

Bond Case Briefs

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OPEN MEETINGS - TEXAS

Terrell v. Pampa Independent School District

Court of Appeals of Texas, Amarillo - January 9, 2019 - S.W.3d - 2019 WL 150884

Teacher filed action against school district, alleging violations of Texas Open Meetings Act (TOMA) in connection with school board meetings, and seeking to void actions taken by school district at meetings, including termination of teacher's probationary contract.

The District Court entered judgment that teacher took nothing by her claims. Teacher appealed.

The Court of Appeals held that:

- Notices of school board meetings posted at administrative office were sufficient to comply with TOMA;
- Evidence was sufficient to support trial court's determination that school district's written notice of school board meeting was posted at least seventy-two hours before meeting, and that notice identified that teacher's probationary contract would be addressed at meeting;
- Evidence was insufficient to conclude that superintendent's secretary was not authorized to sign and post school board meeting notices;
- Postings of school board meeting notices sufficiently complied with TOMA requirement that posting be placed on a bulletin board in the central administrative office of district;
- Evidence was sufficient to support trial court's determination that school district posted timely and proper notices of school board meetings on its website during five-month period;
- Evidence was sufficient to support trial court's determination that school district made good faith attempt to comply with TOMA requirement that school board meeting notices be posted to its website; and
- Testimony of school district information technology officer did not constitute hearsay and was not barred under rules of evidence.