agenda materials or minutes indicate the statement has been affirmed by all current members of the board, or the board's calendar of activities includes reaffirmation of the ethics statement or code of conduct as an agenda item within the next six months. Yes No Unsure

8. Written operating procedures for the board and superintendent are in place.

8.1 A written annual calendar of board events, outlining major board activities by month, is in place. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. All members of the board have copies of a written, 12-month calendar on which major board responsibilities have been scheduled. Yes No Unsure

b. At least 75 percent of the board tasks on the calendar for the past 12 months were performed in the months scheduled or were rescheduled on the calendar for another specific time. Yes No Unsure

8.2 Operating procedures are codified in a written board-superintendent procedures document; new board members are oriented to operating procedures within the first 60 days of service. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board can point to written board operating procedures. Yes No Unsure

b. The operating procedures are stated in terms of observable actions: what the board, trustee, or superintendent is actually expected to do or not do. Yes No Unsure

c. Any members who have joined the board-superintendent team within the last 12 months have copies of all written board operating procedures. Yes No Unsure

8.3 An annual review of operating procedures is included on the board activity calendar. **Yes** **No** **Unsure**

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials, minutes, or other documents indicate the board and superintendent have formally discussed operating procedures within the past 12 months. **Yes** **No** **Unsure**

b. The review of operating procedures usually occurs in the same month each year. **Yes** **No** **Unsure**

Advocacy

9. The board is an active advocate for the district within the community.

9.1 The board has an active plan for its generating support for the district, its vision, and its goals with patrons, the business community, and other organizations in the area. **Yes** **No** **Unsure**

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The plan is written and reviewed each year. **Yes** **No** **Unsure**

b. The plan lists activities the board members themselves or the board as a whole will do to generate support and partnerships within the community. **Yes** **No** **Unsure**

9.2 The board reviews board and board member success in generating support for the district annually. **Yes** **No** **Unsure**

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board's activity calendar includes a month in which this review takes place. **Yes** **No** **Unsure**

b. Agenda materials, workshop materials, or minutes from the last 12 months indicate that board discussed the success of its plan and its efforts. **Yes** **No** **Unsure**

10. The board is an active advocate for the district with other elected officials.

10.1 The board has an active plan for advocating for the district's interest with legislators and other elected public officials. **Yes** **No** **Unsure**

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The plan is written and reviewed at least every two years. **Yes** **No** **Unsure**

b. The plan lists activities the board members themselves or the board as a whole will do to support the district's interest before legislators and other elected public officials. **Yes** **No** **Unsure**

10.2 Every two years, the board reviews board and board member success in advocating for the district with legislators and other elected officials. **Yes** **No** **Unsure**

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board's activity calendar includes a month in which this review takes place. **Yes** **No** **Unsure**

b. Agenda materials, workshop materials, or minutes from the last 24 months indicate that board discussed the success of its plan and its efforts. **Yes** **No** **Unsure**

- 6.2 The board's evaluation of the superintendent's performance as a manager focuses on the superintendent's establishing appropriate measures and standards of performance for major district operations, monitoring success, and using data for improvement. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

- a. Items on the board's evaluation instrument that assess management skills focus on whether appropriate performance standards are in place for major areas of district operations, whether the standards are being monitored, and whether they are being met. Yes No Unsure

Board-Superintendent Team Operations

7. The board and superintendent team regularly checks expectations and assesses board-superintendent operations.

- 7.1 The board and superintendent participate in an annual team-building activity. Yes No Unsure

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

- a. Board agenda materials or minutes indicate the board and superintendent participated together in a team-building session or self-assessment discussion during the past 12 months. Yes No Unsure
- b. Written documents or reports from the team-building session indicate the session included review of actual board practices and behaviors and resulted in agreements about future operations. Yes No Unsure
- c. Board agenda materials, board minutes, or documents related to the most recent team-building session indicate the board formally discussed continuing education needs as a part of its team-building activity. Yes No Unsure
- d. The board can point to written plans for continuing education for its members that include, at a minimum, the topics to be addressed. Yes No Unsure

Appendix 8: Local Government Officer Conflicts Disclosure Statement

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT <small>(Instructions for completing and filing this form are provided on the next page.)</small>		FORM CIS
<p>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</p> <p>This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.</p>	OFFICE USE ONLY	
1 Name of Local Government Officer	Date Received _____ _____ _____	
2 Office Held		
3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code		
4 Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.		
5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).		
Date Gift Accepted _____ Description of Gift _____ Date Gift Accepted _____ Description of Gift _____ Date Gift Accepted _____ Description of Gift _____ (attach additional forms as necessary)		
6 SIGNATURE I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code. <div style="text-align: right; margin-top: 10px;"> _____ Signature of Local Government Officer </div>		
Please complete either option below:		
(1) Affidavit		
NOTARY STAMP/SEAL		
Sworn to and subscribed before me by _____ this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.		
Signature of officer administering oath	Printed name of officer administering oath	Title of officer administering oath
OR		
(2) Unsworn Declaration		
My name is _____, and my date of birth is _____.		
My address is _____, _____, _____, _____, _____. <small>(street) (city) (state) (zip code) (country)</small>		
Executed in _____ County, State of _____, on the _____ day of _____, 20_____. <small>(month) (year)</small>		
_____ Signature of Local Government Officer (Declarant)		

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side.

- 1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.
- 2. Office Held.** Enter the name of the office held by the local government officer filing this statement.
- 3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, if the vendor: a) has an employment or other business relationship with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code; b) has given to the local government officer or a family member of the officer one or more gifts as described by Section 176.003(a)(2)(B), Local Government Code; or c) has a family relationship with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 4. Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship the vendor has with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code, and each family relationship the vendor has with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.
- 6. Signature.** Signature of local government officer. Complete this section after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says "Signature of Local Government Officer" (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say "Signature of Local Government Officer (Declarant)" (an electronic signature is not acceptable), and fill out the unsworn declaration section.

Local Government Code § 176.001(2-a): "Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code.

Local Government Code § 176.003(a)(2)(A):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.