



*Our **Mission** is to provide the highest quality education for all students, especially those who have struggled in a traditional high school setting, in order to ensure their economic independence.*

*Our **Core Values** are 1) Student centered decision making; 2) A rigorous curriculum based on reading and thinking skills and 3) Fulfilling every aspect of our mission with a sense of urgency.*

Our website contains more information; www.TexansCan.Org

Board of Trustees Roles and Responsibilities

Title: Member, Board of Trustees

Reports to: Board President

Primary Purpose:

The governing body of a charter holder has the primary responsibility for implementing the public school program authorized by the open-enrollment charter and ensuring the performance of the students enrolled in its charter schools in accordance with the Texas Education Code (TEC). The governing body of the charter holder shall, acting as a body corporate in meetings posted in compliance with Government Code, Chapter 551, oversees the management of the charter schools. *TAC §100.1101*

NON-PROFIT ORGANIZATION

Qualifications:

- Be a United States citizen.
- Be 18 years of age or older on the first day of the appointment.
- Have not been determined mentally incompetent by a final judgment of a court.
- Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities. *Atty. Gen. Op. LO 96-114 (1996)*
- Has experience in nonprofit Board service (preferred)

Term:

The term of each Trustee position will be three (3) years, and shall begin at the annual meeting or otherwise during the year in which the member is elected. Each Trustee may not be elected to serve more than two consecutive whole terms.

Meeting Attendance:

1. Prepare for, attend, and conscientiously participate in all board meetings as scheduled (about 6-8 per year); typically the second Thursday of the month, beginning at 5:00.
2. Attend Board retreats, workshops, and other Board development activities.

Expectations of Individual Board Members:

1. Have interests are similar to the interests of the organization.
2. Devote the time and energies necessary for serving as a member of the Board
3. Serve on a committee and/or task force
4. Share, with the other members of the Board, the common goal of providing high quality services to the organization.
5. Support the organization's mission, purposes, goals, policies and programs while knowing its strengths and needs
6. Attend and participate in a minimum of one of each of the following special events:
 - a. Cares for Kids/Motherhood Luncheon
 - b. Golf Classic
 - c. Graduation
7. Serve as active advocates and ambassadors for the organization and fully engage in identifying and securing the financial resources and partnerships necessary for the organization to advance its mission.
8. Suggest possible nominees to the Board who are men and women of achievement and who can make significant contributions to the work of the Board and the progress of America CAN!
9. Abide by and fulfill this Board member position description
10. Sign and uphold the Statement of Understanding Participation

Collective Obligation of the Board:

1. It is the board's responsibility to create and review a statement of mission and purpose that articulates the organization's goals, means, and primary constituents served.
2. Boards must reach consensus on the chief executive's responsibilities and select and evaluate the performance of the most qualified individual for the position. Be sure that management succession is being provided.
3. The board must assist in developing the annual budget and ensuring that proper financial controls are in place.
4. One of the board's foremost responsibilities is to provide adequate resources for the organization to fulfill its mission.

5. The board is ultimately responsible for ensuring adherence to legal standards and ethical norms.
6. Boards must actively participate in an overall strategic and organizational planning process and assist in implementing and monitoring the plan's goals.
7. All boards have a responsibility to articulate prerequisites for board member candidates, orient new members, and periodically and comprehensively evaluate its own performance.
8. The board should clearly articulate the organization's mission, accomplishments, and goals to the public and garner support from the community.
9. The board's responsibility is to determine which programs are consistent with the organization's mission and to monitor their effectiveness.
10. The board should ensure that the chief executive has the moral and professional support he or she needs to further the goals of the organization.

Participation:

1. Participate as a member of a team that: 1) includes administrative leadership, the Board, and others, and 2) requires cooperation and teamwork to be effective
2. Attend all Board meetings; in person or via electronic communications, and show commitment to Board activities
3. Be well-informed on issues and agenda items in advance of meetings
4. Contribute skills, knowledge and experience when appropriate
5. Listen respectfully to other points of view
6. Ask timely and substantive questions at Board, committee and task force meetings consistent with personal conscience, convictions and ethics, while supporting the majority decision on issues decided by the Board
7. Participate in organizational decision-making
8. Maintain confidentiality of the Board's executive sessions
9. Suggest agenda items for Board and committee meetings to ensure significant policy related matters are addressed
10. Assume leadership roles in all Board activities, including fund raising
11. Recognize responsibility for setting a philanthropic example for other Board members
12. Assist America CAN! with the implementation of fundraising strategies by building and strengthening relationships through personal contacts with individuals, corporations, foundations or other potential funders

Fiduciary:

- Faithfully read and understand the America CAN! financial statements, and otherwise help the Board fulfill its fiduciary responsibility

Public Image:

- Speak for the Board or America CAN! only when authorized to do so

- Represent America CAN! to your network, including friends, business and industry
- Leverage relationships to be a bridge between America CAN! and its constituencies

Fundraising:

2. Financially support America CAN! annually, with a meaningful personal financial donation, commensurate with ability.
3. Recognize responsibility for setting a philanthropic example for other Board members
4. Assist the organization with the implementation of fundraising strategies by building and strengthening relationships through personal contacts with individuals, corporations, foundations or other potential funders

Avoiding Conflicts:

- Serve America CAN! as a whole rather than any special interest group or constituency
- Understand that America CAN! is a 501 (c) 3 not-for-profit corporation that is not ‘owned’ by anyone and each Board member must act in the best interest of America CAN! in fulfilling its mission above all else
- Avoid even the appearance of a conflict of interest that might compromise the Board of America CAN!, and disclose any possible conflicts to the Board in a timely fashion.
- Never accept or offer any favors or gifts from or to anyone who does business with America CAN!
- Sign and abide by America CAN! conflict of interest policy

TEXAS EDUCATION AGENCY CHARTER HOLDER

Major Responsibilities and Duties:

Legal powers

1. A member of the governing body of a charter holder, a member of the governing body of a charter school, or an officer of a charter school is considered a local public official. *TAC §100.1132*
2. Because the Board is a body corporate, individual board members can perform no valid act except as a body at meetings properly convened and conducted. *Toyah ISD v. Pecos-Barstow ISD*, 466 S.W.2d 377 (Tex. Civ. App.-San Antonio, 1971, no writ); *Buchehele v. Woods*, 528 S.W.2d 95 (Tex. Civ. App.-Tyler, 1975, no writ)
3. Adopt policies, rules, resolutions, and bylaws. *Education Code 11.151(d)*
4. A Board member is not personally liable for any act that is incident to or within the scope of the duties of the Board member's position and that involves the exercise of judgment or discretion. *Education Code 22.0511(a)*
5. Adopt and file a budget for the next succeeding fiscal year, prior to the beginning of the fiscal year. *Education Code 44.004, 44.005*

6. Have district fiscal accounts audited at district expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy following the close of each fiscal year. *Education Code 44.008(a)*
7. Conduct a public hearing within 60 days of receiving the Texas Academic Performance Reports ratings from TEA to hear comments regarding the district's educational performance including campus performance objectives and the progress of each campus toward those objectives.
8. Publish an annual report describing the district's educational performance including campus performance objectives and the progress of each campus toward those objectives. *Education Code 39.053(a)*
9. Receive bequests and donations, including goods in kind, or other moneys or funds coming legally into its hands in the name of a district. *Education Code 11.151(a)*
10. Adopt a policy providing for the employment and duties of district personnel. *Education Code 11.163*

Compensation

11. Trustees serve without compensation for their service as trustees. *Education Code 11.061(d)*
12. A person who receives compensation or remuneration from a nonprofit corporation holding an open-enrollment charter may not serve on the governing body of the charter holder. *TAC §100.1131*

Oath

13. After each appointment, the appointed board members shall file their official oaths with the board president. *Education Code 11.061(a)*

Conflict of Interest *TAC §100.1133; §100.1134*

14. If a local public official has a substantial interest in a business entity or in real property, the official shall file, before a vote, decision, or other action on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter.
15. The governing body of a charter holder shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a member of the governing body of the charter holder has a substantial interest.

Training *TAC §100.1102*

16. Each member of the governing body of a charter holder or a member of the governing body of a charter school must complete a training course annually required by the State Board of Education consisting of 12 instructional hours. (*TAC §100.1102(a)*)
17. New members of the governing body of a charter holder or a member of the governing body of a charter school must complete 12 instructional hours of training within one calendar year of appointment to such governing body. However, the first six hours must be completed within six months of the appointment. (*TAC §100.1102(c)(d)*)

18. Board members who have completed the required 12-hour training course must annually thereafter receive six hours of training, delivered by a registered course provider. (*TAC §100.1102(d)*)
19. The required 12-hour training course for Board members must include the following areas, and the minimum number of hours: basic school law (2.5 hours); school finance (1.0 hours); health and safety (.5 hours); accountability related to the use of public funds (2.0 hours); other requirements relating to accountability to the public (1.0 hours), open meetings (1.0 hours); and public information (1.0 hours). (*TAC §100.1102(d)*)

Training for the President *TAC §100.1103*

20. The Board of Trustees shall ensure that the President, as Chief Executive Officer, has completed the required 30-hour training course within the first year of the appointment by a registered course provider. However, the first 15 hours must be completed within six months of the appointment. (*TAC §100.1103(c)(d)*)
21. The Board of Trustees shall ensure that the President, as Chief Executive Officer, completes the required 12-hour training course for Board members must include the following areas, and the minimum number of hours: basic school law (4.0 hours); school finance (4.0 hours); health and safety (2.0 hours); accountability related to the use of public funds (4.0 hours); accountability related to the use of public funds (4.0 hours); accountability to the public (4.0 hours), open meetings (1.0 hours); and public information (2.0 hours). (*TAC §100.1103(d)*)

Officers

22. Regularly, the members of the Board shall organize by selecting: Chair, Vice Chair, Secretary, and such other officers and committees as the Board may deem necessary.
Texans Can! Bylaws adopted 8/5/02

Meetings

23. Regularly attend board meetings.
24. Prepare for the board meetings having read all documents submitted for preview.
25. Ensure that the operations of the charter organization contribute to the attainment of Board goals and objectives.
26. Recommend and monitor policies that improve the charter schools.
27. Every regular, special, or called meeting of the board shall be open to the public with the exception of closed meetings as allowed by law. (*TEC 12.1051*)
28. The Board shall give written notice of the date, hour, place, and subject(s) of each meeting it holds. *Gov't Code 551.041*
29. Notice of a Board meeting shall be posted on a bulletin board at a place convenient to the public in the central administration office for at least 72 hours before the scheduled time of the meeting. *Gov't Code 551.043(a), 551.051*
30. If the District maintains an Internet Web site, in addition to the other place at which notice is required to be posted, the Board must also concurrently post notice of a meeting on the Internet Web site.

31. The Board shall prepare and keep minutes or make a tape recording of each open meeting. *Gov't Code 551.021, 551.022*
32. No individual, corporation, or partnership shall without lawful authority disclose to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public. *Gov't Code 551.146*
33. A majority of the Board (e.g., four members of a seven-member board or five members of a nine-member board, regardless of the number of vacancies) constitutes a quorum for meetings of the Board. *Gov't Code 551.001(6), 311.013(b)*
34. The Board may hold a meeting by telephone conference call if an emergency or public necessity exists within the meaning of Government Code 551.045 and the convening at one location of a quorum of the Board is difficult or impossible. Each part of the telephone conference call meeting that is required to be open shall be audible to the public at the location specified in the notice of the meeting. The location designated in the notice as the location of the meeting shall provide two-way communication during the entire telephone conference call meeting and the identification of each party to the telephone conference shall be clearly stated prior to speaking.
35. A member of the board or an employee of the school may fully participate remotely in a board meeting via videoconference if the member's or employee's participation is broadcast live at the meeting, a quorum is present at the physical location of the meeting, and the meeting otherwise complies with the requirements of the Texas Open Meetings Act.

Supervisory Responsibilities

The Board shall hire the President by a vote of two-thirds (2/3rds) of the Trustees serving at the time (and not just of those present at the meeting) at a meeting called for that purpose.

The governing body of the charter holder, as a body corporate, shall only supervise and evaluate the performance of the President.

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I have read and understand the responsibilities, duties and guidelines described for the position of Trustee.

Trustee: _____ Date: _____

Name: _____

Chair: _____ Date: _____

Name: _____