



## Texas Association of School Boards

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*Serving Texas Schools Since 1949*

## Texas School Board Member Continuing Education

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### COMMISSIONER WAIVER: TRAINING REQUIREMENTS SUSPENDED UNTIL JANUARY 31, 2021.

On August 10, 2020, the commissioner waived board training requirements in Texas Education Code section 11.159 and 19 Texas Administrative Code section 61.1 for all districts until January 31, 2021. For additional information, see [Suspension of Board Training Requirements During COVID-19](#).

### Required Continuing Education

#### 1. What continuing education is required for school board members?

School board members must complete continuing education training required by the State Board of Education (SBOE). Tex. Educ. Code § 11.159(b); 19 Tex. Admin. Code § 61.1. To the extent possible, entire boards are encouraged to participate in continuing education programs together. 19 Tex. Admin. Code § 61.1(i).

The SBOE is required to adopt a framework for governance leadership to be used in structuring continuing education for school board members, which must be posted to the Texas Education Agency (TEA) Website and be distributed annually by the president of each board of trustees to all current board members and the superintendent. 19 Tex. Admin. Code § 61.1(a). See TASB Policy BBD.

The SBOE requires seven training areas<sup>1</sup> of continuing education for board members:

1. Local District Orientation (new members)
2. Orientation to the Texas Education Code (new members)
3. Update to the Texas Education Code (after regular legislative sessions and special sessions on education)
4. Team Building (annually with entire board and superintendent)
5. Additional Continuing Education (10 hours first year, 5 hours subsequent years)

<sup>1</sup> In the past, board training areas have sometimes been called “tiers”. Due to changes in board training requirements, the term “tiers” has been discontinued.

- 6. Evaluating Student Academic Performance and Setting Goals (every two years)
- 7. Identifying and Reporting Abuse and Trafficking (every two years)<sup>2</sup>

19 Tex. Admin. Code § 61.1(b).

Other laws on [open government](#) and [cybersecurity](#) require additional training for trustees.

**Training for First-Year Trustees**

Type	Who	What	When	Length	Provider
Local District Orientation  19 Tex. Admin. Code § 61.1 (b)(1).	New members or candidates up to one year before election or appointment, and other members may attend	Local board policies and procedures; district goals and priorities; local practices in instruction, financial operations, district operations, superintendent evaluation, and board member roles and responsibilities.	Up to one year before or within 120 days after appointment or election	3 hours	Local district
Open Government Training  Tex. Gov't Code §§ 551.005, 552.012.	New members	Responsibilities of board under the Texas Open Meetings Act (OMA).  Responsibilities of board and employees under the Texas Public Information Act (PIA); may be delegated to PIA coordinator. See Policy GBAA.	OMA within first 90 days	1-2 hours	Attorney General (AG) or AG-approved course

<sup>2</sup> Requirement added by House Bill 403 (2019), with rule implementation on May 1, 2020. 19 Tex. Admin. Code § 61.1(m).

<b>Type</b>	<b>Who</b>	<b>What</b>	<b>When</b>	<b>Length</b>	<b>Provider</b>
Orientation to the Texas Education Code  19 Tex. Admin. Code § 61.1 (b)(2).	New members, or candidates up to one year before election or appointment, and other members may attend	Basic orientation to code with emphasis on governing Texas school districts, including Parental Rights and Health Education.	Up to one year before or within 120 days after appointment or election	3 hours	Regional Education Service Center (ESC)
Team Building  19 Tex. Admin. Code § 61.1(b)(4).	Every member of the board and the superintendent	To enhance effectiveness of board-superintendent team; review roles, rights, and responsibilities of board from SBOE framework; assess continuing education needs for the year.	Annual	3 hours	ESC or registered provider
Additional Continuing Education  19 Tex. Admin. Code § 61.1(b)(5).	New Members	Additional continuing education to meet assessed needs based on SBOE framework.	Annual, with 10 hours for first year of service, and 5 hours subsequent years	10 hours, which may be registered provider online training, and up to one hour of local district training may utilize self-instructional materials.	ESC, registered provider, or district; at least 50% must be designed and delivered by persons not affiliated with the district.
Evaluating student academic performance and setting goals  19 Tex. Admin. Code § 61.1(b)(6).	Members or candidates up to one year before election or appointment	Support the oversight role of the board on evaluating student academic performance; facilitate board plans that set goals for early childhood literacy and mathematics and	Up to one year before or within 120 days after appointment or election	3 hours	ESC or TEA-authorized provider

Type	Who	What	When	Length	Provider
		college, career and military readiness			
Identifying and Reporting Abuse and Trafficking  19 Tex. Admin. Code § 61.1(b)(7).	Members or candidates up to one year before election or appointment	Identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children.	Up to one year before or within 120 days after appointment or election	1 hour	ESC or registered provider
Cybersecurity <sup>3</sup>  Tex. Gov't Code § 2054.5191.	All members	Focus on forming information security habits and procedures that protect information resources; and teach best practices for detecting, assessing, reporting, and addressing information security threats.	June 14, 2020, and annually thereafter	As certified by the <a href="#">Texas Department of Information Resources</a>	DIR-approved course or local course that meets requirements if the district employs a dedicated information resources cybersecurity officer.
Total Hours				25+ Hours	

<sup>3</sup> Requirement added by House Bill 3834 (2019), effective June 14, 2019.

**Training for Experienced Trustees (after First Year)**

<b>Type</b>	<b>Who</b>	<b>What</b>	<b>When</b>	<b>Length</b>	<b>Provider</b>
Update to the Texas Education Code  19 Tex. Admin. Code § 61.1 (b)(3).	All members, except new members who received the orientation to the Texas Education Code with the most recent legislative changes.	Legislative update to the Texas Education Code	After each regular legislative session and each called session affecting education	Sufficient length to cover major changes	ESC or registered provider
Team Building  19 Tex. Admin. Code § 61.1 (b)(4).	Every member of the board and the superintendent	To enhance effectiveness of board-superintendent team; must review roles, rights, and responsibilities of board from SBOE framework; must assess continuing education needs for the year.	Annual	3 hours	ESC or registered provider
Additional Continuing Education  19 Tex. Admin. Code § 61.1 (b)(5).	All members	Additional continuing education to meet assessed needs based on SBOE framework.	Annually, with only 5 hours required after first year of service	5 hours, which may be registered provider online training, and up to one hour of local district training may utilize self-instructional materials.  For board presidents, part of this training must	ESC, registered provider, or district; at least 50% must be designed and delivered by persons not affiliated with the district.

				relate to the leadership duties of the president.	
Evaluating student academic performance and setting goals  19 Tex. Admin. Code § 61.1 (b)(6).	All members	Support the oversight role of the board on evaluating student academic performance; facilitate board plans that set goals for early childhood literacy and mathematics and college, career and military readiness.	By the second anniversary of the completion of the trustee's previous training	3 hours	ESC or TEA-authorized provider
Identifying and Reporting Abuse and Trafficking  19 Tex. Admin. Code § 61.1(b)(7).	All members	Identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children.	By the second anniversary of the completion of the trustee's previous training	1 hour	ESC or registered provider
Cybersecurity <sup>4</sup>  Tex. Gov't Code § 2054.5191.	All members	Focus on forming information security habits and procedures that protect information resources; teach best practices for detecting, assessing, reporting, and	June 14, 2020, and annually thereafter	As certified by the <a href="#">Texas Department of Information Resources</a>	DIR-approved course or local course that meets requirements if the district employs a dedicated information resources cybersecurity officer.

<sup>4</sup> Requirement added by House Bill 3834 (2019), effective June 14, 2019.

		addressing information security threats.			
Total Hours				9-13+ Hours	

**2. Is a trustee who returns to the board after a break in service a “new” trustee?**

Neither state law nor rule answers this question. If the break in service has been brief, the board member may be able to rely on previous training in good faith to establish that he or she is not a new member. However, if the break in service has been more than a year, TASB generally recommends starting the training process from scratch.

**3. Can one area of training (such as open government training) also count toward a board member’s required hours of additional continuing education (i.e., ten hours for new members, five hours for experienced members)?**

Unless a statute or rule says otherwise, hours spent in training can be counted toward the additional required hours of continuing education based on assessed needs even if the hours also satisfy another training requirement. In other words, if a trustee attends a 1.25 hour session on the Texas Open Meetings Act (OMA) that has been approved by the attorney general, the trustee has met the Texas Government Code requirement for a newly elected official and may also report 1.25 hours of additional continuing education.

The SBOE rule provides that time required for the local district orientation, the orientation to the Texas Education Code, the update to the Texas Education Code, and the annual team building may not count toward the total hours for additional continuing education. 19 Tex. Admin. Code § 61.1(b)(5). However, the SBOE rule does not address whether other types of training received by a trustee may count as additional continuing education. For example, the rule does not specifically address whether the hours spent in training on evaluating student academic performance and setting individual campus goals may also count toward required hours of additional continuing education. Nor does the rule specifically address whether an experienced trustee who voluntarily attends a local district orientation may count that time towards additional continuing education hours. Again, unless a rule or statute expressly states otherwise, a trustee or provider might reasonably determine that time spent in training in excess of the hours required may be counted as credit toward hours of additional continuing education.

**4. What is required for the three-hour board training on evaluating student academic performance and setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness?**

The SBOE rule requires a trustee to complete at least three hours of training every two years on evaluating student academic performance and setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness. 19 Tex. Admin. Code § 61.1(b)(6). Training may be completed in the year prior to board service or within 120 days of election or appointment, then every two years thereafter. The training must be provided by a TEA-authorized provider. 19 Tex. Admin. Code § 61.1(b)(6)(C), (D), (G).

The training on evaluating student academic performance must be research-based and designed to support the oversight role of the board of trustees under Texas Education Code section 11.1515. Tex. Educ. Code § 11.159(c), (c-1); 19 Tex. Admin. Code § 61.1(b)(6)(A). For the training on setting individual campus goals, the purpose is to facilitate board plans that set goals for early childhood literacy and mathematics and college, career and military readiness. Tex. Educ. Code §§ 11.185-.86; 19 Tex. Admin. Code § 61.1(b)(6)(B).

In addition, the SBOE rule states that the training will include, at a minimum, the following:

- Instruction in how school board behaviors correlate with improved student outcomes with emphasis on setting specific, quantifiable student outcome goals, and adopting plans to improve early literacy and numeracy and college, career, and military readiness for applicable student groups evaluated in the Closing the Gaps domain of the state accountability system established under the Texas Education Code chapter 39;
- Instruction in progress monitoring practices to improve student outcomes; and
- Instruction in state accountability with emphasis on the Texas Essential Knowledge and Skills, state assessment instruments administered under Texas Education Code chapter 39, and the state accountability system established under the Texas Education Code chapter 39.

19 Tex. Admin. Code § 61.1(b)(6)(F).

**5. Can the required three-hour board training on evaluating student academic performance and setting goals count as team building?**

The SBOE rule permits a board that completes the training on evaluating student academic performance and setting goals together, along with the board's superintendent, to count the same three hours of training as team-building credit under certain circumstances. In order for the training to count for both purposes, the following must be true:

- The training must be attended by an entire school board and its superintendent.
- The training must include a review of local school district data on student achievement.



- The training must meet all of the requirements for the three-hour board training on evaluating student academic performance and setting goals, as described above.
- The training must meet the requirements for team building, meaning that the purpose must be to enhance the effectiveness of board-superintendent team, the session must include a review of the roles, rights, and responsibilities of board based on the SBOE framework, and the team must assess its continuing education needs for the year.
- Finally, the training must comply with the OMA (see below at Application of the Texas Open Meetings Act).

19 Tex. Admin. Code § 61.1(b)(6)(H).

**6. What is required for the training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children?**

Trustees must complete at least one hour of training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children. Other maltreatment means child abuse or neglect. Tex. Educ. Code § 11.159(c)(2), (c-2), (e). As implemented by SBOE rule on May 1, 2020, training may be completed in the year prior to board service or within 120 days of election or appointment, then every two years thereafter. Training must be provided by a registered provider. 19 Tex. Admin. Code § 61.1(b)(7)(A)(B),(F), (m).

The training must familiarize board members with the requirements of Texas Education Code sections 38.004 and 38.0041, and Title 19, section 61.1051 of the Texas Administrative Code, relating to reporting child abuse or neglect, including trafficking of a child. 19 Tex. Admin. Code § 61.1 (b)(7)(D).

The training shall include, at a minimum:

- Instruction in best practices of identifying potential victims of child abuse, human trafficking, and other maltreatment of children;
- Instruction in legal requirements to report potential victims of child abuse, human trafficking, and other maltreatment of children; and
- Instruction in resources and organizations that help support victims and prevent child abuse, human trafficking, and other maltreatment of children.

19 Tex. Admin. Code § 61.1 (b)(7)(E).

## Training Logistics

### 1. Who facilitates school board training?

**Local district:** Each local district provides its own trustees' local district orientation. In addition, a local school district may provide up to half of trustees' additional continuing education based on assessed needs credit. If local school district officials provide training for their own board members, they are not required to register as providers with TEA. No more than one hour of the required continuing education that is delivered by the local district may utilize self-instructional materials. 19 Tex. Admin. Code § 61.1 (b)(1), (b)(5)(F), (c)(3).

**Education Service Centers:** ESCs are the exclusive source for trustees' orientation to the Texas Education Code and can provide all other board member training under the SBOE rule except for local district orientation. ESCs do not have to register or be authorized with TEA as providers. 19 Tex. Admin. Code § 61.1(b)(2)(E), (c)(4), (d)(2).

**Other registered providers:** A private or professional organization, school district, government agency, college or university, or private consultant can register with TEA to provide board member continuing education for the legislative update to the Texas Education Code, team building, additional continuing education based on assessed needs, and reporting of abuse and trafficking. The registration process must be updated every three years and must include documentation of the provider's training or expertise in the activities and areas covered in the framework for governance leadership. 19 Tex. Admin. Code § 61.1(c). TEA maintains an online list of [registered providers](#).

**Authorized providers:** Only ESCs and authorized providers may offer credit for the three-hour training on evaluating student academic performance and setting goals (see above). A registered provider may become an authorized provider for the course on evaluating student academic performance and setting goals by demonstrating proficiency in the content required. Proficiency may be demonstrated by completing a TEA-approved train-the-trainer course that includes evaluation on the topics and following a review of the provider's qualifications and course design or through other means as determined by the commissioner. The authorization process must be updated every three years and must include documentation of the provider's training or expertise in the activities and areas covered in the framework for governance leadership. 19 Tex. Admin. Code § 61.1(d). TEA maintains an online list of [authorized providers](#).

### 2. Where does board training usually take place?

For new board members, the local district orientation must be provided in the local school district, and the orientation to the Texas Education Code must be provided at the regional ESC. Other school board training may be provided for a board at a local board meeting by the school district itself, a representative of the regional ESC, or a registered or authorized

provider. Continuing education credit may be awarded at regional events, such as training provided by ESCs, or by other registered or authorized providers at regional seminars and state or national conventions. For reasons described below at Application of the Texas Open Meetings Act, team building typically takes place in local school districts.

### **3. Can training be completed online?**

Training for the orientation to the Texas Education Code, the update to the Texas Education Code, additional continuing education, and the reporting of abuse and trafficking may be completed online. Training for local district orientation, team building, and evaluating student academic performance and setting goals may not be completed online. In addition, online training must be designed and offered by a registered provider, incorporate interactive activities that assess learning and provide feedback to the learner, and offer an opportunity for interaction with the instructor. The registered provider must determine the clock hours of training credit to be awarded for successful completion of an online course and provide verification of completion. 19 Tex. Admin. Code § 61.1(b)(2)(G)-(H), (b)(3)(D)-(E), (b)(5)(H)-(I), (b)(7)(G)-(H).

### **4. Who pays for board member training expenses?**

Training expenses typically include the cost of hiring a consultant for in-district training and the cost of registration fees and travel for board members to attend regional, state, or national events.

For courses offered by ESCs, registration must be open to any interested person, including current and prospective board members. Tex. Educ. Code § 11.159. ESCs must determine a registration fee to cover the cost of providing continuing education programs at the ESCs. 19 Tex. Admin. Code § 61.1(g). Other registered providers typically charge a registration or consulting fee as well.

Local school boards usually approve an amount in the budget each year to cover the cost of training and reasonable, allowable, documented travel expenses. See TASB Policy BBG. Although board members serve without compensation, available state and local funds may be used to reimburse their travel expenses when the travel is determined to be necessary in the conduct of the public schools and to serve a proper public purpose. Tex. Educ. Code §§ 11.061(d), 45.105(c); Tex. Att’y Gen. Op. No. H-0133 (1973).

A district is not responsible for any training costs associated with individuals who are not current board members. 19 Tex. Admin. Code § 61.1(f). A board may not pay the travel expenses of spouses or other persons with no school district responsibilities or duties to perform at board-related activities. Tex. Att’y Gen. Op. No. MW-0093 (1979).

## **Application of the Texas Open Meetings Act**

### **1. What open meeting procedures are required for regional, state, and national conventions?**

A quorum or more of a school board may attend a regional training event outside the boundaries of the school district only if the training is not a *meeting* as defined by the OMA. When a school board conducts a *meeting*, the OMA requires procedures such as advance public notice and minutes. A meeting must be open to the public unless a closed meeting exception applies. Moreover, Texas school boards must conduct their meetings within the geographic boundaries of their respective school districts, unless they are conducting a joint meeting with another governmental body. Tex. Educ. Code § 26.007.

The term *meeting* does not include the gathering of a quorum of a school board at a regional, state, or national convention or workshop, if formal action is not taken and any discussion of public business is incidental to the workshop. Tex. Gov't Code § 551.001(4)(B).

This exception to the term *meeting* allows board members to attend training at regional workshops and conventions in numbers of a quorum or more without violating the OMA. Because such training is not a *meeting*, the board does not need to post advance notice of a regional workshop or convention. As a consequence of the training not being a posted *meeting*, members of a school board attending training in numbers of a quorum or more must exercise caution to avoid taking action (i.e., making decisions) or even discussing local school business except as is incidental to the workshop.

### **2. Can training offered at a statewide or regional training event count for team-building credit?**

Although nothing in statute or rule expressly forbids team building at regional events, the team building requirement inherently requires discussion of local governance and training needs. The OMA exception does not permit a board to take action at a regional training event, but the SBOE rule on team building requires boards to assess the continuing education needs of the board-superintendent team: "The assessment of needs shall be based on the framework for governance leadership . . . and shall be used to plan continuing education activities for the year for the governance leadership team." 19 Tex. Admin. Code § 61.1(b)(4)(E). Because detailed discussion of local needs may not be merely incidental to regional training, team building may not fit within the OMA exception. Further, team building is intrinsically an activity focused on the effectiveness of the local governance team. A regional event attended by multiple boards may not be the ideal setting to accomplish this task.

### **3. What open meeting procedures are required for local board training?**

When board training occurs in a school district, no exception to the term *meeting* applies. The training must be conducted in accordance with the OMA. Moreover, no continuing education may take place during a board meeting unless that meeting is called for the

delivery of board member continuing education. Continuing education may take place before or after a legally called board meeting in accordance with the OMA. 19 Tex. Admin. Code § 61.1(e).

If local board training (including team building) involving a quorum of the school board is conducted for a school district, several requirements apply:

- The training must be posted as a board meeting under the OMA. Tex. Gov't Code § 551.041.
- The training must be posted as a separate meeting with no other business. 19 Tex. Admin. Code § 61.1(e).
- The training must be open to the public (if no closed meeting exception applies). Tex. Gov't Code § 551.002.
- Public testimony must be permitted before or during consideration of items on the agenda of an open meeting. Tex. Gov't Code § 551.007.
- The training must take place within the boundaries of the district. Tex. Educ. Code § 26.007.

## **Reporting Continuing Education Credit**

### **1. How is credit tracked?**

All providers of continuing education are required to provide verification of completion to participating board members and their school districts. The verification must include the provider's authorization or registration number. 19 Tex. Admin. Code § 61.1(h).

The completion of continuing education should be tracked locally to facilitate required public announcements about training credit. District officials with myTASB access can view and print board member training reports at TASB's [Continuing Education Credit Reporting Service](#). The district record keeper may also enter and track credit for non-TASB sponsored training events through the service.

### **2. How is continuing education credit reported?**

At the last regular meeting of the board of trustees before an election of trustees, the current board president must announce the name of each board member who has completed the required continuing education, who has exceeded the required hours of continuing education, and who is deficient in meeting the required continuing education as of the anniversary of the date of each board member's election or appointment to the board or two-year anniversary of previous training, as applicable. The announcement must state that completing the required continuing education is a basic obligation and expectation of any sitting board member under SBOE rule. The president must cause the minutes of the local board to reflect the announcement. 19 Tex. Admin. Code § 61.1(j).

**Timing of the announcement:** Because announcements must be made at the last regular board meeting before trustee elections, districts with May elections will likely announce in April, and districts with November elections will likely announce in October. The purpose of announcing before elections is twofold. First, announcing shortly before elections synchronizes the timing of the public report with the time of year when most board members' credits are actually due to be completed, as most board members are elected, and state rules give board members one year to earn the required credit. Second, the announcement may be relevant to the election if a current board member is running for re-election.

Setting the time for announcements as the last regular meeting before an election of trustees raises several questions.

- **Are announcements required to be annual?** State law and rule do not specify that announcements must be annual in districts that do not conduct annual elections—i.e., districts that use the November uniform election date with four-year terms of office. As a matter of best practice to promote transparency, however, TASB recommends establishing a local board policy to make annual announcements. See TASB Policy BBD.
- **What if an election is canceled?** Again, state law and rule do not address this situation, but as a matter of best practice, TASB recommends making an annual announcement at the regular meeting that falls the month before the month in which the district would typically conduct an election.
- **What about special districts (e.g., military districts) in which all board members are appointed?** Again, state law and rule do not address this situation, but as a matter of best practice, TASB recommends making an annual announcement. The board may choose to establish a local policy that calls for an annual announcement. See TASB Policy BBD.

**Time period for earning credit:** Arguably, making the public announcement the month before an election gives trustees only 11, not 12, full months to complete their credit. This raises additional questions.

- **Is a trustee deficient if the trustee will meet the training credit requirement by the anniversary of his or her election or appointment, but has not completed the hours by the date of the public announcement?** Arguably not, but the board president's announcement should clarify the situation. If a trustee is registered to complete training in a timely manner by the date of the announcement, the board president may include that information in the announcement. TASB offers a model announcement, [Board President Annual Announcement on Continuing Education of Board Members](#).
- **Are appointed trustees expected to finish all credits before the announcement even if they have not been on the board for a full year?** An appointed trustee has one year from his or her appointment to complete the first-year training requirements, so the time period for earning credit (and determining compliance) will be unique for each appointed board member. If your board has an appointed member, your board president should explain the unique time frame in the public announcement.

To summarize:

Local Election Date	Time Period for Earning CE (for elected trustees)	CE Reporting Date
May	From May to the following May	April board meeting
November	From November to the following November	October board meeting

### 3. What happens if a trustee does not complete the required training?

The minutes of the last regular meeting of the board of trustees held before an election of trustees must reflect whether each trustee has met or is deficient in meeting the training required for the trustee as of the first anniversary of the date of the trustee’s election or appointment or two-year anniversary of previous training, as applicable. If the minutes reflect that a trustee is deficient, the district must post the minutes on the district’s website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements. Tex. Educ. Code § 11.159(b); 19 Tex. Admin. Code § 61.1(j).

TASB suggests the following steps if a board member fails to complete required training:

**Step One—public announcement at board meeting:** As stated, TASB recommends that school boards make annual announcements about the completion of board training credit, even in districts that do not conduct annual elections. The topic should appear on the open meeting notice of the board’s meeting (e.g., “Annual Announcement of Board Training Credit”). If a trustee has failed to complete any component of required training, TASB recommends that the announcement note the deficiency. TASB offers a model announcement, [Board President Annual Announcement on Continuing Education of Board Members](#).

**Step Two—include the announcement in the minutes:** To meet the requirement that the announcement be recorded in the board meeting minutes, the board president may direct that a report with the same text as the announcement be attached to the minutes.

**Step Three—post notice of a deficiency online:** If the announcement and minutes indicate that a trustee is deficient, the minutes must be posted online within 10 business days and must remain posted until the deficiency is cured.

### 4. If a trustee is deficient in meeting a training requirement, but the trustee had a good reason for missing the training, can the announcement, minutes, or online posting explain the deficiency?

State law and rule do not dictate the form of the board president’s announcement, the level of detail in the board meeting minutes, or the content of any accompanying post on the

district's website. If additional information would assist the public in understanding the cause of a trustee's deficiency, the district may choose to include that information.

**5. Can the minutes be changed or removed from the district's website if a trustee completes the required training?**

Remember that the board's approved minutes are the official record of what transpired at the board meeting. Consequently, the minutes may not be altered, even if a trustee cures a deficiency. Once all deficiencies noted in the minutes are cured, the minutes may be removed from the web posting and retained in the same manner as other board meeting minutes. See TASB's FAQ [Open Meetings Records](#). If minutes reflect deficiencies on the part of more than one trustee, and one trustee cures the deficiency but another does not, the minutes must remain posted. However, the web posting can be updated when the trustee cures the deficiency.

**6. Should districts create a web posting about board training credit?**

Neither state law nor rule specifies where on the district's website the minutes should be posted. The location of the posting is a matter of local control. The statute requires the minutes to be posted if a deficiency is noted, but a district may wish to add an online statement to accompany the posting. The advantage of adding an online statement is that the statement can be updated with new developments even though the minutes cannot be altered. For example, if two deficiencies are noted, and one is cured, the minutes must remain posted without alteration, but the online statement could clarify that one of the deficiencies was cured.

**7. Must a deficiency be noted in the minutes and posted online for every deficiency, or only deficiencies that occur after a trustee's first year of service?**

Because the statute and SBOE rule indicate that a trustee is deficient upon the *first* anniversary of the trustee's election or appointment, an argument can be made that a trustee is deficient for purposes of the minutes and posting requirements only as of the first anniversary of the trustee's election or appointment. For the sake of transparency and in order to treat all trustees equally, TASB does not recommend differentiating between board members based on their years of service. If your board wishes to rely on this distinction, please work with your school attorney to develop an appropriate explanation as part of your public announcement. Note also that TEA has indicated informally that a trustee may have multiple *first* anniversaries of joining the board. A first anniversary will occur every time a trustee is elected or appointed to the board, even if the trustee is elected after appointment or re-elected with no break in service.



**8. What is a benefit of exceeding the required amount of training?**

Annually, the SBOE commends the board-superintendent teams that receive at least eight hours of continuing education in team building and other continuing education on assessed needs as an entire board-superintendent team. Annually, the SBOE will also commend the board-superintendent teams that effectively implement the commissioner’s trustee improvement and evaluation tool developed under Texas Education Code section 11.182 or any other tool approved by the commissioner. 19 Tex. Admin. Code § 61.1(k), (l).

This document is continually updated, and references to online resources are hyperlinked, at [tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Governance/documents/tex-sch-bd-mem-continuing-education.pdf](https://tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Governance/documents/tex-sch-bd-mem-continuing-education.pdf). For more information on this and other school law topics, visit TASB School Law eSource at [schoollawesource.tasb.org](https://schoollawesource.tasb.org).

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*Updated August 2020*