

ATTACHMENT 4: DISCIPLINE OR REMOVAL OF A BOARD DIRECTOR

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This process is intended to provide the mechanism by which the Board of Directors, acting as a whole, can discipline any of its Directors who violate state or federal laws applicable to school, or for violation of the numbered Codes of Conduct, other sections of the Board Agreement, TCA policies, or the “overall intent” of the Board Agreement.

Notwithstanding any other provisions of state law or TCA Governing documents, the Board explicitly acknowledges, regardless of Directorship by community election or appointment, its Directors are subject to removal, censure, or disciplinary procedures.

The following conditions will apply in the event of a complaint of misconduct:

1. Any such discourse must be held in public session via a scheduled Board Meeting or Special Meeting, with the conflicted Director present.
2. Voting Directors are required to declare any conflicts of interest in relation to the disciplinary proceedings.
3. Violations presented can include references to numbered Codes of Conduct, other sections of the Board Agreement, TCA policies, or due to a Director’s violation to the “overall intent” of the Board Agreement.
4. Votes are to be held separately for each specific violation (motion, discussion, vote).
5. Conflicted Directors (those subject to discipline or those with a conflict of interest) will not be allowed to vote.

PROCESS

Upon completion of the presentation of each specific violation, the following process will be followed:

Removal:

1. The Board will entertain a motion for removal of the Director.
2. If the motion carries, the Director is immediately removed from the Board.

Censure:

3. If the motion for removal does not carry, the Board will entertain a motion for censure of the Director.
4. If the motion carries, the Chair (or Vice-Chair in the event the Chair is being censured) will publicly address the censured Director by name and issue the disapproval of the Director’s conduct.

Discipline:

5. If the Director has not been removed, and regardless of censure, the Board will next entertain a motion for disciplinary action as authorized by policy or TCA Bylaws.
6. If the motion carries, the consequence* is immediately enforced.

*Additional motions may be made to resolve the effects of those consequences (i.e., re-election of an officer, committee reassignment, etc.).