



# TCSA Model Board Policy Series

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## **500 Series: Open Governance**

*Sustainable Education Solutions dba*

*Trinity Environmental Academy*

## 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 you will find the model policy section designed to comply with current statutory and regulatory requirements described in the LEGAL AUTHORITY 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. We also will regularly and continually update the Policy Series when changes occur in state and federal case law and administration regulations that affect open enrollment charter schools. We encourage you to renew your subscription to the policy series each year 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*

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

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Module 200: Charter School Governance & Organization Module

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300: General School Operations

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Module 400: Students

Module 600: Human Resources

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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

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## 500.020. TEXAS OPEN MEETINGS ACT

The governing body (“Board”) of Trinity Environmental Academy (“TriEA”) adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

### SECTION 1. Compliance

TriEA 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 3837 Simpson Stuart Rd., Dallas, Texas 75241.

Section 2.2. Time. Regular meetings of the Board shall be held on the first Tuesday of the month at 6:30pm, unless otherwise posted. The Board Chair 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 sent out establishing the time and place of special and emergency meetings.

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

The Board Chair may call an emergency meeting only when the Board Chair 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 2.5. Participation by Videoconference. A member of the board or an employee of the school may fully participate remotely in a board meeting by videoconference if the member’s participation is broadcast live at the meeting and otherwise complies with the requirements of the Texas Open Meetings Act regarding a meeting by videoconference call.

### Section 3. Agenda

Section 3.1. Preparation. In consultation with the Board Chair, the Superintendent/CEO 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/CEO shall include on the draft agenda proposed to the Board Chair all topics that have been requested by the board members that have been timely submitted.

Before the agenda is finalized, the Superintendent/CEO shall consult with the Board Chair to secure his or her approval of the final agenda. The Board Chair shall approve the draft agenda as presented unless, in the Board Chair’s discretion, compelling reasons exist to add or delete an agenda item from the draft agenda.

Section 3.2. Deadline for Submitting Agenda Items. The deadline for submitting items for inclusion on the agenda is noon on the Tuesday prior to a Tuesday board meeting.

#### Section 4. Voting

Voting shall be by voice vote or show of hands, as directed by the Board Chair. 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 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. Minutes should be sent to board within 3 days, and any feedback should be provided to board secretary within 10 days of receipt. Board secretary will provide a red-lined copy of any suggested items according to the deadline for submitting agenda items.

#### Section 6. Board Meeting Discussions

Discussions at board meetings shall be limited to the items on the board agenda. The Board Chair 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.

## 500.040. TEXAS PUBLIC INFORMATION ACT

The governing body (“Board”) of Trinity Environmental Academy (“TriEA”) adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

### SECTION 1. Compliance

TriEA shall comply with the Texas Public Information Act (PIA) and it shall be the policy of TriEA 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 CEO or CEO’s designee 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](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.

### SECTION 4. Electronic Communications Policy

Section 4.1. Electronic Communications as Public Information. Absent any applicable exception established under Texas law, electronic communications that pertain to official business of the school that are created by, transmitted to, received by, or maintained by a board member, officer, or employee of the school, are presumed to be public information under the Public Information Act, regardless of whether the device used to create, transmit, maintain or receive the electronic communication is a personal electronic communication device or an electronic device provided by the school to the board member, officer or employee to use in his or her official capacity, and regardless of the form of the electronic communication. Electronic communications in the form of e-mail, Internet postings, text

messages, and instant message pertaining to official business of the school are considered Public Information under Texas law and under this Policy. Nothing in this Policy waives any applicable exception to disclosure under the Public Information Act of such electronic communications.

Section 4.2. School Accounts. Only school email accounts should be used to create, transmit or receive school business. If a board member, officer or employee conducts school business on a non-school account, he or she shall promptly forward the electronic communication to his or her school email account. Board members, officers and employees of the school shall not communicate regarding official business of the school using text messages, instant messages, or posting on the Internet.

If the board has established an online message board or similar Internet application purposed to allow an electronic communication exchange between board members, officers and employees, then board members, officers, and employees shall use the online message board or similar Internet application in a manner consistent with school policy and state law.

If a board member, officer or employee creates, transmits or receives an electronic communication that pertains to the official business of the school, whether in the form of a text, instant message, Internet posting or other form of electronic communication, he or she shall promptly forward the electronic communication to the Executive Administrative Assistant. All electronic communications pertaining to official business of the school shall be maintained and disposed of in accordance with the Records Management Policy of the school.



## 500.060. RECORDS MANAGEMENT

***TCSA NOTE: The Record Management Policy below is the recommended policy from the Texas State Library and Archives Commission***

### 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 Trinity Environmental Academy 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 TRINITY ENVIRONMENTAL ACADEMY.

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 Trinity Environmental Academy 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 Trinity Environmental Academy 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 Trinity Environmental Academy. No official or employee of the Trinity Environmental Academy 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 Trinity Environmental Academy 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 Dean of Operations will serve as records management officer for the Trinity Environmental Academy 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 Trinity Environmental Academy, as provided by law. Any destruction of records of the Trinity Environmental Academy will be in accordance with these schedules and the Local Government Records Act.

### RECORDS MANAGEMENT OFFICER APPOINTMENT

The Chief Executive Officer (CEO), 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 Trinity Environmental Academy has a record control schedule approved by the Texas State Libraries and Archives Commission.

Trinity Environmental Academy adopts the TSLAC schedules and the Records Management Officer shall complete and submit form SLR 508: Declaration of Compliance. Trinity Environmental Academy is subject to the local schedules GR (Records Common to All Local Governments) and SD (Records of Public School Districts).