

# TCSA Model Board Policy Series

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## Module 300: General School Operations Charter Board Policy for Tejano Center for Community Concerns, Inc.

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

The governing body (“Board”) of TCCC adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

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

Prior to the beginning of the school year, the Board shall adopt a calendar for the school year.

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

TCCC 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 President & CEO to immediately notify the commissioner of education.

### **300.040 INSTRUCTIONAL FACILITIES**

The governing body (“Board”) of TCCC 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 President & CEO 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 TCCC is approved for a new facility site by the commissioner of education, before commencing operations, the President & CEO shall file a certificate of occupancy or its equivalent with the Texas Education Agency, Division of Charter Schools.

### **300.060. CHARTER AMENDMENTS**

The governing body (“Board”) of TCCC adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Before amending the terms of its charter, the President & CEO shall ensure that TCCC shall comply with all applicable regulations in regards to filing an amendment request with the Texas Education Agency.

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

The governing body (“Board”) of TCCC adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

The President & CEO, or the President & CEO’s designee, shall develop and implement a multihazard emergency operations plan for use in TCCC 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 TCCC shall have a copy of the emergency management plan and all staff/personnel will be trained annually on the emergency procedures.

### **300.100. INSTRUCTIONAL MATERIALS**

The governing body (“Board”) of TCCC 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 TCCC’s instructional materials allotment (“IMA”) shall comport with applicable law and regulation. The President & CEO, or designee, shall annually certify to the commissioner of education that TCCC’s IMA has been used solely for expenses allowed by law.

Section 1.2. If the number of students attending TCCC will increase or decrease during the school year for which the IMA is provided, the President & CEO, or designee, shall ensure that by May 31 of each school year a request is submitted to the commissioner of education requesting an adjustment in the number of students for which TCCC is entitled to receive an IMA.

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

**(TCSA NOTE: THE BOARD IS LEGALLY REQUIRED TO ADOPT A POLICY FOR SELECTING INSTRUCTIONAL MATERIALS.)**

Section 1.1. Instructional Materials Selection Committee.

- a. Appointment. The President & CEO shall appoint an instructional materials selection committee to review and consider textbooks, as well as other instructional materials for adoption by TCCC.
- b. Recommendation to the Board. The committee shall review instructional material and make a recommendation to the Board as to which instructional materials should be adopted by TCCC.

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 TCCC requisitions supplemental instructional materials, the President & CEO, or designee, shall ensure that TCCC

certifies to the Texas Education Agency that the supplemental instructional materials, in combination with any other instructional materials or supplemental instructional materials used by TCCC, 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 President & CEO, or 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 1<sup>st</sup> of each year, the President & CEO, or designee, shall transmit to the TEA a report listing the instructional materials selected for use at TCCC.

Section 1.6. Annual Certification of Provision of Materials. Before the beginning of each school year, the President & CEO, or designee, shall certify to the SBOE and the commissioner of education that TCCC, for each subject in the required curriculum and each grade level, provided 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 3. Handling and Requisition**

Section 2.1. Instructional Materials Coordinator. The Board delegates to the President & CEO or the President & CEO designee 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 1<sup>st</sup> each year, TCCC 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 TCCC’s files.

### **SECTION 4. 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. TCCC shall allow the student to use instructional materials and technological equipment during each school day.
- c. At the discretion of the President & CEO, or President & CEO's designee, TCCC 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 President & CEO, or 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 TCCC 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 5. Disposal Procedures**

The President & CEO shall recommend procedures to the Board for how TCCC will dispose of discontinued printed instructional materials, electronic instructional materials, and technological equipment.



### **300.120 GRIEVANCE PROCESS**

The governing body (“Board”) of TCCC adopts the following policy which shall be effective on the date that the policy is adopted by the Board. This policy governs students 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 the President & CEO, 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 lower level possible. The President & CEO shall establish a hot line to receive complaints of a general nature. Complainants are encouraged to provide detailed information and to further use the formal complaint process if seeking individual redress.

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

Where a TCCC employee, student, guardian of a student, or a member of the public has a complaint or concern regarding TCCC, the individual shall first bring their complaint or concern in writing to the appropriate campus principal or to the administration through the CFO or Director of Human Resources (“HR Director”). 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 or administrator must hear the complaint, attempt to remedy the complaint in the best interest of the affected parties, and document the outcome. The principal or administrator must respond to the complainant and issue a final decision in writing within 10 days of the principal or administrator’s receipt of the complaint.

#### **SECTION 2. The President & CEO Review of Complaint**

If the individual bringing the complaint is not satisfied with the campus principal or administrator’s final decision, then the individual may file a written appeal to the President & CEO. This written appeal shall be filed with the President & CEO’s office within 10 days of the individual’s receipt of the campus principal or administrator’s final decision. The complaint shall include a copy of the written complaint to the campus principal or administrator along with a copy of the campus principal or administrator’s final decision. A copy of the appeal shall also be delivered to the campus principal or administrator.

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 or administrator.

The President & CEO, or 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 Director Review of Complaint**

If the individual bringing the complaint is not satisfied with the President & CEO's final decision, then the individual may appeal his or her complaint in writing to TCCC's Board of Directors within 10 days of receiving the President & CEO'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 President & CEO along with a copy of the President & CEO's final decision. A copy of this appeal shall also be delivered to the President & CEO.

Individuals who are dissatisfied with the response of the President & CEO may present their complaint to the Board of Directors during the time of public comment 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 the President & CEO 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 by the conclusion of next regular meeting following the one at which the complaint was presented during public comment has the effect of upholding the President & CEO's decision.

### **300.140 MEDIA RELATIONS**

The governing body ("Board") of TCCC 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 TCCC to be prepared to cooperate with media representatives and gain favorable media coverage.

### **SECTION 1. Compliance**

TCCC employees, directors, and agents shall comply with all laws and rules governing media relations.

### **SECTION 2. Designation of Spokespersons for TCCC**

The President & CEO, or designee, will serve as the primary spokesperson with the media for TCCC on all matters of school interest, except that the Chair, or the Chair's designee on the Board shall serve as the spokesperson for matters specifically involving the Board.

### **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 President & CEO, or designee. Whenever possible, the President & CEO, or designee shall contact the Superintendent before a media visit.

Permission shall not be granted until confidentiality of directory information has been reviewed under Policy 400.60, section 4.2.

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

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

### **SECTION 1. Compliance**

TCCC shall comply with all federal and state laws and regulations in regards to the Asbestos Hazard Emergency Response Act (“AHERA”). TCCC designates the President & CEO, or designee, as the individual who will ensure such compliance. The President & CEO shall receive appropriate and relevant training on the AHERA.

**SECTION 2. Annual Notice**

The President & CEO, or designee, shall send an annual notice to students, parents, guardians, and employees regarding the AHERA as required by law.

## MODEL AHERA YEARLY NOTIFICATION FORM

[Date]

Dear Students, Parents, Guardians, & Employees:

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA) which requires school inspections to identify any asbestos containing building materials. In accordance with AHERA, TCCC hereby notifies all parties of the availability of the Asbestos Management Plan for TCCC.

The plan has several ongoing requirements: publish a notification on management plan availability and the status of asbestos activities; educate and train its employees about asbestos and how to deal with it; notify short-term or temporary workers on the locations of the asbestos containing building materials; post warning labels in routine maintenance areas where asbestos was previously identified or assumed; follow set plans and procedures designed to minimize the disturbance of asbestos containing building materials; and survey the condition of these materials every six months to assure that they remain in good condition.

The plan and a copy of the inspections and assessments are available for review Monday through Friday during regular office hours in all school offices and at the TCCC administrative building. If any interested parties would like to view the plan, contact the Superintendent, principal, assistant principal, or the TCCC Asbestos Program Manager. Please refer to the management plan for specific details regarding whether or not this campus' building(s) has asbestos-containing building materials, and if applicable at your school, a program for regular surveillance inspection of asbestos-containing materials. Also, every three years, an asbestos re-inspection of this campus will be conducted to comply with the AHERA law.

It is the intention of TCCC to comply with all federal and state regulations controlling asbestos in an effort to ensure students and employees a healthy and safe environment in which to learn and work.

**300.180 MUNICIPAL ORDINANCES**

The governing body (“Board”) of TCCC adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

**SECTION:1. Compliance**

TCCC shall comply with all applicable municipal ordinances. TCCC designates the President & CEO, or designee, as the individual who will ensure such compliance.

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

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

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

The President & CEO 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 TCCC;
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 approach to risk management.

The RMO will forward recommendations to the President & CEO who will present those recommendations to the Board.

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

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