

# NEDERLAND INDEPENDENT SCHOOL DISTRICT

BOARD

OPERATING

PROCEDURES



## **I. DEVELOPING BOARD MEETING AGENDA**

### **a. Who Can place items on agenda?**

- i. In consultation with the board president, the superintendent prepares the agenda for all board meetings.
- ii. Any board member may request a subject for inclusion on the agenda through the board president as according to Policy BE(local)
- iii. In accordance with the Texas Open Meetings laws, no board member can place an item on the agenda less than 72 hours in advance of the meeting, except in an emergency, as per Texas Government Code.

### **b. Use of Consent Agenda (The consent agenda consists of items which are considered by the Board to be routine and are enacted under one motion, unless a member or the board requests that an item be removed from the consent agenda and considered separately.) Listed below are typical examples of items that may be included on the consent agenda. This does not limit the consent agenda to these specific examples.**

- i. Minutes of regular and special board meetings
- ii. Financial Information
- iii. Budget Change Requests
- iv. Gifts, Donations, and Requests
- v. Routine Personnel Items

### **c. Director Reports shall be provided quarterly in Board Book. Reporting shall be limited to three minutes and open for questions and answers.**

## **II. MEMBER CONDUCT DURING BOARD MEETINGS – Any time four or more board members are gathered, it is considered a meeting (only if school district business is discussed)**

### **a. All board members are expected to model the Board Members Ethics as described in Board Policy BBF (local).**

### **b. If, during a meeting, a board member violates Robert's Rules of Order, the following disciplinary procedures will be enforced.**

- i. The president or any member will ask for a recess, and the president and vice president will talk privately with the offending board member.

- ii. If the offending board member continues to be in violation, a public warning will be issued in open session by the president.
- iii. If the offending board member continues to be in violation, any member of the board may call for public censure and removal from that meeting, requiring a 2/3 vote according to Robert's Rules of Order for disruption of a public meeting.

**c. Voting**

- i. All members, including the president, will vote on all action items.
- ii. 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.
- iii. On a tie vote, a motion requiring a majority vote for adoption is defeated.

**d. Public participation shall only be permitted during the designated public comment time.**

- i. At all meetings, the Board shall allot time to hear persons who desire to make comments to the Board regarding items on the posted meeting agenda and may allow comments on non-agenda items if time permits. Persons who wish to participate in this portion of the meeting shall sign up with the presiding officer of designate before the meeting begins and shall indicate the topic about which they wish to speak.
- ii. The presiding officer shall determine the total allotment of time for public comment and time for individual comment at each meeting, based on the number of individuals signed up to speak at the start of the meeting. Unless otherwise permitted by the presiding officer, the standard time allotted for public comment shall be 30 minutes.
- iii. Unless otherwise permitted by the presiding officer, no individual presentation shall exceed three minutes
- iv. Delegations of more than five persons shall be encouraged to appoint one person to present their views.

- v. Speakers shall be discouraged from using the names of individual students or employee in their comments.

**e. Board Response to citizens addressing the board.**

- i. Public participation at a board meeting – Policy BED (Local)
  - 1. The board may ask clarifying questions, but shall not deliberate or decide any matter that is not posted with the agenda for the meeting. The board president may ask the superintendent to investigate the matter and report back to the board at a later time.
  - 2. The board president or superintendent may recite specific facts or existing policy in response to public comment.
  - 3. The board shall not tolerate any disruption of meetings by members of the audience. If after one warning, a person continues to disrupt a meeting, the presiding officer may request assistance from law enforcement to have the person removed from the meeting.
- ii. When a member or members of the public are disruptive they will receive a verbal warning from the presiding officer.
- iii. When a member or members of the public continues with a second infraction, the presiding officer will ask the superintendent to call law enforcement to escort the person or persons off the premises, and he/she may not return during that meeting.

**f. Agenda item discussed by board members**

- i. Each member will have the opportunity to discuss an item at least once before the item may be tabled or postponed.
- ii. The presiding officer or any board member by point of order will limit discussion to the pros and cons of the item under discussion.
- iii. The board president will manage time for discussion of an item.

**III. CITIZEN REQUEST / COMPLAINT TO INDIVIDUAL BOARD MEMBER**

- a. The board member should hear the citizen's problem for a full understanding of the persons involved, date, and place.**
  - i. Repeat the problem back verbatim to the citizen
  - ii. Advise citizens of the chain of command.
  - iii. Remind citizens of due process, noting that the board members must remain impartial in case the situation goes before the school board.
- b. Board members will make the superintendent aware of the complaint as soon as possible if warranted.**
- c. The superintendent will respond to citizens in a timely fashion, if appropriate.**

#### **IV. EMPLOYEE REQUEST/COMPLAINT TO INDIVIDUAL BOARD MEMBER**

- a. The board member will hear the employee's problem for a full understanding of the persons involved, date, and place.**
  - i. Repeat the problem back verbatim to the employee
  - ii. Advise employees of the chain of command.
  - iii. Remind employees of the due process procedure and remain impartial.
- b. Board members will make the superintendent aware of the complaint as soon as possible if warranted.**
- c. The employee will be contacted by the superintendent within a timely fashion, if appropriate unless the employee requests no contact from the superintendent.**

#### **V. INFORMATION OR REPORT REQUESTED BY A BOARD MEMBER BETWEEN MEETINGS**

- a. A board member may request existing information or reports through the superintendent. The superintendent will gather the information or report and disseminate it in a timely manner to the entire board. Board members are**

**encouraged to advise the superintendent or questions or concerns regarding agenda item(s) before the board meeting.**

- b. Information requested from an attorney must be requested through the board president or the superintendent.**

## **VI. VENDOR REQUEST/CONCERN TO INDIVIDUAL BOARD MEMBER**

- a. Board members should refer vendor contacts to the superintendent or his/her designee.**
- b. No board member shall promise a vendor any type of business with the district. They shall refer prospective vendors to the administration.**

## **VII. BOARD MEMBER VISITS TO SCHOOL CAMPUS**

- a. All board members are encouraged and expected to attend special events on campuses to represent the board in support of activities.**
- b. Board members are not to go into teachers' classrooms or campuses outside the scheduled activities/events.**
- c. Board members are not to evaluate a teacher's performance informally or formally.**
- d. Board members are not to discuss a personnel matter with the employee informally or formally, except to refer them to the appropriate administrator.**

## **VIII. COMMUNICATIONS**

- a. Superintendent will communicate with all board members via weekly packets during the school year.**
- b. Superintendent will meet with the board president as needed to discuss issues of the district.**

- c. Superintendent will communicate information in a timely fashion to all board members.**
- d. Requests to the superintendent from the board president will be distributed to all board members.**
- e. Board will keep the superintendent informed via voicemail, telephone, email, and fax.**
- f. Board will communicate with the community through public hearings, regular board meetings, local publications, and the District website.**
- g. Individual board members cannot speak in an official capacity outside the boardroom.**
- h. The Nederland 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.**
- i. The board, individually and collectively, shall not discuss an employee's employment, assignment, reassignment, salary and benefits, evaluation, or other terms and conditions of employment with any employee other than the superintendent and designees, unless the superintendent is notified in advance and agrees to such discussion.**

## **IX. EVALUATION OF THE SUPERINTENDENT**

- a. The superintendent will be evaluated in January each year or at a time mutually agreeable to the board and the superintendent.**
- b. The superintendent's performance review will be based on annual priorities and goals established and approved by the board, with consideration of the Texas Academic Performance Report (TAPR).**
- c. The superintendent's evaluation instrument will be reviewed each year prior to the scheduled evaluation.**

## **X. SELECTION OF BOARD OFFICERS**

- a. Election of Officers: At the first regular or special meeting after each regular election and certification of newly elected trustees, the members of the Board shall organize by electing the following officers by open nominations:**
- i. A president, who shall have been a member of the board for at least one year prior to the election;
  - ii. A vice president;
  - iii. A secretary

## **XI. ROLE AND AUTHORITY OF THE BOARD MEMBER AND/OR BOARD OFFICERS (Set down by State Statute)**

- a. No board member or officer has authority outside the board meeting**
- b. No board member can direct employees in regard to performance of duties.**
- c. Board president:**
- i. Shall preside at all board meetings;
  - ii. Shall appoint committees;
  - iii. Shall call special meetings, and;
  - iv. Shall sign all legal document required by law
- d. Board vice president shall act in capacity of president in absence of president**
- e. Board secretary shall:**
- i. Ensure that an accurate record is kept of the proceedings of each board meeting
  - ii. Ensure that notices of the board meetings are posted and sent as required by law
  - iii. In the absence of the president and vice president, call the meeting to order and act as presiding officer
  - iv. Sign or countersign documents as directed by action of the board



- f. In the case of NISD being declared a federal or state disaster area, the board if permitted, by law, to meet with less than a quorum present. If the president, vice president, and secretary are all unable to attend, then the order of succession to determine the chair shall be established by order of board tenure from greatest to least of the board members present.**

## **XII. ROLE OF BOARD IN CLOSED (EXECUTIVE) SESSION**

- a. Agenda posting for closed (executive) session. The posted agenda will list the topics to be discussed in closed (executive) session, as identified later in these guidelines.**
- b. Entering closed (executive) session. The board may enter into closed (executive) session after the following requirements have been met:**
  - i. The board has first convened in open meeting for which notice has been given
  - ii. The presiding officer has publicly announced in open meeting that a closed (executive) session will be held
  - iii. The presiding officer has identified the section or sections of Chapter 551, Texas Government Code, which authorize the holding of such closed or executive session
  - iv. The presiding officer has publically announced that no final action, decision, or vote will be taken by the board while in executive session.
- c. Closed (executive) session. Policy BED (Legal). Closed (executive) sessions are authorized for the following purposes:**
  - i. Attorney Consultation 551.071
  - ii. Real Property 551.072
  - iii. Prospective Gifts 551.073
  - iv. Personnel Matters 551.074
  - v. Student Issues 551.082
  - vi. Employee-Employee Complaints

- vii. Security Devices 551.076
- viii. Assessment Instruments Education Code 39.03(a)
- ix. Economic Development 551.087
- x. Homeland Security 418.175-418.182
- xi. Student Information 551.0921
- xii. Medical or Psychiatric Records 551.0785
- xiii. Any other provision under the Texas Open Meetings Act

- d. The board shall reconvene in open meeting after a closed (executive) session, prior to adjourning the meeting (551.102)**
- e. Confidentiality. In accordance with the requirements of NISD Board Policy BED, and 551.146, Texas Gov't Code, no board member may reveal to any other person the statements or comment made by another board member or other authorized in attendance at closed (executive) session of the Board of Trustees.**
- f. Closed meetings may not be recorded by an individual trustee against the wishes of a majority of the board.**

### **XIII. MEDIA INQUIRIES TO THE BOARD**

- a. Media inquiries should be directed to the board president or the superintendent.**
- b. The board president shall be the official spokesperson for the board to the media/press on issues of media attention.**
- c. Individual board members should always remember that they have no official capacity to represent the district outside of a regular board meeting. Therefore, they should always make it clear when speaking to the media that**

**any opinion they express does not represent the position or opinion of the NISD Board of Trustees.**

- d. When asked about any item that the board has taken action on, individual board members may certainly state their personal opinion in regard to the issues as it was presented prior to the vote. However, as a member of the Team of Eight, they should also state their resolve to support the will of the board and do everything in their power to assure the successful implementation of the issue for the well-being of the district and its students.**

**XIV. TELEPHONE CALLS/LETTERS: The Board of Trustees encourages input; however anonymous calls, letters, or emails will not receive board attention, discussion, or response, and will not result in directives to the administration.**

**XV. RESPONSE TO LETTERS: The Board of Trustees encourages input. A signed letter or email will be forwarded to the superintendent. The superintendent will respond and send a copy to the full board.**

**XVI. REVIEWING BOARD OPERATING PROCEDURES: Standard Board Operating Procedures will be review and/or updated at the results June board meeting, or upon individual board member request.**

- a. Board members will review Conflict of Interest Policy BBFA (Legal) each year and sign as required by BBFA (Exhibit)**

**XVII. ELECTRONIC COMMUNICATION AND DATA MANAGEMENT: NISD will provide training in proper use of the electronic Board Book and will provide all board members with copies of the district's acceptable use guidelines. All training in the use of the district's system will emphasize the ethical and safe use of this resource.**

**a. Use of Email**

- i. Each board member will have access to the NISD network only through the board member's account.**
- ii. Email transmissions or other use of the electronic communications system by school board members shall not be considered confidential and may be intercepted by designated district staff as part of regular monitoring of network activity.**
- iii. Personal Use**

1. A board member's NISD-issued email account is to be used mainly for identified educational purposes, but some limited personal use is permitted
2. Personal work should not be installed on the hard drive of the computers as it is subject to the Public Information Act

iv. Public Information Act

1. A board member is considered a "temporary custodian" with regard to any public information the member creates on receives in their official capacity and which the member has not provided to the District for maintenance. A board member in possession of public information shall:
  - a. Forward or transfer the public information to the Superintendent for preservation; or
  - b. Preserve the public information in its original form in a back-up or archive and on the privately owned decide for the time required by the District's records retention schedule. A board member does not have a personal or property right to public information he/she created or received while acting in an official capacity. Texas Gov't Code 552.003-004, 552.203, 552.233(a)
  - c. The District must make reasonable efforts to obtain public information from a board member if there is reason to believe that the board member is in possession of public information which is responsive to a request for information that has been submitted to the district. A board member shall surrender the information to the district no later than the 10<sup>th</sup> day after the district requests the information from the board member. Failure to surrender the information shall constitute a violation of the Public Information Act. Tex. Gov't Code 552.223(b)(c)
  - d. Files of personal information, including programs, no matter on what medium they are stored or transmitted, may be subject to the Texas Public Information Act if stored on the Nederland ISD computer or if related to District business. The District must make reasonable efforts to obtain public information from

a board member if there is reason to believe that the board member is in possession of public information which is responsive to a request for information that has been submitted to the district. A board member shall surrender the information to the district not later than the 10<sup>th</sup> day after the district requests the information from the board members. Failure to current the information shall constitute a violation of the Public Information Act. Tex. Gov't Code 552.233(b)(c)

- v. No one should look at, copy, alter, or destroy anyone else's personal files without explicit permission (unless authorized or required to do so by law or regulation)
- vi. No one should connect to a host on the network without advance permission in some form. People and organizations link computers to the network for numerous different reasons, and many consider unwelcome connections to be attempts to invade their privacy or compromise their security
- vii. Inappropriate Uses
  - 1. Prohibited language includes obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language
  - 2. Personal attacks, including prejudicial or discriminatory attacks, are prohibited
  - 3. Harassment of any other person is prohibited. Harassment is persistently acting in a manner that distresses or annoys another person. If you are asked to stop sending messages to another person, the messages must stop
  - 4. It is prohibited to knowingly or recklessly post false or defamatory information about a person or an organization
  - 5. Users must not post any information that could cause damage in any way or cause any danger or disruption

viii. Responsible Use of Resources

1. Board members are responsible for verifying the integrity and completeness of information that you compile or use. Do not depend on information or communications to be correct when they appear contrary to your expectations; verify it with the person who you believe originated the message or data.
2. Board members may not run or otherwise configure software or hardware to intentionally allow access by unauthorized users
3. Special access to information or other special computing privileges are to be used in the performance of official duties only. Information that you obtain through special privileges is to be treated as private.
4. Board members are prohibited from attempting to circumvent or subverts any system's security measures. This section does not prohibit use of security tools by system administration personnel.
5. Board members are prohibited from using, inspecting, copying and storing copyrighted computer programs and other material, in violation of copyright.
6. Board members should not install or copy software on district resources except as permitted by NISD. Software is subject to licensing and all license provisions.

ix. Board Protocols for Graduation and GOLD Pass

1. Current serving board members may present diplomas to family members and requests from community members as approved by the administration.
2. Previous serving board members may present diplomas to family members
3. Immediate Past President will be noted in the graduation program and be seated on stage with current board members.
4. Current and past school board members shall receive a "GOLD" pass to all athletic and UIL functions upon request.

The above board operating procedures do not supersede the adopted board policy. In the event of a conflict, board policy controls.

## **MEMBERS OF THE BOARD OF TRUSTEES 2024-2025**

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Nicholas Phillips, President (2010-2025)

Micah Mosley, Vice President (2018-2027)

Jerry Albanese, Secretary (2017-2026)

Kay DeCuir, Board Member (2011-2026)

Suzanne Isom, Board Member (2001-2025)

Tonya Mitchell, Board Member (2018-2027)

Roya Scott, Board Member (2018-2027)

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Superintendent

Dr. Stuart Kieschnick  
Superintendent of Schools

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