

TCSA Model Board Policy Series

Module 200: Charter School Governance and Organization

Charter Board Policy for

UT Permian Basin – STEM Academy

- 200.020: Corporate Structure Policy*
- 200.030: Mission and Vision Policy*
- 200.040: Board Operating Procedure Policy*
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Module 200: Charter School Governance & Organization

Charter School Governance & Organization, Module 200, is the second module of the Model Board Policies. The material included in this module provides a comprehensive summary of statutes and regulations that apply to the governance and organization of charter schools, as well as specific model board policies designed to comply with these legal requirements. Other policy modules in the series include:

- Module 100: Financial Operations
- Module 300: General School Operations
- Module 400: Students
- Module 500: Open Government
- Module 600: Human Resources

Legal Abbreviations Used In the TCSA Model Board Policy Series

C.F.R	Code of Federal Regulations
Tex. Admin. Code	Texas Administrative Code
Tex. Bus. Org. Code	Texas Business Organization Code
Tex. Educ. Code	Texas Education Code
Texas Gov't Code	Texas Government Code
Tex. Labor Code	Texas Labor Code
Texas Local Gov't Code	Texas Local Government Code
Tex. Rev. Civ. Stat.	Texas Revised Civil Statutes
U.S.C.A	United States Code Annotated

200.020. CORPORATE STRUCTURE

SECTION 1. Name

The name of this organization shall be the UT Permian Basin STEM Academy.

SECTION 2. Authority

The Texas Education Agency (TEA) issued a charter to The University of Texas of the Permian Basin (UTPB) to operate the UT Permian Basin STEM Academy, pursuant to Chapter 12, Subchapter E of the Texas Education Code. The governing board of the charter holder, the Board of Regents of The University of Texas System, pursuant to the *Regents Rule and Regulations Series 40901*, has delegated the responsibility for the operation and oversight of the STEM Academy to the President of UTPB.

The President authorizes the member of the advisory board to advise and make recommendations to the Superintendent on matters related to the management, operation, and accountability for the STEM Academy.

The President appoints the Superintendent of the STEM Academy, who serves as the central administrative officer and performs the duties as provided in the charter. The STEM Academy Superintendent serves at the pleasure of the President.

200.030. UT PERMIAN BASIN STEM ACADEMY MISSION & VISION

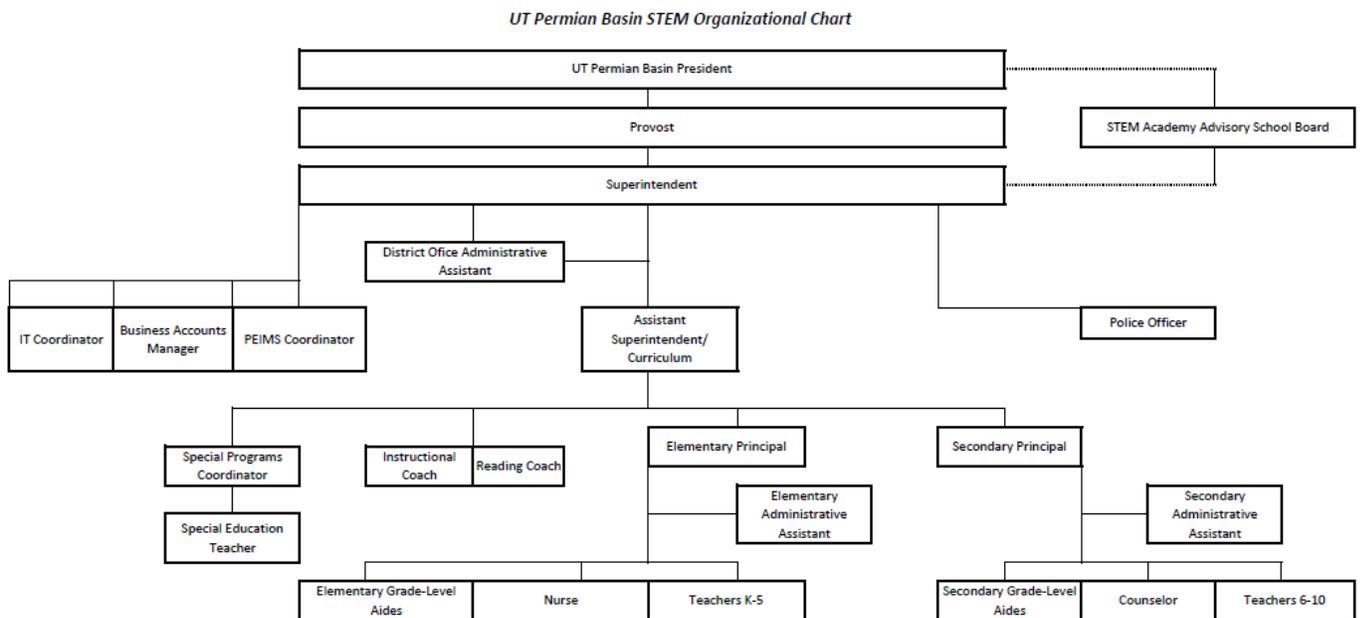
SECTION 1. Mission

The UTPB STEM Academy prepares students to be STEM college and career ready, with a shared focus on collaboration, creativity, communication and critical thinking.

SECTION 2. Vision

The UTPB STEM Academy seeks to be a regional model for STEM education, grounded in authentic learning experiences preparing students for future STEM careers.

SECTION 3. Organization Chart



200.040. BOARD OPERATING PROCEDURES

The purpose of the advisory board is to advise and make recommendations to the Superintendent on matters similar to those considered by the Board of Trustees of an independent school district and in accordance with the STEM Academy's mission.

The advisory board ("Board") of UT Permian Basin STEM Academy adopts the following policy, which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Composition of the Advisory Board

Section 1.1. Number of Board Members UT Permian Basin STEM Academy's Board shall consist of seven (7) members. This includes:

- Two (2) STEM faculty members of the UT Permian Basin College of Arts and Sciences
- Two (2) faculty members from the College of Education.
- Two (2) parent board members
- One (1) education faculty

In accordance with Regents Rule 60302, the President of The University of Texas of the Permian Basin, as well as the Dean of the College of Education, shall be *ex officio* members with voting privileges

Section 1.2. Selection and Terms in Office

SECTION 1.2.1. Appointment of Voting Members of the Board. The President appoints the voting members of the Board. As places for voting members become vacant, the Board shall nominate and recommend replacements to the President, for consideration and appointment.

SECTION 1.2.2. Term of Appointment. The individuals the President appoints to voting positions shall serve two years, with half of the appointments rotating off each year. Each parent member will be on two-year terms with one of the members rotating off each year.

Section 1.3. Officers

The Board shall consist of the following officer positions:

- a. President
 - i. The President of the Board is empowered to chair all Board meetings. In the President's absence, authority to chair a meeting shall be delegated to another Board member.
- b. Secretary
 - i. The Secretary shall record the minutes of each Board meeting. In the Secretary's absence, a Board member shall be designated to record the minutes.

The role of advisory board president and secretary can only be held by the University of Texas of the Permian Basin employee advisory board members.

Section 1.4. Vacancies and Removals

Vacancies and removal shall be conducted in accordance with applicable law. Vacancies and

removals of out-going voting members shall be filled by presidential appointment upon advice and recommendation of the Board.

SECTION 1.5.1. Misconduct. The Board may make a recommendation to The University of Texas of the Permian Basin President to remove any voting member of the Board for cause, which includes but is not limited to: willful misconduct, moral turpitude, unmanaged personal, financial, or institutional conflicts of interest, or for any other matter that impedes or appears to impede execution of board duties. A recommendation to remove a voting member of the Board must be supported by a majority vote of the Board at a meeting at which a quorum of the voting membership is present.

SECTION 1.5.2. Absence. The Board President shall send any member of the Board who is absent from three regularly scheduled meetings of the Board written notice offering the opportunity to resign or appear at the next regularly scheduled Board meeting to present the member's reasons for such absences. Such written notice shall also advise the member that the member's failure to appear at the next regularly scheduled meeting and to present the reasons for such absences will constitute an affirmation of the member's resignation from the Board. If the member fails to appear the Board shall find that the member has resigned and convey that finding to the President.

SECTION 1.5.3. Resignation. A member may resign from his or her position as Member of the Board by notifying the President of The University of Texas of the Permian Basin in writing. The resignation shall be effective when received.

SECTION 2. Open Government

SECTION 2.1. Open Meetings. The Board shall comply with the Texas Open Meetings Act and the Texas Public Information Act. The Board agenda shall be formulated by the Superintendent, who, after consultation with the Board President, shall post the agenda as part of the meeting notice in advance, in accordance with the Texas Open Meetings Act. In accordance with the Texas Open Meetings Act Chapter 551, the notice of the meeting must be posted in a place readily accessible to the public at all times for at least 72 hours before the scheduled time of the meeting, unless there exists an emergency or urgent public necessity in which case the notice of the meeting or supplemental notice of subject added to the meeting shall be posed at least 2 hours prior to the meeting.

SECTION 2.2. Frequency of Meetings. Meetings of the Board shall be conducted once a month from August through June unless the Board President in consultation with the Superintendent determines a meeting is unnecessary. Special meetings of the Board shall be called by the Board President at such times as the Board President may elect, or on the written request of two (2) or more members. Regular or special meetings shall be held at any suitable location in Ector County, Texas, or at such other location outside Ector Country, Texas as the Board may determine.

SECTION 2.3. Conduct of Business. The business of the Board shall be conducted in accordance with Roberts Rules of Order, rules and regulations of the State Board of Education, The University of Texas System Board of Regents, and The University of Texas of the Permian Basin, as well as applicable state and federal laws, in particular the Texas Open Meetings Act.

SECTION 2.4. Minutes. The Board Secretary shall be responsible for drafting the minutes of all meetings of the Board and shall see that any and all legal notices are duly given as required by

law.

SECTION 2.5. Board Actions. The presence of more than one-half of the Board membership (not including vacant seats) shall constitute a quorum of that body. Any action taken by the majority of the Board at any meeting at which a quorum is present shall be an act of the Board. As provided by Texas Government Code § 551.071- 555.076, the Board shall have the authority to discuss items regarding personnel, contracts under negotiation, security, or salary in executive session and reconvene in an open meeting to record the votes on such items.

SECTION 2.6. Board Votes. Each member of the Board shall be entitled to one vote. Voting by proxy is not allowed.

SECTION 3. Annual Report on Charter Governance

The Board President, or the Board President's designee, shall ensure that by November 1st of each year the annual report on charter governance is submitted to the Texas Education Agency.

200.060. BOARD MEMBER DUTIES AND RESPONSIBILITIES

The advisory board (“Board”) of the UT Permian Basin STEM Academy adopts the following policy, which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Responsibility and Accountability

The purpose of the advisory board is to advise and make recommendations to the Superintendent on matters similar to those considered by the Board of Trustees of an independent school district and in accordance with the STEM Academy’s mission.

SECTION 2. Evaluation of the Superintendent

The Board shall conduct a minimum of one performance evaluation per calendar year of the Superintendent of the UT Permian Basin STEM Academy.

SECTION 3. Web Posting of Board Member Names

The names of the members of the board of the open-enrollment charter school shall be continuously posted on the homepage of the school’s Internet website.

200.080. BOARD MEMBER TRAINING

The advisory board (“Board”) of the UT Permian Basin STEM Academy adopts the following policy, which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Board Member Training

Each member of the Board assumes responsibility for the required training.

SECTION 2. Record of Board Member Training

The Board President or the Board President’s designee shall maintain records concerning training hours.

200.100. NEPOTISM

The advisory board (“Board”) of the UT Permian Basin STEM Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

The Board of the UT Permian Basin STEM Academy shall comply with all applicable nepotism statutes and rules, including UT System’s Rule 30106: Nepotism.

<https://www.utsystem.edu/board-of-regents/rules/30106-nepotism>

200.120 CONFLICTS OF INTEREST

The Superintendent shall ensure that all employees of the UT Permian Basin STEM Academy shall comply with all conflict of interest laws and rules applicable to affected employees, included, but not limited to, the UT Permian Basin Conflicts of Interests Policy.

The University of Texas of the Permian Basin Conflicts of Interest Policy is adopted under section 572.051, government code:

<https://www.utpb.edu/services/business-affairs/compliance/conflict-of-interest/index>

Regents Rule 30104:

<https://www.utsystem.edu/board-of-regents/rules/30104-conflict-interest-conflict-commitment-and-outside-activities>

UT System 180:

<https://www.utsystem.edu/board-of-regents/policy-library/policies/uts-180-conflicts-interest-conflicts-commitment-and>

UT System 175:

<https://www.utsystem.edu/board-of-regents/policy-library/policies/uts-175-disclosure-significant-financial-interests-and>

UT System 134:

<https://www.utsystem.edu/board-of-regents/policy-library/policies/uts-134-code-ethics-financial-officers-and-employees>

200.140 RESTRICTIONS ON SERVING AS A BOARD MEMBER OR OFFICER

The advisory board (“Board”) of the UT Permian Basin STEM Academy adopts the following policy, which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Criminal History Records

Section 1.1. Criminal Background Check for Members of the Board. Before an individual becomes a member of the Board, and every third year thereafter, the Board President or the Board President’s designee shall ensure that all criminal history record information is obtained, as frequently as the law requires, from the Texas Department of Public Safety.

Section 1.3. Criminal History Background Checks for Officers of the Charter School. Before an individual becomes an officer of the charter school, the Superintendent or designee shall ensure that all criminal history record information is obtained from the Texas Department of Public Safety. After the initial check, the Superintendent or designee shall ensure that such a criminal history check is conducted as frequently as the law requires.

Section 1.3. Confidentiality. The Superintendent of the UT Permian Basin STEM Academy shall ensure that criminal history information is released only to legally authorized entities.

SECTION 2. Majority of Board Members as Qualified Voters

The Board shall ensure that at all times at least a majority of the members of the Board are qualified voters in the state of Texas.

200.200 ADMINISTRATION OF THE UT PERMIAN BASIN STEM ACADEMY

The advisory board (“Board”) of the UT Permian Basin STEM Academy adopts the following policy, which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Powers & Duties

Section 1.1. Non-Delegable Powers and Duties. The Superintendent shall not delegate the following powers and duties:

- a. Organizing the charter school’s central administration;
- b. Approving reports or data submissions required by law; and
- c. Selecting charter school employees or officers.

SECTION 2. Training

The Superintendent shall comply with and keep accurate records concerning the commissioner of education rules governing training of open-enrollment charter administrators.

SECTION 3. Annual Evaluation

The Board shall conduct an annual evaluation of the Superintendent.

SECTION 4. Development of Administrative Procedures

The Superintendent shall develop administrative procedures by which to implement Board policy.

200.220 CAMPAIGN CONTRIBUTIONS TO THE STATE BOARD OF EDUCATION

The advisory board (“Board”) of the UT Permian Basin STEM Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

The Superintendent of the UT Permian Basin STEM Academy shall ensure that the UT Permian Basin STEM Academy complies with the political actives and contribution policies of The University of Texas of the Permian Basin.

<https://www.utpb.edu/docs/default-source/default-document-library/standards-of-conduct6a07d2b0a1ad67f389f3ff0000880d0cf6a0.pdf?sfvrsn=0>