



TCSA Model Board Policy Series

Module 500: *Open Government 2012*

*Charter Board Policy for SCHOOL OF EXCELLENCE IN
EDUCATION*

INTRODUCTION

The Model Board Policies for Charter Schools is a series of publications by the Texas Charter Schools Association (TCSA). These publications are an educational tool for charter school leaders to aid in the operation and management of open-enrollment charter schools in Texas.

Overall Policy Framework

Each module in the Board Policy Series provides a summary of federal and state statutes, regulations, and related materials applicable to open-enrollment charter schools. Citations to these materials are provided throughout the module and many contain a hyperlink so the actual statutory or regulatory provision can be accessed on the Internet. The summary is designated by the LEGAL AUTHORITY tab on the right edge of each page.

After the LEGAL AUTHORITY portion of the module are suggested model policies designed to comply with current statutory and regulatory requirements described in the summaries. These policies are designated by the red CHARTER BOARD POLICY tab on the right edge of each page.

These are suggested policies to address the requirements set forth in this Module. Prior to adoption of the model policies by the Board of a charter school, each policy should be customized by including the school's name and by tailoring the language, if appropriate, to fit the specific needs, culture and requirements of the school. TCSA recommends that the Board of a charter school consult with and obtain the advice of the school's legal counsel in connection with adopting policies to comply with laws governing charter schools.

TCSA plans to update the Model Board Policies for Charter Schools after each Texas Legislative Session to reflect changes in applicable laws and regulations. We encourage you to renew your subscription to the policy series after each update to ensure that your school has the most recent laws and regulations.

Scope of Service & Copyright Notice

This policy module prepared by the TCSA is designed and intended as a resource of information for charter schools and is not to be construed as legal advice. It should be used in connection with consulting and obtaining the advice of the school's legal counsel to ensure compliance with applicable legal requirements.

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Module 500: Open Government 2012

The Open Government Module 500, is the fifth module of the Model Board Policies. The material included in this module provides a comprehensive summary of statutes and regulations that apply to charter schools, as well as specific model board policies designed to comply with these legal requirements. Other policy modules in the series include:

Module 100: Financial Operations

Module 200: Charter School Governance & Organization

Module 300: General School Operations

Module 400: Students

Module 600: Human Resources

Legal Abbreviations Used In the TCSA Model Board Policy Series

Atty. Gen. Op.

Attorney General Opinion

C.F.R

Code of Federal Regulations

Tex. Admin. Code

Texas Administrative Code

Tex. Educ. Code

Texas Education Code

Tex. Gov't Code

Texas Government Code

Tex. Labor Code

Texas Labor Code

Tex. Loc. Gov't Code

Texas Local Government Code

U.S.C.A

United States Code Annotated

TEXAS OPEN MEETINGS ACT

The governing body (“Board”) of SCHOOL OF EXCELLENCE IN EDUCATION adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Compliance

SCHOOL OF EXCELLENCE IN EDUCATION shall comply with the Texas Open Meetings Act.

SECTION 2. Meetings

Section 2.1. Location. Unless otherwise provided in the notice for a meeting, regular board meetings shall be held at 1826 Basse Road, San Antonio, Texas 78213. The Board room is located on the second floor.

Section 2.2. Time. Regular meetings of the Board shall be held on the second Tuesday of the month (unless otherwise specified) at 6:00PM. The Board President may change the date or time of a regular meeting. The notice for that meeting shall reflect the change in date or time.

Section 2.3. Special or Emergency Meetings. Notice shall be posted establishing the time and place of special and emergency meetings.

The Board President shall call special meetings at the Board President’s discretion.

The Board President, or two other Board members, may call an emergency meeting only when the Board President or two other Board members determines that an emergency or public necessity, as defined by the Texas Open Meetings Act, warrants the meeting.

Section 2.4. Closed Meeting. The board may conduct a closed meeting when the agenda includes a subject that by law may be discussed in a closed meeting.

Section 3. Agenda

Section 3.1. Preparation. In consultation with the Board President, the Superintendent shall prepare the agenda for all board meetings. Any board member may request a subject be included on the agenda for a meeting and the Superintendent shall include on the draft agenda proposed to the Board President all topics that have been requested by the board members that have been timely submitted.

Before the agenda is finalized, and at least three days before a regular meeting. The Superintendent shall consult with the Board President to secure his or her approval of the final agenda. The Board President shall approve the draft agenda as presented unless, in the Board President’s discretion, compelling reasons exist to add or delete an agenda item from the draft agenda. Any items timely submitted for placement on the agenda by a Board member shall be placed on the agenda or scheduled for deliberation at an appropriate time in the near future

Section 3.2. Deadline for Submitting Agenda Items. The deadline for submitting items for inclusion on the agenda is the seventh business day before a regular meeting.

Section 4. Voting

Voting shall be by voice vote or show of hands, as directed by the Board President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded in the minutes. Proxy voting is not allowed.

Section 5. Minutes

The Board Secretary or Board Secretary's designee shall record all board action. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board Secretary or board member in the Board Secretary's absence.

Section 6. Board Meeting Discussions

Discussions at board meetings shall be limited to the items on the board agenda. The Board President shall halt any discussion that does not apply to an agenda item. If a member of the public begins discussing an item not on the posted agenda, the Board shall only listen to the citizen's concern. The item may be posted for discussion at a future board meeting.

TEXAS PUBLIC INFORMATION ACT

The governing body (“Board”) of SCHOOL OF EXCELLENCE IN EDUCATION adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Compliance

SCHOOL OF EXCELLENCE IN EDUCATION shall comply with the Texas Public Information Act (PIA) and it shall be the policy of SCHOOL OF EXCELLENCE IN EDUCATION to provide a suitable copy of public information within a reasonable time after the date on which the copy is requested.

SECTION 2. Officer for Public Information

Section 2.1. Designation. The Board designates the Superintendent as the Officer for Public Information. Each department head is an agent of the officer for public information for purposes of complying with the PIA. The Officer for Public Information is responsible for the release of public information in compliance with the PIA.

Section 2.2. Duties. The duty of the Officer for Public Information is to ensure compliance with the PIA.

Section 2.3. Sign Display. In accordance with the PIA, the Officer for Public Information shall prominently display a sign(s) regarding rights, responsibilities, and procedures under the PIA. Such signs may be found on the Attorney General of Texas’ website:

<https://www.oag.state.tx.us/open/pia/piasign120110.pdf>

https://www.oag.state.tx.us/open/pia/piasign120110_span.pdf

SECTION 3. Charges for Public Information

The Officer for Public Information may charge requestors for public information as permitted by the PIA.

RECORDS MANAGEMENT

RECORD MANAGEMENT POLICY

WHEREAS, Title 6, Subtitle C, Local Government Code (Local Government Records Act), provides that each local government must establish an active and continuing records management program; and

WHEREAS, the SCHOOL OF EXCELLENCE IN EDUCATION desires to adopt a plan for that purpose and to prescribe policies and procedures consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping; NOW THEREFORE:

SECTION 1. DEFINITION OF RECORDS OF THE SCHOOL OF EXCELLENCE IN EDUCATION.

All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by the SCHOOL OF EXCELLENCE IN EDUCATION or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of the SCHOOL OF EXCELLENCE IN EDUCATION and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

SECTION 2. RECORDS DECLARED PUBLIC PROPERTY.

All records as defined in Sec. 1 of this plan are hereby declared to be the property of the SCHOOL OF EXCELLENCE IN EDUCATION. No official or employee of the SCHOOL OF EXCELLENCE IN EDUCATION has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

SECTION 3. POLICY.

It is hereby declared to be the policy of the SCHOOL OF EXCELLENCE IN EDUCATION to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice.

SECTION 4. RECORDS MANAGEMENT OFFICER.

The Superintendent or Superintendent's designee will serve as records management officer for the SCHOOL OF EXCELLENCE IN EDUCATION as provided by law and will ensure that the maintenance, destruction, electronic storage, or other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act.

SECTION 5. RECORDS CONTROL SCHEDULES.

Appropriate records control schedules issued by the Texas State Library and Archives Commission shall be adopted by the records management officer for use in SCHOOL OF EXCELLENCE IN EDUCATION, as provided by law. Any destruction of records of the SCHOOL OF EXCELLENCE IN EDUCATION will be in accordance with these schedules and the Local Government Records Act.

RECORDS MANAGEMENT OFFICER APPOINTMENT

The Superintendent, or the Superintendent's designee, shall ensure that an appointment form ([SLR 504](#)) or letter is on file with the Texas State Library and Archives Commission (TSLAC) specifying the person currently holding the Records Management Officer position.

RECORDS CONTROL SCHEDULE

The Records Management Officer shall ensure that SCHOOL OF EXCELLENCE IN EDUCATION has a record control schedule approved by the Texas State Libraries and Archives Commission.

SCHOOL OF EXCELLENCE IN EDUCATION adopts the TSLAC schedules and the Records Management Officer shall complete and submit form [SLR 508: Declaration of Compliance](#). SCHOOL OF EXCELLENCE IN EDUCATION is subject to the local schedules [GR \(Records Common to All Local Governments\)](#) and [SD \(Records of Public School Districts\)](#).