



# TCSA Model Board Policy Series

Module 500: *Open Government 2012*  
Charter Board Policy for  
University of Texas-University Charter School

## 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:

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Module 100: Financial Operations

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Module 200: Charter School Governance & Organization

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Module 300: General School Operations

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Module 400: Students

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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

## 500.020 TEXAS OPEN MEETINGS ACT

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### SECTION 1. Compliance

UT-UCS 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 Thompson Conference Center, 2405 Robert Dedman Drive, Austin, Texas 78712.

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 first Wednesday of each month, at 11:30 am. Written notices of all meetings stating the date, place, agenda and time shall be sent by UT-UCS 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 CEO 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 UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### **SECTION 1. Compliance**

UT-UCS shall comply with the Texas Public Information Act (“PIA”) and it shall be the policy of UT-UCS 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, all PIA requests received by UT-UCS 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](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, the Officer for Public Information of the University of Texas at Austin is the Vice President and Chief Financial Officer. The Superintendent of UT-UCS 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](http://www.utexas.edu/business/accounting/hbp/20_records/index.html)

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### **RECORD MANAGEMENT POLICY**

WHEREAS, as a university charter school, UT-UCS 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 THE UT-UCS.**

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 UT-UCS 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 UT-UCS 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.

#### **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 UT-UCS 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 UT-UCS 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 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 UT-UCS 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.