

Sec. 1. Management by Board of Directors.

In accordance with applicable law, the Board of Directors of IDEA Public Schools (the “Board”) shall manage the affairs of IDEA.

Sec. 2. Management Through Board Policy and Delegation.

The Board shall manage the day-to-day affairs of IDEA through authorized delegation and the adoption of policies conforming to applicable law and offering best practices.

Sec. 3. Oversight of Daily Operations.

The Board’s daily oversight and management of IDEA shall be through a chief executive officer, titled the Chief Executive Officer/Superintendent. As the Board’s representative, the Chief Executive Officer and Superintendent shall oversee and be responsible for the daily implementation of Board adopted policies, plans, budgets and other actions and resolutions.

Sec. 4. Board Policy to Supplement Law and Rules.

The policies adopted by the Board shall not supersede and are not in lieu of the legal requirements set out in state and federal law and rule. Instead, Board policy shall supplement existing legal requirements by providing direction to the Chief Executive Officer/Superintendent and IDEA personnel, parents, students and other affected parties in the conduct of IDEA’s affairs and in facilitating IDEA’s compliance with state and federal law and rule. In any instance in which Board policy conflicts with state and federal law or rule, the pertinent legal requirement will govern and control.

Sec. 5. Procedures to Supplement Board Policy.

The Chief Executive Officer/Superintendent or designee may further adopt administrative procedures, regulations and manual(s) as deemed necessary to implement policy. The administrative procedures as may be set forth do not supersede and are not in lieu of the policies adopted by the Board. Instead, procedures, regulations or manual(s) shall implement and provide further instruction on Board policy by describing the practices and processes that IDEA personnel must follow. In any instance where a procedure, regulation or manual conflicts with Board policy, Board policy will prevail.

Sec. 6. Policy Development and Adoption.

In collaboration with Board members, IDEA personnel, legal counsel, parents, and the public at large, the Chief Executive Officer/ Superintendent may develop and propose to the Board policies that address legal requirements and/or best practices. In its sole discretion, the Board may consider and adopt the policy recommended by the Chief Executive Officer/Superintendent. A policy shall

be adopted and become effective upon favorable approval by a majority of the Board members present and constituting a quorum at a regular or special meeting of the Board. The Board may adopt a policy with a later effective date if a majority of the Board designates a later adoption.

Sec. 7. General Policy Definitions.

The following definitions apply the individual policies contained in the IDEA’s Board Policy Manual:

Board refers to the Board of Directors of IDEA Public Schools.

Parent or Guardian includes a parent of a student and includes a natural parent, a guardian, a person standing in parental relation, or an individual acting as a parent in the absence of a parent or guardian. The term does not include a person as to whom the parent-child relationship has been terminated or a person not entitled to possession of or access to a child under a court order.

Sec. 8. Organization.

The Board’s policy manual is organized into sections and subsections that are identified by subject matter and number. For ease of reference, procedural statements in paragraphs are also identified by number (if a subsection contains multiple paragraphs). The procedures described herein outline the process that IDEA will follow to demonstrate compliance with applicable law and Board policy.

Sec. 9. Responsibility for Development and Maintenance.

The Chief Executive Officer/Superintendent or designee is primarily responsible for the development and maintenance of the administrative procedures that may be developed to implement policy. IDEA employees, officers and Board members may assist with the development and maintenance of the procedures and may make recommendations to the Chief Executive Officer and Superintendent to improve the IDEA’s processes and practices.

Sec. 10. Review and Amendment.

The administrative procedures will be reviewed and revised on a regular basis, generally annually before the fiscal year ends and prior to the start of the following fiscal year. For administrative expediency, amendments during a fiscal year will ordinarily be made in response to a new and significant law, policy or practice change that is adopted and made effective during the fiscal year.

Sec. 11. Non-Substantive Edits to Policies.

The Chief Executive Officer/Superintendent or designee may make non-substantive, clerical and otherwise inconsequential changes to adopted Board policies to ensure consistency with existing laws and rules (e.g., to include valid legal citations) and IDEA’s organizational structure and

operations (*e.g.*, to reference appropriate titles and departments). Legal counsel shall review any and all changes to Board policy by the Chief Executive Officer/Superintendent to identify edits to ensure they do not alter the substance and intent of the Board. The Chief Executive Officer/Superintendent shall, at the first regular board meeting opportunity, inform the Board of any changes made to policies passed by the Board and shall provide the Board an opportunity through appropriate agenda item to override any changes made.

Sec. 12. Implementation of Board Policy Through Administrative Procedures.

Sec. 12.1. As authorized in Section 5 above, the Chief Executive Officer/Superintendent, or designee, may implement Board policy through administrative procedures which may include, but are not limited to, the development and adoption of forms, department guides, manuals and/or handbooks. The Chief Executive Officer/Superintendent, or designee, may consult with IDEA personnel, legal counsel, or other qualified professionals in the preparation of the administrative procedures.

Sec. 12.2. The Chief Executive Officer/Superintendent, or designee, may amend administrative procedures, as needed, in conformance with Board policy and law. Should administrative procedure and policy conflict, Board policy will prevail. Importantly, as set forth in Sec. 10 of the Board Policy relating to Authority Over Fiscal Matters and other Board policy, the Chief Executive Officer/Superintendent, or designee, is prohibited from adopting, an administrative procedure that conflicts with applicable law or this policy. Accordingly, the Chief Executive Officer/Superintendent, or designee, shall confer with the Board or legal counsel before deviating from the requirements set forth in applicable Board policy. In the event that a deviation from Board policy becomes necessary, the Chief Executive Officer/Superintendent, or designee, shall either recommend an amendment to Board policy or the Board's approval of a specific deviation, including the purpose, scope and duration of the requested deviation.

Sec. 12.3. The Chief Executive Officer/Superintendent, or designee, shall provide instruction, training, and supervision to IDEA personnel in the implementation of Board policy and the corresponding administrative procedures and shall ensure that Board policy and administrative procedures are provided and available to school personnel, parents, students and other affected parties.

Sec. 13. Official Board Policies and Administrative Procedures.

The Chief Executive Officer/Superintendent shall maintain the original and official policies adopted by the Board as a Board Policy Manual and the corresponding administrative procedures adopted by the Chief Executive Officer/Superintendent or designee in the central administrative office. In the event that a conflict arises between copies of a Board policy or an administrative procedure, the official copy maintained by the Chief Executive Officer/Superintendent shall prevail as the authoritative record.

Sec. 14. Accessibility of Policies and Procedures.

Board policies may be made accessible to the public at large on IDEA’s website and at the IDEA’s central administrative office. Administrative procedures shall be made available to the public at large where required by Chapter 551 of the Texas Government Code. Board policies and the administrative procedures implementing Board policies shall be provided and otherwise made readily accessible to all IDEA personnel.

Sec. 15. Campus and Department Procedures.

Individual IDEA campuses and departments may develop campus or departmental procedures, guides or manuals implementing and not conflicting with Board policy or administrative procedures implementing Board policy, as adopted by the Chief Executive Officer and Superintendent.

Sec. 16. Adoption.

Each Administrative Procedure, Policy or Regulation shall contain the following notice at adoption:

Pursuant to Sec. 10 of the Board Policy relating to Authority Over Fiscal Matters, the Chief Executive Officer and Superintendent formally adopts the administrative procedures set forth in this manual.

JoAnn Gama
Chief Executive Officer and Superintendent
[or noting Designee]

Date Approved

Effective Date.

The administrative procedures in this manual are effective for fiscal years beginning on [INSERT DATE.], and thereafter.

Retention.

This administrative procedure was superseded on [INSERT DATE]. Accordingly, this version of the administrative procedure shall be retained until [INSERT DATE].¹

¹ See Record Number GR1000-38 and GR1025-25 in Local Schedule GR: Records Common to All Local Governments, Revised 5th Edition (Effective April 17, 2016) adopted by the Texas State Library and Archives Commission at Texas Administrative Code, Title 13, §7.125(a)(1).

[INSERT SECTION HEADER.]

[INSERT ADMINISTRATIVE PROCEDURE.]