



# TCSA Model Board Policy Series

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Module 300 General School Operations  
*for Excellence in Leadership Academy*  
*Updated 2019*

## **INTRODUCTION**

The Model Board Policies for Charter Schools is a series of publications by the Texas Charter Schools Association (TCSA). These publications are an educational tool for charter school leaders to aid in the operation and management of open-enrollment charter schools in Texas.

### **Overall Policy Framework**

Each module in the Board Policy Series provides a summary of federal and state statutes, regulations, and related materials applicable to open enrollment charter schools. Citations to these materials are provided throughout the module and many contain a hyperlink so the actual statutory or regulatory provision can be accessed on the Internet. The summary is designated by the LEGAL AUTHORITY tab on the right edge of each page.

After the LEGAL AUTHORITY portion of the module you will find the model policy section designed to comply with current statutory and regulatory requirements described in the LEGAL AUTHORITY summaries. These policies are designated by the red CHARTER BOARD POLICY tab on the right edge of each page.

These are suggested policies to address the requirements set forth in this Module. Prior to adoption of the model policies by the Board of a charter school, each policy should be customized by including the school's name and by tailoring the language, if appropriate, to fit the specific needs, culture and requirements of the school. TCSA recommends that the Board of a charter school consult with and obtain the advice of the school's legal counsel in connection with adopting policies to comply with laws governing charter schools.

TCSA plans to update the Model Board Policies for Charter Schools after each Texas Legislative Session to reflect changes in applicable laws. We also will regularly and continually update the Policy Series when changes occur in state and federal case law and administration regulations that affect open enrollment charter schools. We encourage you to renew your subscription to the policy series each year to ensure that your school has the most recent laws and regulations.

### **Scope of Service & Copyright Notice**

This policy module prepared by the TCSA is designed and intended as a resource of information for charter schools and is not to be construed as legal advice. It should be used in connection with consulting and obtaining the advice of the school's legal counsel to ensure compliance with applicable legal requirements.

This policy module and all updates are copyrighted publications of the TCSA. All rights are reserved and will be enforced to the fullest extent of the law. The policy modules are for the sole use of the purchaser. Duplication and distribution in whole or in part are prohibited unless otherwise specifically authorized in writing by TCSA. Inquiries should be directed to TCSA, 700 Lavaca, Suite 930, Austin, TX 78701.

For questions concerning the Model Board Policies for Charter Schools contact:

Lindsey Gordon, Texas Charter Schools Association  
lgordon@txcharterschools.org  
512.584.8272

### **Module 300: *General School Operations***

The General School Operations, Module 300, is the third module of the Model Board Policies. The material included in this module provides a comprehensive summary of statutes and regulations that apply to the general operations of charter schools, as well as specific model board policies designed to comply with these legal requirements. Other policy modules in the series include:

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## ***I. 300.020. SCHOOL YEAR AND ELIGIBILITY STATUS***

The governing body ("Board") of Excellence in Leadership Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

### **SECTION 1. School Year**

The Board adopts the following dates as Excellence in Leadership Academy school year: 2018-2019

### **SECTION 2. Eligibility Status**

Excellence in Leadership Academy shall maintain its status as an organization that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3)). Any change in status shall cause the Executive Director to immediately notify the commissioner of education.

## ***II. 300.040. INSTRUCTIONAL FACILITIES***

The governing body ("Board") of Excellence in Leadership Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

### **SECTION 1. Right to Occupy Facilities**

The Executive Director ("ED") shall maintain in school records a copy of the legally enforceable instrument conferring on the school the right to occupy and use facilities suitable for classroom use.

### **SECTION 2. Occupancy Certificate**

If Excellence in Leadership Academy is approved for a new facility site by the commissioner of education, before commencing operations, the ED shall file a certificate of occupancy or its equivalent with the Texas Education Agency, Division of Charter Schools.

### ***III. 300.80. EMERGENCY MANAGEMENT PLAN***

The governing body ("Board") of Excellence in Leadership Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

The Executive Director, or the Executive Director's designee, shall develop and implement a multihazard emergency operations plan for use in Excellence in Leadership Academy facilities. The plan must provide for:

1. the mitigation, preparedness, response, and recovery in regards to an emergency;
2. employee training in responding to an emergency;
3. mandatory school drill exercises to prepare students and employees for responding to an emergency, and
4. measures to ensure coordination with the Department of State Health Services and local emergency management agencies, law enforcement, health departments, and fire departments in the event of an emergency.

Each campus of Excellence in Leadership Academy shall have a copy of the emergency management plan and all staff/personnel will be trained annually on the emergency procedures.

## ***IV. 300.100. INSTRUCTIONAL MATERIALS***

The governing body ("Board") of Excellence in Leadership Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board. The instructional material adoption process shall comport with relevant laws and regulations.

### **SECTION 1. Instructional Materials Allotment**

Section 1.1. Certification of Use. The use of Excellence in Leadership Academy instructional materials allotment ("IMA") shall comport with applicable law and regulation. The Executive Director ("ED"), or designee, shall annually certify to the commissioner of education that Excellence in Leadership Academy IMA has been used solely for expenses allowed by law.

Section 1.2. If the number of students attending Excellence in Leadership Academy will increase or decrease during the school year for which the IMA is provided, the ED, or ED's designee, shall ensure that a timely request is submitted to the commissioner of education requesting an adjustment in the number of students for which Excellence in Leadership Academy is entitled to receive an IMA.

### **SECTION 2. Selection of Instructional Materials**

Section 1.1. Instructional Materials Selection Committee.

- a. Appointment. The ED shall appoint an instructional materials selection committee to review and consider textbooks, as well as other instructional materials for adoption by Excellence in Leadership Academy NAME OF CHARTER SCHOOL.
- b. Recommendation to the Board. The committee shall review instructional and make a recommendation to the Board as to which instructional materials should be adopted by Excellence in Leadership Academy

Section 1.2. Board Adoption and Recording. The Board will consider the committee's recommendation for adoption at a scheduled Board meeting. If the Board chooses not to adopt any or part of the committee's recommendation, the committee shall reconvene to determine alternate instructional materials for adoption. This process shall continue until the Board chooses to adopt all of the instructional materials recommended by the committee. Final selections of instructional materials adopted by the Board shall be recorded in the Board minutes (TCSA Note: Highlighted section required by law).

Section 1.3. Supplemental Instructional Materials. If Excellence in Leadership Academy requisitions supplemental instructional materials, the ED, or ED's designee, shall ensure that Excellence in Leadership Academy certifies to the Texas Education Agency that the supplemental instructional materials, in combination with any other instructional materials or supplemental instructional materials used by Excellence in Leadership Academy, cover the

essential knowledge and skills identified in law.

Section 1.4. Notification to SBOE. Each year, during the period established by the State Board of Education (“SBOE”), the ED, or ED’s designee, shall notify the SBOE of the instructional materials selected for the following school year as required by law.

Section 1.5. TEA Report. By April 1st of each year, the ED, or ED’s designee, shall transmit to the TEA a report listing the instructional materials selected for use at Excellence in Leadership Academy.

Section 1.6. Annual Certification of Provision of Materials. Before the beginning of each school year, the ED, or ED’s designee, shall certify to the SBOE and the commissioner of education that Excellence in Leadership Academy, for each subject in the required curriculum and each grade level, provides instructional materials that cover all elements of the essential knowledge and skills adopted by the SBOE.

Section 1.7. Board Ratification of the Annual Certification. The certification shall be ratified by the Board in a public, noticed meeting and shall be submitted in a format approved by the commissioner of education.

## **SECTION 2. Handling and Requisition**

Section 2.1. Instructional Materials Coordinator. The Board delegates to Principal the authority to requisition, distribute, and manage the inventory of instructional materials in a manner consistent with all laws and regulations.

Section 2.2. Requisitions. By June 1st each year, Excellence in Leadership Academy shall requisition instructional materials using the online requisition program maintained by the commissioner of education.

Section 2.3. Inventory. Annually, the Instructional Materials Coordinator shall conduct a physical inventory of all currently adopted instructional materials. The results of the inventory shall be recorded in Excellence in Leadership Academy files.

## **SECTION 3. Responsibility for Instructional Materials and Technological Equipment**

Section 3.1. Student. A student must return all instructional materials and/or technological equipment to the teacher at the end of the school year or when the student withdraws from school.

- a. A student who fails to return in an acceptable condition all instructional materials and technological equipment forfeits the right to free instructional materials and technological equipment until all instructional materials and technological equipment previously issued, but not returned in an acceptable condition, are paid for by the student, student’s parent, or student’s guardian.

- b. Excellence in Leadership Academy shall allow the student to use instructional materials and technological equipment during each school day.
- c. At the discretion of the ED, or ED's designee, Excellence in Leadership Academy may waive or reduce the required payment for a student who is eligible for free or reduced price school meals.

Section 3.2. Employee. The ED, or ED's designee, shall ensure that in consideration for the ability of an employee to use, for personal business, electronic instructional material or technological equipment off school property or outside of a school-sponsored event, the employee enters into a written agreement with Excellence in Leadership Academy whereby the employee assumes financial responsibility for the electronic instructional material and/or technological equipment. Such agreement shall clearly inform the employee of the amount of the financial responsibility and advise the employee to consider obtaining appropriate insurance. The employee may not be required to agree to such an agreement as a condition of employment.

#### **SECTION 4. DISPOSAL PROCEDURES**

The ED shall recommend procedures to the Board for how Excellence in Leadership Academy will dispose of discontinued printed instructional materials, electronic instructional materials, and technological equipment.



## **V. 300.120. GRIEVANCE PROCESS**

The governing body ("Board") of Excellence in Leadership Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board. This policy governs student and parent complaints, employee grievances, and citizen complaints.

For purposes of this policy, "days" means school calendar days. With the exception of a complaint against an Executive Director, each complaint must initially be brought at the lowest level of review, at the Campus Principal Review level.

The Board encourages all complaints to be resolved at the lowest level possible.

### **SECTION 1. Campus Principal Review of Complaint**

Where a(n) Excellence in Leadership Academy employee, student, guardian of a student, or a member of the public has a complaint or concern regarding Excellence in Leadership Academy, the individual shall first bring their complaint or concern in writing to the appropriate campus principal. The complaint must be brought within 15 school days of the date that the complainant knew or should have known of the alleged harm. The complaint must be specific, and where possible suggest a resolution. The principal must hear the complainant, attempt to remedy the complaint in the best interest of the affected parties, and document the outcome. The principal must respond to the complainant and issue a final decision in writing within 10 days of the principal's receipt of the complaint.

### **SECTION 2. Executive Director Review of Complaint**

If the individual bringing the complaint is not satisfied with the campus principal's final decision, then the individual may file a written appeal to the Executive Director of Excellence in Leadership Academy. This written appeal shall be filed with the Executive Director's office within 10 days of the individual's receipt of the campus principal's final decision. The complaint shall include a copy of the written complaint to the campus principal along with a copy of the campus principal's final decision. A copy of the appeal shall also be delivered to the campus principal.

The appeal must be specific, and where possible suggest a resolution. The complaint shall not include any new issues or complaints unrelated in the original complaint expressed to the campus principal.

The Executive Director, or the Executive Director's designee, shall respond to the complaint and issue a final decision in writing within 15 days of receipt of the written appeal.

### **SECTION 3. Board of Directors Review of Complaint**

If the individual bringing the complaint is not satisfied with the Executive Director's final decision, then the individual may appeal their complaint in writing to Excellence in Leadership Academy's Board of Directors within 10 days of receiving the Executive Director's final decision. The complaint shall be directed to the President of the Board, and shall include a

copy of the written complaint to the Executive Director along with a copy of the Executive Director's final decision. A copy of this appeal shall also be delivered to the Executive Director.

The President of the Board, at the next regular meeting of the Board, shall provide a copy of the complaint record to all board members. The Board's decision shall be decided on a review of the record developed at the Executive Director's level. Any action of the Board of Directors regarding the complaint shall be taken in compliance with the Texas Open Meeting Act.

[OR]

Individuals who are dissatisfied with the response of the Executive Director may present their complaint to the Board of Directors during the time of Public Forum at the next regular meeting of the board of directors. The board shall "stop, look, and listen" to the complaint, but may not deliberate or act on the complaint except in compliance with the Texas Open Meetings Act.

A complaint against an Executive Director shall begin at this level of review and shall follow the complaint process in accordance with this policy section and the Texas Open Meetings Act.

The failure of the Board to act on a complaint has the effect of upholding the Executive Director's decision.

## ***VI. 300.140. MEDIA RELATIONS***

The governing body ("Board") of Excellence in Leadership Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board. The purpose of this policy is for Excellence in Leadership Academy to be prepared to cooperate with media representatives and gain favorable media coverage.

### **SECTION 1. COMPLIANCE**

Excellence in Leadership Academy shall comply with all laws and rules governing media relations.

### **SECTION 2. Designation of Spokespersons for Excellence in Leadership Academy**

The Executive Director (ED), or the ED's designee, will serve as the primary spokesperson with the media for Excellence in Leadership Academy on all matters of school interest, except that the Board President, or the Board President's designee of the Board shall serve as the spokesperson for matters specifically involving the Board of Excellence in Leadership Academy.

### **SECTION 3. Procedures Governing Media Access**

Requests to interview, film, videotape, and/or photograph students and/or school personnel on school grounds shall go through the ED, or the ED's designee. Whenever possible, the ED or the ED's designee shall contact the school principal before a media visit.

## ***VII. 300.160. ASBESTOS HAZARD EMERGENCY RESPONSE ACT***

The governing body ("Board") of Excellence in Leadership Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

### **SECTION 1. Compliance**

Excellence in Leadership Academy shall comply with all federal and state laws and regulations in regards to the Asbestos Hazard Emergency Response Act ("AHERA"). Excellence in Leadership Academy designates the Executive Director ("ED"), or the ED's designee, as the individual who will ensure such compliance. The ED shall receive appropriate and relevant training on the AHERA.

### **SECTION 2. Annual Notice**

The ED, or the ED's designee, shall send an annual notice to students, parents, guardians, and employees regarding the AHERA as required by law.

## ***VIII. 300.180. MUNICIPAL ORDINANCES***

The governing body ("Board") of Excellence in Leadership Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

### **SECTION 1. Compliance**

Excellence in Leadership Academy shall comply with all applicable municipal ordinances. Excellence in Leadership Academy designates the Executive Director ("ED") or the ED's designee, as the individual who will ensure such compliance.

## ***IX. 300.220. RISK MANAGEMENT POLICY***

Excellence in Leadership Academy strives to ensure that risks to Excellence in Leadership Academy are identified, analyzed, and managed so that they are maintained at acceptable levels. Excellence in Leadership Academy employees are responsible for ensuring Excellence in Leadership Academy programs, activities, and policies are conducted in a manner that considers the risk of loss or injury.

### **SECTION 1. Risk Management Officer**

The EXECUTIVE DIRECTOR will designate a Risk Management Officer (RMO) who is responsible for providing guidance on risk management issues and the interpretation of specific policy requirements. Additionally, the RMO is responsible for:

1. Coordinating the development and maintenance of risk management policies, procedures, standards and forms for NAME OF CHARTER SCHOOL.
2. Identifying strategic risks;
3. Identifying tasks and implementing such tasks to ensure risk management becomes part of day-to-day management;
4. Ensuring staff are aware of risks and how to manage them; and
5. Monitoring our strategic risk profile and implementing a continuous improvement
6. approach to risk management.

The RMO will forward recommendations to the EXECUTIVE DIRECTOR, who will present those recommendations to the Board.

### **SECTION 2. General Liability Insurance**

Excellence in Leadership Academy shall purchase appropriate liability insurance to protect itself, its board members, officers, employees, and volunteers from the cost of defending litigation brought against them in their official capacity as board members, officers, employees, and/or volunteers of Excellence in Leadership Academy for acts or omissions committed by them in the good faith discharge of their official Excellence in Leadership Academy duties.

Such insurance shall include, but not be limited to, insurance protection against claims for property damage, personal injury, or death proximately caused by the negligence, wrongful act, or omission of Excellence in Leadership Academy officers or employees, acting within the scope of their employment or office, and arising from the operation or use of a motor vehicle under circumstances where such officers or employees would be personally liable to the claimant in accordance with the laws of this state.

**Board Model Policy  
Updates for 2018-2019**

**Module 300: General School Operations**

<b>Module Number</b>	<b>Module Title</b>	<b>2014</b>	<b>2019</b>
300.020	School Year and Eligibility Status Policy		
300.040	Instructional Facilities		
300.060	Charter Amendments		
300.080	Emergency Management Plan		
300.100	Instructional Facilities		
300.120	Grievance Process		
300.140	Media Relations		
300.160	Asbestos Hazard Emergency		
300.180	Municipal Ordinance		
300.200	Management Companies	Not Applicable	Not Applicable
300.220	Immunities and Waiver Risk Management		



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