

**Section I —
Consultation with
Nonsupervisory
Professional
Employees
Purpose**

The purpose of consultation is to set forth a recognized process whereby the Consultation Agent, the Board, and the Superintendent may work together in developing educational policies and communication procedures.

The parties to this consultation recognize that teaching is a profession and believe that the educational opportunities for the children of the District are enhanced and are of a higher quality when channels of communication are open and when harmonious working relations exist among the Board, the Superintendent, and the professional personnel.

It is mutually agreed that:

1. The Board, under law, has the final authority for establishing the policies of the District.
2. The Superintendent, as the chief administrator, and his or her staff have the responsibility of carrying out the policies established by the Board.
3. The Consultation Agent has the responsibility of representing the professional interests of the nonsupervisory personnel in the District.
4. The professional teaching personnel have the responsibility for providing the education in the classroom aligned with best practices. The participation in the development and implementation of the educational program by the professional teaching personnel is essential to student achievement in the classroom.
5. All parties to the consultation process assure continuing good faith in their communication relating to the identified problems of mutual concern.
6. The parties of the consultation process are the Board, the Superintendent, and the elected Consultation Agent for the nonsupervisory personnel of the District.

Definitions

The following definitions shall apply.

Consultation

Consultation shall mean advice, counsel, and exchange of information on matters pertaining to educational policies and conditions of employment.

**Superintendent's
Designee**

The Superintendent's designee shall be the persons designated by the Superintendent to represent the administration in the consultation process. All members of the designee shall be regular District employees. The designee shall consist of no fewer than two and no

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| | more than five members. One member shall be designated as the lead representative. |
| Consultation Agent | Consultation Agent shall mean the recognized employee organization elected to represent nonsupervisory professional employees in the consultation process. |
| Consultation Agent's Designee | Consultation Agent's designee shall be the persons designated by the Consultation Agent to represent nonsupervisory professional District employees in the consultation process. All members of the designee shall be regular District employees, except that one member may be a former regular District employee. The designee shall consist of no fewer than two and no more than five members. One member shall be designated as the lead representative. |
| Consulting Team | Consulting Team shall mean the Superintendent's designee representing the administration and the Consultation Agent's designee representing the District's nonsupervisory professional employees. |
| Regular Employee | A District employee shall mean an employee who is eligible for health and life insurance, sick leave, and other standard employment benefits through the District. |
| Board Recognition | <p>To be eligible to participate in the consultation process, an employee organization shall provide the following to the Superintendent's designee by July 1 in the year of the election:</p> <ol style="list-style-type: none">1. A written request for official Board recognition;2. A copy of its constitution and bylaws, which must be consistent with applicable state and federal statutes; and3. Evidence of having members who are regular, nonsupervisory professional employees of the District. |
| Time Lines | The Superintendent's designee shall call an initial consultation meeting not later than 30 days after the first day of the school year, unless the Consulting Team agrees to extend the deadline. Consultation meetings shall be held once a month unless the Consulting Team agrees to meet more or less frequently. |
| Requirements of Consultation Agent | <p>The Consultation Agent shall:</p> <ol style="list-style-type: none">1. On a monthly basis throughout the school year, hold an open meeting at a designated District location with the representatives from the Consultation Agent Advisory Council (CAAC) whereby the CAAC can provide advice, counsel, and exchange of information on matters pertaining to educational policies and conditions of employment. The CAAC shall be comprised of the president or executive officer of any other employee organization that can document membership of five |

percent or more current District employees in the nonsupervisory professional category. For up to one hour at the onset of every meeting, District employees will be permitted to sign up and speak during Employee Communication. In order to provide as many opportunities for input as possible within a limited time period, each employee will be allotted three minutes to address the parties. This will not be a dialogue between the employees and the parties.

The CAAC meeting agenda and location shall be posted on the District's intranet Web site five workdays prior to the date of the meeting. Discussions shall not include recruitment for membership to employee organizations.

The CAAC meeting shall conclude with an evaluation as to the scope and effectiveness of the meeting. Results of the evaluation shall be shared with the administration within five workdays after the meeting has occurred.

2. On at least a quarterly basis, hold an open meeting that may be attended by all nonsupervisory professional employees for the purpose of exchanging information on topics related to the consultation process. The Consultation Agent is responsible for providing reasonable notice of the upcoming meetings to nonsupervisory professional employees.

Requirement of Consulting Team

The Consulting Team shall work in good faith whereby both parties refrain from taking issues agreed upon as consultation proposals as identified in the Consultation Agenda, directly to the Board until an impasse has been officially declared. Exceptions to this provision may be mutually agreed upon by the Consulting Team. This requirement applies solely to members of the Consulting Team.

Subjects for Consultation

Professional matters considered to be subjects for the consultation process are those of general and mutual concern that affect the quality of education and professional services.

General Procedures for Consultation

Primary
Consultation Period

The primary consultation period shall be from August 1 to June 30 of each academic year during which the consulting teams shall meet on a regular basis to be determined at their first meeting, which shall occur within the first 30 days of the new school year each year. At consulting team meetings, each team shall present in writing its items identified for the consultation process. The agenda shall consist only of items identified and presented by the teams. Specific meetings may be limited to certain agenda items by mutual consent.

Meetings

At the first meeting of the consulting teams at the beginning of each academic year, the chairperson of each team shall be

acknowledged and shall jointly chair each meeting. The chairperson shall arrange to provide adequate communications on consultation matters. The chairpersons shall also be jointly responsible for preparing written agendas, minutes, agreements, and any other joint communiqués of the consulting teams. Secretarial or clerical assistance may be utilized by the consulting teams at their meetings. Specific times for these meetings will be arranged by the Superintendent with agreement of the chair of the Consultation Agent Team.

An agenda for each meeting will be posted on the District's intranet by the executive director for human resources after conferring with consultation representative(s) at least 48 hours prior to each meeting.

Draft minutes of the consultation meetings will be prepared by the executive director for human resources and will be posted on the District's intranet within five working days after the meeting. Upon approval of the minutes of a consultation meeting, the final document will be placed on the District's intranet.

Meetings of the consulting teams will be attended only by the members of each team, except for those individuals mutually agreed upon.

Resources

Parties to this agreement may appoint an ad hoc study committee or choose resource persons to research, study, and make recommendations on matters of consultation. These committees will report their findings to the consulting teams. The parties to this agreement agree to furnish, upon reasonable request, pertinent information needed in making recommendations for the improvement of the educational program. The parties agree to share the results of methodologies and questionnaires, surveys, and studies, which will be of assistance in making sound decisions as related to the subjects under consideration.

Agreements

A preliminary agreement shall have been reached when the chairperson of each team approves a written proposal. Prior to such agreement, each team shall have an opportunity to determine its position in private discussion. Such written agreement shall be presented to both consulting teams for approval. When approval is granted, the written agreement shall be presented to the Board. The Board will consider the matter at its next regular Board meeting. The Board may, at its option, refer the recommended agreement back to the consulting teams for the reconsideration of specific items, with a report due back to the Board at the next regular Board meeting. Agreements ratified shall be included in the official minutes of the Board.

Impasse

Impasse shall only be declared when the Superintendent and the designated Lead Representative determine that all efforts to reach agreement on an issue have been exhausted without a solution. When impasse is recognized by both chairpersons, the Board President will be notified.

The Board President shall appoint a three-member Board subcommittee to assist the parties in reaching an agreement.

The Board President shall be provided with a written explanation of the details of an impasse including:

- A statement from each designated Lead Representative giving the position of the respective team,
- Facts agreed to regarding the specific impasse item,
- Facts or positions in dispute on the specific impasse item, and
- The respective team's recommendation for resolution of the nonagreement.

The two consulting teams will then meet with the Board subcommittee appointed by the Board President to attempt to resolve the impasse. The Board subcommittee shall determine the number, length, and content of the meetings based on the written explanations received.

Meetings shall be posted in accordance with Chapter 551 — Open Meetings of the Texas Government Code, as amended. The meetings shall provide an opportunity to present the concerns as identified by the Consulting Team to a subcommittee of the Board for resolution.

When an agreement is reached, the agreement shall be presented to the Board at the next regular Board meeting.

If no agreement is reached, the subcommittee shall make a recommendation to the Board at the next regular Board meeting.

No later than at the following regular meeting, the Board shall make a final decision by:

1. Accepting the subcommittee's recommendation as presented;
2. Revising or amending the subcommittee's recommendation before accepting it; or
3. Taking any other action the Board considers appropriate.

Election Procedures

The Consultation Agent shall be selected through an election process.

The term of a consultation representative will be for two years starting on January 1st following the fall election and the certification of the election results by the Board, or the term will start at the declaration of automatic recertification by the Board in the case where no election has been called or held.

The election will be held every odd-numbered year in the fall if an election request is made by a District representative organization that can document membership of five percent or more of current District employees in the nonsupervisory professional category. An election request must be made between July 1st and August 31st of the election year.

The position of each organization on the ballot shall be determined by a drawing. Each organization represented on the ballot shall appoint a designee to participate in the drawing.

The District shall notify employees of the election by posting announcements at each work site. The notice shall contain all essential information regarding the election, including the date(s) of the election, times for voting, voter eligibility criteria, and the purpose of the election, as well as a statement requiring administrative employees to remain neutral in the election process. A copy of the election rules shall be posted in a conspicuous place, accessible to all employees.

If no election request is made, the current representative(s) will be automatically recertified for two additional years by the Board.

Cost of Election

No District resources shall be used to cover the cost of the election. The cost of the election shall be paid equally by each organization represented on the ballot.

**Election
Administrator
Responsibilities**

An election administrator to oversee the election process and results shall be appointed by the Board President.

Election administrator responsibilities are as follows:

1. The election administrator shall ensure the integrity of the election process by validating voter identification procedures.
2. The election administrator shall set a voter eligibility date [see VOTER ELIGIBILITY, below] and the election date(s).
3. The election administrator may appoint election judges, as necessary, to assist with the administration of the election process and election results.
4. The election administrator shall investigate any potential violation of election rules by either a candidate organization or an employee.

5. If the election administrator finds that a violation of election rules by a candidate organization may have occurred, the administrator shall report the results of the investigation to the Board and may recommend any penalties and/or remedial action as appropriate. The Board shall make a final ruling on whether or not a violation has occurred.
6. If the election administrator finds that a violation of election rules by an employee may have occurred, the administrator shall report the results of the investigation to the Superintendent and may recommend any penalties and/or remedial action as appropriate. The Superintendent shall make a final ruling on whether or not a violation has occurred.

**Penalties for
Violation of Election
Rules**

If the Board rules that a candidate organization has violated election rules, the Board may impose penalties and/or sanctions on the organization, up to and including any or all of the following:

1. Censure by the Board, outlining the violations that have occurred.
2. Withdrawal of Board recognition of the candidate organization as eligible to participate in the consultation process. If this penalty is imposed on an organization that won the election, that organization shall forfeit the right to be the Consultation Agent. In this case, the organization with the next highest number of votes shall become the Consultant Agent. If this penalty is imposed on an organization that did not win the election, that organization shall forfeit the right to any ongoing participation in the consultation process.
3. Disqualification of the candidate organization from the next consultation election.

An organization that has been penalized or sanctioned due to the violation of election rules may petition the Board for the penalties or sanctions to be lifted. Such petition may be submitted no earlier than one year after the penalties or sanctions are imposed. The Board will review the petition and issue a ruling on the petition. If the petition is denied, the organization may resubmit petitions at intervals of no less than one year.

If the Superintendent finds that an employee has violated election rules, the Superintendent will take action in accordance with District discipline policies, procedures, and guidelines, up to and including termination.

Voter Eligibility

Membership in an employee organization is not a prerequisite for voting in the election. The election administrator shall declare a

voter eligibility date approximately one to two months prior to the final election date. Any person who is a regular District employee on the voter eligibility date and is on a District professional pay grade below P8 shall be eligible to vote in the election. Employees who have a resignation date prior to the voter eligibility date, or a hire date after the voter eligibility date, shall not be eligible to vote in the election. An employee who meets these conditions and is on any type of approved leave, including leave without pay, shall be eligible to vote in the election. The administration will publish a list of eligible voters.

In the event of a runoff election, only those employees who were certified on the eligible voter list for the general election will be eligible to vote in the runoff election.

If the eligibility of any voter is challenged, the election administrator shall investigate the matter and issue a ruling as soon as practicable.

Election Date

The election administrator shall establish the election date(s) during the month of September or October.

Election Results

Election shall be by majority of the votes cast. The organization that receives the most votes shall be the elected Consultation Agent for two years, until the following election. The result of the election shall be presented to the Board at the next regular Board meeting following the conclusion of the election. When the results are validated and approved by the Board, the organization elected shall become the Consultation Agent.

If an organization requests a recount of any vote, the requesting organization shall bear the full cost of the recount as determined by the election administrator, unless the recount causes a change in the outcome of the election in favor of the requesting organization.

Runoff Election

If no one organization receives a majority of the votes cast, a runoff election shall be held between the two organizations receiving the highest number of valid ballots cast. A runoff election, if necessary, shall take place as soon as practicable after the general election. In any case, a runoff election shall be held within four weeks after the general election. The election administrator shall establish the date(s) of a runoff election. All election rules that applied to the general election will also apply to the runoff election.

Guidelines for electioneering shall be as follows:

Electioneering Guidelines

1. No employee or organization representative shall attempt to influence students regarding the election or attempt to use students for any purpose in conjunction with the election. Any

communication with students regarding the election or election process is prohibited, except that the election process may be discussed in class as it relates to the democratic process in conjunction with class subject matter.

2. For the general election and the runoff election, campaigning shall be restricted to the days of the week immediately preceding the general election and the two weeks prior to the week in which the election is held.
3. Campaigning in and around a District facility may only occur during the duty-free lunch and before or after the employee duty day. The principal/supervisor may also establish reasonable rules regarding access of organization representatives to a District facility to ensure that campaigning does not interfere with instruction or employees' duties.
4. Each District facility shall, upon request of an employee or organization, provide bulletin board space or other similar space to display campaign materials. Equal space must be provided for each organization. Campaign materials may be distributed in employee mailboxes either before or after the school workday, or during the duty-free lunch. An organization choosing to distribute campaign materials in employee mailboxes must adhere to policies and regulations regarding the distribution of school mail.
5. Employees on duty may not wear campaign buttons, hats, shirts, or other clothing items related to the campaign during the workday. Campaign materials may not be displayed at the work site, other than on the approved bulletin board. Employees on duty may not engage in campaigning during the workday, except during the duty-free lunch and subject to reasonable rules as may be established by the principal/supervisor to ensure that campaigning does not interfere with instruction or employees' duties.

**Section II —
Consultation with
Classified
Employees**

Purpose

The purpose of consultation is for the Board, through District administrative personnel, to establish and maintain a recognized communication process with classified employees with respect to matters of educational policy, working conditions, and other areas of general concern that affect the quality of educational and professional services. The Board shall retain complete authority to make decisions affecting the operation and governance of the District.

It is mutually agreed that:

1. The Board, under law, has the final authority for establishing the policies of the District.

2. The Superintendent, as the chief administrator, and his or her staff have the responsibility of carrying out the policies established by the Board.
3. The Consultation Agent has the responsibility of representing the interests of the classified personnel in the District.
4. The classified personnel have the responsibility for supporting the education in the classroom aligned with best practices. The support in the development and implementation of the educational program by the classified personnel is essential to student achievement in the classroom.
5. All parties to the consultation process assure continuing good faith in their communication relating to the identified problems of mutual concern.
6. The parties of the consultation process are the Board, the Superintendent, and the elected Consultation Agent for the classified personnel of the District.

Definitions

The following definitions shall apply.

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| Consultation | Consultation shall mean advice, counsel, and exchange of information on matters pertaining to educational policies and conditions of employment. |
| Superintendent's Designee | The Superintendent's designee shall be the persons designated by the Superintendent to represent the administration in the consultation process. All members of the designee shall be regular District employees. The designee shall consist of no less than two and no more than five members. One member shall be designated as the lead representative. |
| Consultation Agent | Consultation Agent shall mean the recognized employee organization elected to represent classified employees in the consultation process. |
| Consultation Agent's Designee | Consultation Agent's designee shall be the persons designated by the Consultation Agent to represent classified District employees in the consultation process. All members of the designee shall be regular District employees, except that one member may be a former regular District employee. The designee shall consist of no fewer than two and no more than five members. One member shall be designated as the lead representative. |
| Consulting Team | Consulting Team shall mean the Superintendent's designee representing the administration and the Consultation Agent's designee representing the District's classified employees. |

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| Regular Employee | A District employee shall mean an employee who is eligible for health and life insurance, sick leave, and other standard employment benefits through the District. |
| Board Recognition | <p>To be eligible to participate in the consultation process, an employee organization shall provide the following to the Superintendent's designee by July 1 in the year of the election:</p> <ol style="list-style-type: none">1. A written request for official Board recognition;2. A copy of its constitution and bylaws, which must be consistent with applicable state and federal statutes; and3. Evidence of having members who are regular, classified employees of the District. |
| Time Lines | The Superintendent's designee shall call an initial consultation meeting not later than 30 days after the first day of the school year, unless the Consulting Team agrees to extend the deadline. Consultation meetings shall be held once a month unless the Consulting Team agrees to meet more or less frequently. |
| Requirements of Consultation Agent | <p>The Consultation Agent shall:</p> <ol style="list-style-type: none">1. On a monthly basis throughout the school year, hold an open meeting at a designated District location with the representatives from the CAAC whereby the CAAC can provide advice, counsel, and exchange of information on matters pertaining to educational policies and conditions of employment. The CAAC shall be comprised of the president or executive officer of any other employee organization that can document membership of five percent or more of current District employees in the classified category. For up to one hour at the onset of every meeting, District employees will be permitted to sign up and speak during Employee Communication. In order to provide as many opportunities for input as possible within a limited time period, each employee will be allotted three minutes to address the parties. This will not be a dialogue between the employees and the parties. <p>The CAAC meeting agenda and location shall be posted on the District's intranet Web site five workdays prior to the date of the meeting. Discussions shall not include recruitment for membership to employee organizations.</p> <p>The CAAC meeting shall conclude with an evaluation as to the scope and effectiveness of the meeting. Results of the evaluation shall be shared with the administration within five workdays after the meeting has occurred.</p> |

2. On at least a quarterly basis, hold an open meeting that may be attended by all classified employees for the purpose of exchanging information on topics related to the consultation process. The Consultation Agent is responsible for providing reasonable notice of the upcoming meetings to classified employees.

Requirement of Consulting Team

The Consulting Team shall work in good faith whereby both parties refrain from taking issues agreed upon as consultation proposals directly to the Board until an impasse has been officially declared. Exceptions to this provision may be mutually agreed upon by the Consulting Team. This requirement applies solely to members of the Consulting Team.

Subjects for Consultation

Professional matters considered to be subjects for the consultation process are those of general and mutual concern that affect the quality of education and professional services.

General Procedures for Consultation

Primary
Consultation Period

The primary consultation period shall be from August 1 to June 30 of each academic year during which the consulting teams shall meet on a regular basis to be determined at their first meeting, which shall occur within the first 30 days of the new school year each year. At consulting team meetings, each team shall present in writing its items identified for the consultation process. The agenda shall consist only of items identified and presented by the teams. Specific meetings may be limited to certain agenda items by mutual consent.

Meetings

At the first meeting of the consulting teams at the beginning of each academic year, the chairperson of each team shall be acknowledged and shall jointly chair each meeting. The chairperson shall arrange to provide each other with adequate communications on consultation matters. The chairpersons shall also be jointly responsible for preparing written agendas, minutes, agreements, and any other joint communiqués of the consulting teams. Secretarial or clerical assistance may be utilized by the consulting teams at their meetings. Specific times for these meetings will be arranged by the Superintendent with agreement of the chair of the Consultation Agent Team.

An agenda for each meeting will be posted on the District's intranet by the executive director for human resources after conferring with consultation representative(s) at least 48 hours prior to each meeting.

Draft minutes of the consultation meetings will be prepared by the executive director for human resources and will be posted on the District's intranet within five working days after the meeting. Upon

approval of the minutes of a consultation meeting, the final document will be placed on the District's intranet.

Meetings of the consulting teams will be attended only by the members of each team except for those individuals mutually agreed upon.

Resources

Parties to this agreement may appoint an ad hoc study committee or choose resource persons to research, study, and make recommendations on matters of consultation. These committees will report their findings to the consulting teams. The parties to this agreement agree to furnish, upon reasonable request, pertinent information needed in making recommendations for the improvement of the educational program. The parties agree to share the results of methodologies and questionnaires, surveys, and studies, which will be of assistance in making sound decisions as related to the subjects under consideration.

Agreements

A preliminary agreement shall have been reached when the chairperson of each team approves a written proposal. Prior to such agreement, each team shall have an opportunity to determine its position in private discussion. Such written agreement shall be presented to both consulting teams for approval. When approval is granted, the written agreement shall be presented to the Board. The Board will consider the matter at its next regular Board meeting. The Board may, at its option, refer the recommended agreement back to the consulting teams for the reconsideration of specific items with a report due back to the Board at the regular Board meeting. Agreements ratified shall be included in the official minutes of the Board.

Impasse

Impasse shall only be declared when the Superintendent and the designated Lead Representative determine that all efforts to reach agreement on an issue have been exhausted without a solution. When an impasse is recognized by both chairpersons, the Board President will be notified.

The Board President shall appoint a three-member Board subcommittee to assist the parties in reaching an agreement.

The Board President shall be provided with a written explanation of the details of the impasse including:

- A statement from each designated Lead Representative giving the position of the respective team,
- Facts agreed to regarding the specific impasse item,
- Facts or positions in dispute on the specific impasse item, and

- The respective team's recommendation for resolution of the nonagreement.

The two consulting teams will then meet with the Board subcommittee appointed by the Board President to attempt to resolve the impasse. The Board subcommittee shall determine the number, length, and content of the meetings based on the written explanations received.

Meetings shall be posted in accordance with Chapter 551 — Open Meetings of the Texas Government Code, as amended. The meetings shall provide an opportunity to present the concerns as identified by the Consulting Team to a subcommittee of the Board for resolution.

When an agreement is reached, the agreement shall be presented to the Board at the next regular Board meeting.

If no agreement is reached, the subcommittee shall make a recommendation to the Board at the next regular Board meeting.

No later than at the following regular Board meeting, the Board shall make a final decision by:

1. Accepting the subcommittee's recommendation as presented;
2. Revising or amending the subcommittee's recommendation before accepting it; or
3. Taking any other action the Board considers appropriate.

Election Procedures

The Consultation Agent shall be selected through an election process.

The term of a consultation representative will be for two years starting on January 1st following the fall election and the certification of the election results by the Board, or the term will start at the declaration of automatic recertification by the Board in the case where no election has been called or held.

The election will be held every odd-numbered year in the fall if an election request is made by a District representative organization that can document membership of five percent or more of current District employees in the classified category. An election request must be made between July 1st and August 31st of the election year.

The position of each organization on the ballot shall be determined by a drawing. Each organization represented on the ballot shall appoint a designee to participate in the drawing.

The District shall notify employees of the election by posting announcements at each work site. The notice shall contain all essential information regarding the election, including the date(s) of the election, times for voting, voter eligibility criteria, and the purpose of the election, as well as a statement requiring administrative employees to remain neutral in the election process. A copy of the election rules shall be posted in a conspicuous place, accessible to all employees.

If no election request is made, the current representative(s) will be automatically recertified for two additional years by the Board.

Cost of Election

No District resources shall be used to cover the cost of the election. The cost of the election shall be paid equally by each organization represented on the ballot.

**Election
Administrator
Responsibilities**

An election administrator to oversee the election process and results shall be appointed by the Board President.

Election administrator responsibilities are as follows:

1. The election administrator shall ensure the integrity of the election process by validating voter identification procedures.
2. The election administrator shall set a voter eligibility date [see VOTER ELIGIBILITY, above] and the election date(s).
3. The election administrator may appoint election judges, as necessary, to assist with the administration of the election process and election results.
4. The election administrator shall investigate any potential violation of election rules by either a candidate organization or an employee.
5. If the election administrator finds that a violation of election rules by a candidate organization may have occurred, the administrator shall report the results of the investigation to the Board and may recommend any penalties and/or remedial action as appropriate. The Board shall make a final ruling on whether or not a violation has occurred.
6. If the election administrator finds that a violation of election rules by an employee may have occurred, the administrator shall report the results of the investigation to the Superintendent and may recommend any penalties and/or remedial action as appropriate. The Superintendent shall make a final ruling on whether or not a violation has occurred.

**Penalties for
Violation of Election
Rules**

If the Board rules that a candidate organization has violated election rules, the Board may impose penalties and/or sanctions on the organization, up to and including any or all of the following:

1. Censure by the Board, outlining the violations that have occurred.
2. Withdrawal of Board recognition of the candidate organization as eligible to participate in the consultation process. If this penalty is imposed on an organization that won the election, that organization forfeits the right to be the Consultation Agent. In this case, the organization with the next highest number of votes becomes the Consultant Agent. If this penalty is imposed on an organization that did not win the election, that organization forfeits the right to any ongoing participation in the consultation process.
3. Disqualification of the candidate organization from the next consultation election.

An organization that has been penalized or sanctioned due to the violation of election rules may petition the Board for the penalties or sanctions to be lifted. Such petition may be submitted no earlier than one year after the penalties or sanctions are imposed. The Board will review the petition and issue a ruling on the petition. If the petition is denied, the organization may resubmit petitions at intervals of no less than one year.

If the Superintendent finds that an employee has violated election rules, the Superintendent will take action in accordance with District discipline policies, procedures, and guidelines, up to and including termination.

Voter Eligibility

Membership in an employee organization is not a prerequisite for voting in the election. The election administrator shall declare a voter eligibility date approximately one to two months prior to the final election date. Any person who is a regular District employee on the voter eligibility date and on a District classified pay grade shall be eligible to vote in the election. Employees who have a resignation date prior to the voter eligibility date, or a hire date after the voter eligibility date, shall not be eligible to vote in the election. An employee who meets these conditions and is on any type of approved leave, including leave without pay, shall be eligible to vote in the election. The administration will publish a list of eligible voters.

In the event of a runoff election, only those employees who were certified on the eligible voter list for the general election will be eligible to vote in the runoff election.

If the eligibility of any voter is challenged, the election administrator shall investigate the matter and issue a ruling as soon as practicable.

Election Date

The election administrator shall establish the election date(s) during the month of September or October.

Election Results

Election shall be by majority of the votes cast. The organization that receives the most votes shall be the elected Consultation Agent for two years, until the following election. The result of the election shall be presented to the Board at the next regular Board meeting following the conclusion of the election. When the results are validated and approved by the Board, the organization elected shall become the Consultation Agent.

If an organization requests a recount of any vote, the requesting organization shall bear the full cost of the recount as determined by the election administrator, unless the recount causes a change in the outcome of the election in favor of the requesting organization.

Runoff Election

If no one organization receives a majority of the votes cast, a runoff election shall be held between the two organizations receiving the highest number of valid ballots cast. A runoff election, if necessary, shall take place as soon as practicable after the general election. In any case, a runoff election shall be held within four weeks after the general election. The election administrator shall establish the date(s) of a runoff election. All election rules that applied to the general election will also apply to the runoff election.

Electioneering Guidelines

Guidelines for electioneering shall be as follows:

1. No employee or organization representative shall attempt to influence students regarding the election or attempt to use students for any purpose in conjunction with the election. Any communication with students regarding the election or election process is prohibited, except that the election process may be discussed in class as it relates to the democratic process in conjunction with class subject matter.
2. For the general election and the runoff election, campaigning shall be restricted to the days of the week immediately preceding the general election and the two weeks prior to the week in which the election is held.
3. Campaigning in and around a District facility may only occur during the duty-free lunch and before or after the employee duty day. The principal/supervisor may also establish reasonable rules regarding access of organization representatives to a District facility to ensure that campaigning does not interfere with instruction or employees' duties.

4. Each District facility shall, upon request of an employee organization, provide bulletin board space or other similar space to display campaign materials. Equal space must be provided for each organization. Campaign materials may be distributed in employee mailboxes either before or after the school workday or during the duty-free lunch. An organization choosing to distribute campaign materials in employee mailboxes must adhere to policies and regulations regarding the distribution of school mail.
5. Employees on duty may not wear campaign buttons, hats, shirts, or other clothing items related to the campaign during the workday. Campaign materials may not be displayed at the work site, other than on the approved bulletin board. Employees on duty may not engage in campaigning during the workday, except during the duty-free lunch and subject to reasonable rules as may be established by the principal/supervisor to ensure that campaigning does not interfere with instruction or employees' duties.

**Section III —
Consultation with
Administrative
Personnel**

Purpose

The purpose of this procedure is to set forth a method whereby administrators in the District and the Superintendent may work together to implement a quality educational program in the District and provide an effective channel of communication through both informal discussion and consultation.

The professional interests of the administrative personnel of the District are represented by the Austin Association of Public School Administrators (AAPSA). The Board recognizes the AAPSA, "the Council," as the official body through which the Superintendent and the Board carry on the consultation process with administrative personnel.

Consultation shall be defined as the procedure between the Board, as represented by the Superintendent and his or her Cabinet, and the administrators of the District, as represented by the Council, on matters identified for consultation as prescribed at SUBJECTS FOR CONSULTATION, below.

**Composition of the
Council**

The membership of the Council will consist of AAPSA members in accordance with the bylaws of the Constitution of the AAPSA. By mutual consent, other persons who are professional employees of the District may be invited to attend Council meetings as consultants on specific items under consideration.

Time Lines

The Superintendent or designee shall call an initial consultation meeting not later than 30 days after the first day of the school year, unless the Superintendent or designee and the chairperson of the Council agree to extend the deadline. Consultation meetings shall

be held once a month unless the Superintendent or designee and the chairperson of the Council agree to meet more or less frequently.

Subjects for Consultation

Recognizing the fact that the administrators of the District are a part of the Superintendent's administrative team headed by the Superintendent, any item of general concern identified by the Superintendent, his or her Cabinet, or any member of the Council may become the subject of consultation. The Superintendent shall have the authority to determine that certain items brought under discussion are not in the purview of the consultation process. However, nothing in this section shall be deemed to preclude items from being the subject of informal discussion. The Board may, from time to time, refer subjects to the Superintendent for the purpose of consultation.

Adoption of Consultation Items

When the Council and the Superintendent reach a final agreement on any item that is the subject of consultation, the following procedures shall be followed:

1. The Chairman of the Council shall submit proposals to the Executive Committee of the AAPSA for formal adoption. After proposals have been ratified, the Council Chairman shall notify the Superintendent.
2. If in the Superintendent's opinion no formal Board action is necessary, the Superintendent will prescribe such administrative regulations and/or guidelines as may be necessary to put the proposals into effect.
3. If, in the Superintendent's opinion, Board action is necessary to put the proposals into effect, the Superintendent shall submit such proposals together with any recommendations to the Board for formal consideration by the Board.

Failure of the Superintendent and the Council to Reach a Final Agreement

Should final agreement not be reached between the Superintendent and the Council on any item of consultation, written notice from one party to the other shall constitute notice that the parties have failed to agree. Should this notice occur, the following procedures may take place in order to allow the Council to present consultation items and requests for action directly to the Board:

1. The Council shall send a written request to the Superintendent asking that the items be placed on an agenda for a meeting of the Board.
2. The written request shall include a statement of positions taken by the Superintendent and by the Council along with a list of unresolved items.

3. The Superintendent shall attempt to place the request on a Board agenda as soon as possible. Ordinarily, items will be placed on a Board agenda within three weeks after receipt of the Council request. Where possible, the Board will defer action on pending items of consultation until after a meeting with the Council.

Informal Discussion Nothing in this procedure shall prevent informal discussion between the Council or any administrator of the District and the Superintendent. Nothing in this policy shall prevent the Board from acting at any time on requests made by the Council or the Superintendent or on any item affecting the educational process of the District.

Effective Date This policy is effective as of August 1, 1975. Revisions adopted by the Board are effective on April 23, 2012.