



TCSA Model Board Policy Series

Module 500: *Open Government 2015*
Charter Board Policy for
University of Texas Elementary School

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 2015

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

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| 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 |

500.020 TEXAS OPEN MEETINGS ACT

Pursuant to a delegation amendment to the UTES charter approved by the commissioner of education, the Management Board (“Board”) of UTES recommends the following policy, which shall be effective on the date that the policy is approved by the Vice President (“VP”) of The Division of Diversity and Community Engagement (DDCE), hereinafter referred to as the VP of UTES.

SECTION 1. Compliance

UTES 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 the University of Texas Elementary School, 2200 East 6th Street, Austin, TX 78702.

Section 2.2. Time. The Board shall meet monthly, unless the Board Chair, in consultation with the Superintendent, determines a meeting is unnecessary. Regular meetings of the Board shall be held on the fourth Tuesday of the month, at 8:30 am. Written notices of all meetings stating the date, place, agenda and time shall be sent by UTES administrative staff to each member of the Board prior to such meetings. The Board Chair, in consultation with the Superintendent, 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 in consultation with the Superintendent. 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 3. Agenda

Section 3.1. Preparation. In consultation with the Board Chair, and subject to approval by the Board of Regents of The University of Texas (“Board of Regents”), the Superintendent shall prepare the agenda for all board meetings. Any voting board member may request that a subject be included on the agenda for a meeting and the Superintendent shall include on the draft agenda proposed to the Board of Regents all topics that have been requested by the voting board members and timely submitted.

Before the agenda is finalized, the Superintendent 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. After approval of the agenda by the Board of Regents, the Superintendent shall post the agenda as part of the meeting notice in advance, in accordance with the Texas Open Meetings Act.

Section 3.2. Deadline for Submitting Agenda Items. The deadline for submitting items for inclusion on the agenda is noon of the ninth calendar day before regular meetings and noon of the third working day before special meetings.

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 Superintendent's designee shall record all board action. The written minutes of all meetings shall be recommended for approval by the VP by vote of the Board and signed by the Board Chair.

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

Pursuant to a delegation amendment to the UTES charter approved by the commissioner of education, the Management Board (“Board”) of UTES recommends the following policy, which shall be effective on the date that the policy is approved by the Vice President (“VP”) of The Division of Diversity and Community Engagement (DDCE), hereinafter referred to as the VP of UTES.

SECTION 1. Compliance

UTES shall comply with the Texas Public Information Act (“PIA”) and it shall be the policy of UTES to provide a suitable copy of public information within a reasonable time after the date on which the copy is requested. Pursuant to the policy of The University of Texas at Austin, all PIA requests received by UTES staff are forwarded to the Officer for Public Information of The University of Texas at Austin.

http://www.utexas.edu/business/vp/open_records.html

SECTION 2. Officer for Public Information

Section 2.1. Designation. Pursuant to the policy of The University of Texas at Austin, the Officer for Public Information of the University of Texas at Austin is the Vice President and Chief Financial Officer. The Superintendent of UTES 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.

500.060 RECORDS MANAGEMENT

http://www.utexas.edu/business/accounting/hbp/20_records/index.html

Pursuant to a delegation amendment to the UTES charter approved by the commissioner of education, the Management Board (“Board”) of UTES recommends the following policy, which shall be effective on the date that the policy is approved by the Vice President (“VP”) of The Division of Diversity and Community Engagement (DDCE), hereinafter referred to as the VP of UTES.

RECORD MANAGEMENT POLICY

WHEREAS, as a university charter school, UTES is subject to the University of Texas System Records and Information Management Policy UTS115 and is also considered to be a local government for purposes of state law; and

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; NOW THEREFORE:

SECTION 1. Definition of Records of UTES

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 UTES 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 UTES and shall be created, maintained and disposed of in accordance with the provisions of this policy or procedures authorized by it and in no other manner.

Examples of records include:

- Correspondence (whether hard copy or email) created, received, or used in the course of university business
- Reports or other documents generated by departments
- Human resource documentation, e.g., records created in hiring and managing staff
- Financial and administrative records, e.g., payment vouchers (payroll, travel, goods, and services); audit and inventory records; departmental budgets; deposits; and records created by other financial processes
- Academic processes, e.g., student records (grades, commencement, student organizations); faculty records; research
- Records generated through other university programs
- Records created from operational processes, e.g. Facilities Services, The University of Texas at Austin Police Department (UTPD), Parking and Transportation Services (PTS)

SECTION 2. Records Declared Public Property

All records as defined in Section 1 of this policy are hereby declared to be public property. No official or employee of UTES 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 UTES 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, the policies of The University of Texas at Austin and accepted records management practice.

SECTION 4. Records Management Officer

The Records Management Officer of The University of Texas at Austin will serve as records management officer for the UTES as provided by law. The Records Management Officer or designee 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.