

IDEA PUBLIC SCHOOLS BOARD POLICY MANUAL
POLICY GROUP 1 – GOVERNANCE
SCHOOL PROPERTY

PG-1.9

Sec. 1. IDEA PUBLIC SCHOOLS PROPERTY GENERALLY

The Board of IDEA Public Schools shall be the final authority for authorizing the use of Public Property and assets (both real/personal property, personnel and other assets). IDEA Public Schools shall not authorize use or application of public property inconsistent with this policy or applicable law.

Sec. 2. PUBLIC PROPERTY DEFINED

An interest in real estate or personal property acquired, improved, or maintained using state funds that were received by IDEA Public Schools on or after September 1, 2001 is public property for all purposes under state law. The date on which the property was acquired, improved, or maintained is not determinative. An interest in real estate acquired, improved, or maintained using state funds that were received by the charter holder before September 1, 2001, is public property only to the extent specified by 19 TAC § 100.1065 (relating to Property Acquired with State Funds Received Before September 1, 2001–Special Rules). Where the property is acquired with federal funds, federal law may preempt this policy and state law in whole or part.

Sec. 3. FIDUCIARY RESPONSIBILITIES

Public property is held by IDEA Public Schools in trust for the benefit of its students. With respect to the public property they manage, the Board and officers of IDEA Public Schools are trustees under Texas law and the students enrolled are beneficiaries of a trust. Each trustee shall be held to the standard of care and fiduciary duties that a trustee owes the beneficiary of a trust under Texas law.

Public property may be used only for a purpose for which a school district may use school district property, implementing a program described in IDEA Public Schools' open-enrollment charter and only to implement a program that is described in the open-enrollment charter and is consistent with law and Rule.

Notwithstanding the delegation of authority, the Board and officers of IDEA Public Schools shall remain fully responsible to authorize all uses and applications of public property and to enforce this policy.

Sec. 4. PERSONAL USE OF PUBLIC PROPERTY, PUBLIC TIME AND PUBLIC RESOURCES

In compliance with state law and Commissioner of Education Rule, employees shall use IDEA Public Schools public property, time and resources (including personnel time paid for with public funds) only for purposes described in the IDEA Public Schools charter, in direct support of the charter, in the best interest of students, or authorized by applicable law.

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Employees may, however, use local telephone service, IDEA Public Schools-issued cellular phones, electronic mail, Internet connections, and similar property for incidental personal use, provided that such personal use does not, as determined by the Business Office, impede school functions or result in direct cost(s) paid with state funds. Should employee use result in direct cost paid with state funds, the Business Office shall require the employee incurring the cost(s) to reimburse IDEA Public Schools for such cost(s) within five business days of having incurred the cost(s).

In further compliance with Commissioner Rule, only incidental amounts of employee time, comparable to a five–seven minute coffee break during each day, may be used by employees for such personal matters. The Board, an officer or director of IDEA Public Schools (officer meaning assistant principal or higher up through CEO/Superintendent) shall not use subordinates or direct-reports or any other employee to conduct personal work or attend to personal matters on behalf of any officer or director.

This policy does not authorize incidental personal use of public property or public employees for private commercial or other personal/individual purposes. Any such incidental use of public property is a privilege not a right, and the IDEA Public Schools through its administration (or Board) may remove or rescind such privilege from time to time on a case-by-case basis for any employee, or all employees.

Sec. 5. USE OF PUBLIC PROPERTY REAL ESTATE FOR CHARTER AND NON-CHARTER ACTIVITIES

Joint use of IDEA Public Schools’ public real property for charter and non-charter activities shall be approved by separate vote and recorded in the minutes of the meeting of the Board of IDEA Public Schools, setting forth the methodology to be used to allocate shared costs and the percentage allocation basis between charter and non-charter activities.

Sec. 6. CONTRACT FOR USE OF PUBLIC PROPERTY

IDEA Public Schools may contract for the use of its property for the purpose of providing goods or services under the contract, if such use is an express contract term, factored into the price of the contract, and the contract is one that is authorized by the Board.

Sec. 7. ACCOUNTING FOR PUBLIC PROPERTY

IDEA Public Schools’ annual audit report shall separately disclose the cost basis and accumulated depreciation of public or privately held or owned property held, acquired, improved, or maintained by IDEA Public Schools’ operating Board and charter holder, or provide with the annual audit report a statement that all property acquired, improved, or maintained during the term of IDEA Public Schools’ charter, and all property presently held by the charter holder Board, is public property.

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Sec. 8. RETURN OF IDEA PUBLIC SCHOOLS PROPERTY

Upon separation of employment or cessation of volunteer services, or upon the request of IDEA Public Schools, an individual will return to IDEA Public Schools all such materials, including copies thereof, in the individual’s possession or under the individual’s control. Such materials will be returned within 24 hours of notice of separation or upon request.

The cost of repairing or replacing any supplies, materials, or equipment belonging to IDEA Public Schools, or other property that is damaged (other than normal wear and tear), stolen, or lost by an employee or that is not returned to IDEA Public Schools upon separation of employment may be deducted from the employee’s wages, so long as the deduction does not take the employee’s pay below minimum wage or, if the employee is a salaried employee, reduce the salary below its predetermined amount and so long as the employee has signed an appropriate wage deduction authorization form.

Any materials created by officers or staff members for use by IDEA Public Schools or created on IDEA Public Schools’ time, or produced using the staff or resources of IDEA Public Schools are considered works-for-hire and all intellectual property rights are vested exclusively in IDEA Public Schools.

CERTIFICATION

The undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of a Board Policy adopted by the Directors of the Corporation on May 1, 2020, which Policy is in full force and effect and has not been revoked or amended.

DocuSigned by:
Ryan Vaughan
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Ryan Vaughan, Secretary

5/7/2020

Date