



WINDHAM SCHOOL
DISTRICT
BOARD OF TRUSTEES

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DATE: October 9, 2014

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SUPERSEDES: WBP-02.00 (rev. 4)
June 19, 2009

WINDHAM BOARD POLICY

SUBJECT: WINDHAM SCHOOL DISTRICT BOARD OF TRUSTEES
RESPONSIBILITIES

AUTHORITY: Tex. Educ. Code (TEC) Chapter 19, § 21.351(c), and Chapter 31; Tex.
Gov't Code Chapter 2256

Reference: TEC Chapter 45, Subchapter G; 19 Tex. Admin. Code (TAC)
§ 150.1006(b)

APPLICABILITY: Windham School District Board of Trustees (board) and Windham School
District (WSD)

POLICY:

As the governing body of the WSD, the board develops and implements policies, including personnel policies, that clearly separate the policymaking responsibilities of the board and the management responsibilities of the superintendent and the staff of the WSD and ensure the effective and efficient operation of the WSD. TEC §§ 19.004 and 19.009.

PROCEDURES:

I. Appointment and Evaluation of Staff

A. Required Staff Appointments

Superintendent of the WSD

The board appoints the superintendent to serve as the administrator of the WSD. The superintendent serves at the pleasure of the board, performs such duties as are officially designated, and devotes full-time work to administering the WSD.

B. Interim Staff

1. The board chairman may appoint a person to serve on an interim basis to the position of superintendent upon the death, resignation, or inability of the person currently holding the position to fulfill the responsibilities.
2. The interim superintendent shall serve on an interim basis until the next regularly scheduled board meeting, at which time the board shall approve the interim appointment, appoint another person to serve on an interim basis, or appoint a person to fill the position on a permanent basis. This designation does not prevent individuals holding the position from delegating the responsibilities to someone to serve in their capacity when they are out of state, on annual leave, or otherwise unable to serve for a short period of time upon notification to the board chairman.

C. Performance Evaluations

The board shall conduct a performance evaluation of the individual holding the position of superintendent. The performance evaluation shall be conducted annually and become a permanent part of the employee's Master Human Resources File.

II. Open Meeting Business

The authority vested in the board may be exercised only at a meeting of a quorum of its members. The *Texas Open Meetings Act*, Tex. Gov't Code Chapter 551, requires meetings of governmental bodies to be open to the public, unless a closed session is expressly authorized. The board shall meet at least once in each quarter of the calendar year and may meet at other times at the call of the chairman or as provided by board rule. Tex, Gov't Code § 492.006. The following is a list of business routinely conducted at regular board meetings held in compliance with the *Texas Open Meetings Act*.

A. Operational Items

1. Approval of the WSD operating budget, including salary schedules and any appropriations request to the Texas Education Agency (TEA). TEC §§ 19.008 and 19.009.
2. Approval of the creation or elimination of a division of the WSD. TEC § 19.004.
3. Appointment of advisory committees to the board.
4. Adopting a strategic plan for the WSD. TEC § 19.010.

5. Approving employment contract language and delegating the authority for employment contracts to the superintendent.
6. Delegating the authority to requisition, distribute, and manage the inventory of instructional materials in a manner consistent with Chapter 31 of the Texas Education Code and the rules adopted by the State Board of Education.
7. Approving Depository Contracts. TEC Chapter 45, Subchapter G.
8. Approving appraisers under the Professional Development Appraisal System (PDAS). 19 TAC § 150.1006(b).
9. Annual review of the accountability system as developed by the superintendent pursuant to WBP-03.02, “Windham School District Superintendent Responsibilities and Authority.”
10. WBP-11.12, “WSD Investment Policy.” The board shall perform an annual review of this policy. Tex. Gov’t Code § 2256.005(e).

B. Rulemaking

The board adopts rules as necessary for its own procedures and for operation of the WSD, Tex. Gov’t Code § 492.013(a), and as required by statute. TEC § 19.004.

C. Contracts, Purchases, and Projects

Approval of the purchase of goods and contracts over \$500,000 unless required by law or court order, or approved through prior board action.

1. If it is determined that a purchase or contract over \$500,000, previously approved by the board, will exceed the approved purchase or contract amount, a request for approval of the increased amount shall be made at the next board meeting.
2. In the event that such a purchase or contract is required between board meetings, and it is determined by the superintendent that delaying the approval of such purchase or contract until the next board meeting would result in operational hardship for the WSD, out of cycle approval may be obtained via fax or email from the board chairman.
3. Approval of the establishment of contracts between the WSD and a private business to conduct programs on or off property operated by the TDCJ.

D. Policy Review

The board shall review all superintendent directives and operating procedures that pertain to the following policies related to equal employment opportunity, conduct, discipline, and grievances, as listed below.

1. WBP-07.01-2, "Equal Employment Opportunity"
2. WBP-07.05, "Contract and Noncontract Employment"
3. WBP-07.15, "Relationships and Sexual Misconduct with Offenders"
4. WBP-07.18, "Performance Evaluations and Professional Development Appraisal System (PDAS)"
5. WBP-07.26, "Employee Grievance Procedures"
6. WBP-07.37, "Selection of Personnel"
7. WBP-07.40, "Sexual Harassment"
8. WBP-07.44, "Professional Standards of Conduct and Disciplinary Guidelines"

E. Consent Items

1. Approval of any minutes of prior meetings of the board. If a change in the board's committee structure results in the deletion or the renaming of a committee, the minutes of that committee's last meeting shall be approved by the full board.
2. Approval of excused absences of board members from regularly scheduled board meetings.
3. Approval of donations and gifts to the WSD valued at \$500 or more.
 - a. The presented information shall contain a list of donated money or property, the name of the donor, a description of the gift, and a statement of the purpose of the gift. If the gift is donated to a specific WSD division, area, or section, the list shall specify the designated division, area, or section.
 - b. Gifts may be accepted subject to board approval, if the donation is placed as a consent item on the agenda for the board meeting immediately following such acceptance.

- c. Gifts shall be for use in maintaining and improving correctional education programs and services, unless other specific statutory authorization allows the use of gifts by the WSD for other purposes.
- F. After WSD staff takes action on the following issues, a summary of the actions taken shall be submitted for inclusion in the materials provided to the board for the next board meeting following such action:
1. Requests for proposals, qualifications, or offers that are issued and expected to exceed \$250,000;
 2. All purchases over \$250,000 and less than \$500,000;
 3. Emergency purchases from operating funds in amounts of \$100,000 or more;
 4. Changes in personnel policies, except as provided in Section II.D; and
 5. Out of cycle approvals on purchases and contracts over \$500,000. For the purpose of authorized out of cycle approvals, special called meetings shall be included in determining board review.
- G. The WSD bimonthly investment report shall be submitted for inclusion in the materials provided to the board for each board meeting.

Signature on file _____
Oliver J. Bell, Chairman
Windham School District Board of Trustees