



# YSLETA INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES BOARD OPERATING PROCEDURES 2018-19

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# BOARD OPERATING PROCEDURES

## 2017-18

### I. Developing Board Meeting Agendas

#### A. Placing Items on Agenda

1. Items may be placed on the agenda per Policy BE (Local). Board members will make every effort to discuss their proposed action items and policy changes with the Superintendent prior to submitting. If necessary, the Superintendent will provide board members with information on the item, administration position, and recommendations. Any requested agenda item will appear on the next regular board meeting agenda if the legally required notice is provided.
2. An agenda item acted on by the Board shall not be returned more than twice in a board year (May-April) either by the Board or the Administration. The reason for returning the item must be included in the backup sheet.
3. A Trustee shall not ask the Superintendent during a meeting to put an item on the next agenda, if a provision for such action is not a posted item.
4. In accordance with Texas Open Meeting Laws, no member can place an item on the agenda less than 72 hours in advance of a meeting, except in an emergency involving public health or safety as per Texas Government Code and Policy BE (Legal).
5. Items should normally be submitted nine (9) days before the Board meeting (or by the Monday of the week prior to the meeting). Placement on the agenda after the nine (9) days but before the 72 hours must be approved by the Board President.
6. Trustees shall make every effort to provide pertinent and relevant backup material for their agenda items.
7. District Administrative Staff and/or District legal counsel will prepare Recommended Motions for Agenda Items as necessary, to be used at the discretion of the Board.

8. The Recognitions, geared towards students, and Introductions, will be planned and distributed throughout the calendar year so that they are timely to the issue, but not so numerous as to take more than 30 minutes of Board Meeting time, unless approved by the Board President. These guidelines will be used in general for Recognition of students and employees that have won:

- A First Place at the city or regional level and/or
- A First or Second Place at the state level and/or
- A First, Second or Third Place at the national level
- Any other award deemed appropriate by the Administration.

9. The Presentations of reports to the Board shall be limited in number. These reports should be available in the web portal and if requested can be emailed to the Board by Friday preceding the Board meeting and should include an executive summary no longer than one page. Any oral reports should not exceed eight (8) minutes, except for the following reports: budget, health insurance, academic assessment results and any others deemed necessary by the board.

10. Board members may make reports to the Board during regular board meetings.

B. Items that cannot be on the agenda other than for Closed Session.

1. All personnel issues must be conducted in an executive session unless specifically required by the Texas Open Meetings Act to be conducted in an open meeting.

C. Questions about Agenda Items, Requests for Information, Other Trustee Correspondence with Superintendent and Administrative Response:

1. Board requests prior to the Board meeting and after the Board receives their BoardBooks must be addressed and responded to within one business day. Every effort will be made to survey the Board on the Friday of the week prior to the Board Meeting as to whether there are any questions on the BoardBook. The questions and responses will be a part of the Agenda review with the Board, the Executive Team, and the Superintendent to be scheduled the Monday prior to regular board meetings. The Board will make every effort to have requests for additional information or clarification of an agenda item submitted to the Superintendent by 5:00 p.m. on Tuesday on the week of the regularly scheduled Board Meeting.

2. Regardless of which member of the Board submits a request for additional information or clarification, the response will be submitted to all members of the Board. Such response will be provided in an approved format, which identifies the individual board member making the request, and the administrator who provided the information or coordinated the response.

3. All questions or requests should be directed through the Superintendent's office. All responses will be distributed to all board members.

4. The Superintendent should be notified in advance of any interest to pull a Consent Agenda Item for discussion during a Board Meeting.

D. Agenda items for new proposals / programs / projects over \$250,000 or of significant impact on the educational process, must appear on successive agendas in the following sequence:

1. As a Board Communication or Report
2. As a Discussion item and
3. Finally, as an Action item.

E. Action Agenda Items

1. Any item such as facility change or Bond items shall be included as an Action Item.

F. Consent Agenda Items

1. The Consent Agenda items will be all items except for major items. The items will address District business which is recurring or routine in nature. (Policy BE (LOCAL), Board Meetings)
2. The Board will have an opportunity to review a draft of the agenda for regular board meetings on the Friday of each month prior to finalizing the agenda and backup. At that time, the Board members may contact the Superintendent's Office with any concerns about agenda format or requests to change an item from Consent to Action.

G. Special Meetings may be called by two Trustees. Any request for a special meeting must be in writing with a statement specifically requesting a special board meeting including the agenda item(s) to be discussed.

## **II. Member Conduct during Agenda Review Meetings and Board Meetings**

A. All board members are expected to adhere to the Code of Ethics and be guided by Robert's Rules of Order and the Board Operating Procedures.

B. Discussion should go through the President [(see Policy BE (LOCAL)], with questions to staff going through the Superintendent.

C. If during a meeting, a Board member violates Robert's Rules of Order or the Board Operating Procedures, the following disciplinary procedures will be enforced:

1. President or any member will ask for a recess and the President and Vice-President will talk privately with the offending board member. If an officer is the offender, the other officers will speak to the offending board member.

2. If the offending member continues to be in violation, a public warning will be issued in open session by the President.

3. If the offending Board member continues to be in violation, any member of the Board may call for removal of the offending Board member from that meeting, requiring a 2/3 vote according to Robert's Rules of Order for disruption of a Public Meeting, and/or public censure at a future meeting properly noticed under the Open Meetings Act

D. Policy BE (LEGAL) provides the President can no longer recognize Board members for personal privilege. The Attorney General has ruled that no vague agenda items such as "Reports" can be posted without listing specific items of the report.

E. Voting

1. All members, including the Board President, will vote on all action items, making their vote clear to the public [see Policy BE (LOCAL)].

2. As provided in Ed. Code 11.051 and Policy BE (Legal), at a Board Meeting, the Board must provide the Superintendent an opportunity to present an oral or written recommendation to the Board on any item that is voted on by the Board at the meeting before the vote is called.

3. A member will not abstain from voting except by legal right which must be stated by the Trustee who wishes to abstain at that time.

F. Inappropriate Audience Participation

1. When a member or members of the public are disruptive, they will receive a verbal warning from the Presiding Officer.

2. When a member or members of the public continue with a second infraction, the Presiding Officer will ask security to escort the person or persons out of the room and/or off the premises and he/she/they may not return during that meeting.

G. Agenda item discussion by Board members:

1. Every member will have the opportunity to discuss an item at least once before the item may be tabled or postponed.

2. The Board President will read the agenda items and either call for a motion or call on the member placing an item on the agenda to open discussion and explain their reasons for placing an item on the agenda.
3. Presiding Officer or any Board member will limit their discussion to the pros and cons of the item under discussion.
4. Time limits on discussion:
  - a) Every member will be allowed to discuss an item for three minutes. If necessary, a second round of discussion for another three minutes can be called. No yielding of time will be allowed.
  - b) If a member feels that the item requires additional time, the member may move that the Board extend the number of discussion rounds. Such a motion requires a second and a majority vote.

### **III. Board Travel (BBG Local)**

We, as a Board are expected to exercise ethical stewardship of public funds. The Board should also be held to the same requirements for travel as District employees. Travel should be pre-authorized by submitting the appropriate paperwork through the Superintendent's Office. Board travel will be planned and budgeted for annually. Anything outside that plan will be taken to the Board for prior approval.

In compliance with Board policy and administrative regulation, board member travel must be approved and processed by submitting the appropriate paperwork through the Superintendent's Office.

A. Board members are to request payment for travel arrangements by filling out a Travel Request Form and filing the form in advance of the departure date of travel with the designated staff member in the Superintendent's Office. In order to obtain the most economical rate, Board members must submit Travel Request Forms at least three (3) weeks prior to the conference or event. The Travel Request Form must identify the conference, its location and travel dates. With this form, the Board member may also request a reasonable cash advance for travel-related expenses such as parking, taxi, luggage fees and/or shuttle services.

B. Based on the information provided, the Superintendent's Office staff will make transportation arrangements (airline or car rental) using the District's approved vendor(s) for travel and the Board's budget code for travel.

C. Hotel reservations and conference registration will also be made by the Superintendent's staff using a corporate card issued in the name of the Superintendent or Chief Financial Officer.

D. Based on the request of the Board member, the District can provide a reasonable cash advance to cover travel-related expenses such as parking (per day), taxi and shuttle services. Itemized, signed receipts and any monies in excess of the actual expenses incurred by the Board members must be submitted to the designated staff member in the Superintendent's Office within seven (7) business days of the Board member's return from travel. At the time of submission, the staff member and Board member will review the request and receipts in order to ensure all necessary information has been submitted.

E. In the event that any other incidental and reasonable travel-related expenses are incurred by a Board member requiring his or her use of personal funds, a written request for reimbursement must be submitted with itemized, signed receipts for review and processing by the Associate Superintendent of Finance. The request and receipts must be submitted within seven (7) business days of the Board member's return from travel to the designated staff member in the Superintendent's Office. At the time of submission, the staff member and Board member will review the request and receipts in order to ensure all necessary information has been submitted. Requests not approved by the Associate Superintendent of Finance within seven (7) business days of receiving the request and supporting documentation may be submitted to the Board for consideration and approval at a called board meeting.

F. Arrangements and payment for travel (e.g., airline, car rental), lodging and other travel-related expenses by the District shall be limited to the dates of the conference or event being attended by the board member. Should a board member wish to expand a trip to include personal travel, he or she must make their own separate travel and lodging arrangements for the time period that is not covered by the conference or event. Transportation and lodging arrangements for any time frames outside the dates of the conference or event being attended by the Board member will not be made nor paid for by the District.

G. Issues that may arise with submitted requests for reimbursement and compensation may be submitted to the Board for consideration and action at a properly called meeting. Failure of a Board member to follow these requirements may result in the Board member not receiving compensation or reimbursement for travel. Processing of requests for payment and reimbursement of expenses incurred by the Board members while conducting District business are outlined in board policy and administrative regulation.

#### **IV. Trustee Participation in Another Entity's Function or Meeting**

A. If a quorum of the Board attends another entity's function or meeting, a Quorum Posting will be made through the Superintendent's Office. This posting will require the same 72 hours notice to the public as a board meeting requires. If a quorum of the Board is at such a function or event without a posting having been created, no member may answer questions, provide information or engage in a discussion of school business until less than a quorum is present.

#### **V. Former Trustee Participation in Ceremonial Procedure**

A. In following past tradition, former YISD Trustees are extended the courtesy of being allowed to hand diplomas to graduates who are their children by birth, marriage or adoption.

B. If this option is exercised by a former Trustee, the Superintendent's Office shall notify the current Board member, the campus principal and the CO Public Relations Department.

C. This courtesy could be extended to the Superintendent or a former Superintendent.

#### **VI. Information or report requested by Board member between Board meetings**

A. A Board member may request existing information and/or reports only through the Superintendent. If the information does not exist and a report must be generated, the request must be approved by the Board. In extenuating circumstances, the Board President may request reports without Board approval and the Board will be notified about the request for the report and the extenuating circumstances leading to the request. A copy of the report will be provided to the entire Board.

B. The Board President may consult with the attorney as deemed necessary. Other Board members may consult the attorney up to three (3) times a month. Anything requiring more time must be requested through an agenda item and a majority vote of the Board, unless both the president and the Superintendent agree that the item cannot wait for the next regularly scheduled meeting. A copy of the attorney's time log including who, what, time and amount charged will be provided each month.

C. All Board Inquiries will be submitted through the Superintendent's Office in writing, by email or fax, to include date requested, rationale of request or comments. Administration will acknowledge receipt of requests by the end of the second workday.



**VII. Citizen Request/Complaint to individual Board member**

- A. When a citizen complains to a Board member, the Board member should:
  - 1. Remind the citizen of due process and that the Board member must remain impartial in case the situation goes before the Board.
  - 2. Refer citizen to the Superintendent's Office.
  - 3. Board member shall inform the Office of the Superintendent or the Superintendent of complaint, but should not discuss the complaint with any other district personnel.
- B. When appropriate, the Superintendent or designee shall communicate with the citizen in a timely manner and follow-up with the Board member.
- C. The Board, individually or collectively, shall promptly refer all significant criticisms, complaints, and suggestions, regardless of the source, called to its attention to the Superintendent for study and appropriate action or recommendation. The Superintendent shall promptly investigate such matters and shall inform the Board of the results or status of such matters.

**VIII. Employee Request/Grievance to individual Board member**

- A. Employees may contact Board members on non-grievance issues.
- B. When an employee contacts a Board member about a grievance, the Board member should:
  - 1. Remind employee of chain-of-command.
  - 2. Remind employee of the due process procedure and remain impartial.
  - 3. Board member should discuss the incident with the Superintendent or through his office in a confidential fashion, but should not discuss the incident with any other district personnel.

**IX. Vendor Request/Concern to individual Board member [set out in Policy CH (Local)]**

- A. Members of the Board of Trustees shall not knowingly accept or engage in communication prohibited by Board Policy CH (Local) which is initiated by vendors, proposers or potential proposers or their respective agents ("Vendors"). If approached by a Vendor regarding any issue related to an ongoing solicitation the Board member shall take the following action, upon determining the prohibited nature of the communication:
  - 1. Immediately terminate the communication;
  - 2. Refer the individual to the Director of Purchasing or Superintendent, as appropriate, for any information requested;
  - 3. Notify the Superintendent of the improper contact.
- B. If the communication involves a Public Complaint, the Vendor should be referred to the procedures contained in GF (Local) for addressing Public Complaints. In such event, the Superintendent should be notified regarding the communication and shall keep the Board apprised of any developments in connection with the complaint.

C. Contact with potential District vendors even when not involved in an ongoing solicitation should be minimized by Board members to the extent possible to avoid the appearance of impropriety. If approached by a vendor regarding doing business with the District, a Board member shall refer the individual to the Superintendent or the Director of Purchasing for information regarding doing business with the District.

D. If competitive procurement is required by law, or policy, Board members shall not recommend or comment on the desirability of any particular vendor, proposer or potential proposer. The Board is permitted to reject the recommendation of the selection committee or Administration and select a different vendor from among the proposers. The Board's re-evaluation shall be based solely upon the criteria published in the RFP or solicitation and not based upon their personal views.

E. Under the Professional Services Procurement Act, a provider of professional services may not be selected on the basis of competitive bids. The selection and award for such services must be based on demonstrated competence and qualifications to perform the services, for a fair and reasonable price. Accordingly, the qualifications of and award to professionals responding to a request for qualifications may be discussed and considered by the Board. See Board Policy CH (Legal).

**X. Board member visits to school campuses or departments**

A. Board members may attend special events on campuses to represent the Board in support of activities, PTA meetings, open houses, community functions, public meetings, and other events where the school community or general public is invited. A Board member who is a parent, guardian or grandparent of a child at a campus may attend parent/teacher conference and other scheduled meetings at a campus on the same basis as other parents, guardians, and grandparents. A Board member who is at a campus or at any school function shall be expected to model exemplary behavior. Under no circumstances shall the Board member attempt to undertake a management role, usurp the authority of any district employees, or attempt to direct district employees in the conduct of their activities.

B. Board members shall comply with all posted requirements while on school campuses.

## **XI. Communications**

- A. It is important for each Trustee to be accessible to their constituents and the District Administration via phone, email and fax as means of communications. Laptops are provided to each Board member, along with training. Communication tools include phone, email, and/or text. The District will communicate with the Board members via email and/or BoardBook.
- B. The Board President will communicate with the Superintendent on a weekly basis.
- C. Information sent to any Board member will be distributed to all Board members.
- D. Board members will keep the Superintendent informed of issues important to the District.
- E. Individual Board members cannot speak in an official capacity outside the Board Room or call or attend meetings as a representative of the Board without prior authorization of the Board.
- F. The Ysleta ISD Board of Trustees encourages input; however, anonymous calls or letters will not receive Board attention, discussion, or response and will not result in directives to the administration (except for Hot Line Reports).
- G. The Board, individually and collectively, shall not discuss public business or public policy over which the Board has control with employees of the District other than the Superintendent and other employees designated by the Superintendent, unless the Superintendent is notified in advance and agrees to such discussion. Furthermore, the Board, individually and collectively, shall not have discussions with anyone regarding an employee's employment, assignment, reassignment, salary and benefits, evaluation, or other terms and conditions of employment with any employee other than the Superintendent and his designees, unless the Superintendent is notified in advance and agrees to such discussion.
- H. The Board agrees to address and resolve all disputes, disagreements, and complaints with the Superintendent in a professional, timely, and legal manner.
- I. Individual Board members shall not meet with or discuss District business with vendors, current or prospective, other than by appointment scheduled through the Superintendent's Office, as per procedure in Item VI.

## **XII. Evaluation of the Superintendent**

- A. The Superintendent evaluation shall be completed no later than January 31 of each year.
- B. The Superintendent's performance review will be based in part on goals and objectives as set forth in the Superintendent's Vision 20/20: Strategic Action Plan and corresponding evaluation instrument established each year.
- C. The Superintendent's evaluation instrument will be reviewed each year after the scheduled evaluation.
- D. All new trustees shall participate in an approved Superintendent evaluation training prior to evaluating the Superintendent.

## **XIII. Evaluation of the Board BG (LOCAL)**

- A. The Board will evaluate itself annually to measure effectiveness.
- B. Evaluation of the Board will be conducted in a workshop session by the end of the fiscal year, as per BBD (EXHIBIT).

## **XIV. Selection of Board Officers**

- A. Election of Officers: An information packet will be provided to the Board and successful candidates on the Monday after Election Day with a blank slate of offices to be filled and a job description for each office. Trustees will notify the Superintendent's Office of interest in serving as an officer. The Superintendent's Office will circulate the list so individuals may change their office selection. The Board will then be notified of the final list, with a bio of those trustees provided to the entire Board.
- B. At the first meeting after the election in odd numbered years and certification of newly elected Trustees, the members of the Board shall organize by electing the following officers:
  - 1. A president, who shall have been a member of the Board for at least one year prior to election.
  - 2. A vice-president, who shall be a member of the Board.
  - 3. A secretary, who shall be a member of the Board.
  - 4. Any officer shall be limited to two, two-year terms in the same office.
  - 5. Job descriptions for each office are provided in Section XV, D-F.
- C. Outgoing Board Officers will be recognized at the Special Board Meeting called to canvass the election returns.

D. Outgoing Trustees will be recognized at the Special Board Meeting called to canvass the election returns.

**XV. Role and Authority of Board Member and/or Board Officer**

A. As set out in the Education Code §11.151 [and Policy BAA (Legal)]:

1. The trustees of an independent school district constitute a body corporate and in the name of the district may acquire and hold real and personal property, sue and be sued, and receive bequests and donations or other moneys or funds coming legally into their hands.

2. The trustees as a body corporate have the exclusive power and duty to govern and oversee the management of the public schools of the district. All powers and duties not specifically delegated by statute to the agency or to the State Board of Education are reserved for the trustees, and the agency may not substitute its judgment for the lawful exercise of those powers and duties by the trustees.

3. All rights and titles to the school property of the district, whether real or personal, shall be vested in the trustees and their successors in office. The trustees may, in any appropriate manner, dispose of property that is no longer necessary for the operations of the school district.

4. The trustees may adopt rules and bylaw as necessary to carry out the powers and duties provided by Subsection (2).

5. A school district may request the assistance of the attorney general on any legal matter. The district must pay any costs associated with the assistance.

6. All powers and duties not delegated by State statute, board policy or this section are reserved for the collective board.

B. No Board member or officer has authority outside the Board meeting.

C. Board members cannot direct employees in regard to performance of duties.

D. The Board President shall:

1. Preside at all Board meetings and provide every trustee an opportunity to speak on all issues.

2. Appoint committees if needed.

3. Call special meetings.
    - a) Meetings may be called by the Board President or by two Trustees. Any request for a special meeting must be in writing with a statement specifically requesting a special board meeting including the agenda item(s) to be discussed.
  4. Sign all legal documents required by law after it has been reviewed by legal counsel.
  5. As a signer of all District checks, the President shall complete a Customer Profile Information Sheet for the District's banking firm. This profile requires in-depth personal information.
- E. The Vice-President shall:
1. Act in capacity of President in the absence of the President.
  2. Sign or countersign warrants or other documents as necessary.
- F. The Secretary shall:
1. Keep, or cause to be kept, an accurate record of the proceedings of Board Meetings.
  2. Send, or cause to be sent, all notices of Board meetings.
  3. Act in role of President in the absence of the President and Vice-President.
  4. Sign or countersign warrants and other documents as necessary.
  5. As a signer of all District checks, the Secretary shall complete a Customer Profile Information Sheet for the District's banking firm. This profile requires in-depth personal information.
- G. The Parliamentarian shall:
1. Be responsible for the Board following Robert's Rules of Order for Board Meeting.
  2. Assist the President in conducting orderly meetings.
  3. Enroll and successfully complete a course in Robert's Rules of Order as it pertains to school boards within 90 days of being appointed.

## **XVI. Role of Board in Executive Session**

- A. Agenda Posting for Executive Sessions. The posted agenda will ordinarily list the topics to be discussed in executive session. Tex. Gov't Code 551.041
- B. Entering Executive Session. The Board may enter into executive session after the following requirements have been met:
1. The Board has first been convened in open meeting for which notice has been given.
  2. The presiding officer has publicly announced in open meeting that an executive session will be held.
  3. The presiding officer has identified the section or sections of Chapter 551, Tex. Gov't Code, which authorize the holding of such closed or executive session.
  4. The presiding officer has publicly announced that no final action, decision, or vote will be taken by the Board while in executive session. 551.101
- C. Matters Under Discussion. Executive sessions are authorized for the following purposes:
1. For a private consultation with the Board's attorney with respect to pending or contemplated litigation, settlement offers, and matters where the attorney's duty to the Board, pursuant to the Code of Professional Responsibility of the State Bar of Texas, clearly conflicts with the provisions of the Open Meetings Act (to be identified as Legal Matters in the notice). 551.071
  2. To discuss the purchase, exchange, lease, or value of real property and negotiated contracts for prospective gifts or donations (to be identified as Real Estate/Donations in the notice). 551.072
  3. To consider the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee, unless such officer or employee requests a public hearing (to be identified as Personnel in the notice). Atty.Gen.Op. H-496 (1975), 551.074
  4. To consider discipline of a public school child or children unless an open hearing is requested in writing by a parent or guardian of the child (to be identified as Hearings in the notice). 551.082

5. To consider the deployment on specific occasions for implementation of security personnel or devices. 551.076

6. To deliberate regarding the standards, guidelines, terms or conditions the Board will follow, or instruct its representatives, to follow, in consultation with representatives of employee groups, under consultation agreements formerly provided for by Section 13.901 of the Texas Education Code. 551.083

7. To discuss any other item authorized by law to be considered in executive session.

D. Actions, Decisions or Votes. No final action, decision, or vote shall be taken while the Board is in closed or executive session. The presiding officer shall so state prior to entering into executive session. The Board shall reconvene the open meeting after an executive session, prior to adjourning the meeting. 551.102

E. Record of Items Discussed in Executive Session. The Certified Agenda is kept in the fireproof filing cabinet in the Superintendent's Office.

F. No Board member shall discuss matters that were discussed in an executive session.

## **XVII. Media Inquiries to the Board**

A. The Board President shall be the official spokesperson for the Board to the media/press on issues of media attention.

B. A Board member should only speak to media about his/her position on an issue; not what the Board thinks or speculation about the future.

## **XVIII. Response to Signed Letters of Complaint**

A. The Ysleta ISD Board of Trustees encourages input. A signed letter will be forwarded to the Superintendent for a response, with a copy sent to all the Board members.

## **XIX. Reviewing Board Operating Procedures**

A. Standard Board Operating Procedures will be reviewed and updated annually as a part of Board training and orientation.

B. The Board will adopt the Board Procedures and Board Code of Conduct annually at a regular monthly meeting.



C. These Board Procedures are intended to guide and assist the Board of Trustees in the conduct of its business. They are not intended to confer legal rights on any other person.

D. These Board Procedures are not intended to take precedence over Board Policy. If there is a conflict or inconsistency between these Procedures and Local Board Policy, every effort will be made to revise Board Procedures to reflect Board Policy or state or federal law.

NOTE: Board Policies that are a part of Board Operating Procedures include:

BE (Local), Board Meetings and BE-Regulation

BG (Local), Board Self Evaluation

GF (Local), Public Complaints

CH (Local), Purchasing and Acquisition