



Board Policy Series

Module 500 – Open Government

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500.020 . TEXAS OPEN MEETINGS ACT

The board adopts the following policy, which shall be effective on the date of adoption. RMA TX will follow the guidelines set forth in the Texas Open Meetings Act Chapter 551 of the Government Code.

SECTION 1. Compliance

RMA 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 Education Service Center 13 located at 5701 Springdale Road, Austin, TX 78723.

SECTION 2.2. Time. Regular meetings of the Board shall be held every two months on the third Friday of the month. 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. From time to time the Board may hold meetings in addition to its regularly scheduled meetings. Notice of a special or emergency meeting shall include the time and place of the meeting and shall be posted in the same manner as for regular meetings.

The Board President may call special on no less than three days' notice to the other Board members, and shall include any meeting other than a regular meeting.

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 only as permitted by the Texas Open Meetings Act.

SECTION 2.5 Participation by Videoconference. 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 Chair 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.

SECTION 3.2. Deadline for Submitting Agenda Items. The deadline for a member of the Board to submit items for inclusion on the agenda is 5 days before the 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, or cause to be recorded, all board action. The written minutes of all meetings shall be approved by vote of the Board and signed by any and all Board Members in attendance to which said minutes correspond.

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 but may not discuss or respond to the concern other than to provide a basic factual response or state that the Board will consider placing the item on the agenda for the next meeting. The item may be posted for discussion at a future Board meeting.

500.040. TEXAS PUBLIC INFORMATION ACT

The Board adopts the following policy, which shall be effective on the date of adoption.

SECTION 1. Compliance

RMA shall comply with the Texas Public Information Act (PIA) and, in accordance with the PIA, it shall provide a suitable copy of public information within a reasonable time after the date on which the information 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

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 PIA, 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 should not communicate regarding official business of the school using text messages, instant messages, or posting on the Internet. Use of personal accounts and devices for school business communications means those personal accounts and devices could be subject to the Public Information Act.

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, such online message board or similar Internet application shall be used in a manner consistent with RMA policy and state law.

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

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 RICHARD MILBURN 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 RICHARD MILBURN 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 RICHARD MILBURN 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 RICHARD MILBURN 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 RICHARD MILBURN ACADEMY. No official or employee of the RICHARD MILBURN 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 RICHARD MILBURN 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 or designee will serve as records management officer for the RICHARD MILBURN 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.

The Superintendent or 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.

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 RICHARD MILBURN ACADEMY, as provided by law. Any destruction of records of the RICHARD MILBURN ACADEMY will be in accordance with these schedules and the Local Government Records Act.

RICHARD MILBURN ACADEMY adopts the TSLAC schedules and the Records Management Officer shall complete and submit form [SLR 508: Declaration of Compliance](#). RICHARD

MILBURN ACADEMY is subject to the local schedules [GR \(Records Common to All Local Governments\)](#) and [SD \(Records of Public School Districts\)](#)