

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 order of election shall be President, Secretary, and Vice-President. The Superintendent shall preside over the meeting after the seating of new members until the President has been elected. 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.

AGENDA The agenda for the meeting at which Board officers are elected shall be as follows:

- ~~1. Canvass election results,~~
2. **Administer the Oath** of office/seat new members, .
3. Election of Board officers, .
4. **Continue with the R**emainder of agenda ~~items.~~

VACANCY A vacancy among officers of the Board 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:

1. Preside at all Board meetings unless unable to attend.
2. Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.
- ~~3. Appoint all Board committees, unless otherwise provided by policy or Board consensus.~~
{See BDB}

VICE-PRESIDENT The Vice-President of the Board shall:

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.
2. Become President only upon being elected to the position.

SECRETARY The Secretary of the Board shall:

1. Ensure that an accurate record is kept of the proceedings of each Board meeting.
2. Ensure that notices of Board meetings are posted and sent as required by law.
3. **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 and Vice President.** ~~In the absence of the President and Vice President, call the meeting to order and act as presiding officer.~~
4. Sign or countersign documents as directed by action of the Board.

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BOARD INTERNAL ORGANIZATION:
INTERNAL COMMITTEES

BDB
(LOCAL)

INTERNAL COMMITTEES OF THE BOARD	<p>The volume and complexity of matters coming before the Board require the use of committees to investigate, study, and report to the Board. Therefore, the President may appoint committees as necessary to fulfill specific assignments. Committees shall may be established by the President. The President shall appoint for each committee a Board member to act as liaison. The function of these committees shall be fact-finding, deliberative, and advisory, but not administrative.</p>
STANDING COMMITTEES	<p>Standing committees of the Board shall be established and appointed by the President. The President shall appoint for each committee a Board member to act as liaison. Any vacancy on a committee shall be filled by Board President appointment.</p> <p>The Board President is an ex officio member of all committees. As an ex officio member, the President shall have all the privileges of committee membership, including the right to make motions and to vote; however, as an ex officio member the President shall not be counted in determining if a quorum is present at a committee meeting. Any Board member may attend the meeting of any Board committee, but Board members may make motions, vote, and be counted toward a quorum only in those committees of which they are members.</p>
SPECIAL COMMITTEES	<p>Special committees shall be constituted from time to time as directed by the President to perform such duties as the President may direct. The members of special committees shall be designated by the President. Special committees shall report their finding to the Board and shall be dissolved upon the Board's acceptance of the report.</p>
COMMITTEE OF THE WHOLE	<p>The Board President may call the membership of the Board to meet as a Committee of the Whole. As in the case of the Board standing committees, the Committee of the Whole shall take no final action, but shall receive information, investigate, study, and report to the Board. The results of any votes taken in a Committee of the Whole shall not be final decisions of the Board, but shall have the status of committee recommendations which the Board may consider further in a meeting of the Board.</p>
REQUEST LEGAL OPINION, STUDIES / REPORTS	<p>From time to time committees may find it necessary to request legal opinions, comprehensive studies, or reports to be prepared by the staff to aid the committees in their deliberations. To ensure clarity and coordination, all such requests shall be directed by to the Superintendent and shall be reflected in the minutes of the committee meeting.</p>
SUPERINTENDENT	<p>The Superintendent shall be an ex officio member of all Board committees, but not make motions or vote. Ex officio members shall not be counted in determining if a quorum is present at a committee meeting.</p>
TRANSACTING BUSINESS	<p>No individual, or group composed of less than a quorum of the Board meeting in regular or special session, shall perform any of the Board's functions.</p>

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DUTIES

In addition to performing statutory duties [see BJA preceding] **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.**
 - Work with the staff, Board, and community in curriculum planning.
- 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.**
 - Be informed about all aspects of the instructional program and ensure that there is a continuous focus on improving student academic performance.
 - Assist the Board in evaluating the effectiveness of school programs.

STUDENT SERVICES MANAGEMENT

- f. **Oversee student services, including health and safety services, counseling services, and extracurricular programs, and monitor for effectiveness.**
 - Work with staff, Board, and community in planning and implementing support services for students.
- g. **Oversee a discipline management program and monitor for equity and effectiveness.**
 - Ensure a favorable educational environment through the implementation of an equitable and efficient system of student behavioral management.

STAFF DEVELOPMENT AND PROFESSIONAL GROWTH

- i. **Oversee a program of staff development and monitor staff development for effectiveness in improving district performance.**
 - Support staff development and other professional development programs. [See DMA]

- j. Stay abreast of developments in educational leadership and administration.**
 - Formulate, with the Board, an annual Superintendent's professional development plan and assist the Board in designing a process for evaluating the Superintendent's performance. [See BJCB and BJCD]
 - Pursue professional development through reading, attending conferences, and being involved with related agencies.

**DISTRICT
MANAGEMENT**

- 2. Demonstrate effective planning and management of District administration, finances, operations, and personnel. To accomplish this, the Superintendent shall:**
 - 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.**
 - Develop, evaluate and revise annually the District improvement plan, with the assistance of the District-level committee. [See BQ series and BR]
 - Promote goal-oriented performance and support for those involved in achieving District and campus performance objectives.
 - Ensure that the school plant and facilities are properly maintained and that adequate provision is made for the safety of students, employees, and other users of school facilities. [See CK series]
 - b. Monitor effectiveness of District operations against appropriate benchmarks.**
 - Conduct periodic evaluation of all programs and operations to determine improvements needed and to foster attainment of District and campus improvement plans.
 - c. Oversee procedures to ensure effective and timely compliance with all legal obligations, reporting requirement, and policies.**
 - Accurately prepare and submit in a timely manner any and all reports required by the Board, TEA, other federal and state agencies, and any records subpoenaed by a court of law.
 - Communicate with the District's attorney on matters in litigation or potential litigation except as otherwise directed by the Board.
 - 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.**
 - Be informed of developments in state, federal, and local laws and public policy affecting education.
 - Ensure District compliance with all applicable state and federal requirements.
 - 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.**
 - Direct and supervise all financial accounting and ensure that funds are expended legally, in accordance with the approved budget, and controlled effectively. [See CF series]

- g. **Ensure that District investment strategies, risk management activities, and purchasing practices are sound, cost-effective, and consistent with District policy and law.**
 - Monitor District property, casualty, and workers' compensation loss experience to ensure that appropriate risk management and loss control strategies are employed.
 - h. **Maintain a system of internal controls to deter and monitor for fraud or financial impropriety in the District.**
 - i. **Ensure that the system for recruiting and selection results in personnel recommendations based on defined needs, goals, and priorities.**
 - Assign and reassign all personnel; exercise final placement authority for educators transferred because of enrollment shifts or program changes. [See DK]
 - j. **Organize District staff in a manner consistent with District priorities and resources and monitor administrative organization at all levels for effectiveness and efficiency.**
 - Recommend the number, types, and organization of positions, including central administration, needed to carry out District functions effectively.
 - 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.**
 - Perform duties established by the Board regarding the recommendation, employment, suspension, and dismissal of employees. [See DC and DF series]
 - Direct and supervise the staff evaluation program and provide effective two-way communication with District personnel. [See DNA]
 - l. **Administer a compensation and benefits plan for employees based on clearly defined goals and priorities.**
 - Develop and recommend pay systems; recommend pay increases or adjustments for personnel. [See DEA]
 - m. **Encourage, oversee, and participate in staff recognition and support activities.**
 - n. **Oversee a program for staff retention and monitor for effectiveness.**
 - Promote a positive work environment that fosters high staff morale and excellence within the District.
3. **Maintain positive and professional working relationships with the Board and the community. The responsibilities in this regard shall encompass the following:**
- a. **Keep the Board informed of significant issues as they arise, using agreed upon criteria and procedures for information dissemination.**
 - Assist the Board in identifying individual and team training needs, and in arranging training opportunities. [See BBD]
 - Attend and participate in all meetings of the Board except closed meetings when the Board desires to discuss such matters as the Superintendent's contract or evaluation privately.
 - Keep the Board continuously informed on issues, needs, and operations of the District.

- Exercise discretion and good judgment in matters not covered by Board policy.
- b. Respond in a timely and complete manner to Board requests for information that are consistent with Board policy and established procedures.**
- Perform related duties assigned by action of the Board.
- c. Provide recommendations and appropriate supporting materials to the Board on matters for Board decision.**
- Prepare Board agendas and meeting materials in cooperation with the Board President. [See BE]
 - Serve as custodian of all minutes and records of the Board.
- d. Articulate and support Board policy and decisions to staff and community.**
- Interpret Board policies to the staff, parents, and 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.**
- Demonstrate skill in anticipating, managing, and resolving conflict.
- f. Establish mechanisms for community and business involvement in the schools and encourage participation.**
- Serve as liaison between the Board and staff.
 - Develop and implement effective communication between the schools and community; promote community support and involvement with the schools. [See GB series]
- g. Work with other governmental entities and community organizations to meet the needs of students and the community in a coordinated way.**
- Represent the District in activities involving other school systems, institutions, agencies, and professional and community groups.

DELEGATION

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

The Superintendent will notify the Board who has been delegated authority when the Superintendent is out of the district and unavailable.

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**CRITERIA
EVALUATION
INSTRUMENT**

~~The Board shall prepare a written evaluation of the Superintendent at annual or more frequent intervals and may at any time conduct and communicate oral evaluations to augment its written evaluations. The written evaluation shall be~~ **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.** ~~other criteria identified by the Board.~~

**WRITTEN
EVALUATION**

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

OBJECTIVES

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

The Board shall strive to accomplish the following objectives in conducting the Superintendent's **oral or written** evaluations:

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.

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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]
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.
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 nonrenewal 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 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 date on which the hearing is concluded. This notice shall also include the Board's decision on renewal **or nonrenewal and the Board's** ~~which~~ decision shall be final.

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**PHYSICAL ACTIVITY IN
MIDDLE SCHOOL**

Students in middle and junior high school may fulfill the District's requirements 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.