

OFFICERS AND OFFICIALS:  
DUTIES AND REQUIREMENTS OF BOARD OFFICERS

BDAA  
(LOCAL)

BOARD OFFICERS	The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. The Board may assign a District employee to provide clerical assistance to the Board. Officers shall be elected by majority vote of the members present and voting.
VACANCY	A vacancy among officers of the Board, other than the President, shall be filled by majority action of the Board.
TERM AND DUTIES	Board officers shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.
PRESIDENT	In addition to the duties required by law, the President of the Board shall: <ol style="list-style-type: none"><li>1. Preside at all Board meetings unless unable to attend.</li><li>2. Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.</li></ol>
VICE PRESIDENT	The Vice President of the Board shall: <ol style="list-style-type: none"><li>1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.</li><li>2. Automatically become President of the Board if a vacancy in that office occurs.</li></ol>
SECRETARY	The Secretary of the Board shall: <ol style="list-style-type: none"><li>1. Ensure that an accurate record is kept of the proceedings of each Board meeting.</li><li>2. Ensure that notices of Board meetings are posted and sent as required by law.</li><li>3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.</li><li>4. Sign or countersign documents as directed by action of the Board.</li></ol>

BOARD INTERNAL ORGANIZATION:  
INTERNAL COMMITTEES

BDB  
(LOCAL)

SPECIAL  
COMMITTEES

The President shall appoint members to special committees created by the Board to fulfill specific assignments, unless otherwise provided by Board action. These committees may include District personnel and citizens. The function of committees shall be fact-finding, deliberative, and advisory, but not administrative. Special committees shall report their findings to the Board and shall be dissolved upon completion of the assigned task or vote of the Board.

The President of the Board and the Superintendent shall be ex officio members of all Board committees, unless otherwise provided by Board action.

TRANSACTING  
BUSINESS

Committees may transact business only within the specific authority granted by the Board. To be binding, all such business must be reported to the Board at the next regular or special meeting for approval and entry into the minutes as a public record.

SUPERINTENDENT:  
QUALIFICATIONS AND DUTIES

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(LOCAL)

DUTIES

In addition to responsibilities specifically provided by law or in the Superintendent's contract, the Superintendent shall:

EDUCATIONAL  
LEADERSHIP

1. Provide leadership and direction for the development of an educational system that is based on the needs of students, on standards of excellence and equity, and on community goals. Toward that end, the Superintendent shall:

INSTRUCTIONAL  
MANAGEMENT

- a. Establish effective mechanisms for communication to and from staff in instructional evaluation, planning, and decision making.
- b. Oversee annual planning for instructional improvement and monitor for effectiveness.
- c. Ensure that goals and objectives form the basis of curricular decision making and instruction and communicate expectations for high achievement.
- d. Ensure that appropriate data are used in developing recommendations and making decisions regarding the instructional program and resources.
- e. Oversee a system for regular evaluation of instructional programs, including identifying areas for improvement, to attain desired student achievement.

STUDENT  
SERVICES  
MANAGEMENT

- f. Oversee student services, including health and safety services, counseling services, and extracurricular programs, and monitor for effectiveness.
- g. Oversee a discipline management program and monitor for equity and effectiveness.
- h. Encourage, oversee, and participate in activities for recognition of student efforts and accomplishments.

STAFF  
DEVELOPMENT  
AND  
PROFESSIONAL  
GROWTH

- i. Oversee a program of staff development and monitor staff development for effectiveness in improving district performance.
- j. Stay abreast of developments in educational leadership and administration.

DISTRICT  
MANAGEMENT

2. Demonstrate effective planning and management of District administration, finances, operations, and personnel. To accomplish this, the Superintendent shall:

FACILITIES AND  
OPERATIONS  
MANAGEMENT

- a. Implement and oversee a planning process that results in goals, targets, or priorities for all major areas of District operations, including facilities maintenance and operations, transportation, and food services.

SUPERINTENDENT:  
QUALIFICATIONS AND DUTIES

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FISCAL  
MANAGEMENT

- b. Monitor effectiveness of District operations against appropriate benchmarks.
- c. Oversee procedures to ensure effective and timely compliance with all legal obligations, reporting requirements, and policies.
- d. Ensure that key planning activities within the District are coordinated and are consistent with Board policy and applicable law and that goals and results are communicated to staff, students, and the public as appropriate.
- e. Oversee a budget development process that results in recommendations based on District priorities, available resources, and anticipated changes to district finances.
- f. Oversee budget implementation to ensure appropriate expenditure of budgeted funds, to provide for clear and timely budget reports, and to monitor for effectiveness of the process.
- g. Ensure that District investment strategies, risk management activities, and purchasing practices are sound, cost-effective, and consistent with District policy and law.
- h. Maintain a system of internal controls to deter and monitor for fraud or financial impropriety in the District.

HUMAN  
RESOURCES  
MANAGEMENT

- i. Ensure that the system for recruiting and selection results in personnel recommendations based on defined needs, goals, and priorities.
- j. Organize District staff in a manner consistent with District priorities and resources and monitor administrative organization at all levels for effectiveness and efficiency.
- k. Oversee a performance appraisal process for all staff that reinforces a standard of excellence and assesses deficiencies; ensure that results are used in planning for improvement.
- l. Administer a compensation and benefits plan for employees based on clearly defined goals and priorities.
- m. Encourage, oversee, and participate in staff recognition and support activities.
- n. Oversee a program for staff retention and monitor for effectiveness.

BOARD AND  
COMMUNITY  
RELATIONS

- 3. Maintain positive and professional working relationships with the Board and the community. The responsibilities in this regard shall encompass the following:

SUPERINTENDENT:  
QUALIFICATIONS AND DUTIES

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BOARD

- a. Keep the Board informed of significant issues as they arise, using agreed upon criteria and procedures for information dissemination.
- b. Respond in a timely and complete manner to Board requests for information that are consistent with Board policy and established procedures.
- c. Provide recommendations and appropriate supporting materials to the Board on matters for Board decision.
- d. Articulate and support Board policy and decisions to staff and community.

COMMUNITY

- e. Direct a proactive program of internal and external communication at all levels designed to improve staff and community understanding and support of the District.
- f. Establish mechanisms for community and business involvement in the schools and encourage participation.
- g. Work with other governmental entities and community organizations to meet the needs of students and the community in a coordinated way.

DELEGATION

To the extent permitted by law, the Superintendent may delegate responsibilities to other employees of the District but shall remain accountable to the Board for the performance of all duties, delegated or otherwise.

SUPERINTENDENT:  
EVALUATION

BJCD  
(LOCAL)

EVALUATION  
INSTRUMENT

The instrument used to evaluate the Superintendent shall be based on the Superintendent's job description [see BJA(LOCAL)] and performance goals and shall be adopted by the Board.

WRITTEN  
EVALUATION

The Board shall prepare a written evaluation of the Superintendent at annual or more frequent intervals.

The Board shall furnish the Superintendent with a copy of the completed evaluation and shall discuss its conclusions with the Superintendent in closed meeting.

OBJECTIVES

The Board shall strive to accomplish the following objectives in conducting the Superintendent's written evaluation:

1. Clarify to the Superintendent his or her role, as seen by the Board.
2. Clarify to Board members the Superintendent's role, according to the Board's written criteria, as expressed in the Superintendent's job description and the District's goals and objectives.
3. Foster an early understanding among new Board members of the evaluation process and the Superintendent's current performance objectives and priorities.
4. Develop and sustain a harmonious working relationship between the Board and the Superintendent.
5. Ensure administrative leadership for excellence in the District.

INFORMAL  
EVALUATION

The Board may at any time conduct and communicate oral evaluations to augment its written evaluations.

PURCHASING AND ACQUISITION

CH  
(LOCAL)

PURCHASING  
AUTHORITY

The Board delegates to the Superintendent or designee the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services that costs \$25,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

PURCHASING  
METHOD

The Board delegates to the Superintendent or designee the authority to determine the method of purchasing in accordance with CH(LEGAL).

COMPETITIVE  
BIDDING

If competitive bidding is chosen as the purchasing method, the Superintendent or designee shall prepare bid specifications. All bids shall be submitted in sealed envelopes, plainly marked with the name of the bidder and the time of opening. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.

The District may reject any and all bids.

COMPETITIVE  
SEALED  
PROPOSALS

If competitive sealed proposals are chosen as the purchasing method, the Superintendent or designee shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be submitted in sealed envelopes, plainly marked with the name of the proposer and the time of opening. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

The District may reject any and all proposals.

RESPONSIBILITY FOR  
DEBTS

The Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with adopted Board policy and current administrative procedures. The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.

PURCHASE  
COMMITMENTS

All purchase commitments shall be made by the Superintendent or designee on a properly drawn and issued purchase order, in accordance with administrative procedures.

PERSONAL  
PURCHASES

District employees shall not be permitted to purchase supplies or equipment for personal use through the District's business office.

REASONS

The recommendation to the Board and its decision not to renew a contract under this policy shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, disability, or age. Reasons for proposed nonrenewal of an employee's term contract shall be:

1. Deficiencies pointed out in observation reports, appraisals or evaluations, supplemental memoranda, or other communications.
2. Failure to fulfill duties or responsibilities.
3. Incompetency or inefficiency in the performance of duties.
4. Inability to maintain discipline in any situation in which the employee is responsible for the oversight and supervision of students.
5. Insubordination or failure to comply with official directives.
6. Failure to comply with Board policies or administrative regulations.
7. Excessive absences.
8. Conducting personal business during school hours when it results in neglect of duties.
9. Reduction in force because of financial exigency or program change. [See DFF]
10. A decision by a campus intervention team under Education Code 39.1324 that the employee not be retained at a reconstituted campus.
11. Drunkenness or excessive use of alcoholic beverages; or possession, use, or being under the influence of alcohol or alcoholic beverages while on school property, while working in the scope of the employee's duties, or while attending any school- or District-sponsored activity.
12. The illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.
13. Conviction of a felony or of any crime involving moral turpitude; conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony; or deferred adjudication for a felony or any crime involving moral turpitude. [See DH]



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14. Failure to report any arrest, conviction, or deferred adjudication for any felony or any crime involving moral turpitude as required by policy. [See DH]
15. Failure to meet the District's standards of professional conduct.
16. Failure to comply with reasonable District requirements regarding advanced coursework or professional improvement and growth.
17. Disability, not otherwise protected by law, that prevents the employee from performing the essential functions of the job.
18. Any activity, school-connected or otherwise, that, because of publicity given it, or knowledge of it among students, faculty, and community, impairs or diminishes the employee's effectiveness in the District.
19. Any breach by the employee of an employment contract or any reason specified in the employee's employment contract.
20. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community, or colleagues.
21. A significant lack of student progress attributable to the educator.
22. Behavior that presents a danger of physical harm to a student or to other individuals.
23. Assault on a person on school property or at a school-related function, or on an employee, student, or student's parent regardless of time or place.
24. Use of profanity in the course of performing any duties of employment, whether on or off school premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.
25. Falsification of records or other documents related to the District's activities.
26. Falsification or omission of required information on an employment application.
27. Misrepresentation of facts to a supervisor or other District official in the conduct of District business.
28. Failure to fulfill requirements for certification, including passing certification examinations required by state law for the employee's assignment.

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29. Failure to achieve or maintain "highly qualified" status as required for the employee's assignment.
30. Failure to fulfill the requirements of a deficiency plan under an Emergency Permit, a Special Assignment Permit, or a Temporary Classroom Assignment Permit.
31. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.
32. Any reason that makes the employment relationship void or voidable, such as a violation of federal, state, or local law.
33. Any reason constituting good cause for terminating the contract during its term.

RECOMMENDATIONS  
FROM  
ADMINISTRATION

Administrative recommendations for renewal or proposed non-renewal of professional employee contracts shall be submitted to the Superintendent. The Superintendent shall require that each administrator's recommendation for nonrenewal be accompanied by copies of all pertinent information necessary to a decision to recommend proposed nonrenewal. The final decision on the administrative recommendation to the Board on each employee's contract rests with the Superintendent.

SUPERINTENDENT'S  
RECOMMENDATION

The Superintendent shall prepare lists of employees whose contracts are recommended for renewal or proposed nonrenewal by the Board. Copies of written evaluations, other supporting documentation, if any, and reasons for the recommendation shall be submitted for each employee recommended for proposed nonrenewal. The Board shall consider such information, as appropriate, in support of recommendations for proposed nonrenewal and shall then act on all recommendations.

NOTICE OF  
PROPOSED  
RENEWAL OR  
NONRENEWAL

The Superintendent shall deliver to the employee by hand or certified mail, return receipt requested, written notice of proposed renewal or nonrenewal not later than the 45th day before the last day of instruction required in the contract. If the notice of proposed nonrenewal does not contain a statement of the reason or all of the reasons for the proposed action, and the employee requests a hearing, the District shall give the employee notice of all reasons for the proposed nonrenewal a reasonable time before the hearing. The initial notice or any subsequent notice shall contain the hearing procedures.

REQUEST FOR  
HEARING

If the employee desires a hearing after receiving the notice of proposed nonrenewal, the employee shall notify the Board in writing not later than the 15th day after the date the employee received the notice of proposed nonrenewal. When a timely request for a

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hearing on a proposed nonrenewal is received by the Board President, the hearing shall be held not later than the 15th day after receipt of the request, unless the parties mutually agree to a delay. The employee shall be given notice of the hearing date as soon as it is set.

HEARING  
PROCEDURE

The hearing shall be conducted in closed meeting unless the employee requests that it be open, with only the members of the Board, the employee, the Superintendent, their representatives, and such witnesses as may be called in attendance. Witnesses may be excluded from the hearing until it is their turn to present evidence. The employee and the administration may each be represented by a representative of each party's choice. Notice, at least five days in advance of the hearing, shall be given by each party intending to be represented, including the name of the representative. Failure to give such notice may result in postponement of the hearing.

The conduct of the hearing shall be under the Board President's control and in general shall follow the steps listed below:

1. After consultation with the parties, the Board President shall impose reasonable time limits for presentation of evidence and closing arguments.
2. The hearing shall begin with the administration's presentation, supported by such proof as it desires to offer.
3. The employee may cross-examine any witnesses for the administration.
4. The employee may then present such testimonial or documentary proof, as desired, to offer in rebuttal or general support of the contention that the contract be renewed.
5. The administration may cross-examine any witnesses for the employee and offer rebuttal to the testimony of the employee's witnesses.
6. Closing arguments may be made by each party.

A record of the hearing shall be made so that a certified transcript can be prepared, if required.

BOARD DECISION

The Board may consider only such evidence as is presented at the hearing. After all the evidence has been presented, if the Board determines that the reasons given in support of the recommendation to not renew the employee's contract are lawful, supported by the evidence, and not arbitrary or capricious, it shall so notify the employee by a written notice not later than the 15th day after the

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date on which the hearing is concluded. This notice shall also include the Board's decision on renewal, which decision shall be final.

**BASIC INSTRUCTIONAL PROGRAM:  
REQUIRED INSTRUCTION (SECONDARY)**

**EHAC  
(LOCAL)**

**PHYSICAL ACTIVITY  
IN MIDDLE SCHOOL**

Students in middle and junior high school may fulfill the District's requirement for physical activity by:

1. Taking a TEKS-based physical education class or a substitute approved by the District; or
2. Participating in a TEKS-based structured extracurricular activity or in an approved private or commercially sponsored physical activity program.