

**AMERICAN INTERNATIONAL EDUCATION FEDERATION BOARD
MANUAL**

**POLICY GROUP 1 – GOVERNANCE
CHARTER SCHOOL FOUNDATIONS**

PG-1.1

Sec. 5.1.1. School Name.

The official name of the Charter Holder for the open-enrollment charter school is **AMERICAN INTERNATIONAL EDUCATION FEDERATION, INC.**

The official name of the Charter School is **INTERNATIONAL LEADERSHIP OF TEXAS**, which may be referred to throughout the Board Policy Manual as “**ILTEXAS**”.

Sec. 5.1.2. INTERNATIONAL LEADERSHIP OF TEXAS Boundaries.

In accordance with the **INTERNATIONAL LEADERSHIP OF TEXAS** charter on file with the Texas Education Agency, **AMERICAN INTERNATIONAL EDUCATION FEDERATION** is authorized to serve student who reside within the geographical boundaries of the following independent school districts (see the following page):

Note: The Texas Education Agency charter school geographic boundary data for International Leadership of Texas are published by the TEA and are viewable online at the TEA website: http://castro.tea.state.tx.us/charter_apps/production/applications.html.

MODULE 1.7 HEREOF WAS APPROVED
1-22-2020. MODULE 1.1 HEREOF, GEOGRAPHIC BOUNDARY, WAS REVISED TO REFELCT
TEA-APPROVED EXPANSION 4-16-2021.

DATE ISSUED: February 20, 2019.

1 of 2

**AMERICAN INTERNATIONAL EDUCATION FEDERATION BOARD
MANUAL**

**POLICY GROUP 1 – GOVERNANCE
CHARTER SCHOOL FOUNDATIONS**

PG-1.1

ILTexas Geographic Boundary

[beginning of list]	CROWLEY ISD	ITALY ISD	PASADENA ISD
ABBOTT ISD	CYPRESS-FAIRBANKS ISD	ITASCA ISD	PEARLAND ISD
ALAMO HEIGHTS ISD	DALLAS ISD	JUDSON ISD	PENELOPE ISD
ALIEF ISD	DECATUR ISD	KATY ISD	PILOT POINT ISD
ALLEN ISD	DEER PARK ISD	KELLER ISD	PLANO ISD
ALVARADO ISD	DENTON ISD	KENNEDALE ISD	PONDER ISD
ALVIN ISD	DESOTO ISD	KRUM ISD	PRINCETON ISD
ANDERSON-SHIRO CISD	DIME BOX ISD	LA PORTE ISD	PROSPER ISD
ANNA ISD	DUNCANVILLE ISD	LA VEGA ISD	RANDOLPH FIELD ISD
AQUILLA ISD	EAGLE MT-SAGINAW ISD	LACKLAND ISD	RED OAK ISD
ARGYLE ISD	ISD	LAKE DALLAS ISD	RICHARDS ISD
ARLINGTON ISD	EAST CENTRAL ISD	LAKE WORTH ISD	RICHARDSON ISD
AUBREY ISD	EDGEWOOD ISD	LAMAR CISD	RIESEL ISD
AVALON ISD	ENNIS ISD	LANCASTER ISD	ROBINSON ISD
AXTELL ISD	EVERMAN ISD	LEON ISD	ROCKDALE ISD
AZLE ISD	FARMERSVILLE ISD	LEWISVILLE ISD	ROCKWALL ISD
BIRDVILLE ISD	FERRIS ISD	LEXINGTON ISD	ROYAL ISD
BLUE RIDGE ISD	FORNEY ISD	LITTLE ELM ISD	ROYSE CITY ISD
BLUM ISD	FORT BEND ISD	LORENA ISD	SAN ANTONIO ISD
BOSQUEVILLE ISD	FORT WORTH ISD	LOVEJOY ISD	SANGER ISD
BRENHAM ISD	FRANKLIN ISD	MADISONVILLE CISD	SANTA FE ISD
BRUCEVILLE-EDDY ISD	FRIENDSWOOD ISD	MAGNOLIA ISD	SHELDON ISD
BRYAN ISD	FRISCO ISD	MALONE ISD	SNOOK ISD
BURLESON ISD	FT SAM HOUSTON ISD	MANSFIELD ISD	SOMERSET ISD
BURTON ISD	GALENA PARK ISD	MART ISD	SOMERVILLE ISD
BYNUM ISD	GALVESTON ISD	MAYPEARL ISD	SOUTH SAN ANTONIO ISD
CALDWELL ISD	GARLAND ISD	MCGREGOR ISD	ISD
CALVERT ISD	GAUSE ISD	MCKINNEY ISD	SOUTHSIDE ISD
CAMERON ISD	GHOLSON ISD	MELISSA ISD	SOUTHWEST ISD
CARROLL ISD	GRAND PRAIRIE ISD	MESQUITE ISD	SPRING BRANCH ISD
CARROLLTON-FARMERS BRANCH ISD	GRAPEVINE-COLLEYVILLE ISD	MIDLOTHIAN ISD	STAFFORD MSD
CASTLEBERRY ISD	HALLSBURG ISD	MIDWAY ISD	SUNNYVALE ISD
CEDAR HILL ISD	HARLANDALE ISD	MILANO ISD	TERRELL ISD
CELINA ISD	HEARNE ISD	MILFORD ISD	TEXAS CITY ISD
CHANNELVIEW ISD	HEMPSTEAD ISD	MONTGOMERY ISD	THORNDALE ISD
CHINA SPRING ISD	HIGHLAND PARK ISD	MOODY ISD	TOMBALL ISD
CLEAR CREEK ISD	HILLSBORO ISD	MOUNT CALM ISD	WACO ISD
COLLEGE STATION ISD	HOUSTON ISD	MUMFORD ISD	WALLER ISD
COMAL ISD	HUBBARD ISD	NAVASOTA ISD	WAXAHACHIE ISD
COMMUNITY ISD	HUNTSVILLE ISD	NEW BRAUNFELS ISD	WEST ISD
CONNALLY ISD	HURST-EULESS-BEDFORD ISD	NORMANGEE ISD	WHITE SETTLEMENT ISD
COPPELL ISD	IOLA ISD	NORTH EAST ISD	WHITNEY ISD
COVINGTON ISD	IRVING ISD	NORTH ZULCH ISD	WYLIE ISD
CRANDALL ISD		NORTHSIDE ISD	[end of list]
CRAWFORD ISD		NORTHWEST ISD	ALDINE ISD (4-16-2021)
		PALMER ISD	BRAZOS ISD (4-16-2021)
			DAMON ISD (4-16-2021)

Sec. 1.2.1. Charter School Authority.

ILTEXAS is governed under the governing structure described by its open-enrollment charter.

Sec. 1.2.2. Responsibility for AMERICAN INTERNATIONAL EDUCATION FEDERATION.

a) *Primary Responsibilities*

The Board of Directors of **AMERICAN INTERNATIONAL EDUCATION FEDERATION** (“Board”) has the primary responsibility for:

- (1) Implementing the public-school program authorized by the **AMERICAN INTERNATIONAL EDUCATION FEDERATION** open-enrollment charter; and
- (2) Ensuring the performance of students enrolled in **ILTEXAS** in accordance with the Texas Education Code.

b) *Alienation of Open-Enrollment Charter*

The Board derives its authority to operate **ILTEXAS** schools from the **AMERICAN INTERNATIONAL EDUCATION FEDERATION** open-enrollment charter.

- (1) The Board shall, acting as a body corporate in meetings posted in compliance with Government Code, Chapter 551, oversee the management of all **ILTEXAS** charter schools.
- (2) Except as provided below, the Board’s powers and duties to operate all **ILTEXAS** schools shall not be delegated, transferred, assigned, encumbered, pledged, subcontracted, or in any way alienated by the Board of Directors.
- (3) **AMERICAN INTERNATIONAL EDUCATION FEDERATION** shall notify the Texas Education Agency in writing prior to initiating bankruptcy proceeding respecting the charter holder.
- (4) Exclusive Method for Delegating Charter Powers and Duties. Any power or duty of the Board delegated to an officer, employee, contractor, management company, creditor, or any other person shall either be specified in the **AMERICAN INTERNATIONAL EDUCATION FEDERATION** open-enrollment charter or a charter delegation amendment approved by the Texas Education Agency division responsible for charter schools.

c) *Accountability for Delegated Powers and Duties*

The Board remains responsible for the management, operation, and accountability of the **ILTEXAS** charter schools, regardless of whether the Board of Directors delegates any of its powers or duties.

d) *Nondelegable Duties*

Absent specifically approved exceptions granted by the Commissioner of Education, the Board shall not delegate the following duties:

- (1) Final authority to hear or decide employee grievances, citizen complaints, or parental concerns;
- (2) Final authority to adopt or amend the budget of **ILTEXAS**, or to authorize the expenditure or obligation of state funds or the use of public property;
- (3) Final authority to direct the disposition or safekeeping of public records, except that the Board may delegate this function to any person, subject to the Board’s superior right of immediate access to, control over, and possession of such records;
- (4) Final authority to adopt policies governing **ILTEXAS** operations;
- (5) Final authority to approve audit reports under TEC, §44.008(d); and
- (6) Initial or final authority to select, employ, direct, evaluate, renew, non-renew, terminate, or set compensation for the **ILTEXAS** Chief Executive Officer and/or Superintendent of Schools (“Superintendent”).

Sec. 1.3.1. Management by Board of Directors.

In accordance with applicable law, the Board of Directors of **AMERICAN INTERNATIONAL EDUCATION FEDERATION** (“Board”) shall manage the affairs of **ILTEXAS**.

Sec. 1.3.2. Management Through Board Policy and Delegation.

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

Sec. 1.3.3. Oversight of Daily Operations.

The Board’s daily oversight and management of **ILTEXAS** shall be through a Chief Executive Officer (CEO). As the Board’s representative, the Chief Executive Officer shall oversee and be responsible for the daily implementation of Board adopted policies, plans, budgets and other actions and resolutions. The Board may choose to combine the roles of CEO and Superintendent of Schools. In such case, all policies referencing the CEO will also apply to the Superintendent.

Sec. 1.3.4. 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 CEO and **ILTEXAS** personnel, parents, students and other affected parties in the conduct of the affairs of **ILTEXAS** and in facilitating **ILTEXAS**’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. 1.3.5. Policy Development and Adoption.

In collaboration with Board members, **ILTEXAS** personnel, legal counsel, parents, and the public at large, the CEO 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 CEO. 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. 1.3.6. Non-Substantive Edits to Policies.

The CEO may make non-substantive and otherwise inconsequential changes to adopted Board policies to ensure consistency with existing laws and rules (*e.g.*, to include valid legal citations) and **ILTEXAS**’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 CEO to

identify edits that alter the intent of the Board. The CEO 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. 1.3.7. Implementation of Board Policy Through Administrative Procedures.

The CEO or designee shall 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 CEO or designee may consult with **ILTEXAS** personnel, legal counsel or other qualified professionals in the preparation of the administrative procedures.

The CEO or designee may amend administrative procedures as needed in conformance with Board policy and law. Should administrative procedure and policy conflict, policy will prevail except in instances where an administrative procedure has been reviewed and adopted by the Board subsequent to the approval of the underlying and conflicting Board policy.

The CEO or designee shall provide instruction, training, and supervision to **ILTEXAS** personnel in the implementation of Board policy and 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. 1.3.8. Official Board Policies and Administrative Procedures.

The CEO shall maintain the original and official policies and administrative procedures adopted by the Board and the corresponding administrative procedures approved by the CEO in the central administrative office. In the event that a conflict arises between copies of a Board policy or administrative procedure, the official copy shall prevail as the authoritative record.

Sec. 1.3.9. Accessibility of Policies and Procedures.

Board policies shall be made accessible to the public at large on the **ILTEXAS** website and at the **ILTEXAS** central administrative office. Administrative procedures shall be made available to the public at large as required by Chapter 551 of the Texas Government Code. Board policies and the administrative procedures implementing Board policy shall be provided and otherwise made readily accessible to all **ILTEXAS** personnel.

Sec. 1.3.10. Campus and Department Procedures.

Individual **ILTEXAS** campuses and departments may develop campus or departmental procedures, guides or manuals implementing and not conflicting with Board policy or administrative procedures.

Sec. 1.4.1. Orientation.

Newly elected or appointed members to the Board of Directors (“Board”) shall participate in a local orientation session to familiarize the new Board member with the **INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC.** organization, the Articles of Incorporation, Bylaws, Board policy, the Texas Education Code and the Texas Administrative Code.

Sec. 1.4.2. Training.

Unless exempted pursuant to applicable law, each new member of the Board must complete an introductory required training course consisting of 12 instructional hours, excluding breaks, administrative tasks, and other non-instructional time, delivered by a registered course provider. The training course may not use self-instructional materials, unless as otherwise provided.

a) *Timeline for Completion*

Each new member of the Board must complete the required training within one calendar year of election or appointment to the Board.

b) *Required Course Content*

The required training shall include nine hours of instruction provided by a Texas Education Agency trainer or other trainer authorized in law, and consist of instruction in:

1. Basic school law;
2. Basic school finance;
3. Health and safety issues;
4. Accountability requirements related to the use of public funds;
5. Other requirements relating to accountability to the public;
6. Open meetings requirements under Texas Government Code, Chapter 551; and
7. Requirements relating to public records.

c) *Additional Required Training*

Each new Board member must also receive an additional three hours of training from any of the modules identified above.

Sec. 1.4.3. Continuing Training.

Each Board member who has completed the 12 hours of required training shall annually thereafter receive six hours of training, excluding breaks, administrative tasks, and other non-instructional time, delivered by a registered course provider delivered by an authorized trainer. Self-instructional continuing training materials may be used in no more than one hour of the required

continuing training. A Board member may carry over as much as 25 percent of annual continuing training hours earned in excess of the required amount to meet the following year's training requirements.

Sec. 1.4.4. Exceptions and Exemptions.

The Board may adopt a resolution permitting individual members to meet the prescribed training through an alternate training program as permitted by 19 T.A.C. § 100.1102(h).

Sec. 1.4.5. Record of Compliance.

All Board members, Chief Executive and Central Administrative Officers, Campus Administrative Officers, and Business Managers shall comply with initial and annual training requirements established in law. **INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC.** shall document compliance with these requirements.

Sec. 1.4.6. Continued Service

Continued service as a member of the Board or as an Officer is conditioned on satisfaction of the training requirements set forth in 19 T.A.C. §§ 100.1102–.1105.

Sec. 1.4.7. Audit Disclosure

INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC. shall separately disclose, in its annual audit report of its financial and programmatic operations, a member of the Board or Officer who fails to complete the training requirements set forth in 19 T.A.C. §§ 100.1102–.1105 and who continues to serve in such capacity as of the date of the audit report.

Sec. 1.5.1. Purpose.

As a not-for-profit organization organized under the laws of the State of Texas and exempt as a public charity under Section 501(c)(3) of the Internal Revenue Code, **INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC. (hereinafter abbreviated “I.A.E.F.”)** encourages the solicitation and acceptance of gifts for purposes that will assist **I.A.E.F.** to further and fulfill its mission.

The purpose of this Policy is to govern the acceptance of gifts by **I.A.E.F.** and to provide guidance to the **I.A.E.F.** Board of Directors (the “Board”), the Chief Executive Officer (CEO) and/or Superintendent of Schools (the “Superintendent”), and prospective donors when making gifts to **I.A.E.F.** The provisions of this Policy shall apply to all gifts received by **I.A.E.F.** for any of its schools, programs or services, and to the acceptance of gifts made to **I.A.E.F.** or for the benefit of any of its schools or programs.

Sec. 1.5.2. Restrictions on Gifts.

I.A.E.F. will accept unrestricted gifts, and gifts for specific schools, programs and purposes, provided that such gifts are consistent with **I.A.E.F.**’s mission, purposes, and priorities. **I.A.E.F.** will not accept gifts that are too restrictive in purpose. Gifts that are too restrictive are those that violate the charitable and educational trust of **I.A.E.F.**, or that are accompanied by an improper economic benefit to the donor or vest the donor with inappropriate control or influence. The Board shall make all final decisions on the restrictive nature of a gift and its acceptance or refusal.

Sec. 1.5.3. Gift Acceptance Committee.

The Board may establish a Gift Acceptance Committee of the Board to review gifts made to **I.A.E.F.** and to carry out certain terms of this Policy. The Gift Acceptance Committee may be charged with the responsibility of reviewing all gifts made or proposed to be made to **I.A.E.F.**, properly reviewing those gifts, and making recommendations to the Board on gift acceptance and related issues.

Sec. 1.5.4. Use of Legal Counsel and Other Professional Assistance.

I.A.E.F. shall seek the advice of legal counsel or other professional advisors (such as an accountant, financial advisor or professional money manager) when appropriate and as recommended in this Policy relating to the acceptance of certain types of gifts. Generally, **I.A.E.F.** shall seek the advice of legal counsel in all matters pertaining to the acceptance of any gift which may have adverse legal, ethical (including a potential conflict of interest), or other consequence of concern to **I.A.E.F.**

All prospective donors shall be urged and encouraged by **I.A.E.F.** to seek and secure the assistance of independent legal, tax and financial advisors in matters relating to their gifts and the resulting tax and estate planning implications. **I.A.E.F.** shall not pay the legal fees or any professional fees of the donor in connection with a gift to **I.A.E.F.** **I.A.E.F.** shall not provide any opinion, statement or recommendation to the donor as to the tax deductibility of the gift or as to any tax consequences or tax implications of the gift that may affect the donor.

It shall be the responsibility of the donor to secure an appraisal of property where required. The donor shall pay any fees associated with securing such appraisal.

Sec. 1.5.5. Types of Gifts.

The following types of gifts are generally acceptable:

1. Cash Donations
2. Testamentary Bequests
3. Charitable Remainder Trusts
4. Charitable Lead Trusts
5. Tangible Personal Property
6. Oil, Gas and Mineral Interests
7. Life Insurance/Life Insurance Beneficiary Designations
8. Retirement Plan Beneficiary Designations
9. Securities
10. Real Estate

The following types of gifts are generally not acceptable:

1. Charitable gift annuities
2. Pooled income funds

Sec. 1.5.6. Criteria for Certain Types of Gifts.

The criteria below govern the acceptance of each type of gift. Unless indicated otherwise, each type of gift is subject to prior review by the Board and/or the Gift Acceptance Committee.

1. Cash or Cash Equivalents: Cash is acceptable in any form. Checks shall be made payable to “**I.A.E.F.**” or “**INTERNATIONAL LEADERSHIP OF TEXAS**” and shall be delivered to the Chief Financial Officers at the **INTERNATIONAL LEADERSHIP OF TEXAS** administrative office.
2. Charitable Pledge Agreements: Acceptable if payable only in acceptable form as set forth in this Policy. Pledges payable over more than one year shall generally not be acceptable unless at least \$1,000.00.

3. Securities: Both publicly traded securities and marketable closely held securities are acceptable upon review by Board and/or the Gift Acceptance Committee and legal counsel. Review and recommendation by an outside financial professional or money manager may be sought prior to acceptance of the gift. Marketable securities may be transferred to an account maintained at one or more brokerage firms or delivered physically with the transferor's signature or stock power attached. As a general rule, **I.A.E.F.** shall promptly sell all securities upon receipt.
4. Closely Held Securities; Other Intangibles: **I.A.E.F.** shall not accept securities and other intangible assets (such as interests in LLPs and LLCs or other ownership forms) that may not be sold or transferred, that have no value, are not marketable, or that may generate additional liability or undesirable tax or other consequences for **I.A.E.F.**. Review and recommendation by legal counsel and/or a financial professional should be sought before making a final decision on acceptance of closely held securities or other intangibles as a gift.
5. Tangible Personal Property: Gifts of tangible personal property are often called "in-kind" gifts and include gifts such as supplies, equipment, furniture, printed materials, books, food, software, motor vehicles and artwork. Gifts of tangible personal property will be examined as follows:
 - a) Will the property be used by **I.A.E.F.** in furtherance of its mission?
 - b) Is the property marketable?
 - c) Are there restrictions on the use, display or disposition of the property?
 - d) Are there carrying costs of the property?

I.A.E.F. shall not value or offer to value the property. The donor shall sign a statement of ownership and disclose any liens on the property. **I.A.E.F.** shall not accept any property subject to a restriction on its ability to use, sell or otherwise dispose of the property as it deems necessary.

6. Life Insurance Policy/Beneficiary Designation: **I.A.E.F.** may accept the gift of a life insurance policy, provided **I.A.E.F.** is named as both the owner of the policy and irrevocable beneficiary of the policy prior to acceptance of the gift. Beneficiary designations shall not be recorded as gifts to **I.A.E.F.** unless and until the gift is irrevocable. Where the gift is irrevocable, but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable. If the policy is not fully paid-up and the donor does not continue to make gifts to cover premium payments on the policy, **I.A.E.F.** shall have the right to continue to pay the premiums, convert the policy to paid-up insurance, surrender the policy for its current cash value, or otherwise make use of its value.

7. Real Estate. **I.A.E.F.** will not accept any real estate subject to a restriction on **I.A.E.F.**'s ability to use, sell or otherwise dispose of or deal with the property as it deems necessary. Prior to the acceptance of real estate, **I.A.E.F.** shall require an initial environmental review of the property by a qualified environmental review firm to ensure that the property has no environmental damage or liabilities. In the event that the initial review reveals a potential problem or concern, the organization may retain a qualified environmental review firm to conduct an environmental audit. The cost of the environmental review and any environmental audit shall be the expense of the donor. Appraisal costs are the responsibility of the donor.

A title report or abstract of title shall be obtained by **I.A.E.F.** prior to the acceptance of the real property gift. Criteria for acceptance of the property shall include:

- a) A review of a complete profile of the property, including the title report and environmental review or audit, inspection reports, the deed, any encumbrances, leases, and tax bills.
 - b) A review of the carrying costs, sale and holding costs of the property, such as insurance, property taxes, mortgages, notes, etc.
 - c) A review of the restrictions, reservations, easements or other limitations on the property.
 - d) A review of the use of the property for **I.A.E.F.**'s purposes.
 - e) A review of a recent appraisal of the property and consultation with a real estate advisor as to marketability of the property.
8. Oil, Gas and Mineral Interests: **I.A.E.F.** may accept oil and gas property interests upon review by Board and/or the Gift Acceptance Committee and legal counsel. The property shall undergo an environmental review by an environmental firm. The property should be reviewed for liabilities or other considerations (such as undesirable tax consequences or valuation issues for working interests) that might make receipt of the gift inappropriate.
9. Charitable Remainder Trusts: **I.A.E.F.** may accept designation as remainder beneficiary of a charitable remainder trust upon the review by the Board and/or the Gift Acceptance Committee and legal counsel. **I.A.E.F.** will not accept appointment as a trustee of a charitable remainder trust.
10. Charitable Lead Trusts: **I.A.E.F.** may accept designation as income beneficiary of a charitable lead trust upon review by the Board and/or the Gift Acceptance Committee and legal counsel. **I.A.E.F.** will not accept appointment as trustee of a charitable remainder trust.

11. Retirement Plan Beneficiary Designations: Donors and supporters of **I.A.E.F.** are encouraged to name **I.A.E.F.** as a beneficiary of a retirement plan. Such designations shall not be recorded as gifts unless and until the gift is irrevocable. When the gift is irrevocable, but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable.
12. Bequests: Donors and supporters of **I.A.E.F.** are encouraged to make bequests to **I.A.E.F.** under their wills and trusts. Such bequests will not be recorded as gifts unless and until the gift is irrevocable. When the gift is irrevocable, but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable.

Sec. 1.5.7. Acceptance of Gift by ILTexas Employees.

Subject to the terms of this Policy, ILTexas employees shall have discretion and authority to accept (i) unrestricted gifts of a value up to \$1,000.00 and (ii) restricted gifts of a value up to \$5,000.00. Only the Board may accept gifts above those amounts.

Notwithstanding any other policy of INTERNATIONAL LEADERSHIP OF TEXAS, an employee, staff member or Board Member shall not accept any gift valued at more than <\$100 | \$500> from any vendor or firm having a business relationship as defined by Section 176.001(1-a) with INTERNATIONAL LEADERSHIP OF TEXAS where the vendor meets requirements of Section 176.006(a), including but not limited to an E-Rate or potential E-Rate vendor.

Sec. 1.5.8. Valuation of Gifts.

I.A.E.F. shall record a gift received by **I.A.E.F.** at its valuation for gift purposes on the date of gift and accordance with GAAP.

Sec. 1.5.9. IRS Filing Upon Sale of Gift.

I.A.E.F. is responsible for filing IRS Form 8282 upon the sale or disposition of any asset sold by **I.A.E.F.** within two years of receipt where the charitable deduction value of the item was \$5,000.00 or greater. **I.A.E.F.** must file such form within 125 days of the date of sale or disposition of the asset. The **I.A.E.F.** Chief Financial Officer shall be responsible for the recordation and filing of this form to the IRS.

Sec. 1.5.10. Written Acknowledgment of Gifts and Contributions.

Written Acknowledgement of all gifts made to **I.A.E.F.** and compliance with the current IRS requirements in acknowledgement of such gifts shall be the responsibility of the Board. The **I.A.E.F.** Chief Financial Officer shall be responsible for ensuring compliance with IRS requirements regarding acknowledgments.

Sec. 1.5.11. Confidentiality.

I.A.E.F. shall hold all information concerning donors or potential donors in strict confidence, subject to requests for information that **I.A.E.F.** is required by law or court order to provide. **I.A.E.F.** shall not release information about donors or the gift that is not otherwise public information unless permission from the donor is obtained. **I.A.E.F.** will respect the confidentiality of donors who do not wish to be recognized.

Sec. 1.5.12. Review of Policy; Changes to Policy.

The Board shall review this Policy on a periodic basis (but no less than five years) or, if applicable, the Gift Acceptance Committee shall periodically review and recommend changes to this Policy for approval and adoption by the Board.

Sec. 1.6.1. GENERAL PROVISIONS.

Sec. 1.6.1.1. Public Information Defined.

For purposes of the Texas Public Information Act (“TPIA”), “public information” means information that is written produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

1. By the Board of Directors (“Board”);
2. For the Board and the Board:
 - a. Owns the information;
 - b. Has a right of access to the information; or
 - c. Spends or contributes public money for the purpose of writing, producing, collecting, assembling, or maintaining the information; or
3. By an individual officer or employee of **INTERNATIONAL LEADERSHIP OF TEXAS (hereinafter “ILTexas”) (or its charter holder, INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC.)** in the officer’s or employee’s official capacity and the information pertains to official business of ILTexas.

“Official business” means any matter over which ILTexas has any authority, administrative duties, or advisory duties.

Information is “in connection with the transaction of official business” if the information is created by, transmitted to, received by, or maintained by an officer or employee of ILTexas in the officer’s or employee’s official capacity, or a person or entity performing official business or a governmental function on behalf of ILTexas, and pertains to official business of ILTexas.

The definition of “public information” applies to and includes any electronic communication created, transmitted, received, or maintained on any device if the communication is in connection with the transaction of official business.

Sec. 1.6.1.2. Forms of Public Information.

The general forms in which the media containing public information exist include a book, paper, letter, document, e-mail, Internet posting, text message, instant message, other electronic communication, printout, photograph, film, tape, microfiche, microfilm, photostat, sound recording, map, and drawing and a voice, data, or video representation held in computer memory.

The media on which public information is recorded include:

1. Paper;
2. Film;
3. A magnetic, optical, solid state, or other device that can store an electronic signal;

4. Tape;
5. Mylar; and
6. Any physical material on which information may be recorded, including linen, silk, and vellum.

Sec. 1.6.1.3. Online Message Board.

If the Board maintains an online message board or similar Internet application under Government Code 551.006, and the Board removes from the online message board or similar Internet application a communication that has been posted for at least 30 days, the Board shall maintain the posting for a period of six years. This communication is public information and must be disclosed in accordance with the TPIA.

Sec. 1.6.1.4. Availability of Public Information.

Public information is available to the public, at a minimum, during ILTexas's normal business hours.

Sec. 1.6.2. OFFICER FOR PUBLIC INFORMATION AND REQUIRED NOTICES.

Sec. 1.6.2.1. Officer for Public Information.

The CEO or designee shall be ILTexas's officer for public information. Each department head shall be an agent of the officer for purposes of complying with the TPIA.

The officer for public information is responsible for the release of public information as required by the TPIA, Government Code Chapter 552. The officer for public information shall:

1. Make public information available for public inspection and copying.
2. Carefully protect public information from deterioration, alteration, mutilation, loss, or unlawful removal.
3. Repair, renovate, or rebind public information when necessary to maintain it properly.

The officer for public information is not responsible for the use made of the information by the requestor or the release of information after it is removed from a record as a result of an update, correction, or change of status of the person to whom the information pertains.

Sec. 1.6.2.2. Sign.

The officer for public information shall prominently display a sign in the form prescribed by the Attorney General that contains basic information about the rights of a requestor, the responsibilities of ILTexas, and the procedures for inspecting or obtaining a copy of public

information under the TPIA. The officer for public information shall display the sign at one or more places in the ILTexas administrative offices where it is plainly visible to:

1. Members of the public who request public information in person; and
2. ILTexas employees whose duties include receiving or responding to public information requests.

Sec. 1.6.3. ACCESS TO PUBLIC INFORMATION.

Sec. 1.6.3.1. Access to Public Information.

ILTexas may promulgate reasonable rules of procedure by which public information may be inspected and copied efficiently, safely, and without delay. These rules may not be inconsistent with any provision of the TPIA.

It shall be the policy of ILTexas to provide a suitable copy of public information within a reasonable time after the date on which the copy is requested.

Sec. 1.6.3.2. Treatment of Requests

The officer for public information and agent shall not make an inquiry of a requestor, except to establish proper identification or to ask the requestor to narrow or clarify the request. The officer for public information or agent shall treat all requests for information uniformly without regard to the position or occupation of the requestor, the person on whose behalf the request is made, or the status of the individual as a member of the media. The officer for public information or agent shall give the requestor all reasonable comfort and facility for the full exercise of the right granted by the TPIA.

Sec. 1.6.3.3. Location of Access

An officer for public information complies with a request for public information by:

1. Providing the information for inspection or duplication in ILTexas's offices (see TIME FOR EXAMINATION, below); or
2. Sending copies of the information by first class mail, if the requestor requests that copies be provided and pays the postage and any other applicable charges that the requestor has accrued under Subchapter F of the TPIA (see COSTS AND CHARGES, below).
3. By referring a requestor to an exact Internet location or uniform resource locator ("URL") address on a website maintained by ILTexas and accessible to the public if the requested information is identifiable and readily available on that website. If the requestor prefers a manner other than access through the URL, ILTexas must supply the information by sending copies to the requestor, as described above. If the officer for public information provides by e-mail an Internet location or URL address, the e-mail must contain a statement

in a conspicuous font clearly indicating that the requestor may nonetheless access the requested information by inspection or duplication or by receipt through United States mail, as described above.

The TPIA does not authorize a requestor to remove an original copy of a public record from ILTexas.

Sec. 1.6.3.4. Time for Response.

The officer for public information shall promptly produce public information for inspection, duplication, or both, on application by any person. “Promptly” means as soon as possible under the circumstances, that is, within a reasonable time, without delay.

If the officer for public information cannot produce the public information for inspection or duplication within ten business days after the date the information is requested, the officer shall certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication.

If the requested information is unavailable because it is in storage or active use, the officer for public information shall certify this fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication.

Sec. 1.6.3.5. Requests to Clarify or Narrow.

If a large amount of information has been requested, ILTexas may discuss with the requestor how the scope of the request might be narrowed, but ILTexas may not inquire into the purpose for which the information will be used. If what information is requested is unclear to ILTexas, ILTexas may ask the requestor to clarify the request.

If the request included the requestor’s physical or mailing address, ILTexas must send the request for discussion or clarification to that address by certified mail. The written request for discussion or clarification must include a statement as to the consequences of failure by the requestor to timely respond. If ILTexas does not receive a written response by the 61st day after ILTexas sends the written request, the underlying request for public information is considered to have been withdrawn by the requestor.

Sec. 1.6.3.6. Time for Examination.

A requestor shall complete the examination of the information not later than the tenth business day after the date the custodian of the information makes it available. If the requestor does not complete the examination within ten business days and does not file a request for additional time, the requestor is considered to have withdrawn the request.

The officer for public information shall extend the initial examination period by an additional ten business days if, within the initial period, the requestor files with the officer a written request for additional time. The officer shall extend an additional examination period by another ten business days if, within the first additional period, the requestor files with the officer a written request for more additional time.

The time during which a person may examine information may be interrupted by the officer for public information if the information is needed for use by ILTexas. The period of interruption is not considered to be a part of the time during which the person may examine the information.

Sec. 1.6.3.7. Electronic Data.

If public information exists in an electronic or magnetic medium, the requestor may request a copy in an electronic medium, such as on diskette or on magnetic tape. ILTexas shall provide a copy in the requested medium:

1. If ILTexas has the technological ability to produce the information in the requested medium;
2. If ILTexas is not required to purchase any software or hardware to accommodate the request; and
3. Providing the copy will not violate any copyright agreement between ILTexas and a third party.

If ILTexas is unable to comply with a request to produce a copy of information in a requested medium for any of these reasons, ILTexas shall provide a copy in another medium that is acceptable to the requestor. ILTexas is not required to copy information onto a diskette or other material provided by the requestor but may use ILTexas supplies.

Sec. 1.6.3.8. Requests Requiring Programming or Manipulation of Data.

ILTexas shall provide the requestor a written statement, described below, if ILTexas determines:

1. That responding to a request for information will require programming or manipulation of data; and
2. That:
 - a. Compliance with the request is not feasible or will result in substantial interference with operations; or
 - b. The information could be made available in the requested form only at a cost that covers the programming and manipulation of data.

The written statement shall include:

1. A statement that the information is not available in the requested form;

2. A description of the form in which the information is available;
3. A description of any contract or services that would be required to provide the information in the requested form;
4. A statement of the estimated cost of providing the information in the requested form, as determined in accordance with rules established by the Attorney General; and
5. A statement of the anticipated time required to provide the information in the requested form.

Sec. 1.6.3.8.1. Response Time when Programming or Manipulation is Required

ILTexas shall provide the written statement to the requestor within 20 days after the date ILTexas receives the request. ILTexas has an additional ten days to provide the statement if ILTexas gives written notice to the requestor, within 20 days after receiving the request, that additional time is needed.

Sec. 1.6.3.8.2. Further Action

After providing the written statement described above, ILTexas has no further obligation to provide the information in the requested form or in the form in which it is available, unless within 30 days the requestor states in writing that the requestor:

1. Wants the information in the requested form according to the time and cost parameters set out in the written statement, or according to other terms to which the requestor and ILTexas agree; or
2. Wants the information in the form in which it is available.

If a requestor does not make a timely written statement, the requestor is considered to have withdrawn the request for information.

Sec. 1.6.3.8.3. Processing of Requests

The officer for public information shall establish policies that assure the expeditious and accurate processing of requests for information that require programming or manipulation of data. ILTexas shall maintain a readily accessible file containing all written statements issued concerning requests for information that require programming or manipulation of data.

Sec. 1.6.3.9. Repetitious or Redundant Requests.

If ILTexas determines that a requestor has made a request for information for which ILTexas has previously furnished or made copies available to the requestor, ILTexas may:

1. Respond to the request for information as set forth below, at PROCEDURES; or
2. Furnish the information or make the information available to the requestor again in accordance with the request. If ILTexas selects this option, ILTexas is not required to comply with the procedures described below.

These provisions do not apply to information not previously furnished to a requestor. ILTexas shall treat a request for information for which copies have not been previously furnished or made available to the requestor, including information that was not furnished or made available because the information was redacted or because the information did not exist at the time of an earlier request, in the same manner as any other request for public information.

Sec. 1.6.3.9.1. Procedures

ILTexas shall, free of charge, certify to the requestor that copies of all or part of the requested information were previously furnished or made available to the requestor. The certification must include:

1. A description of the information for which copies have been previously furnished or made available to the requestor;
2. The date ILTexas received the requestor's original request for that information;
3. The date ILTexas previously furnished copies or made available copies of the information to the requestor;
4. A certification that no subsequent additions, deletions, or corrections have been made to that information; and
5. The name, title, and signature of the officer for public information or agent making the certification.

Sec. 1.6.4. ATTORNEY GENERAL DECISIONS.

Sec. 1.6.4.1. Attorney General Decisions.

If ILTexas receives a written request for information that ILTexas considers to be within one of the exceptions to required disclosure and that ILTexas wishes to withhold from public disclosure, ILTexas shall request a decision from the Attorney General about whether the information is within the exception (see SUBMISSION TO ATTORNEY GENERAL, below). For these purposes, the term "written request" includes a request sent by electronic mail or facsimile transmission to the officer or designee.

Sec. 1.6.4.2. Time for Request.

ILTexas must submit the request to the Attorney General not later than the tenth business day after receiving the written request. If ILTexas does not timely request a decision from the Attorney General and comply with the requirements at STATEMENT TO REQUESTOR, below, the

information is presumed to be subject to public disclosure and must be released unless there is a compelling reason to withhold it.

ILTexas may only request an Attorney General opinion if ILTexas reasonably believes that the requested information is excepted from required disclosure.

Sec. 1.6.4.3. Calculating Timelines.

For the purposes of Government Code sections 552.301–.308, if ILTexas receives a written request by United States mail and cannot adequately establish the actual date of receipt, the request is considered to have been received by ILTexas on the third business day after the date of the postmark on a properly addressed request.

Sec. 1.6.4.4. Previous Determinations.

Except as set forth at Government Code section 552.301(g), ILTexas may not request an Attorney General decision if ILTexas has previously requested and received a determination from the Attorney General concerning the precise information at issue in a pending request and the Attorney General or a court determined that the information is not within one of the exceptions. This exception applies to specific information that is again requested from ILTexas after the Attorney General has previously issued a decision regarding the precise information or records at issue.

ILTexas may rely on a previous determination by the Attorney General regarding a specific, clearly delineated category of information if:

1. The previous decision is applicable to a school district or charter school;
2. The previous decision concludes that the category of information is or is not excepted from public disclosure;
3. The elements of law, fact, and circumstances are met to support the previous decision's conclusion that the requested records and information at issue are not excepted from public disclosure; and
4. The previous decision explicitly provides that the governmental body or bodies to which the decision applies may withhold the information without the necessity of seeking a decision from the Attorney General.

ILTexas shall notify the requestor in writing of the decision or ruling upon which it is relying if it relies on any previous determination to withhold information from disclosure.

ILTexas may withhold from public disclosure the categories of records listed at Texas Attorney General Open Records Decision 684 (2009).

ILTexas may withhold from public disclosure personally identifiable, non-directory information in “education records” as defined in the Family Educational Rights and Privacy Act of 1974 (“FERPA”).

Sec. 1.6.4.5. Statement to Requestor.

If ILTexas requests an Attorney General decision, it shall provide to the requestor within a reasonable time but not later than the tenth business day after the date of receiving the requestor’s written request:

1. A written statement that ILTexas wishes to withhold the requested information and has asked for a decision from the Attorney General about whether the information is within an exception to public disclosure; and
2. A copy of ILTexas’s written communication to the Attorney General asking for the decision. If ILTexas’s written communication to the Attorney General discloses the requested information, ILTexas shall provide a redacted copy of that written communication.

Sec. 1.6.4.6. Submission to Attorney General.

When ILTexas requests an Attorney General decision, it shall, within a reasonable time but not later than the 15th business day after receiving the request for information, submit to the Attorney General all of the following:

1. Written comments stating the reasons why the stated exceptions apply that would allow the information to be withheld;
2. A copy of the written request for information;
3. A signed statement as to the date on which the written request for information was received by ILTexas or evidence sufficient to establish that date; and
4. A copy of the specific information requested, or representative samples of the information if a voluminous amount of information was requested. ILTexas shall label the copies or representative samples to indicate which exceptions apply to which parts of the copy.

ILTexas shall send a copy of the comments to the requestor not later than the 15th business day after ILTexas receives the written request. If the written comments disclose or contain the substance of the information requested, the copy of the comments provided to the requestor shall be redacted.

Unless the information is confidential by law, ILTexas may disclose the requested information to the public or the requestor before a final determination that the information is public has been made by the Attorney General or a court with jurisdiction.

Sec. 1.6.4.7. Additional Information.

If the Attorney General determines that additional information is necessary to render a decision, the Attorney General shall give ILTexas and the requestor written notice of that fact. ILTexas shall submit the necessary additional information to the Attorney General not later than the seventh calendar day after the date the notice is received. If ILTexas does not comply with the Attorney General's request, the information is presumed to be subject to required public disclosure and must be released unless there is a compelling reason to withhold the information.

Sec. 1.6.4.8. Privacy or Property Interests.

If information is requested and a person's privacy or property interests may be involved, including a case under Government Code 552.101 (information confidential by law), 552.104 (information related to competitive bidding), 552.110 (trade secrets), and 552.114 (student records), ILTexas may decline to release the information for the purpose of requesting a decision from the Attorney General. A person whose interests may be involved, or any other person, may submit in writing to the Attorney General the person's reasons why the information should be withheld or released. ILTexas may, but is not required to, submit its reasons why the information should be withheld or released.

Sec. 1.6.4.9. Notice to Owner of Proprietary Information.

If release of a person's proprietary information may be subject to exception under Government Code 552.101 (information confidential by law), 552.110 (trade secrets), 552.113 (geological or geophysical information), or 552.131 (economic development information), ILTexas shall, when requesting an Attorney General decision, make a good faith attempt to provide written notice to that person of its request. The notice must:

1. Be sent within a reasonable time not later than the tenth business day after ILTexas receives the request for information; and
2. Include:
 - a. A copy of any written request ILTexas received for the information; and
 - b. A statement, in the form prescribed by the Attorney General, that the person is entitled to submit to the Attorney General, not later than the tenth business day after the person receives the notice, a written statement of the reason(s) why the information should be withheld and a letter, memorandum, or brief supporting the reason(s).

Sec. 1.6.5. CHARGES REGARDING TPIA REQUESTS.

Sec. 1.6.5.1. Costs and Charges.

The charge for providing a copy of public information shall be an amount that reasonably includes all costs related to reproducing the information, including costs of materials, labor, and overhead.

The charges shall not be excessive and shall not exceed the actual cost of producing the information or for making public information that exists in a paper record available.

Charges for providing a copy of public information are considered to accrue at the time ILTexas advises the requestor that the copy is available on payment of the applicable charges.

Sec. 1.6.5.1.1. 50 Pages or Fewer

If a request is for 50 or fewer pages of paper records, the charge for providing the copy of the information shall be limited to the charge for each page of the paper record that is photocopied, unless the pages to be photocopied are located in two or more separate buildings that are not physically connected with each other or a remote storage facility. The charge for providing a copy may not include costs of materials, labor, or overhead.

Sec. 1.6.5.1.2. Statement of Labor Costs

If the charge for providing a copy of public information includes costs of labor, the requestor may require the officer for public information or agent to provide the requestor with a written statement as to the amount of time that was required to produce and provide the copy. The statement must be signed by the officer or agent, and the officer or agent's name must be typed or legibly printed below the signature. A charge may not be imposed for providing the written statement to the requestor.

Sec. 1.6.5.1.3. Attorney General's Rules

ILTexas shall use the Attorney General's rules to determine the charges for providing copies of public information and to determine the charge, deposit, or bond required for making public information that exists in a paper record available for inspection, except to the extent that other law provides for charges for specific kinds of public information.

ILTexas may determine its own charges for providing copies of public information and its own charge, deposit, or bond for making public information that exists in a paper record available for inspection. However, ILTexas may not charge an amount that is greater than 25 percent more than the amount established by the Attorney General, unless ILTexas requests an exemption.

Sec. 1.6.5.1.4. Exemptions

ILTexas may request that it be exempt from part or all of the rules adopted by the Attorney General for determining charges. The request must be made in writing to the Attorney General and must state the reason for the exemption. If ILTexas receives notice from the Attorney General that an exemption has been granted, ILTexas may amend its charges according to the Attorney General's determination.

Sec. 1.6.5.1.5. Copies for Parents

ILTexas may charge a reasonable fee in accordance with the above requirements for copies of materials provided to parents pursuant to Education Code 26.012.

Sec. 1.6.5.2. Statement of Estimated Charges.

If a request for a copy of public information will result in the imposition of a charge that exceeds \$40, ILTexas shall provide the requestor with a written itemized statement that details all estimated charges that will be imposed, including any allowable charges for labor or personnel costs. If an alternative less costly method of viewing the records is available, the statement must include a notice that the requestor may contact ILTexas regarding the alternative method. ILTexas must inform the requestor of the responsibilities imposed on the requestor by Government Code 552.2615 and the rights granted by that section and give the requestor the information needed to respond as detailed in Government Code 552.2615(a).

If, after ILTexas provides the requestor the itemized statement but before it makes the copy or the paper record available, ILTexas determines that the estimated charges will exceed the charges detailed in the original itemized statement by 20 percent or more, ILTexas shall send to the requestor an updated written itemized statement that details all estimated charges that will be imposed, including any allowable charges for labor or personnel costs.

Sec. 1.6.5.2.1. Requestor's Response

A request for which ILTexas is required to produce an (original or updated) itemized statement of estimated charges is considered to have been withdrawn if the requestor does not respond in writing to the itemized statement by informing ILTexas within ten business days after the date the statement is sent to the requestor that:

1. The requestor will accept the estimated charges;
2. The requestor is modifying the request in response to the itemized statement; or
3. The requestor has sent to the Attorney General a complaint alleging that the requestor has been overcharged for being provided with a copy of the public information.

Sec. 1.6.5.2.2. Actual Charges

If the actual charges exceed \$40, the charges may not exceed:

1. The amount estimated in the updated itemized statement; or
2. If an updated itemized statement is not sent to the requestor, an amount that exceeds by 20 percent or more the amount estimated in the original itemized statement.

Sec. 1.6.5.2.3. Timing of Deadlines

An original or updated itemized statement is considered to have been sent by ILTexas, and a requestor is considered to have responded to the statement, on the date that the statement or response is:

1. Delivered in person;
2. Deposited, properly addressed, in the U.S. mail; or
3. Transmitted by electronic mail or facsimile, provided the requestor agrees to receive the statement by those means.

The time deadlines for providing or responding to the required statement of estimated charges do not affect the application of a time deadline imposed on ILTexas for requesting a decision by the Attorney General under Government Code 552, Subchapter G.

Sec. 1.6.5.3. Deposit or Bond.

The officer for public information or agent may require a deposit or bond for payment of anticipated costs for the preparation of a copy of public information if:

1. The officer or agent has provided the requestor with the written itemized statement required by Government Code 552.2615 (see STATEMENT OF ESTIMATED CHARGES, above); and
2. The charge for providing the copy is estimated by ILTexas to exceed \$100, if ILTexas has more than 15 full-time employees, or \$50, if ILTexas has fewer than 16 full-time employees.

The officer or agent may not require a deposit or bond as a down payment for copies of public information that the requestor may request in the future.

For the purposes of charging for providing copies of public information or for requesting an Attorney General's opinion, a request for a copy of public information is considered to have been received by ILTexas on the date ILTexas receives the deposit or bond.

A requestor who fails to make such a deposit or post such a bond before the tenth business day after the date the deposit or bond is required is considered to have withdrawn the request.

Sec. 1.6.5.3.1. Modified Request

If a requestor modifies a request in response to the requirement of a deposit or bond, the modified request is considered a separate request and is considered received on the date ILTexas receives the written modified request.

Sec. 1.6.5.3.2. Unpaid Amounts

The officer for public information or agent may require a deposit or bond for payment of unpaid amounts the requestor owes ILTexas in relation to previous public information requests before preparing a copy of public information in response to a new request, if those unpaid amounts exceed \$100. The officer for public information or agent may not seek payment of those unpaid amounts through any other means.

If ILTexas receives a request from a requestor who, within the preceding 180 days, has accepted but failed to pay written itemized statements of estimated charges from ILTexas as provided under Government Code 552.261(b), ILTexas may require the requestor to pay the estimated charges for the request before the request is fulfilled.

Sec. 1.6.5.3.3. Documentation of Unpaid Amounts

ILTexas must fully document the existence and amount of those unpaid amounts or the amount of any anticipated costs before requiring a deposit or bond. The documentation is subject to required public disclosure.

Sec. 1.6.5.3.4. Waivers

ILTexas shall provide a copy of public information without charge or at a reduced charge if ILTexas determines that waiver or reduction of the charge is in the public interest because providing the information primarily benefits the public.

If the cost to ILTexas of processing the collection of a charge for providing a copy of public information will exceed the amount of the charge, ILTexas may waive the charge.

Sec. 1.6.5.4. Government Publications.

The cost provisions described above do not apply to a publication that is compiled and printed by or for ILTexas for public dissemination. If the cost of the publication is not determined by state law, ILTexas may determine the charge for providing the publication, or ILTexas may provide the publication free of charge, if state law does not require a certain charge.

Sec. 1.6.6. INSPECTION OF PUBLIC INFORMATION.

Sec. 1.6.6.1. Inspection of Public Information.

If the requestor does not request a copy of public information, ILTexas may not impose a charge for making available for inspection any public information that exists in a paper record, except as set forth below.

Sec. 1.6.6.1.1. Confidential Information

If a page contains confidential information that must be edited from the record before the information can be made available for inspection, ILTexas may charge for the cost of making a photocopy of the page from which the confidential information must be edited. No charge other than the cost of the photocopy may be imposed.

Sec. 1.6.6.1.2. Payment, Deposit, or Bond

The officer for public information or agent may require a requestor to pay, or to make a deposit or post a bond for the payment of, anticipated personnel costs for making available for inspection public information that exists in paper records if:

1. The information specifically requested by the requestor is older than five years or completely fills, or when assembled will completely fill, six or more archival boxes; and
2. The officer for public information or agent estimates that more than five hours will be required to make the information available for inspection.

If ILTexas has fewer than 16 full-time employees, the payment, deposit, or bond may be required only if:

1. The information specifically requested by the requestor is older than three years or completely fills, or when assembled will completely fill, three or more archival boxes; and
2. The officer for public information or agent estimates that more than two hours will be required to make the information available for inspection.

Sec. 1.6.6.2. Electronic Records.

If ILTexas receives a request to inspect information that exists in an electronic medium and that is not available directly online to the requestor, ILTexas may not impose a charge for access to the information unless complying with the request will require programming or manipulation of data. If programming or manipulation of data is required, ILTexas shall notify the requestor before assembling the information and provide the requestor with an estimate of charges that will be imposed.

If public information exists in an electronic form on a computer owned or leased by ILTexas, and the public has direct access to that computer through a computer network or other means, the electronic form of the information may be electronically copied from that computer without charge if accessing the information does not require processing, programming, or manipulation on ILTexas's computer before the information is copied. If such information does require processing, programming, or manipulation before it can be copied, ILTexas may impose charges.

If ILTexas creates or keeps information in an electronic form, ILTexas is encouraged to explore options to separate confidential information from public information and make the public

information available to the public through electronic access through a computer network or other means.

Sec. 1.6.7. MISCELLANEOUS.

Sec. 1.6.7.1. Limit on Personnel Time for Large or Frequent Requests.

After ILTexas personnel collectively have spent 36 hours of time producing public information for a requestor during the ILTexas fiscal year, ILTexas shall charge the requestor for any additional personnel time spent producing information for the requestor, in accordance with law.

Sec. 1.6.7.1.1. Request by Minor

Any time spent complying with a request submitted in the name of a minor, as defined by Family Code 101.003(a), is to be included in the calculation of the cumulative amount of time spent complying with a request for public information by a parent, guardian, or other person who has control of the minor under a court order and with whom the minor resides, unless that parent, guardian, or other person establishes that another person submitted that request in the name of the minor.

Sec. 1.6.7.1.2. Exception

This section does not apply if the requestor is an individual who, for a substantial portion of the individual's livelihood or for substantial financial gain, gathers, compiles, prepares, collects, photographs, records, writes, edits, reports, investigates, processes, or publishes news or information for and is seeking the information for:

1. A radio or television broadcast station that holds a broadcast license for an assigned frequency issued by the Federal Communications Commission;
2. A newspaper that is qualified under Government Code 2051.044 to publish legal notices or is a free newspaper of general circulation and that is published at least once a week and available and of interest to the general public in connection with the dissemination of news;
3. A newspaper of general circulation that is published on the Internet by a news medium engaged in the business of disseminating news or information to the general public; or
4. A magazine that is published at least once a week or on the Internet by a news medium engaged in the business of disseminating news or information to the general public.

This section also does not apply if the requestor is an elected official of the United States, this state, or a political subdivision of this state, or a representative of a publicly funded legal services organization that is a federal tax exempt entity under Section 501(c)(3), Internal Revenue Code of 1986.

Sec. 1.6.7.1.3. Written Statement of Personnel Time

Each time ILTexas complies with a request for public information, ILTexas shall provide the requestor with a written statement of the amount of personnel time spent complying with that request and the cumulative amount of time spent complying with requests for public information from that requestor during the applicable 12-month period. The amount of time spent preparing the written statement may not be included in the amount of time in the statement.

Sec. 1.6.7.1.4. Written Estimate of Charges

If the cumulative amount of personnel time spent complying with requests for public information from the same requestor equals or exceeds the established time limit, ILTexas shall provide the requestor with a written estimate of the total cost, including materials, personnel time, and overhead expenses, necessary to comply with the request. ILTexas shall provide the written estimate on or before the tenth day after the date on which the request was made. The amount of this charge relating to the cost of locating, compiling, and producing the public information shall be established by rules prescribed by the Attorney General.

Sec. 1.6.7.1.5. Additional Time

If ILTexas provides the requestor with written notice that additional time is required to prepare the written estimate, ILTexas must provide the written estimate as soon as practicable, but on or before the tenth day after the date ILTexas provided the notice that additional time was required.

Sec. 1.6.7.1.6. Acceptance of Charges

ILTexas is not required to produce public information for inspection or duplication or to provide copies of public information in response to the requestor's request unless on or before the tenth day after the date ILTexas provided the written estimate, the requestor submits a written statement to ILTexas in which the requestor commits to pay the lesser of:

1. The actual costs incurred in complying with the request, including the cost of materials, personnel time, and overhead; or
2. The amount stated in the written estimate.

If the requestor fails or refuses to submit a written statement, the requestor is considered to have withdrawn the request.

Sec. 1.6.7.1.7. Waived or Reduced Charges

This section does not prohibit ILTexas from providing a copy of public information without charge or at a reduced rate, or from waiving a charge for providing a copy of public information, under Government Code 552.267 [see WAIVERS, above].

Sec. 1.6.7.2. Filing Suit to Withhold Information.

ILTexas may file suit seeking to withhold information if ILTexas receives a determination from the Attorney General that information must be disclosed to a requestor. The suit must be filed in Travis County district court against the Attorney General and must seek declaratory relief from compliance with the Attorney General's decision.

ILTexas must bring the suit not later than the 30th calendar day after ILTexas receives the Attorney General's decision. If ILTexas wishes to preserve an affirmative defense for its officer for public information, as provided by Government Code 552.353(b)(3), ILTexas must file suit not later than the tenth calendar day after receipt of the Attorney General's decision.

Sec. 1.6.7.3. Parent's Request for Information.

ILTexas shall comply with a TPIA upon receipt of a request from a parent for public information relating to the parent's child.

If ILTexas seeks to file suit to challenge a decision by the Attorney General in order to withhold information it must bring the suit not later than the 30th calendar day after the date ILTexas receives the decision of the Attorney General, unless an earlier deadline is established by the TPIA.

A court shall grant such a suit precedence over other pending matters to ensure prompt resolution. Notwithstanding any other law, ILTexas may not appeal the decision of the court. This prohibition does not affect the right of a parent to appeal the decision. If ILTexas does not bring suit within the period established, ILTexas shall comply with the decision of the Attorney General.

Preamble

The Board of Directors (collectively, the “Board” or the “Directors,” and individually a “Director”) of **INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC. (hereinafter “I.A.E.F.”)** is committed to maintaining the highest legal and ethical standards in the conduct of the business of I.A.E.F., and to protecting the integrity and reputation of I.A.E.F., **INTERNATIONAL LEADERSHIP OF TEXAS (hereinafter “ILTexas”)**, the Board, and all ILTexas employees, volunteers, and programs.

The Directors and Officers (as defined below) shall exercise their duties honestly, in good faith, and with a high standard of diligence and care. Accordingly, the Directors and Officers shall ensure that they (1) do not compromise their independence of judgment, (2) preserve confidence and trust in the organization and the Board, and (3) protect and fulfill the mission of I.A.E.F. As such, this Policy will assist Directors and Officers as they identify actual or potential conflicts of interest, and with a procedure to address conflicts which may arise.

Sec. 1.7.1. ETHICAL PRINCIPLES.

Sec. 1.7.1.1. Personal and Professional Integrity.

Directors and Officers shall conduct themselves in an honest and ethical manner, including the ethical handling of actual or apparent conflicts of interest, as set forth below.

Sec. 1.7.1.2. Financial Stewardship.

As a tax-exempt public charity, I.A.E.F. shall expend funds and record those expenditures in a manner that advances the charitable and educational mission and objectives of I.A.E.F., and not the private interests of Directors or Officers.

Sec. 1.7.1.3. Public Accountability.

I.A.E.F. shall provide comprehensive and timely information in accordance with applicable state and federal law and shall be responsive to reasonable requests for information about its activities. Additionally, informational data about I.A.E.F., such as IRS Form 990, audited financial statements and Annual Financial and Compliance Report, shall be made available to the public in accordance with applicable state and federal law.

Sec. 1.7.1.4. Accuracy and Retention of Records.

I.A.E.F. will create and maintain records that satisfy operational and legal requirements, including federal, state and local laws.

Sec. 1.7.1.5. Political Activities.

As a 501(c)(3) tax-exempt public charity, I.A.E.F. shall not engage in political activities. Directors and Officers shall not use their relationship with I.A.E.F. to promote or oppose political candidates or parties, or to create the appearance that I.A.E.F. endorses or opposes a political candidate or party for elected office.

Sec. 1.7.1.6. Endorsements and Use of the I.A.E.F. Name and Affiliation.

The I.A.E.F. and ILTexas name, logo, letterhead, or other intellectual property may not be used by any person to endorse or gain support for a cause without prior authorization in writing from the Directors.

Sec. 1.7.1.7. Questions, Concerns or Reports of Violations.

Should a Director or Officer believe a colleague is violating the obligations or expectations of this Policy, or is otherwise acting in an illegal or unethical manner, it is his or her duty to report the matter to the President of the Board of Directors, or the Chief Executive Officer, as appropriate.

Sec. 1.7.2. CONFLICTS OF INTEREST.

Sec. 1.7.2.1. Statement on State Law.

ILTexas and its Officers and Directors shall comply with state law governing conflicts of interest among charter school and charter holder board members and officers, as described in Chapter 12 of the Texas Education Code, and 19 TAC §§ 100.1131–100.1135, including, but not limited to the following:

Sec. 1.7.2.1.1. *Employees Serving on the Board*

- (1) Directors and Officers of ILTexas shall comply with Local Government Code, Chapter 171 in the manner provided by the conflict of interest provisions described in 19 TAC §§ 100.1131–100.1135. (*See below.*)
- (2) Officers of ILTexas are defined by the Commissioner of Education to be persons charged with the duties of, or acting as a Chief Executive Officer, a Central Administration Officer, a Campus Administration Officer, or a Business Manager, regardless of whether the person is an employee or contractor of the charter holder, the school, a management company, or any other person; or a volunteer working under the direction of the charter holder, the school, or a management company. A charter holder employee or independent contractor engaged solely in non-charter activities for the charter holder is not an “officer” of ILTexas.

- (3) The ILTexas Chief Executive Officer is a person (or persons) directly responsible to the governing body of the charter holder for supervising one or more Central Administration Officers, Campus Administration Officers, and/or Business Managers.
- (4) A Central Administration Officer for ILTexas is a person charged with the duties of, or acting as, a Chief Operating Officer, director, or assistant director of the charter holder for ILTexas, including one or more of the following functions:
 - (A) assuming administrative responsibility and leadership for the planning, operation, supervision, or evaluation of the education programs, services, or facilities of the Board, for appraising the performance of the Board's or ILTexas's staff;
 - (B) assuming administrative authority or responsibility for the assignment or evaluation of any of the personnel of the Board, including those employed by a management company;
 - (C) making recommendations to the Board or ILTexas regarding the selection of personnel of the Board, including those employed by a management company;
 - (D) recommending the termination, non-renewal, or suspension of an employee or officer of the Board, including those employed by a management company; or recommending the termination, non-renewal, suspension, or other action affecting a management contract;
 - (E) managing the day-to-day operations of the Board, as its administrative manager;
 - (F) preparing or submitting a proposed budget to the charter holder Board or ILTexas (except for developing budgets for a ILTexas campus, if this is a function performed by a Campus Administration Officer under the terms of the open-enrollment charter);
 - (G) preparing recommendations for policies to be adopted by the Board, or overseeing the implementation of adopted policies, except for legal services provided by an attorney licensed to practice law in this state, or public accountancy services provided by a certified public accountant licensed to practice public accountancy in this state;
 - (H) developing, or causing to be developed, appropriate administrative regulations to implement policies established by the Board, except for legal services provided by an attorney licensed to practice law in this state, or public accountancy services provided by a certified public accountant licensed to practice public accountancy in this state;
 - (I) providing leadership for the attainment of student performance in ILTexas, based on the indicators adopted under TEC §§ 39.053–39.054, or other indicators in the I.A.E.F. charter; or

- (J) organizing the central administration of the Board.
- (5) A Campus Administration Officer for ILTexas is a person charged with the duties of, or acting as, a principal or assistant principal of a ILTexas campus, including one or more of the following functions:
- (A) approving teacher or staff appointments for a ILTexas campus, unless this function is performed by a Central Administration Officer under the terms of the open-enrollment charter;
 - (B) setting specific education objectives for a ILTexas campus, unless this function is performed by a Central Administration Officer under the terms of the open-enrollment charter;
 - (C) developing budgets for a ILTexas campus, unless this function is performed by a Central Administration Officer under the terms of the open-enrollment charter;
 - (D) assuming the administrative responsibility or instructional leadership, under the supervision of a Central Administration Officer, for discipline at a ILTexas campus;
 - (E) assigning, evaluating, or promoting personnel assigned to a ILTexas campus, unless this function is performed by a Central Administration Officer under the terms of the open-enrollment charter; or
 - (F) recommending to a Central Administration Officer the termination or suspension of an employee assigned to a ILTexas campus or recommending the non-renewal of the term contract of such an employee.
- (6) A Business Manager is a person charged with managing the finances of I.A.E.F. or ILTexas.
- (7) **Also Excluded from the Board.** Except as otherwise provided by law, a person who receives “compensation or remuneration” (as defined by law and herein) from the nonprofit corporation holding I.A.E.F.’s open-enrollment charter may not serve on the Board, with the following exceptions:
- (A) If each charter school operated by the Board as charter holder has received a satisfactory accountability rating, as defined by applicable law, for at least two of the preceding three school years, I.A.E.F. employees may serve on the Board, as described below, and as provided by law.
 - (B) If the charter holder has operated at least one charter school which reported attendance that occurred prior to September 2, 2001, but no charter school operated by the charter holder has received a sufficient number of substantive ratings to determine whether it

has received a satisfactory rating for at least two of the preceding three school years, then I.A.E.F. employees may serve on the governing body of the charter holder, as provided by law.

- (C) An employee of I.A.E.F. may serve as a Director if: (i) only employees of I.A.E.F., and not employees of the Board, serve on the Board; (ii) the compensation or remuneration received by that Director is limited to salary, bonuses, benefits, or other compensation received pursuant to the employment relationship with I.A.E.F.; (iii) I.A.E.F. employees do not constitute a quorum of the Board or any committee of the Board; and (iv) all I.A.E.F. employees serving on the Board comply with all applicable conflict of interest provisions required by law.

Sec. 1.7.2.1.2. Conflicts Requiring an Affidavit and Abstention from Voting

The following circumstances shall be deemed a Conflict of Interest (as defined below), and the Director or Officer shall, in addition to the procedures set forth in Section 1.7.2.3 (Conflict of Interest Procedures), take the following action:

- (1) If a Director or Officer has a substantial interest in a business entity or in real property, the Director or Officer 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 if:
 - (A) In the case of a substantial interest in a business entity, the vote, decision, or other action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
 - (B) In the case of a substantial interest in real property, it is reasonably foreseeable that a vote, decision, or other action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.
- (2) The affidavit described above is filed with the Secretary of the Board of Directors.
- (3) The Director or Officer filing the affidavit shall abstain from further participation in the matter requiring the affidavit. A Director or Officer filing the affidavit shall abstain from further participation in the matter requiring the affidavit unless a majority of the Board is composed of persons who are likewise required to file, and who do file affidavits of similar interests on the same official action.

Sec. 1.7.2.1.3. Separate Vote on Budget Item

The Directors shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a Director has a substantial interest. Abstention is required, except as provided above and in 19 TAC § 100.1133(c), otherwise the affected Director may not

participate in that separate vote. The affected Director may vote on a final budget if: (1) the affected Director has complied with the above-stated requirements; and (2) the matter in which the affected Director is concerned has been resolved.

Sec. 1.7.2.2. Statement on Federal Law.

I.A.E.F. and its Officers and Directors shall comply with the federal regulations regarding private benefit and excess benefit transactions as described in Section 4958 of the Internal Revenue Code and 26 CFR § 53.4958 (the “federal tax rules”) when it is contemplating entering into a transaction or arrangement that may benefit the private interest of a Director or Officer or other individual deemed to be a disqualified person under the federal tax rules. A “disqualified person” includes Directors and Officers, and any person who is in a position to exercise substantial influence over the affairs of the corporation. A “disqualified person” includes Family (as defined below) of the disqualified person.

Sec. 1.7.2.2.1. Interested Person

Any Director or Officer, employee, or member of a committee with powers delegated by the Board who has a direct or indirect Interest, as defined below, is an “Interested Person.”

- (1) A person has an “Interest” if the person has, directly or indirectly, through business, investment, or Family:
 - (A) an ownership or investment interest, directly or indirectly, in any entity with which I.A.E.F. has a transaction or arrangement;
 - (B) a compensation arrangement with I.A.E.F., or with any entity or individual with which I.A.E.F. has a transaction or arrangement; or
 - (C) a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which I.A.E.F. is negotiating a transaction or arrangement.
- (2) “Compensation” is defined to include direct and indirect remuneration, as well as gifts or favors that are not insubstantial.
- (3) A person has an “Interest” if the person has a substantial interest in a business entity or a substantial interest in real property as described in Section 1.7.2.1.2 above.

Sec. 1.7.2.2.2. Interested Person with Conflict of Interest

An Interested Person shall have a Conflict of Interest (as defined below) only if the Board or the appropriate committee determines that a Conflict of Interest exists in accordance with the procedures set forth below.

Sec. 1.7.2.3. Conflict of Interest Procedures

Sec. 1.7.2.3.1. *Duty of Prior Disclosure*

In connection with any actual or potential conflict of interest, an Interested Person shall disclose the existence of the Interest in writing to the Board as soon as he or she has knowledge of it, and the Board shall give such Interested Person the opportunity to disclose all material facts related thereto to the Board or designated committee considering the proposed transaction or arrangement. Such written disclosure shall be made part of and set forth in the Board minutes. In any event, the disclosure of any actual or potential conflict of interest by an Interested Person should occur prior to any consideration of the proposed transaction by the Board.

- (1) **Transaction Not Subject to Board Action.** An Interested Person with any actual or potential conflict of interest with respect to a transaction or arrangement that is not the subject of Board action shall disclose to the President of the Board or Chief Executive Officer, any such Interest. Such disclosure shall be made as soon as the Interest is known to the Interested Person.
- (2) **Untimely Disclosure.** If an Interested Person fails to disclose the Interest before the Board acts on a transaction as to which a Director has an Interest, then the Interested Person shall promptly submit a written statement to the Board setting forth all material facts regarding the Interest, along with an explanation concerning the untimely nature of the notice.
- (3) **Failure to Disclose.** If the Board has reasonable cause to believe that an Interested Person failed to disclose an Interest, the Board shall inform the Interested Person of the basis for such belief and afford the Interested Person an opportunity to explain the alleged failure to disclose. After hearing the Interested Person's explanation, and conducting such investigation as may be warranted under the circumstances, the Board may determine that the Interested Person failed to disclose an actual Conflict of Interest. In such event, the Board shall vote on the appropriate corrective action.

Sec. 1.7.2.3.2. *Determining Whether a Conflict of Interest Exists*

After disclosure of the Interest and all material facts related thereto, the Interested Person *shall leave the meeting of the Board or designated committee while a determination is made by disinterested Directors as to whether a conflict of interest ("Conflict of Interest") exists.* No Director shall vote on any matter in which he or she has a Conflict of Interest.

Sec. 1.7.2.3.3. *Vote by Disinterested Directors*

- (1) **Nonparticipation of Directors with Conflict.** A Director who has a Conflict of Interest shall neither vote nor participate in, nor be permitted to hear the Board's discussion of the matter, except to disclose material facts and to respond to questions. Such Director shall

not attempt to exert his or her influence with respect to the matter, either before, during, or outside of the Board meeting.

(2) **Action by Disinterested Directors.** If the Board concludes that a Conflict of Interest exists, the Board shall determine by voting whether the transaction should be authorized, approved or ratified. The vote shall be conducted as follows:

(A) Except as otherwise permitted by law, Directors with a Conflict of Interest shall leave the room in which the meeting is conducted.

(B) Except as otherwise allowed by law, and as set forth in Section 1.7.2.1.2(3), a majority of the disinterested Directors, without regard to any quorum requirement, must vote affirmatively for the transaction to be authorized, approved or ratified. However, a transaction cannot be authorized, approved or ratified by a single Director.

(3) **Vote Not Disallowed by Presence of Directors with a Conflict.** The presence of, or a vote cast by, a Director with a Conflict of Interest in a transaction does not affect the validity of a vote regarding the transaction if the transaction is otherwise authorized, approved or ratified, as prescribed herein.

(4) **Circumstances in Which Comparability Data is Necessary.** If the transaction involves compensation for services of a Director, an Officer, or other individual deemed to be a disqualified person (as defined above at page 6(B)) under the federal tax rules, or if the transaction involves the transfer of property or other benefit to a Director, Officer, or other individual deemed to be a disqualified person under the federal tax rules, the disinterested Directors or committee must determine that the value of the economic benefit provided by I.A.E.F. to the Interested Person or Persons does not exceed the value of the consideration received in exchange by obtaining and reviewing appropriate comparable data (“Comparability Data”).

(A) When considering the comparability of compensation for example, the relevant data which the Board or committee may consider includes, but is not limited to, the following: (i) compensation levels paid by similarly-situated schools; (ii) the availability of similar services within the same geographic area; (iii) current compensation surveys compiled by independent firms; and (iv) written offers from similar institutions competing for the same person’s services. When the transaction involves the transfer of real property as compensation, the relevant factors include, but are not limited to: (i) current independent appraisals of the property, and (ii) offers received in a competitive bidding process.

(B) Based on the Comparability Data, the Board or committee shall determine, by a majority vote of the disinterested Directors or committee members, whether the transaction or arrangement is fair and reasonable to I.A.E.F.. In conformity with the

above determination, the Board or committee shall make its decision as to whether to enter into the transaction or arrangement.

- (C) If such transaction or arrangement is approved by the Board or committee, the Comparability Data and the approval shall be made part of the Board minutes in accordance with Section 1.7.2.3.4 (**Documentation**) below.

Sec. 1.7.2.3.4. Documentation

The Board Secretary shall keep accurate minutes reporting:

- (1) **Interest Disclosed; Determination of Conflict of Interest.** That the Interested Person(s) disclosed the Interest and the Board determined whether a Conflict of Interest exists. The minutes should include:
- (A) The name(s) of the person(s) who disclosed or otherwise were found to have an Interest in connection with an actual or possible conflict of interest, the nature of the Interest, any action taken to determine whether a Conflict of Interest was present, and the Board's or committee's decision as to whether a Conflict of Interest in fact existed.
 - (B) The names of the persons who were present for discussions and votes relating to the Conflict of Interest, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.
 - (C) A completed Affidavit of Abstention complying with Local Government Code Chapter 171 and 19 TAC §§ 100.1131-1134 (*see* Affidavit Exhibit A).
- (2) **Nonparticipation of Directors with Conflict.** That the Director or Directors with an Interest or a Conflict of Interest left the room and did not participate in the determination of whether a Conflict of Interest exists or the vote regarding the transaction or arrangement;
- (3) **Comparability Data.** The Comparability Data considered and relied upon by the Board in its consideration of the transaction or arrangement; and
- (4) **Vote of Disinterested Directors.** That the remaining disinterested Directors reviewed the Transaction and voted upon it, and the result of their vote.

Sec. 1.7.2.4. Compensation.

- (1) A Director who receives compensation, directly or indirectly, from I.A.E.F. for services is precluded from voting on matters pertaining to that Director's compensation.

- (2) A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from I.A.E.F. for services is precluded from voting on matters pertaining to that member's compensation.
- (3) No voting member of the Board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from I.A.E.F., either individually or collectively, is prohibited from providing information to any committee regarding compensation.
- (4) Except with respect to Board decisions regarding a *bona fide* class or category of employees pursuant to Government Code § 573.062(b), a voting member of the Board or any committee whose jurisdiction includes compensation matters is precluded from voting on personnel matters (including matters related to compensation) concerning a person related within the third degree by consanguinity or within the second degree by affinity (as defined below and as specified by Government Code § 573.002).

Sec. 1.7.2.5. Definitions.

The following terms shall have the following meaning:

- (1) **Director or Officer.** 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. An officer means a person charged with the duties of, or acting as, a Chief Executive Officer, a Central Administration Officer, a Campus Administration Officer, or a Business Manager, regardless of whether the person is an employee or contractor of a charter holder, charter school, management company, or any other person; or a volunteer working under the direction of a charter holder, charter school, or management company. A charter holder employee or independent contractor engaged solely in non-charter activities for the charter holder is not an "officer of a charter school." 19 TAC §100.1001(16).
- (2) **Business entity.** A sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, agency, political subdivision, or any other entity recognized by law.
- (3) **Substantial interest in business entity.** A person has a substantial interest in a business entity if: (1) the person owns 10% or more of the voting stock or shares of the business entity or owns either 10% or more or \$15,000 or more of the fair market value of the business entity; or (2) funds received by the person from the business entity exceed 10% of the person's gross income for the previous year.
- (4) **Substantial interest in real estate.** A person has a substantial interest in real estate, if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more.

- (5) **Substantial interest through a relative or family member.** A Director or Officer is considered to have a substantial interest if a person related to the Director or Officer within the third degree by consanguinity or the third degree by affinity (as defined below) has a substantial interest under **Sec. 1.6.2.5(iii)** above. 19 TAC § 100.1132(d).
- (6) **Family.** Family means a disqualified person's spouse, siblings, spouses of siblings, ancestors, children, grandchildren, great grandchildren, and spouses of children, grandchildren, and great grandchildren.

Sec. 1.7.3. NEPOTISM.

Sec. 1.7.3.1. Nepotism Generally Prohibited.

A Director or Officer may not hire, select, appoint, confirm the appointment of, or vote for the hiring, selection, appointment, or confirmation of a person who is to be directly or indirectly compensated from public funds or fees of office, if:

- (1) The person is related to the Director or Officer by consanguinity (blood) within the third degree or by affinity (marriage) within the second degree (as defined below); or
- (2) The Director or Officer holds the appointment or confirmation authority as a member of a local board and the person is related to another member of the Board by blood or marriage within a prohibited degree. Government Code §§ 573.002, 573.041.
- (3) Refer to attached diagram, Exhibit B.

Sec. 1.7.3.2. Independent Contractors.

The nepotism law governs the hiring of an individual, whether the individual is hired as an employee or as an independent contractor.

Sec. 1.7.3.3. Payment to Prohibited Person.

A Director or Officer may not approve an account or draw or authorize the drawing of a warrant or order to pay the compensation of an ineligible person if the Director or Officer knows the person is ineligible. Government Code § 573.083; 19 TAC § 100.1116.

Sec. 1.7.3.4. Relation by Consanguinity.

Two persons are related to each other by consanguinity (blood) if one is a descendant of the other or if they share a common ancestor. An adopted child is considered to be a child of the adoptive parents for this purpose. Government Code § 573.022.

Sec. 1.7.3.5. Third Degree of Consanguinity.

An individual's relatives within the third degree by consanguinity are the individual's:

- (1) Parent or child (first degree);
- (2) Brother, sister, grandparent, or grandchild (second degree); and
- (3) Great-grandparent, great-grandchild, aunt or uncle (who is a sibling of a parent of the person), nephew or niece (who is a child of a brother or sister of the person) (third degree).
Government Code 573.023.

Note: There is no distinction under the nepotism statute between half-blood and full-blood relations. Thus, half-blood relationships fall within the same degree as those of the full blood. *See* Exhibit B.

Sec. 1.7.3.6. Relation by Affinity.

Two persons are related to each other by affinity (marriage) if they are married to each other, or if the spouse of one of the persons is related by consanguinity to the other person. The ending of a marriage by divorce, or the death of a spouse ends relationships by affinity created by that marriage unless a child of the marriage is living, in which case the marriage is considered to continue as long as a child of that marriage lives. This provision applies to a Board member or Officer only until the youngest child of the marriage reaches the age of 21 years. Government Code § 573.024.

Sec. 1.7.3.7. First Degree of Affinity.

A husband and wife are related to each other in the first degree by affinity. For other relationships, the degree of affinity is the same as the degree of the underlying relationship by consanguinity. For example, if two persons are related to each other in the second degree by consanguinity, the spouse of one of the persons is related to the other person in the second degree by affinity.

Sec. 1.7.3.8. Second Degree of Affinity.

If two individuals are related to each other in the second degree by consanguinity, the spouse of one of the individuals is related to the other individual in the second degree by affinity.

Sec. 1.7.3.9. Third Degree of Affinity.

An individual's relatives within the third degree of affinity are:

- (1) Anyone related by consanguinity to the person's spouse within the first or second degree;
and

- (2) The spouse of anyone related to the person by consanguinity within the first or second degree. Government Code § 573.025.

Sec. 1.7.3.10. Existing Employees/Continuous Employment.

The nepotism prohibitions do not apply to the appointment of a person to a position if the person is employed in the position immediately before the election or appointment of the Director or Officer to whom the person is related in a prohibited degree, and that prior employment is continuous for at least:

- (1) Thirty days, if the Director or Officer is appointed; or
- (2) Six months, if the Director or Officer is elected. Government Code § 573.062(a).
- (3) A person who was not restricted or prohibited under Education Code 12.1055 as it existed before September 1, 2013, from being employed by I.A.E.F. and who was employed by I.A.E.F. before September 1, 2013, is considered to have been in continuous employment as provided by Government Code § 573.062(a), and is not prohibited from continuing employment with I.A.E.F.. Education Code § 12.1055(d).

Sec. 1.7.3.11. Continuous Employment Exception.

For purposes of calculating the appropriate date for the applicability of the continuous-employment exception, a superintendent with final authority to select personnel is an appointed director or officer. *Atty. Gen. Op. GA-177 (2004)*. If an employee continues in a position under this exception, the Director or Officer to whom the employee is related in a prohibited degree may not participate in any deliberation or voting on the appointment, reappointment, employment, reemployment, change in status, compensation, or dismissal of the employee, if the action applies only to the employee and is not taken regarding a *bona fide* class or category of employees. Government Code § 573.062(b). A “change in status” includes a reassignment within an organization, whether or not a change in salary level accompanies the reassignment. *Atty. Gen. Op. JC-193 (2000)*. For an action to be “taken with respect to a *bona fide* category of employees,” the officeholder’s action must be based on objective criteria, which do not allow for the preference or discretion of the officeholder. *Atty. Gen. Op. DM-46 (1991)*. The nepotism prohibitions do not apply to appointment or employment of a substitute teacher. Government Code § 573.061.

Sec. 1.7.3.12. Retired Teachers.

A teacher who has retired from a full-time, certified teacher position has broken his or her employment with ILTexas, and does not qualify for the continuous employment exception to the nepotism laws. *Atty. Gen. Op. JC-442 (2001)*.

Sec. 1.7.3.13. Trading Prohibited.

A Director or Officer may not hire, select, appoint, confirm the appointment of, or vote for the hiring, selection, appointment, or confirmation of an individual to a charter position in which the individual's services are under the Director or Officer's direction or control if:

- (1) The person is related to another Director or Officer within the prohibited degree; and
- (2) The appointment would be carried out, in whole or in partial consideration for the other Director or Officer's hiring, selecting, appointing, confirming, or voting for an individual who is related to the first Director or Officer within a prohibited degree. Government Code § 573.044.

Sec. 1.7.3.14. Source of Funding Irrelevant.

The rules against nepotism apply to employees paid with public funds, regardless of the source of those funds. Thus, the rules apply in the case of a teacher paid with funds from a federal grant. *Atty. Gen. L.A. No. 80 (1974).*

Sec. 1.7.3.15. Nepotism Exceptions.

The nepotism exceptions described in 19 TAC § 100.1115 also apply. Notwithstanding an exception, a Director or Officer related in a prohibited degree may not participate in any deliberation or voting on the appointment, reappointment, or confirmation of same, employment, reemployment, change in status, compensation, or dismissal of an individual, unless the action is taken regarding a *bona fide* class or category of employees.

Sec. 1.7.3.16. Enforcement of Nepotism Prohibitions.

In accordance with state law, a Director or Officer who violates the nepotism regulations shall be removed from office by the Board of Directors. A failure to thus remove is a material charter violation.

- (1) Removal must be in accordance with the Articles and Bylaws of I.A.E.F. and in accordance with the terms of the charter and other state and federal law.
- (2) A Director or Officer violating the nepotism laws may also be removed by the Attorney General and may be subject to criminal and other penalties.

Sec. 1.7.3.17. Delegation of Hiring Authority.

The Board may delegate final authority to select ILTexas personnel to the Chief Executive Officer/Superintendent, Human Resources Director, or other designated Officer.

If such authority is designated to the Chief Executive Officer/Superintendent, the Chief Executive Officer/Superintendent is a "public official" for purposes of Chapter 573, Government Code, with

respect to a decision made under that delegation of authority. Education Code § 11.1513(f). As such, if the Chief Executive Officer/Superintendent has been delegated final authority to select ILTexas personnel, the Chief Executive Officer/Superintendent may not hire, select, appoint, confirm the appointment of, or vote for the hiring, selection, appointment, or confirmation of an individual who is to be directly or indirectly compensated from public funds or fees of office, if:

- (1) The person is related to the Chief Executive Officer/Superintendent by consanguinity (blood) within the third degree or by affinity (marriage) within the second degree; or
- (2) The person is related to a Board member by blood or marriage within a prohibited degree. Government Code §§ 573.002, 573.041.

An individual who is related to the Chief Executive Officer/Superintendent within the relevant level or consanguinity (blood) or by affinity (marriage) and was employed by ILTexas before September 1, 2013 is considered to have been in continuous employment as provided by Government Code § 573.062(a), and is not prohibited from continuing employment with ILTexas.

Notwithstanding the above, each Director remains subject to Chapter 573, Government Code with respect to all ILTexas employees. Education Code §§ 11.1513(f), 12.1055.

A supervisor shall not have direct professional supervisory responsibility over an ILTexas employee who is related to that supervisor by consanguinity (blood) within the third degree or by affinity (marriage) within the second degree. In addition, all relatives shall be separated by at least two levels of direct reports. In other words, a supervisor-relative may not have an employee-relative be a direct report, and a supervisor-relative must place two non-relative employees, with supervisory roles, between himself/herself and the employee-relative.

Sec. 1.7.4. CONFIDENTIALITY.

Sec. 1.7.4.1. No Improper Disclosure.

A Director and Officer shall exercise care not to disclose Confidential Information. Confidential Information is information deemed confidential by law, and any information not generally known or publicly available, or that ILTexas maintains as confidential, proprietary, restricted, or otherwise as not to be disclosed generally, and any information that the Board or ILTexas otherwise determines or deems as Confidential Information.

Sec. 1.7.4.2. No Use of Information for Personal Benefit.

A Director shall not use I.A.E.F. property, Confidential Information, or the status of his or her position to solicit business for others, or in any other manner obtain a private financial, social or political benefit.

Sec. 1.7.5. DISCLOSURE AND ANNUAL REVIEW.

Sec. 1.7.5.1. New Directors and Officers.

Each new Director and Officer shall review a copy of this Policy and shall complete the Annual Statement of Disclosure and Compliance attached hereto as Exhibit C.

Sec. 1.7.5.2. Periodic Review.

To ensure that I.A.E.F. operates in a manner consistent with charitable purposes, and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects: (i) whether compensation arrangements and benefits are reasonable based on competent survey information, and are the result of arm's length bargaining; (ii) whether partnerships, joint ventures, and arrangements with management organizations conform to I.A.E.F.'s written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes, and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

Sec. 1.7.5.3. Annual Review.

Each Director and Officer shall annually complete the Annual Statement of Disclosure and Compliance. The Board shall treat completed Annual Statements of Disclosure and Compliance as Confidential Information.

Sec. 1.7.5.4. Applicable Law.

This Policy is supplemental to and does not replace federal, state or local laws governing conflicts of interest applicable to charter schools and charitable organizations. When in conflict, the applicable law shall control.

Adopted the _____ day of _____, 20__.

President

Member

Secretary

Member

Treasurer

real property is involved and _____ (I, he, she) have/has an equitable or legal ownership with a fair market value of at least \$2,500;

Upon filing of this affidavit with the official record keeper of the charter holder for I.A.E.F., I affirm that I shall abstain from voting or further participating in any matter involving the business entity or real property, unless allowed by law.

SIGNED this the ____ day of _____, 20__.

Signature of Affiant

Title

Before me, the undersigned authority, this day personally appeared _____
_____ (Affiant Name) and by oath swore that the facts herein above stated are true and correct to the best of his/her knowledge or belief.

SWORN TO and SUBSCRIBED before me on the ____ day of _____,
20__.

Notary Public, State of Texas

(seal)

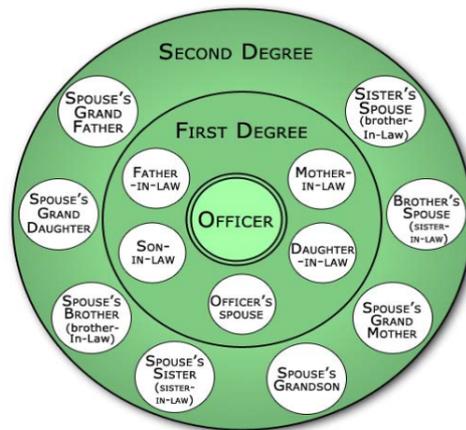
My commission expires: _____

EXHIBIT B
NEPOTISM CHART

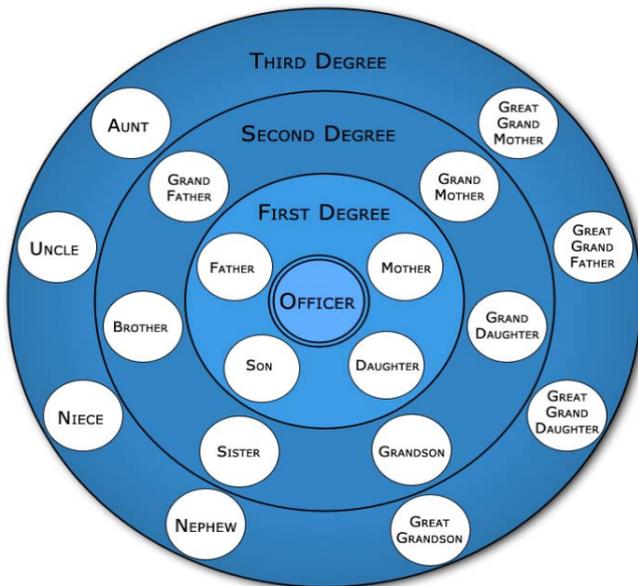
NEPOTISM CHART

The chart below shows

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood) for purposes of interpreting nepotism as defined in VTCA Government Code, Chapter 573, §§573.021 - .025



AFFINITY KINSHIP
 Relationship by Marriage



CONSANGUINITY KINSHIP
 Relationship by Blood

EXHIBIT C

ANNUAL STATEMENT OF DISCLOSURE AND COMPLIANCE

Name: _____

Position: _____

- Please describe below any relationships, positions, or circumstances in which you are involved that you believe could be considered an Interest or that might be perceived as an actual or possible Conflict of Interest, as defined in the I.A.E.F. Ethics, Conflict of Interest and Nepotism Policy. Please also describe any familial relationships that would qualify as relationships within the prohibited degree as defined in the I.A.E.F. Ethics, Conflict of Interest and Nepotism Policy.

- I am involved in no activity, relationship, position or circumstance that could be considered an Interest or might be perceived as an actual or possible Conflict of Interest, as defined in the I.A.E.F. Ethics, Conflict of Interest and Nepotism Policy. I do not have any familial relationships that would qualify as relationships within the prohibited degree as defined in the I.A.E.F. Ethics, Conflict of Interest and Nepotism Policy.

I hereby certify that the information as set forth above is true and complete to the best of my knowledge. I have reviewed and agree to abide by the I.A.E.F. Ethics, Conflict of Interest and Nepotism Policy that is currently in effect.

Signature: _____

Date: _____

Sec. 1.8.1.1. DEFINITIONS.

A. Meeting

“Meeting” means a deliberation among a quorum of the Board, or between a quorum of the Board and another person, during which public business or public policy over which the Board has supervision or control is discussed or considered, or during which the board takes formal action.

“Meeting” also means a gathering:

1. That is conducted by the Board or for which the Board is responsible;
2. At which a quorum of members of the Board is present;
3. That has been called by the Board; and
4. At which Board members receive information from, give information to, ask questions of, or receive questions from any third person, including an employee of **INTERNATIONAL LEADERSHIP OF TEXAS, hereinafter “ILTexas,”** about the public business or public policy over which the Board has supervision or control.

Gov’t Code 551.001(4)

A communication or exchange of information between Board members about public business or public policy over which the Board has supervision or control does not constitute a meeting or deliberation for purposes of the Texas Open Meetings Act if the communication is posted to an online message board or similar Internet application in compliance with Government Code 551.006. *Gov’t Code 551.006.*

The term “meeting” does not include the gathering of a quorum of the Board at a social function unrelated to the public business that is conducted by the Board, or the attendance by a quorum of the Board at a regional, state, or national convention or workshop, ceremonial event, or press conference, if formal action is not taken and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event, or press conference. *Gov’t Code 551.001(4).*

B. Deliberation

“Deliberation means a verbal exchange during a meeting between a quorum of the Board, or between a quorum of the Board and another person, concerning an issue within the jurisdiction of the Board or any public business. *Gov’t Code 551.001(2).*

C. Recording

Recording” means a tangible medium on which audio or a combination of audio and video is recorded, including a disc, tape, wire, film, electronic storage drive, or other medium now existing or later developed. *Gov’t Code 551.001(7)*.

D. Videoconference Call

“Videoconference call” means a communication conducted between two or more persons in which one or more of the participants communicates with the other participants through duplex audio and video signals transmitted over a telephone network, a data network, or the Internet. *Gov’t Code 551.001(8)*.

Sec. 1.8.1.2. CHIEF EXECUTIVE OFFICER PARTICIPATION.

The Board shall provide the CEO an opportunity to present at a meeting an oral or written recommendation to the Board on any item that is voted on by the Board at the meeting.

Sec. 1.8.1.3. OPEN TO PUBLIC.

Every Board meeting shall be open to the public. The Board may, however, exclude a witness from a hearing during the examination of another witness in a matter being investigated and may enter into a closed meeting, as provided by law. *Gov’t Code 551.002, .084*.

Sec. 1.8.1.4. RECORDING.

All or any part of an open meeting may be recorded by any person in attendance by means of a recorder, video camera, or other means of aural or visual reproduction.

The Board may adopt reasonable rules to maintain order at a meeting, including rules relating to the location of recording equipment and the manner in which the recording is conducted. These rules may not prevent or unreasonably impair a person from exercising the right to record a meeting that is open to the public. *Gov’t Code 551.023*.

Sec. 1.8.1.5. MINUTES.

The Board shall and keep minutes or make a recording of each open meeting. The minutes shall state the subject matter of each deliberation and indicate each vote, order, decision, or other action taken. *Gov’t Code 551.021*.

The minutes and recording are public records and shall be available for public inspection and copying on request to the CEO or designee. *Gov’t Code 551.022*.

Sec. 1.8.1.6. NOTICE REQUIRED.

The Board shall give written notice of the date, hour, place, and subject(s) of each Board meeting. Gov't Code 551.041.

If the Board recesses an open meeting to the following regular business day, the Board is not required to post notice of the continued meeting if the action is taken in good faith and not to circumvent Government Code Chapter 551. If an open meeting is continued to the following regular business day and, on that following day, the Board continues the meeting to another day, the Board must give the required written notice of the meeting continued to that other day. *Gov't Code 551.0411(a).*

Sec. 1.8.1.7. INQUIRY DURING MEETING.

If a member of the public or the Board inquires at a meeting about a subject for which notice has not been given, the notice provisions do not apply to a statement of specific factual information given in response to the inquiry or a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda of a subsequent meeting. *Gov't Code 551.042.*

Sec. 1.8.1.8. TIME OF NOTICE AND ACCESSIBILITY.

Notice of a Board meeting shall be posted on a bulletin board at a place convenient to the public in the ILTexas Central Administration Office for at least 72 hours before the scheduled time of the meeting. That notice or a notice posted at another Board-designated place shall at all times be readily accessible to the public for at least 72 hours before the scheduled time of the meeting. *Gov't Code 551.043(a), .051.*

If ILTexas is required to post notice of a meeting on the Internet, ILTexas satisfies the requirement that the notice must be posted in a place readily accessible to the general public at all times by making a good-faith attempt to continuously post the notice on the Internet during the prescribed period.

ILTexas must still comply with the duty to physically post the notice in the Central Administration Office, and if ILTexas makes a good-faith attempt to continuously post the notice on the Internet during the prescribed period, the physically posted notice must be readily accessible to the general public during normal business hours. *Gov't Code 551.043(b).*

A. Internet Posting

If ILTexas maintains an Internet website, 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 website.

If the ILTexas boundaries contain all or part of the area within the corporate boundaries of a municipality with a population of 48,000 or more, the Board must also, concurrently with the notice, post on the ILTexas Internet website the agenda for a Board meeting, if the agenda differs from the posted notice.

The validity of a posting by ILTexas in a good-faith attempt to comply with the Internet posting requirements is not affected by a failure to comply that is due to a technical problem beyond ILTexas's control. Gov't Code 551.056.

Sec. 1.8.1.9. SPECIFICITY OF AGENDA/NOTICE.

Agendas for all meetings shall be sufficiently specific to inform the public of the subjects to be deliberated at the meeting, setting out any special or unusual matters to be considered or any matter in which the public has a particular interest. Deliberations or actions pertaining to the Chief Executive Officer, the Superintendent and principals are of particular public interest, and notice of those subjects must be worded with such clarity that the public will understand what the Board proposes to discuss or accomplish.

The terms "employee briefing" or "staff briefing" do not give adequate notice of the subject matter to be presented to the Board by employees or staff members.

The subject of a report or update by ILTexas staff or a Board member must be set out in the notice in a manner that informs a reader about the subjects to be addressed.

Sec. 1.8.1.10. EMERGENCY MEETING OR EMERGENCY AGENDA ADDITIONS.

In an emergency or when there is an urgent public necessity, the notice of a meeting or the supplemental notice of a subject added to an agenda posted in accordance with law is sufficient if it is posted for at least two hours before the meeting is convened.

An emergency or urgent public necessity exists only if immediate action is required because of an imminent threat to public health and safety or a reasonably unforeseeable situation. The Board shall clearly identify the emergency or urgent public necessity for each item in the notice of an emergency meeting and each item added in a supplemental notice.

Sec. 1.8.1.11. CATASTROPHE.

If the Board is prevented from convening an open meeting that was otherwise properly posted under Government Code Section 551.041 because of a catastrophe, the Board may convene the meeting in a convenient location within 72 hours pursuant to Government Code Section 551.045 if the action is taken in good faith and not to circumvent Government Code Chapter 551. If the Board is unable to convene the open meeting within those 72 hours, the Board may subsequently convene the meeting only if the board gives the required written notice of the meeting.

“Catastrophe” means a condition or occurrence that interferes physically with the ability of the Board to conduct a meeting, including:

1. Fire, flood, earthquake, hurricane, tornado, or wind, rain, or snow storm;
2. Power failure, transportation failure, or interruption of communication facilities;
3. Epidemic; or
4. Riot, civil disturbance, enemy attack, or other actual or threatened act of lawlessness or violence.

Gov’t Code 551.0411(b), (c).

Sec. 1.8.1.12. NOTICE TO NEWS MEDIA.

ILTexas shall provide special notice of each meeting by telephone, facsimile transmission, or electronic mail to any news media that has requested it and agreed to reimburse ILTexas for the cost of providing the special notice. When an emergency meeting is called or an emergency item added to an agenda, the Board President or Board member who calls an emergency meeting or adds an emergency item to the agenda of a meeting shall notify by telephone, facsimile transmission, or electronic mail any news media who have previously requested special notice of all meetings. *Gov’t Code 551.047, .052.*

Sec. 1.8.1.13. QUORUM.

A majority of the Board constitutes a quorum for meetings. *Gov’t Code 551.001(6).*

Sec. 1.8.1.14. SECRET BALLOT.

No vote shall be taken by secret ballot.

Sec. 1.8.1.15. MEETING BY TELEPHONE CONFERENCE CALL.

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, or if the meeting is held by an advisory board.

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.

A. Notice

The telephone conference call meeting is subject to the notice requirements applicable to other meetings. The notice must specify as the location of the meeting the location where Board meetings are usually held.

B. Recording

The conference call meeting shall be recorded and made available to the public.

Gov't Code 551.125.

Sec. 1.8.1.16. MEETING BY VIDEOCONFERENCE CALL.

A Board member or ILTexas employee may participate remotely in a Board meeting by means of a videoconference call if the video and audio feed of the Board member's or employee's participation, as applicable, is broadcast live at the meeting and complies with the provisions below. A Board member who participates by videoconference call shall be counted as present at the meeting for all purposes.

A Board meeting may be held by videoconference call only if:

1. The Board makes available to the public at least one suitable physical space located in ILTexas's geographic jurisdiction that is equipped with videoconference equipment that provides an audio and video display, as well as a camera and microphone by which a member of the public can provide testimony or otherwise actively participate in the meeting;
2. The Board member presiding over the meeting is present at the physical space; and
3. Any member of the public present at that physical space is provided the opportunity to participate in the meeting by means of a videoconference call in the same manner as a person who is physically present at a Board meeting that is not conducted by videoconference call.

The location where the presiding officer is physically present shall be open to the public during the open portions of the meeting. *Gov't Code 551.001(7), .127.*

A. Notice

A meeting held by videoconference call is subject to the notice requirements applicable to other meetings in addition to the notice requirements applicable to meetings by videoconference call.

The notice of a meeting to be held by videoconference call must specify as a location of the meeting the location where the presiding officer will be physically present and specify the intent to have the presiding officer present at that location.

B. Quality of Audio and Video Signals

Each portion of a meeting held by videoconference call that is required to be open to the public shall be visible and audible to the public at the location specified in the notice. If a problem occurs that causes a meeting to no longer be visible and audible to the public at that location, the meeting must be recessed until the problem is resolved. If the problem is not resolved in six hours or less, the meeting must be adjourned.

The physical location specified in the notice, and each remote location from which a member of the board participates, shall have two-way audio and video communication with each member who is participating by videoconference call during the entire meeting. The face of each participant in the videoconference call, while that participant is speaking, shall be clearly visible, and the voice audible, to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the physical location described by the notice and at any other location of the meeting that is open to the public.

The quality of the audio and video signals perceptible at each location of the meeting must meet or exceed standards specified by the Texas Department of Information Resources. The audio and video signals perceptible by members of the public at each location of the meeting described by the notice and at any other location of the meeting that is open to the public must be of sufficient quality so that members of the public at each location can observe the demeanor and hear the voice of each participant in the open portion of the meeting.

C. Recording

The Board shall make at least an audio recording of the meeting. The recording shall be made available to the public.

D. Remote Participation by the Public

The Board may allow a member of the public to testify at a meeting from a remote location by videoconference call even if a Board member is not participating in the meeting from a remote location.

Gov't Code 551.127; 1 TAC 209.10-.11.

Sec. 1.8.1.17. VIDEO AND AUDIO RECORDING OF MEETING.

If ILTexas has a student enrollment of 10,000 or more, the Board shall make a video and audio recording of reasonable quality of each regularly scheduled open meeting that is not a work session or a special called meeting. In addition, the Board may broadcast a regularly scheduled open meeting on television.

The Board shall make available an archived copy of the video and audio recording on the Internet not later than seven days after the date the recording was made. The Board shall maintain the archived recording on the Internet for not less than two years after the date the recording was first made available. However, the Board is exempt from the requirements in this paragraph if the Board's failure to make the required recording of a meeting available is the result of a catastrophe, as defined by Government Code 551.0411 (see Catastrophe above), or a technical breakdown. Following a catastrophe or breakdown, the Board must make all reasonable efforts to make the required recording available in a timely manner.

The Board may make the archived recording available on an existing Internet site, including a publicly accessible video-sharing or social networking site. The Board is not required to establish a separate Internet site and provide access to archived recordings of meetings from that site.

If ILTexas maintains an Internet site, ILTexas shall make available on that site, in a conspicuous manner, the archived recording of each meeting or an accessible link to the archived recording of each such meeting. Gov't Code 551.128(b-1)–(b-6).

Sec. 1.8.1.18. INTERNET BROADCAST.

If ILTexas and the Board are not subject to the provisions above at Video and Audio Recording of Meeting, the Board may broadcast an open meeting over the Internet. If the Board broadcasts a meeting over the Internet, it shall establish an Internet site and provide access to the broadcast from that site. The Board shall provide on the Internet site the same notice of the meeting, within the time required for posting that notice, that the Board is required to post under the Open Meetings Act. Gov't Code 551.128(b), (c).

Sec. 1.8.1.19. ATTORNEY CONSULTATION.

The Board may use a telephone conference call, videoconference call, or communications over the Internet to conduct a public consultation with its attorney in an open meeting of the Board or a private consultation with its attorney in a closed meeting.

Each part of a public consultation by the Board with its attorney in an open meeting must be audible to the public at the location specified in the notice of the meeting as the location of the meeting.

Exception: This does not apply to a consultation with an attorney who is an employee of ILTexas. An attorney who receives compensation for legal services performed, from which employment taxes are deducted by ILTexas, is an employee of the ILTexas. *Gov't Code 551.129.*

Sec. 1.8.1.20. HEARING-IMPAIRED PERSONS

In a proceeding before the Board in which the legal rights, duties, or privileges of a party are to be determined by the Board after an adjudicative hearing, the Board shall supply for a party who is deaf or hearing impaired an interpreter who has qualifications approved by the Texas Department of Assistive and Rehabilitative Services.

For purposes of this requirement, “deaf or hearing impaired” means having a hearing impairment, regardless of the existence of a speech impairment, that inhibits comprehension of a proceeding or inhibits communication with others. *Gov't Code 558.001, .003.*

Sec. 1.8.2.1. EXCEPTIONS TO REQUIREMENT THAT BOARD MEETINGS BE OPEN.

The Board may conduct a closed meeting for the purposes described in Subchapter B, Chapter 551, Texas Government Code, or other applicable including but not limited to:

1. Consultation with the Board’s attorney, in accordance with by Gov’t Code 551.071;
2. Deliberations regarding the purchase, exchange, lease, or value of real property, in accordance with Gov’t Code 551.072;
3. Deliberations regarding a negotiated contract for a prospective gift or donation to **INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC.**, in accordance with Gov’t Code 551.073;
4. Deliberations regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an **INTERNATIONAL LEADERSHIP OF TEXAS (hereinafter “ILTexas”)** officer or employee or to hear a complaint against an ILTexas officer or employee, in accordance with Gov’t Code 551.074;
5. Deliberations in a case in which a complaint or charge is brought against an ILTexas employee by another ILTexas employee and the complaint or charge directly results in the need for a hearing, in accordance with Gov’t Code 551.082;
6. Deliberations in a case involving discipline of an ILTexas student, in accordance with Gov’t Code 551.082;
7. Deliberations in a matter regarding a student if personally identifiable information about the student will necessarily be revealed by the deliberation, in accordance with Gov’t Code 551.0821;
8. Deliberations in matters involving certain information regarding insurance, health, or retirement plans, in accordance with Gov’t Code 551.0785;
9. Deliberations regarding the deployment or specific occasions for implementation of security personnel or devices, or a security audit, in accordance with Gov’t Code 551.076; and
10. Deliberations to discuss or adopt individual assessment instruments or assessment instrument items, in accordance with Education Code 39.030(a).

Sec. 1.8.2.2. PROCEDURES FOR CLOSED MEETINGS.

If a closed meeting is allowed, the Board shall not conduct the closed meeting unless a quorum of the Board first convenes in an open meeting for which proper notice has been given and the presiding officer has publicly announced that a closed meeting will be held and has identified the section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held. *Gov’t Code 551.101.*

Sec. 1.8.2.3. VOTE OR FINAL ACTION.

A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given. *Gov’t Code 551.102.*

Sec. 1.8.2.4. CERTIFIED AGENDA OR RECORDING.

The Board shall either keep a certified agenda or make a recording of the proceedings of each closed meeting, except for private consultation with the Board and/or ILTexas’s attorney. The certified agenda must include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and end of the closed meeting indicating the date and time. A presiding officer shall certify that a certified agenda is a true and correct record of the proceedings. If a recording is made, it must include announcements by the presiding officer at the beginning and end of the meeting indicating the date and time. *Gov’t Code 551.103.*

“Recording” means a tangible medium on which audio or a combination of audio and video is recorded, including a disc, tape, wire, film, electronic storage drive, or other medium now existing or later developed. *Gov’t Code 551.001(7).*

Closed meetings may not be recorded by an individual Board member against the wishes of a majority of the Board.

Preservation: The Board shall preserve the certified agenda or recording of a closed meeting for at least two years after the date of the meeting. If a legal action involving the meeting is brought within that period, the Board shall preserve the certified agenda or recording while the action is pending. *Gov’t Code 551.104(a).*

Public Access: A certified agenda or recording of a closed meeting is available for public inspection and copying only under a court order issued as a result of litigation involving an alleged violation of the Open Meetings Act. *Gov’t Code 551.104(b), (c).*

Sec. 1.8.2.5. PROHIBITIONS.

No Board member shall participate in a closed meeting knowing that neither a certified agenda nor a recording of the closed meeting is being made. *Gov’t Code 551.145.*

No individual, corporation, or partnership shall without lawful authority disclose to a member of the public the certified agenda or recording of a meeting that was lawfully closed to the public. *Gov’t Code 551.146.*

No Board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act, close or aid in closing a regular meeting to the public except as permitted under the Open Meetings Act, or participate in a closed meeting that is not permitted under the Open Meetings Act. *Gov’t Code 551.144(a).*

Affirmative Defense: It is an affirmative defense to prosecution under Government Code 551.144(a) that a Board member acted in reasonable reliance on a court order or a written interpretation of the open meetings law contained in an opinion of a court of record, the attorney general, or the Board’s attorney. *Gov’t Code 551.144(c)*.

Sec. 1.8.3.1. UNITED STATES CONSTITUTION.

INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC. shall take no action abridging the freedom of speech or the right of people to petition the Board for redress of grievances. *U.S. Const. Amend. I, XIV.*

The Board may confine its meetings to specified subject matter, and may hold non-public sessions to transact business. When the Board sits in public meetings to conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys. *Rosenberger v. Rector & Visitors of Univ. of Virginia, 515 U.S. 819 (1995); City of Madison v. Wis. Emp. Rel. Comm'n, 429 U.S. 167 (1976); Pickering v. Bd. of Educ., 391 U.S. 563 (1968).*

The Board may create a limited public forum for the purpose of hearing comments from the public, so long as:

1. The Board does not discriminate against speech on the basis of viewpoint;
2. Any restrictions are reasonable in light of the purpose served by the forum; and
3. The Board provides alternative paths for expressing categories of protected speech that are excluded from the forum.

Fairchild v. Liberty Indep. Sch. Dist., 597 F.3d 747 (5th Cir. 2010).

Sec. 1.8.3.2. TEXAS CONSTITUTION.

Citizens shall have the right, in a peaceable manner, to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance. *Tex. Const. Art. I, Sec. 27.*

Sec. 1.8.3.3. PUBLIC COMMENT.

So long as the requirements of the Open Meetings Act are satisfied and the right of citizens to apply to the Board for redress of their grievances is not abridged, the Board need not provide a public forum for every citizen wishing to express an opinion on a matter. Reasonable restraints on the number, length, and frequency of presentations are permissible. The Board may limit the number of persons it will hear on a particular subject and the frequency with which they may appear, so long as the regulation does not abridge constitutionally guaranteed rights of freedom of speech and to petition, nor unfairly discriminate among views seeking expression. *Att'y Gen. Op. H-188 (1973).*

Sec. 1.8.3.4. LIMIT ON PARTICIPATION.

Audience participation at a Board meeting is limited to the portion of the meeting designated for that purpose. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.

Sec. 1.8.4.1. Public Comment

At regular meetings, the Board shall allot up to 15 minutes to hear persons who desire to make comments to the Board. Persons who wish to participate in this portion of the meeting shall sign up with the presiding officer or designee before the meeting begins, and shall indicate the topic about which they wish to speak.

Each person who signs up shall be allowed to address the Board one time for no more than 3 minutes. Delegations of more than five persons shall appoint one person to present their views before the Board.

Sec. 1.8.4.2. Board's Response

Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

Sec. 1.8.3.5. COMPLAINTS AND CONCERNS.

The presiding officer or designee shall determine whether a person addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the person shall be referred to the appropriate policy (see list below) to seek resolution:

Employee complaints: Board Policy PG-4.6 (Employee Complaints and Grievances – General).

Student or parent complaint: Board Policy PG-3.40 (Parent and Student Complaints and Grievances – General).

Complaints by a student alleging discrimination, harassment, and/or retaliation: Board Policy PG-3.9 (Student Freedom from Discrimination, Harassment, and Retaliation);

Complaints by an employee alleging discrimination, harassment, and/or retaliation: Board Policy PG-4.16 (Employee Freedom from Discrimination, Harassment, and Retaliation); Board Policy PG-4.16 (Employee Freedom from Discrimination, Harassment, and Retaliation).

Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504: Board Policy PG3.40 (Parent and Student Complaints and Grievances), subject to the time limitations referenced in Board Policy PG-3.3 (Equal Educational Opportunity).

Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act. Board Policy PG-3.2.1 (Equal Educational Opportunity) and Board Policy PG-3.40 (Parent and Student Complaints and Grievances).

Public complaints: Board Policy PG-1.8.3 (Board Meetings), (see Public Comment).

Sec. 1.8.3.6. DISRUPTION

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any person continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the person removed from the meeting.

Sec. 1.9.1. INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC.
PROPERTY GENERALLY.

The Board of Directors of **INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC., hereinafter “I.A.E.F.,”** shall be the final authority for authorizing the use of Public Property. I.A.E.F. shall not authorize use or application of public property inconsistent with this policy.

Sec. 1.9.2. PUBLIC PROPERTY DEFINED.

An interest in real estate or personal property acquired, improved, or maintained using state funds that were received by the Board of Directors of I.A.E.F. 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. 1.9.3. FIDUCIARY RESPONSIBILITIES.

Public property is held by the charter holder in trust for the benefit of the students of the charter school. With respect to the public property they manage, the members of the governing body of a charter holder, and the members of the governing body and officers of I.A.E.F., are trustees under Texas law; and the students enrolled in the school 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 I.A.E.F.’s 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 the charter school shall remain fully responsible to authorize all uses and applications of public property and to enforce this policy.

Sec. 1.9.4. PERSONAL USE OF PUBLIC PROPERTY.

In compliance with Commissioner of Education Rule, employees of I.A.E.F. and of the charter, **INTERNATIONAL LEADERSHIP OF TEXAS, hereinafter “ILTexas”** shall use I.A.E.F. public property only for purposes described in the I.A.E.F. charter. ILTexas employees may use local telephone service, I.A.E.F.-issued cellular phones, electronic mail, Internet connections, and

similar property for incidental personal use, provided that such does not, as determined by the ILTexas administration, impede ILTexas functions or, result in direct cost paid with state funds. Should said employee use result in direct cost paid with state funds, ILTexas shall require the employee incurring the cost to reimburse I.A.E.F. for such cost within five (5) business days of ILTexas's having incurred the costs.

In further compliance with Commissioner Rule, only incidental amounts of employee time, comparable to a five-to-seven-minute coffee break during each day, may be used by employees for such personal matters.

This policy does not authorize incidental personal use of public property for private commercial purposes. Any such incidental use of public property is a privilege not a right, and the ILTexas administration may remove or rescind such privilege from time to time on a case-by-case basis for any employee, or all employees.

Sec. 1.9.5. USE OF PUBLIC PROPERTY REAL ESTATE FOR CHARTER AND NON-CHARTER ACTIVITIES.

Joint use of I.A.E.F.'s 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 Directors of I.A.E.F., setting forth the methodology to be used to allocate shared costs and the percentage allocation basis between charter and non-charter activities.

Sec. 1.9.6. CONTRACT FOR USE OF PUBLIC PROPERTY.

I.A.E.F. 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 of Directors

Sec. 1.9.7. ACCOUNTING FOR PUBLIC PROPERTY.

I.A.E.F.'s 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 I.A.E.F.'s 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 I.A.E.F.'s charter, and all property presently held by the charter holder Board, is public property.

Sec. 1.9.8. RETURN OF I.A.E.F. PROPERTY.

Upon separation of employment with ILTexas or cessation of volunteer services, or upon the request of ILTexas, an individual will return to I.A.E.F. 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 of ILTexas, whichever comes first.

The cost of repairing or replacing any supplies, materials, or equipment belonging to I.A.E.F., or other property that is damaged (other than normal wear and tear), stolen, or lost by an employee or that is not returned to I.A.E.F. 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.

Any materials created by staff members for use by ILTexas, or created on ILTexas's time, or produced using the staff or resources of ILTexas, are considered works-for-hire and all intellectual property rights are vested exclusively in I.A.E.F.

Sec. 1.10.1. UNITED STATES CONSTITUTION.

INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC., hereinafter “I.A.E.F.,” shall take no action abridging the freedom of speech or the right of people to petition the Board for redress of grievances. *U.S. Const. Amend. I, XIV.*

The Board may confine its meetings to specified subject matter, and may hold non-public sessions to transact business. When the Board sits in public meetings to conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys. *Rosenberger v. Rector & Visitors of Univ. of Virginia, 515 U.S. 819 (1995); City of Madison v. Wis. Emp. Rel. Comm’n, 429 U.S. 167 (1976); Pickering v. Bd. of Educ., 391 U.S. 563 (1968).*

Sec. 1.10.2. TEXAS CONSTITUTION.

Citizens shall have the right, in a peaceable manner, to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance. *Tex. Const. Art. I, Sec. 27.*

Sec. 1.10.3. COMPLAINTS.

In this policy, the “days” shall mean **INTERNATIONAL LEADERSHIP OF TEXAS, hereinafter “ILTexas,”** business days.

Administrators addressing citizen complaints will attempt to resolve these complaints at the lowest possible level. If the administrator addressing the complaint determines that additional time is needed to complete a thorough investigation of the complaint and/or issue a decision, the administrator shall inform the citizen in writing of the necessity to extend the time for investigating or responding and a specific date by when the decision will be issued.

The Board encourages the public to discuss concerns and complaints through informal conferences with the appropriate administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Sec. 1.10.4. FILING A COMPLAINT.

If an informal conference regarding a complaint fails to reach the outcome requested by an individual, he or she may comment to the Board. See Board Policy PG-1.8.3 (Board Meetings).

If the complaint is heard through Public Comment, the Board may make inquiries of the complainant but shall not deliberate or take action on the complaint. The Board, may, at its discretion, choose to consider the complaint as an action item at a subsequent meeting.

The Board is I.A.E.F.’s final authority to hear or decide citizen complaints. *19 Tex. Admin. Code § 100.1033(13)(C)(i)*. Failure of the Board to take action on the complaint or schedule a complaint offered at Public Comments on a future agenda indicates the Board’s approval of the decision below.

Sec. 1.10.5. RESPONSE TO COMPLAINTS.

There is no requirement that the Board negotiate or even respond to complaints. However, the Board must stop, look, and listen and must consider the petition, address, or remonstrance. *Prof’l Ass’n of Coll. Educators v. El Paso Cmty. Coll. Dist., 678 S.W.2d 94 (Tex. App.—El Paso 1984, writ ref’d n.r.e.)*

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

Sec. 1.10.6. CONSOLIDATING COMPLAINTS.

Complaints arising out of an event or a series of related events shall be addressed in one complaint. ILTexas may consolidate separate or serial complaints that have been or could have been addressed in a previous complaint.

Sec. 1.10.7. UNTIMELY FILINGS.

If a written complaint or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Sec. 1.10.8. FREEDOM FROM RETALIATION.

Neither the Board nor any ILTexas employee shall unlawfully retaliate against any individual for bringing a concern or complaint.

Sec. 1.11.1. DEFINITIONS.

A. “Records” means all documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other recording media, regardless of physical form or characteristic, and regardless of whether public access to it is open or restricted under the laws of the state, created or received by **INTERNATIONAL LEADERSHIP OF TEXAS (hereinafter “ILTexas”)**, or any of its officers or employees pursuant to law or in the transaction of public business, are hereby declared to be the records of ILTexas and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

The term “records” does not include: (i) Convenience copies, or extra identical copies of documents created only for convenience of reference or research; copies of documents furnished to the public (to fulfill a Public Information Act request); (iii) blank forms/stocks of publications; or (iv) library or museum materials.

B. “Essential record” means any record of ILTexas necessary to the resumption or continuation of operations of ILTexas in an emergency or disaster, to the recreation of the legal and financial status of ILTexas, or to the protection and fulfillment of obligations to the people of the state.

C. “Records management” means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of record keeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographic and electronic and other records storage systems.

D. “Records Liaison Officers” means the persons (or their designees) designated under Section 1.11.7 of this policy.

E. “Records Management Officer” means the person (or its designee) designated in Section 1.11.4 of this policy.

Sec. 1.11.2. RECORDS DECLARED PUBLIC PROPERTY.

All records as defined in Section 1.11.1(A) of this policy are hereby declared to be the property of ILTexas. No official or employee of ILTexas has, by virtue of his or her position, any personal or property right to such records, even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Sec. 1.11.3. POLICY.

It is hereby declared to be the policy of ILTexas to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice.

Sec. 1.11.4. RECORDS MANAGEMENT OFFICER.

The Chief Administrative Officer (or its designee) will serve as Records Management Officer for ILTexas as provided by law, and will ensure that the maintenance, destruction, electronic storage, or other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act.

Sec. 1.11.5. RESERVED

Sec. 1.11.6. DUTIES OF RECORDS MANAGEMENT OFFICER.

In addition to other duties assigned in this policy, the Records Management Officer shall:

- a. Administer the records management program and provide assistance to department heads in its implementation;
- b. Plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;
- c. In cooperation with principals and department heads, identify essential records and establish a disaster plan for each ILTexas campus and department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
- d. Develop procedures to ensure the permanent preservation of the historically valuable records of ILTexas;
- e. Establish standards for filing and storage equipment and for record keeping supplies;
- f. Study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for ILTexas;

- g. Provide records management advice and assistance to all ILTexas departments by preparing a manual or manuals of procedure and policy and by on-site consultation;
- h. Monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and ILTexas' records control schedules are in compliance with state regulations;
- i. Disseminate to the Board, department heads, and principals information concerning state laws and administrative rules relating to local government records;
- j. Instruct Records Liaison Officers and other personnel in policies and procedures of the records management plan and their duties in the records management program;
- k. Direct Records Liaison Officers or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this policy;
- l. Ensure that the maintenance, preservation, microfilming, destruction, or other disposition of ILTexas records is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;
- m. Maintain records on the volume of records destroyed under approved records -- control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;
- n. Report annually to the Chief Executive Officer on the implementation of the records management plan in each department of ILTexas; and
- o. Bring to the attention of the Chief Executive Officer non-compliance by department heads, principals, or other ILTexas personnel with the policies and procedures of the records management program or the Local Government Records Act.

Sec. 1.11.7. DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS AND PRINCIPALS.

In addition to other duties assigned in this policy, principals (or their designee) shall:

- a. Cooperate with the Records Management Officer in carrying out the policies and procedures established by ILTexas for the efficient and economical management of records and in carrying out the requirements of this policy;
- b. Adequately document the transaction of government business and the services, programs, and duties for which the department head, principal, and his or her staff are responsible; and

- c. Maintain the records in his or her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of ILTexas and the requirements of this policy.
- d. Serve as the Records Liaison Officer for their respective campus.

Sec. 1.11.8. RESERVED

Sec. 1.11.9. RESERVED.

Sec. 1.11.10. RECORDS CONTROL SCHEDULES TO BE DEVELOPED; APPROVAL; FILING WITH STATE.

- a. From time to time as needed, the Records Management Officer, in cooperation with Records Liaison Officers, shall prepare records control schedules on a department by department basis, listing all records created or received by the department and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of ILTexas records as the records management plan may require.
- b. Each records control schedule shall be monitored and amended as needed by the Records Management Officer to ensure that it is in compliance with records retention schedules issued by the state, and that it continues to reflect the record keeping procedures and needs of the department and the records management program of ILTexas.
- c. Before its adoption, and to the extent one exists, a records control schedule must be submitted to and accepted for filing by the director and librarian as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the records control schedules to the director and librarian.

Sec. 1.11.11. RECORDS CONTROL SCHEDULES; DESTRUCTION OF RECORDS UNDER SCHEDULE

- a. In accordance with applicable law, the Records Management Officer shall ensure that records are maintained for the requisite period of time. The Records Management Officer may (but is not required to) destroy records after the statutory retention period expires. b. Notwithstanding the aforementioned, the Records Management Officer shall not destroy any record whereby an open records request is pending on the record, the subject matter of the records is pertinent to a pending lawsuit, a hold order has been issued, or the department head or

principal requests in writing to the Records Management Officer that the record be retained for an additional period.

c. Prior to the destruction of a record under applicable law, authorization for the destruction must be obtained by the Records Management Officer.

Sec. 1.11.12. DESTRUCTION OF UNSCHEDULED RECORDS.

A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Management Officer has submitted to and received back from the director and librarian an approved destruction authorization request.

Sec. 1.11.13. CONTRACT SERVICES.

With approval of the Board, the Records Management Officer may assign and delegate duties under this Policy to contracted services. The engagement of contract services will not relieve persons assigned and responsible under this policy from such assignment and responsibilities.

RECORDS RETENTION SCHEDULE

Local Schedule SD applies to charter schools and Local Schedule GR applies to all local governments. The schedules are available from the Texas state Library and Archives Commission website at <https://www.tsl.texas.gov/slrn/recordspubs/localretention.html>. The following from Schedule GR apply specifically to charter schools and school districts:

GR 1000-01 Agendas

Open meetings.

- 1) If the minutes describe each matter considered by the governing body and reference to an agenda is not required.
- 2) If the minutes do not describe each matter considered by the governing body and reference to an agenda is required.

GR 1000-25 Contracts, Leases, and Agreements

(a) Open meetings

- 1) If the minutes describe each matter considered by the governing body and reference to an agenda is not required.
RETENTION: Two (2) years.
- 2) If the minutes do not describe each matter considered by the governing body and reference to an agenda is required.
RETENTION: Permanent.

(b) Certified agendas of closed meetings.

RETENTION: Two (2) years.

GR 1000-03 Minutes

(a) Written minutes.

RETENTION: Permanent.

(b) Notes taken during meetings from which written minutes are prepared.

RETENTION: 90 days after approval of minutes by the governing body.

(c) Audiotapes of open meetings, except as described in (d), for which written minutes are not prepared.

RETENTION: Permanent.

- (d) Audiotapes of workshop sessions of governing bodies in which votes are not made and written minutes are not required by law to be taken.
RETENTION: Two (2) years.
- (e) Audiotapes of open meetings for which written minutes are prepared.
RETENTION: 90 days after approval of minutes by the governing body.
- (f) Certified audiotapes of closed meetings.
RETENTION: Two (2) years.
- (g) Supporting documentation – One copy of each document of any type submitted to a meeting of a governing body for consideration, approval, or other action, if such action is reflected in the minutes of the meeting.
RETENTION: Two (2) years.

GR 1000-26 Correspondence, Internal Memoranda, and Subject Files

Retention Note: The minimum retention period for correspondence or internal memoranda in categories (a) and (b) directly linked to another record series or group listed in this or other commission schedules is that assigned to the other group or series. The retention periods that follow are for correspondence and internal memoranda that do not readily fall within other record groups.

- (a) Administrative – Incoming/outgoing and internal correspondence pertaining to the formulation, planning, implementation, modification, or redefinition of the programs, services, or projects of a local government and the administrative regulations, policies, and procedures that govern them. May also include subject files, which are collections of correspondence, memos and printed materials on various individuals, activities, and topics.
RETENTION: Four (4) years.
- (b) General – Incoming/outgoing and internal correspondence pertaining to the regular operation of the policies, programs, services, or projects of a local government. May also include subject files, which are collections of correspondence, memos and printed materials on various individuals, activities, and topics.
RETENTION: Two (2) years.
- (c) Routine - Correspondence and internal memoranda such as letters of transmittal, requests for publications, internal meeting notices, and similar routine matters. May also include subject files, which are collections of correspondence, memos and printed materials on various individuals, activities, and topics.
RETENTION: AV (as long as administratively valuable)

GR 1075-01 Bids and Bid Documentation

- (a) Successful bids and requests for proposals, including invitations to bid, bid bonds and affidavits, bid sheets, and similar supporting documentation.

RETENTION: Fiscal year end + **five (5) years**.

Retention Note: If a formal written contract is the result of a successful bid or request for proposal, the successful bid or request for proposal and its supporting documentation must be retained for the same period as the contract. See item number GR1000-25.

- (b) Unsuccessful bids.

RETENTION: **Two (2) years**.

- (c) Requests for informal bid estimates, quotes, or responses from providers for the procurement of goods or services for which state law or local policy does not require the formal letting of bids.

RETENTION: **One (1) year**.

- (d) Requests for information (RFI) preliminary to the procurement of goods or services by direct purchase or bid.

RETENTION: **AV**

GR 1075-03 Purchase Order and Receipt Records

- (a) Purchase orders, requisitions, and receiving reports.

RETENTION: Fiscal year end + **five (5) years**

- (b) Purchasing log, register, or similar record providing a chronological record of purchase orders issued, orders received, and similar data on procurement status.

RETENTION: Fiscal year end + **three (3) years**

- (c) Packing slips and order acknowledgments.

RETENTION: **AV**

- (d) Vendor and commodity lists.

RETENTION: **Until superseded**

GR 1075-16 Construction Project Records

- (a) Records concerning the planning, design, construction, conversion, or modernization of local government-owned facilities, structures, and systems, including feasibility, screening, and implementation studies; topographical and soil surveys and reports; architectural and engineering drawings, elevations, profiles, blueprints, and as-builts; inspection and investigative reports; laboratory test reports; environmental impact

statements; construction contracts and bonds; correspondence; and similar documentation except as described in (b), (c) or (d).

RETENTION: Permanent.

Retention Note: If a structure, facility, or system is sold or transferred to another person or entity, the local government must retain the original records relating to its construction. Copies of the records may be given to the person or entity to which the structure, facility, or system is sold or transferred.

- (b) Records of the types described in GR1075-16a relating to the construction of prefabricated storage sheds, bus shelters, parking lot kiosks, non-structural recreational facilities such as baseball diamonds and tennis courts, and similar structures and facilities.

RETENTION: Completion of the project + ten (10) years.

- (c) Records relating to construction projects described in GR1075-16a and GR1075-16b, that are transitory or of ephemeral relevance, and are not required for maintaining, modifying, and repurposing the building or structure. Records may include, but are not limited to, rejected design plans, delivery tickets for expendable products, daily work reports, etc.

RETENTION: Five (5) years.

- (d) Line Locate Requests, Call Before You Dig records, or other similar records documenting requests for information regarding locations of the underground cable or utility lines.

RETENTION: Completion of project requiring the locate request + two (2) years.

Sec. 1.13.1. PROCEDURES FOR SCHOOL VISITORS

Notices shall be posted at each campus of **INTERNATIONAL LEADERSHIP OF TEXAS (hereinafter “ILTexas”)** requiring all visitors to first report to the campus administrative office. This policy shall apply to parents, board members, volunteers, social service workers, invited speakers, maintenance and repair persons not employed by ILTexas, vendors, representatives of the news media, former students, and any other campus visitors.

A visit by visitors to individual classrooms during instructional time requires prior approval of both the campus Principal and teacher whose class is to be visited. Such visits may not be approved or may be terminated where their duration or frequency interferes with the delivery of instruction or in any other way disrupts the educational environment.

ILTexas or the Principal may:

1. Require a visitor requesting entry onto a campus to show a driver’s license or other form of identification issued by a governmental entity displaying the visitor’s photograph.
2. Establish an electronic or paper database for storing campus visitor information. Information stored in the campus databases may be used only for purposes of ILTexas security, and may not be sold or otherwise disseminated to third parties.
3. Verify whether the visitor is a registered sex offender as identified in the computerized central database maintained by the Department of Public Safety, or in any other database accessible by ILTexas.

The Superintendent or designee, in conjunction with campus administrators, shall develop and implement procedures addressing campus visitors identified as registered sex offenders. These procedures shall include but are not limited to provisions dealing with:

1. Parental rights to visit;
2. Escorts by ILTexas personnel;
3. Access to common areas of the campus;
4. Access to classrooms;
5. Drop off and release of students; and
6. Eligibility to serve as volunteers.

Sec. 1.13.2. VISITOR CONDUCT

ILTexas invites and welcomes parents and other members of the public to its schools. ILTexas is committed to treating parents and other community members with respect and expects the same in return. To that end, ILTexas must keep schools and administrative offices free from disruptions and prevent unauthorized persons from entering the schools and school grounds.

Accordingly, this policy promotes mutual respect, civility, and orderly conduct among ILTexas employees, parents, students, volunteers and the public. ILTexas seeks to maintain to the extent possible and reasonable, a safe, harassment-free workplace for students and staff. In the interest of presenting teachers and other employees as positive role models, ILTexas encourages positive communication and discourages volatile, hostile, or aggressive actions. ILTexas seeks and encourages patrons to cooperate with this endeavor.

ILTexas recognizes the importance of employees, students, and parents engaging, collaborating, and sharing in digital environments. Accordingly, the use of technology on ILTexas property and at school-sponsored events shall be appropriate, not disruptive to the educational environment, and not detrimental to the safety of employees and students. It must also be in compliance with other applicable ILTexas policies.

An individual engaging in disruptive behavior shall be required to leave ILTexas property. Any individual who disrupts or threatens to disrupt school or office operations, threatens the health and safety of students or staff, willfully causes property damage, uses loud and/or offensive language that could provoke a violent reaction, or who has otherwise established a pattern of unauthorized entry on ILTexas property shall be directed to leave ILTexas property by the Principal or other administrator. In certain circumstances, a criminal trespass warning may also be issued or law enforcement contacted.