

Curriculum Outline for Charter School Board Member and Officer Training

Adopted by the Commissioner of Education Felipe Alanis
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Note: Training provided in compliance with Section 12.123, Texas Education Code must address topics identified in the following curriculum outline. The topics that must be addressed in a training course correspond to the role of the individual receiving training. For instance, campus administrative officers are not required to receive training in legal issues specific to members of the governing body of a charter holder. Please refer to 19 TAC §§100.1102-1108 to determine applicable topics as well as the minimum duration of training required in each topic.

I. School Law

A. Laws Affecting Charter Schools

1. Corporation Law
2. Texas Education Code
3. Texas Administrative Code (19 TAC)
4. Texas Government Code (Gov't Code)
5. Texas Local Government Code (Local Gov't Code)
6. Texas Tax Code
7. Contract Law
8. Federal Laws

B. Texas Education Code (TEC) Chapter 12

1. Purpose of Charter Schools
2. Laws of fiscal and academic accountability
3. Application of laws
4. Chapter 12

C. Open Enrollment Charter Schools

1. Institution of Higher Education
2. Non-profit Corporation
3. Governmental Entity
4. Chapter 12-Applicability to Charter Schools
5. Chapter 12-Charter Schools Part of the Public School System
6. TEC Provisions That Specifically Apply to Charter
 - a. Public education statutes
 - b. PEIMS
 - c. Background checks
 - d. Reading instruments
 - e. High school graduation requirements
 - f. Special education, bilingual, and pre-kindergarten
 - g. Extracurricular requirements
 - h. Prohibition of restraints
 - i. Health and safety requirements
 - j. Public school accountability
 - k. TEC Chapter 42 funding formulas
 - l. TEC Chapter 45-use of public funds and depository contracts
 - m. Fee assessments
 - n. TEC 37.007-expulsion of a student

D. Texas Administrative Code

E. Constitutional Provisions Applicable to Charter Schools

1. Non-sectarian
2. Public Funds (Texas Constitution)

F. Charter School Governance

1. Articles of Incorporation
2. Bylaws

G. Texas Non-Profit Corporation Laws (TNPC)

1. Texas Non-Profit Corporations
2. Foreign Corporations
 - a. Certificate of Authority
 - b. Subject to TNPC duties, restrictions, penalties, and liabilities
 - c. Internal governance
 - d. TNPC regulates external activities
- H. Annual Report on Governance (19TAC § 100.101)
 1. Filing Requirement
 2. Contents of Report
- I. Responsibilities, Duties, and Restrictions on Board Members
- J. Duties of Board Members
 1. Duty of Loyalty
 2. Fiduciary Duties
- K. Restrictions on Serving as a Board Member
 1. Criminal Background
 2. Conflicts of Interest and Nepotism
- L. Nepotism
 1. General Provisions
 2. Exceptions to Prohibition
 3. Change in Status
 4. Consequences of Non-compliance
- M. Delegation of Tasks by Governing Board
 1. Authority for Delegating
 2. Method of Delegating
 3. Delegation Amendment
 4. Responsibilities Board May Not Delegate
 5. Responsibilities Board May Delegate
- N. Role of the Chief Executive Officer
 1. Relationship With The Board
 2. Job Duties
 3. Responsibilities the CEO May Not Delegate
- O. Liability and Immunity
 1. Corporate Liability
 2. Statutory Liability for Board Members
 3. Statutory Immunity for Board Members
 4. Common Law Immunity for Board Members
 5. Statutory Immunity for Employees and Volunteers
 6. Common Law Immunity for Employees
 7. Charitable Immunity
- P. Laws Affecting the Employment Relationship
 1. Qualifications of Teachers
 2. Qualifications of Paraprofessionals
 3. Criminal Background Checks on Employees and Volunteers
 4. Teacher Retirement System
 5. Non-Discrimination
- Q. Management Companies
 1. Management Services
 2. Liability of Management Companies
- R. Laws Affecting Relationships With Students
 1. Student Admissions and Withdrawals
 2. Non-Discrimination
 3. Filling Vacancies
 4. Withdrawal or Expulsion
 5. Geographic Boundaries
- S. Discipline
- T. The Individual with Disabilities Education Act (IDEA)

1. General Provisions
2. State Laws and Regulations
- U. Financial Matters
 1. Funding
 2. Budget and Expenditure
 3. Adopting a Fiscal Year
 4. Annual Audit
 5. Standards
- V. Purchasing and Procurement
 1. Public Property
 2. Personal Property
 3. Instructional Materials
 4. Real Property
 5. Construction and Improvement to Real Property
 6. Investments and Bank Accounts
 7. Federal Law
- W. Ownership of Property
 1. Public Property
 2. Policies Relating to Use of Public Property
- X. Charter Amendments
 1. Non-substantive Amendments
 2. Substantive Amendments
- Y. Charter Renewal
- Z. Adverse Action Against Charter School
 1. Charter Application
 2. When the Commissioner May Take Adverse Action
 3. Types of Action the Commissioner May Take
 4. Procedures for Taking Adverse Action
 5. Hearing

II. Public Records

- A. Public Information Act (PIA)
- B. Confidential Student Records
- C. Records Retention Act (RRA)
- D. Records in Possession of a Management Company

III. Open Meetings

- A. Overview of the Open Meetings Act
- B. Preparing the Notice and Posting the Agenda
- C. Emergency Meeting or Emergency Addition to Notice
- D. Conduct of the Meeting (including Accessibility of the Meeting Location and Employee Board Members)
- E. Convening the Meeting and Transacting Business
- F. Closed or Executive Sessions
- G. Hearing and Citizens
- H. Recess of Meeting
- I. Record of Meetings
- J. Civil and Criminal Sanctions

IV. School Finance/Public Funds

- A. About the Manual
- B. Accountability
 1. What is Accountability
 - a) Public Right
 - b) Public Funds
 - c) Build Your System

- 2. Internal Control
 - a) Purpose
 - b) Protect School Assets
 - c) The Role of Board Policies As An Internal Control
 - d) Implementation of Board Policies In Business Procedures Manual
- C. The Charter School Accounting System
 - 1. Non-profits vs. For-profit vs. Governmental Systems
 - a. Applicability of Financial Accounting Standards
 - b. Applicability of Governmental Accounting Standards
 - 2. System Requirements
 - a. Fund Accounting
 - b. Encumbrance Accounting
 - c. PEIMS
 - d. Ad Hoc Report Writing Capability (Management Reports)
 - 3. Student Activities Funds
 - 4. Accounting for Grants and Special Programs
 - 5. Food Service Requirements
- D. Cash Management
 - 1. Receipt Of Cash
 - 2. Special Ticket Sales
 - 3. Cafeteria Sales
 - 4. Making Deposits
 - 5. Petty Cash Funds
 - 6. Imprest Accounts
- E. Disbursement of Funds
 - 1. Incoming Mail
 - 2. Authorizing Payments
 - a. Budgetary Authority
 - b. Tiered Approvals
 - 3. Filing Supporting Documents
 - a. Internal Accounting Forms
 - b. Third-Party Records
 - 4. Requests for Reimbursement
 - a. Employee Travel
 - b. Office Expenses
- F. Fixed Assets
 - 1. Keeping Up With Fixed Assets
 - 2. The Significance of a Capitalization Policy
- G. Purchasing
 - 1. Applicability of Statutory Requirements
 - 2. Bidding
 - 3. Taking Quotes
 - 4. Coop Program
 - 5. State Contracts
 - 6. Ethics
 - 7. Authorizing Purchases
 - 8. Sales Tax Problems
- H. Budgeting
 - 1. Purpose and Importance
 - a. Authorization For Expenditures
 - b. The Budget As A Key Internal Control
 - 2. Format
 - 3. Budgeting System Compliments Accounting System
 - 4. Monitoring Responsibility
 - a. Budget vs. Actual Report
 - b. Budget Amendments

5. Timetable
6. Cash Budget
- I. Payroll Procedures
 1. Payroll and Non-payroll Disbursements
 2. Employees and Private Contractors
 3. Employee Earnings Method of Payment
 4. Payoffs and Late Starts
 5. Hourly Compensation and Overtime
 6. Absence Reporting and Sick Leave
 7. Salary Agreements and/or Contracts
 8. Employee Benefits
 9. Teacher Retirement and Social Security
 10. Payroll Tax Returns
- J. Importance of the "Intent Code" and Property Planning and Accounting for Special Allotments
- K. Records Retention Requirements
- L. Audit of School Finances
 1. Selecting an Auditor
 2. Preparing for the Audit
- M. Overview of Nonprofit Taxation
 1. Form 941
 2. Form 990
 3. Acknowledgement of Contributions
- N. Importance of PEIMS
- O. Where Can You Find Assistance?
 1. The Education Service Centers
 2. Texas Education Agency
 3. Your Attorney or a Certified Public Accountant

V. Health and Safety

- A. Facilities Management
 1. Charter School Training Checklist for Facilities Management
- B. Curriculum Outline-Health and Safety
 1. Chapter 38 – Immunization & Reporting
 2. School Safety
 - a. Expulsion
 - b. Gun-Free Schools
 - c. Crisis Management
 - d. Reporting Requirements
- C. Referenced in Appendix
 1. TAC Title 25 Part 1 Chapter 97 Subchapter B
 2. TEC Chapter 38-Health and Safety
 3. Disciplinary Action Codes/PEIMS Codes Applicable to Charter Schools

VI. Public Accountability

- A. Public Education Information Management System (PEIMS)
 1. Data Collection Schedule-4 Submissions/year
 2. Data Usage
 3. Types of Data Collected
- B. Data Quality and Accuracy – Reminders
 1. Who's Responsibility is it?
 2. Set Timelines, Procedures, and Checklists
 3. Check Verification Reports
 4. Have Proper Resources
 5. Importance of Training
 6. Maintain Correct Documentation

- C. Student Attendance Accounting Handbook
- D. Important Steps for Data Accuracy
 - 1. PEIMS Coordinator Checklist for Fall PEIMS
 - 2. First Day Procedures Checklist
- E. Annual Audit of Dropout/Leavers-Beginning Spring 2003
- F. Audits-SSIUD Visits
- G. Person Identification System-PID Error Rate Standard
- H. Administration of Statewide Assessment
- I. Statewide Student Performance
- J. Charter-specific Student Performance Requirements
- K. Accountability Sanctions (TEC 39.13)
- L. Role of Student Performance in Adverse Actions (TEC2.116 and 12.1162)
- M. PAS/DAS (Data Elements on Student Performance)
- N. DEC and Data Analysis Worksheets on Student Performance