

TCSA Model Board Policy Series

Module 500: Open Government Charter Board Policy for
Tejano Center for Community Concerns, Inc.

500.020. TEXAS OPEN MEETINGS ACT

The governing body ("Board") of the Tejano Center for Community Concerns (TCCC), which is the charter holder for the **Raul Yzaguirre School for Success (RYSS)**, adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Compliance

RYSS 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 2950 Broadway, Houston, Texas 77017.

Section 2.2. Time. Regular meetings of the Board shall be held on the fourth Thursday of the month, typically beginning at 5:30 p.m. with a meeting of the RYSS Board and typically followed by a 6:30 p.m. meeting of the TCCC Board at which formal action regarding RYSS is taken. 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 Vice-Chair may act on behalf of the Chair, and such meetings may also be called when a majority of Directors, by separate and independent requests, ask for such a meeting

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. **(NEW JANUARY 2014)** 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 President & CEO shall prepare the agenda for all board meetings. Any board member may request a subject be included on the agenda for a meeting. The President & 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, i.e., by 5:00 p.m. of the seventh calendar day before the day of the meeting.

Before the agenda is finalized, the President & CEO shall consult with the Board Chair to secure his or her approval of the final agenda. The 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. A compelling reason to delete an agenda item is the lack of review by the appropriate Board committee.

Section 3.2. Deadline for Submitting Agenda Items. The deadline for submitting items for inclusion on the agenda is 5:00 p.m. of the seventh calendar day before the day of the 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.

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 TCCC adopts the following policy which shall be effective on *the* date that the policy is adopted by the Board.

SECTION1. Compliance

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

SECTION2. Officer for Public Information

Section 2.1. Designation. The Board designates the President & CEO as the Officer for Public Information. Each separate administrative unit of TCCC 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/openpia/pias/gn120110.pdf>

<https://www.oag.state.tx.us/open/pialpiasign120110span.pdf>

SECTION3. Charges for Public Information

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

SECTION4. Electronic Communications Policy (NEW/ JANUARY 2014)

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 retain a copy of the email related to school business, and upon request by the Officer for Public Information, 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 for RYSS purposes 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 retain the electronic communication for records management purposes. All electronic communications pertaining to the 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

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

RECORD MANAGEMENT POLICY

WHEREAS, the TCCC 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 TCCC.

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 TCCC or any of its officers or employees pursuant to law or in the transaction of public business regarding RYSS are hereby declared to be the records of the RYSS 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 TCCC. No official or employee of the TCCC 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 TCCC to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all school 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 Data Quality Manager will serve as records management officer for the TCCC 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 CONTROLS 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 TCCC, as provided by law. Any destruction of school records of the TCCC will be in accordance with these schedules and the Local Government Records Act.

RECORDS MANAGEMENT OFFICER APPOINTMENT

The President and CEO or the President and CEO'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 TCCC has a record control schedule approved by the Texas State Libraries and Archives Commission.

TCSA NOTE: Choose one of the following paragraphs:

~~The Records Management Officer shall develop TCCC's own schedule using forms SLR 500 and SLR 540, where all records series are listed along with the retention period for each. The retention period must be at least as long as those found in the TSLAC scheduled.~~

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

