



Nightmare on Education Street: Governance, Open Meetings & Contracts

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With input from Bob Caster, CISD Superintendent**

Nightmare Begins

- Administration and school board under scrutiny by concerned community members (Citizens Review Committee)
- Allegations of open meetings violations committed by school board
- May elections brought major change
- Reorganization created new board leadership

Nightmare Continues

- New board leadership initiates changes
 - Reinstates Pre-AP and AP classes
 - Institutes board committees
- Summer brings drastic changes
 - Superintendent out on vacation and sick leave for extended period
 - Business Manager resigns in July
 - Superintendent resigns days later

Nightmare Continues

- Region VII Financial Services hired to take over Business Office operations
 - Discoveries of inadequate financial practices begin
- Region VII Administrative Services tapped to provide guidance in budgeting process
 - Difficulties with determining status of previous year's budget

Nightmare Continues

- Board undertakes search for interim superintendent, aided by Region VII
- Interim superintendent hired
 - Problems ensue
 - Leaves after one month
- Board member resigns
- Board initiates second search
- Full time superintendent hired

Issues: Governance

- Grievance filed with TEA against the Board alleging governance concerns
 - investigation concluded no violation
- Negative media coverage



Issues: Governance

- Board faced with making uncharacteristic decisions
 - Hiring issues
 - Maintenance issues
 - Day-to-day operation decisions relegated to board president
- Instituted administrative team consisting of high school and elementary principals
- Guidance from Region VII & board attorney

Issues: Governance

- BAA (LEGAL)
 - Lists duties the board has the legal power to accomplish
 - Texas Education Code § 11.151
- BJA (LEGAL)
 - Outlines duties of the Superintendent
 - Texas Education Code § 11.201

Issues: Open Meetings

- Complaint filed with TEA also alleged open meeting violations
- Forwarded to District Attorney for further action
- District Attorney determines no investigation is needed

Issues: Open Meetings

- Texas Open Meetings Act (TOMA), Texas Government Code, Chapter 551
- Public business discussed by a quorum of the board at any location constitutes a board meeting
- Board meetings must be properly posted

Issues: Open Meetings

- TOMA contains short list of subjects for which a closed or executive session can be held
 - Government Code, § 551.071-551.088
- Criminal sanctions can be applied if the board members conspire to circumvent the TOMA requirements

Issues: Open Meetings

- Board members must receive training in open meetings
 - Government Code § 551.005
 - Within 90 days of taking oath; or
 - Within one year, if in office on January 1st
 - Training available from Attorney General

Issues: Open Meetings

- Resources

- Attorney General web site

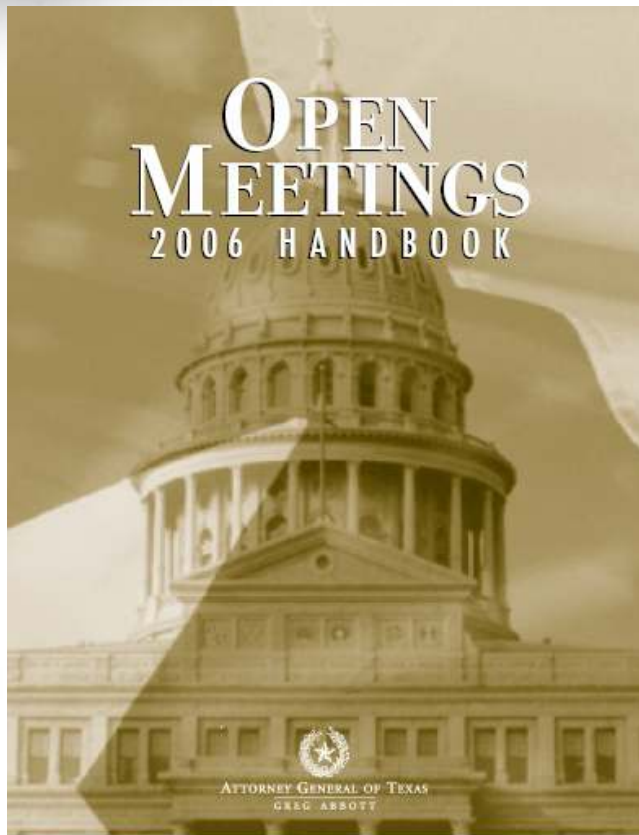
- www.oag.state.tx.us/newspubs/publications.shtml

- Open Meetings Handbook 2006

- Open Meetings Hotline

- (877) 673-6839

- (512) 478-6736



Issues: Contracts

- Contract that was in place allowed interim superintendent issue to be solved quickly
- Negotiating employment contracts very important issue
 - Seek guidance from board attorney

Avoiding the Nightmare

- Administrative procedures should be documented and readily available
- Job descriptions should be available for all key staff
 - Superintendent
 - Business office personnel
 - Principals
 - Principals' staff

Avoiding the Nightmare

- Business office personnel should be cross-trained
 - Procedures for each job should be documented
- All financial documentation should have backup information
- Financial information on computers should be backed up routinely

Avoiding the Nightmare

- File cabinets should be organized logically and have electronic indexes with search capability
- Different administrative branches should report directly to the board at regular meetings
 - Curriculum
 - Maintenance
 - Technology

Avoiding the Nightmare

- Board members
 - TRAIN, TRAIN,
TRAIN

