



TCSA Model Board Policy Series

Module 500: *Open Government 2012*

Charter Board Policy for Cedars International 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 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.

This policy module and all updates are copyrighted publications of the TCSA. All rights are reserved and will be enforced to the fullest extent of the law. The policy modules are for the sole use of the purchaser. Duplication and distribution in whole or in part are prohibited unless otherwise specifically authorized in writing by TCSA. Inquires should be directed to TCSA, 700 Lavaca, Suite 930, Austin, TX 78701.

For questions concerning the Model Board Policies for Charter Schools contact:

Veronica L. Garcia, Texas Charter Schools Association
vgarcia@txcharterschools.org
512.584.8272

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

500.020. TEXAS OPEN MEETINGS ACT

Adopted 10/11/12; revised and adopted 3/6/14

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

SECTION 1. Compliance

CEDARS INTERNATIONAL ACADEMY 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 Superintendent's office at 8416 N IH 35, Austin TX, 78753

Section 2.2. Time. Regular meetings of the Board shall be held on the second Thursday of each month at 12:00 noon. 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 sent out 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 may call an emergency meeting only when the Board President 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 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, the Superintendent shall consult with the Board President to secure his or her approval of the final agenda. The Chair 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.

Section 3.2. Deadline for Submitting Agenda Items. The deadline for submitting items for inclusion on the agenda is at least four calendar days 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 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 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.

500.040. TEXAS PUBLIC INFORMATION ACT

Adopted 10/11/12; revised and adopted 3/6/14

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

SECTION 1. Compliance

Cedars International Academy shall comply with the Texas Public Information Act (PIA) and it shall be the policy of Cedars International Academy 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.

SECTION 4. 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 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 Mark Diaz, mdiaz@cedars-academy.org. 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

Adopted 10/11/12

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 CEDARS INTERNATIONAL 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 THE CEDARS INTERNATIONAL 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 CEDARS INTERNATIONAL 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 CEDARS INTERNATIONAL 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 CEDARS INTERNATIONAL ACADEMY. No official or employee of the CEDARS INTERNATIONAL 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 CEDARS INTERNATIONAL 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 Superintendent will serve as records management officer for the CEDARS INTERNATIONAL 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 CEDARS INTERNATIONAL ACADEMY, as provided by law. Any destruction of records of the CEDARS INTERNATIONAL ACADEMY 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 CEDARS INTERNATIONAL ACADEMY has a record control schedule approved by the Texas State Libraries and Archives Commission.

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

©Texas Charter Schools Association, 201. All rights reserved.

Document adopted by the Board: 10-11-12