

Rio Brazos Education Cooperative Policy Manual

1.01 LEGAL AUTHORITY

The legal authority for the Rio Brazos Education Cooperative is contained in §29.007 of the Texas Education Code and in contracts established under the Texas Inter-local Cooperation Act §791.000-791.025 Government Code. The referenced sections of the Texas Education Code authorize the formation and governance of the Rio Brazos Education Cooperative hereafter known as RBEC by local contract between the independent school districts participating in the RBEC programs. In discharging its duties the RBEC Management Board shall function in accordance with the referenced legislative statutes, controlling court decisions, opinions of the Attorney General, and directives and regulations from both state and federal agencies. The Board, comprised of Superintendents of participating school districts, shall constitute a body corporate and shall have the exclusive power to oversee management of the personnel, budgets, programs, and services established by RBEC.

1.02 ORGANIZATION

1.02-1 Governance

The governance of the Rio Brazos Education Cooperative, hereafter designated the RBEC, shall be vested in the RBEC Management Board, hereafter designated the Board; consisting of the superintendents, or their designee, of the participating member school districts.

1.02-2 Qualifications

When an independent school district becomes a member of the RBEC, the superintendent becomes a member of the Board. All members of the Board shall serve without compensation.

1.02-3 Duties of Officers

The President of the Board shall preside at meetings, appoint committees which are not selected by majority vote, and perform other duties prescribed by the policies of the Board. He shall have the right, as other members of the Board, to offer resolutions, to discuss questions, and to vote thereon. The Vice President shall perform all duties of the president in his absence and such other duties as the Board may request.

1.02-4 Auxiliary Personnel

The Board shall utilize the services of professional and at-will auxiliary personnel in the exercise of its powers, functions, and responsibilities affecting the RBEC.

1.03 INTERNAL OPERATION - ORGANIZATION

1.03-1 Organization Name

The Rio Brazos Education Cooperative shall be the name of the organization.

1.03-2 Temporary Committees

The Board president shall be empowered to appoint temporary committees for specific assignments and to dissolve such committees upon completion of their assignment or report of their findings. The Board may also by vote terminate such committees.

1.03-3 Formulation of Policies

The Board shall provide guides for the discretionary action of those to whom it delegates authority. These guides for discretionary action shall constitute the policies governing the operation of the RBEC and shall be recorded in writing.

1.03-4 Leadership and Control

The formulation and adoption of written policies shall constitute the basic method by which the Board shall exercise its leadership in the operation of the RBEC.

1.03-5 Policy for Updating of Policies

The Board requires that the Executive Director inform the Board in a timely manner of changes in law or state policy that necessitate updating of Board policy. The Executive Director shall present for Board action recommended changes in policy.

1.03-6 Adoption of Board Policy

Proposed policies introduced and recommended to the Board at one meeting shall not be adopted until a subsequent meeting. Temporary action may be taken, however, to allow for special circumstances which demand an immediate response.

1.03-7 Formulation of Administrative Regulations

The Board shall delegate to its executive officer, the Executive Director, the executive function of the formulation of administrative regulations and procedures under which the RBEC shall be operated. The administrative regulations and procedures must be consistent with the policies adopted by the Board.

1.04 MEETINGS

1.04-1 Regular and Special Meetings

- A. Regular meetings of the Board shall be no less frequently than bi-monthly.
- B. The Board shall receive official Financial Reports each month regardless of the scheduled meeting dates.
- C. Special and Emergency meetings of the Board may be called by the president of the Board or by any Board member.
- D. An agenda shall be prepared under the direction of the Executive Director. For an item of business to appear on the agenda, the Executive Director must be notified no later than noon of the day the agenda and notice have to be prepared, which normally will be the seventh day preceding the regular or special meeting.
 - 1. Notice will be given as follows:
 - a. posted on the bulletin board in the RBEC administrative offices;
 - b. telephoned or faxed to any news media requesting such notice and consenting to pay any and all expenses incurred by RBEC in provided special notice; and
 - 2. Notice will be posted at least 72 hours prior to the day of the meeting as required by the Texas Open Meetings Act.

3. Members of the Board shall be given notice of regular or special meeting at least 72 hours prior to the day of the meeting. This notification can be by mail, delivery, fax or electronic mail.
- E. Written notice of the date, hour, place and subject of each meeting of the Board shall be given as prescribed by law.
 - F. Quorum for the meetings of the Board will be a majority of the board members.

1.04-2 Emergency Board Meetings

- A. Notice of all emergency Board meetings shall include the date, hour, place and subject of the meeting.
 1. Such notice will also express the nature of the emergency or urgent public necessity which requires an emergency meeting.
 2. Such notice will be posted at least two hours before the meeting is convened.
 3. The presiding officer or member calling such meeting shall notify all news media which have previously requested such notice.

1.04-3 Closed or Executive Sessions

- A. Closed or executive sessions will not be held unless the Board has first been convened in open meeting for which notice has been given. If, during the open meeting, a closed or executive session is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq. (See West ISD Board Policy under Closed Meeting BEC legal)
- B. After any and all closed or executive sessions, the Board will reconvene the public meeting or session before adjourning.

1.04-4 Organizational Meetings

At the regular September board meeting of each year, the members of the Board shall organize by selecting:

- A. A president who shall be a member of the Board.
- B. A vice-president who shall be a member of the Board.

- C. A secretary who may or may not be a member of the Board.
- D. Such other offices and committees as the Board may deem necessary.

1.04-6 Agenda

The Executive Director, consulting with the Board President, as needed, shall prepare an agenda of business to come before the Board at all meetings. The preliminary agenda shall be submitted to each Board member at least five (5) days before the meeting.

1.04-7 Order of Business

- Call to Order
- Establish a quorum
- Verification of posting of meeting in accordance with Texas Open Meetings Act, Texas Government Code Chapter 551
- Approval of Minutes
- Financial Reports
- Capital Outlay Purchase Requests
- Approval of Bids
- Action Items
- Informational Reports
- Executive Session in Accordance with Texas Government Code Chapter 551
- Personnel Action
- Adjourn

1.04-8 Minutes

The secretary of the Board shall be responsible for official records of each regular and special meeting of the Board corrected as necessary. The minutes of the previous meeting shall be reviewed, and upon approval of the majority of those attending, shall constitute the official record of the business transactions of the Board. Signatures of the secretary and the president shall be attached to the minutes of each meeting upon approval. Official minutes shall be kept in the office of the Executive Director.

1.04-9 Transaction of Business

Business may be transacted provided all members have been properly notified and a quorum is present. A majority vote of the members present is necessary to secure passage.

1.04-10 Parliamentary Procedure

The Board shall observe Roberts Rules of Order, Revised.

1.04-11 Public Sessions

All Board meetings shall be open to the public except as provided by law. The order of business for any regular meeting shall include an opportunity for petitions and hearings to the Board within the time allotted at the discretion of the president of the Board.

1.05 POWERS AND DUTIES

1.05-1 Legal Powers and Duties

The Board serves as the policy-forming and evaluative body of the RBEC and performs those functions specified in law and in State Board of Education rules which include the following responsibilities that are delegated specifically to the governing board.

- A. Formulate policies to govern the operation of the RBEC.
- B. Approve an annual operating budget for the RBEC.
- C. Establish procedures for budgetary controls, expending, auditing, and reporting on expenditures within the budgets adopted in accordance with law.
- D. Coordinate and approve an annual evaluation of the operation of the RBEC .
- E. Establish specific policies with respect to all fiscal affairs of the RBEC to ensure compliance with law.
- F. Enter into contracts for grants from both public and private organizations.
- G. Recommend to the West Independent School District Board of Trustees employment contracts and termination of professional personnel upon recommendations by the Executive Director.
- H. Acquire, hold title to, and sell real property for RBEC purposes in accordance with statutes.
- I. Use procedures for the active coordination of service delivery between the RBEC and other community agencies.

- J. Select an Executive Director for recommendation to the West Independent School District Board of Trustees for employment.

1.05-2 Conflict of Interest

No member of the Board shall engage in an activity, commercial or otherwise, which would compromise the Board member's ability to perform the duties as Board Member. Prescribed activities are covered by, but are not limited to, the following:

- A. A Board Member who is a stockholder, officer, director, or employee of a bank that has bid to become the depository for the RBEC, shall not vote on the awarding of the depository contract.
- B. A Board Member shall not solicit, accept, or agree to accept a benefit, pecuniary or otherwise, as consideration for a decision, vote, recommendation, or other exercise of official discretion.
- C. A Board Member shall not commit an act relating to his office, not take or misapply anything of value in his custody by virtue of his position to obtain a benefit for himself or to harm another.

1.05-3 Dissolution Agreement:

- A) Any district leaving RBEC will have an equity interest in RBEC determined by that districts' share of the total revenues flowed to RBEC by the district during the existence of RBEC. This amount and percentage of equity is to be determined each year at the close of the fiscal year and amended in the October RBEC board minutes.
- B) A district or districts leaving RBEC will pay for an appraisal, by a licensed appraiser selected by RBEC, of RBEC property and shall receive an equity based upon that appraisal in relation to its percent of equity of RBEC. The remaining members shall determine how assets will be liquidated in order to provide the indicated value to the member or members withdrawing from RBEC.

1.05-4 Change in Membership:

- A) Districts may be voted into the RBEC by a unanimous vote. Any new district entering RBEC will assign it's personal

property relating to special education services in shared classes or other programs to RBEC and shall have ownership equity in RBEC according to the equity formula in 1-A above unless, by unanimous vote, other modifications or equity determinations are agreed upon.

- B) A district may be voted out of the RBEC by a two-thirds vote of the other districts.

2.00 PLANNING AND PROGRAM RESPONSIBILITIES OF THE RBEC

2.01 CORE SERVICES - These core service areas will be augmented from time to time by statutory change or Board approval. For each of the program areas, some specific representative performance tasks are delineated.

Transportation Unit

Special Education Cooperative

Cooperative Programs Component as needed

Administrative support services including accounting, payroll, PEIMS

2.02 OTHER EDUCATIONAL SERVICES

2.02-1 In addition to the core services, RBEC may develop, in consultation and cooperation with the school districts, services which meet the unique needs of the member school districts. Such offerings might include:

- heavy equipment cooperatives
- support services cooperatives for administrative and student services data processing and computer services
- computer hardware and software cooperative purchasing
- high school credit recovery program
- disciplinary alternative school
- cooperative development of computer software to meet needs of member schools
- cooperative purchasing of surplus materials and equipment from state and federal agencies
- records management and records management plan development
- other cooperative services as requested by member districts.

These services must be responsive to identified educational needs and consistent with the provision of an efficient system of education.

2.02-2 RBEC services shall be administered through a system of program management that includes the following elements:

1. defined lines of authority and responsibility for each program;
2. defined procedures for collecting and reviewing data about program implementation and effectiveness;
3. defined procedures for financial accountability within each program administered by the RBEC; and
4. defined procedures for annual evaluation, annual performance report, and modifications/revisions of program.

2.02-3 Review and Approval of RBEC Services

1. All services and special projects administered by the RBEC, regardless of source of funds, shall be set forth in a comprehensive plan submitted to the Board and updated annually. Information relating to service, budget, funding source, contractual arrangements, and reporting requirements will be provided for each program/service/project.
2. The independent audit of RBEC will be a part of the audit of the West I.S.D. and is to be approved by the West I.S.D. Board and submitted to the Texas Education Agency. The audit will be presented to the RBEC management Board for information. The RBEC board may provide comment to the West I.S.D. Board.

2.02-4 Outside Consultants

Consultants contracted by the RBEC shall be paid at the current acceptable rate per day of service which shall include, where appropriate, preparation time.

- A. Consultant funds may be utilized to conduct planning, staff development, and for evaluations. When funds are used to employ a consultant, the RBEC must:
 1. document the amount paid;
 2. document that the consultant had the appropriate credentials;
 3. maintain a record of service performed, the purpose of the service, and to whom the service was provided;
 4. maintain evidence that the terms of the contract or service agreement were carried out before final payment was made;
 5. document that the services could not have been provided by an employee within the RBEC;
 6. pay the consultant a fee rather than a salary; and
 7. document that there was not conflict of interest in hiring

the consultant

- B. A maximum consultant fee of \$200 per day is allowed. All consultants paid in excess of \$200 per day or \$1,000 per year shall require prior approval from the Board. Related service consultants providing direct services to handicapped students do not require prior approval of TEA or the Board to exceed \$200 per day or \$1,000 per year.
- C. Travel and per diem expenses for consultant and related service personnel shall not exceed state approved rates.

2.03 PLANNING RESPONSIBILITIES

The Board shall approve, reject or amend the comprehensive plan for services submitted annually by the Executive Director after consultation with the staff.

2.04 SPECIAL RESPONSIBILITIES

2.04-1 Responsibilities of Board

The Board shall assist in planning, coordinating, reviewing, and approving all federally funded project proposals and activities within the RBEC.

2.04-2 Responsibilities of the Executive Director

The Board shall delegate to the Executive Director the responsibility for developing and administering plans for carrying out these responsibilities. The Executive Director shall take such steps as may be necessary, including utilizing the advice of appropriate advisory groups and keeping the Board fully informed of all federally funded activities in the RBEC.

2.05 PUBLIC REQUEST FOR DOCUMENTS

The Executive Director or his designee is hereby designated the custodian of all records, documents, writings, letters, memoranda, or other written, typed, copies, or developed materials possessed, assembled, or maintained by the RBEC.

- A. All requests for public information are to be forwarded to the Executive Director or designee immediately upon receipt.
- B. The Executive Director or designee shall there upon make a determination as to whether or not the information requested is public in nature.

1. If he finds the information to be public in nature, he shall direct that it be released for reproduction on the premises.
 - a. The party requesting the information is to be charged the cost of reproduction according to State of Texas guidelines.
 - b. If the information is inactive use or otherwise unavailable, the party requesting the information will be notified immediately upon becoming available.
2. If he finds the information not to be public in nature, he shall so inform the requesting party and shall for no reason release such information.
3. If he is unable to ascertain whether or not the information requested is public in nature, he is hereby authorized to request, on behalf of the school board, an opinion from the Attorney General's Office as to the nature of the information.
 - a. Such opinion requests will be made within ten (10) days of the written request for the information.
 - b. The Executive Director shall notify the person requesting such information that an opinion is to be requested of the Attorney General and shall notify such person immediately upon receipt of an answer from the Attorney General.

2.06 POLICY AND ADMINISTRATIVE PROCEDURE RELATING TO THE ELIGIBILITY OF PRIVATE NONPROFIT SCHOOLS TO PARTICIPATE IN FEDERALLY ASSISTED PROGRAMS

2.06-1 Private School Participation

Private nonprofit schools may participate in services and activities of the RBEC provided they comply with the following guidelines:

- A. Participation must be of a nature which benefits children and/or teachers rather than institutions. Federal funds must not be used for religious worship or sectarian instruction.
- B. In order to be eligible for participation in Federally assisted program, a private nonprofit school must be recognized as a tax exempt institution by the Internal Revenue Service.

- C. The private nonprofit school must operate either within the framework of a regularly established church government or under the direction of a duly established non salaried, non-professional governing board.
- D. The private nonprofit school must be recognized as satisfying the requirements of the compulsory attendance law of Texas.
- E. The private nonprofit school must be in one of the following accreditation status categories:
 - 1. Accredited by an association officially recognized by the State Commissioner of Education.
 - 2. Pursuing a plan designed to gain accreditation within three years from the school's first request to participate in the Federally assisted program and which is acknowledged by the State Commissioner of Education.

2.07 SPECIAL EDUCATION - RBEC RESPONSIBILITY

The Board shall act as the Management Board of the RBEC special education component as provided in § 29.007 of the Texas Ed. Code.

The Executive Director or designee may act as the special education director and will be recommended by the RBEC Management Board to the West I.S.D. Board of Trustee's for employment.

RBEC shall house the support staff of the Rio Brazos Education Cooperative.

3.00 PERSONNEL POLICIES

3.01 EMPLOYMENT OBJECTIVES: EQUAL OPPORTUNITY EMPLOYMENT

A. NONDISCRIMINATION

With certain exceptions stipulated below, the RBEC shall adhere to a policy of equal employment opportunities for all employees. The RBEC shall not, because of an individual's race, color, handicap, religion, sex, national origin, or age:

- 1. Fail or refuse to hire or discharge any individual, or otherwise discriminate against any individual with respect to compensation or terms, conditions, or privileges of employment.

2. Limit, segregate, or classify employees or applicants for employment in any way that would deprive any individual with respect to compensation or terms, conditions, or privileges of employment.

B. EXCEPTION

As an exception to the policy stated above, the Board may employ an individual on the basis of the individual's religion, sex, national origin, or age in those certain instances where religion, sex, national origin, or age is a bona fide occupational qualification reasonably necessary to the normal operation of the RBEC.

C. TITLE IX

The RBEC shall not discriminate on the basis of sex in its employment practices and activities in any of its operations if any part of its programs and activities receive federal financial assistance.

D. COORDINATOR

The RBEC shall designate at least one employee to coordinate its efforts to comply with Title IX. The RBEC shall notify all employees of the name, office address, and telephone number of the employee(s) so designated.

E. HANDICAP

No qualified handicapped person shall, solely on the basis of handicap, be subject to discrimination in employment in any of its operations if any part of its programs and activities receive federal financial assistance. "Handicapped person" shall mean anyone who has a record of, is regarded as having, or has a physical or mental impairment that substantially limits one or more of life's major activities. A qualified handicapped person is a handicapped person who, with reasonable accommodations, can perform the essential functions of the job in question.

F. EXCEPTIONS

An employee whose current use of alcohol or drugs prevents him from performing duties of the job or constitutes a direct threat to the property or safety of others is not included in the definition of a handicapped person.

An employee who has a currently contagious disease or infection and who, by reason of such disease or infection, would constitute a direct

threat to the health or safety of other individuals or who by reason of the currently contagious disease or infection if unable to perform the duties of the job is not included in the definition of handicapped person.

G. COORDINATOR

RBEC shall designate at least one person to coordinate its efforts to comply with Section 504 of the Vocational Rehabilitation Act of 1973 and the implementing regulations.

H. NOTICE

The RBEC shall take appropriate continuing steps, in conformity with the handicap regulations, to notify applicants and employees that it does not discriminate on the basis of handicap in violation of Section 504 of the Vocational Rehabilitation Act of 1973 and the implementing regulations. The notification shall include identification of the designated coordinator (see above).

3.02 EMPLOYMENT PROCEDURES

3.02-1 Vacancy Notification

All job openings at the RBEC, for both professional and supportive personnel, shall be posted on the RBEC bulletin boards and web-site.

3.02-2 Posting Outside the RBEC

The vacancy notice shall also be distributed to the following institutions:

- A. Public schools served by the RBEC.
- B. On the official bulletin board of the RBEC.
- C. Other institutions and offices as deemed necessary to secure qualified applicants.
- D. The announcement shall remain posted and the applications received until the cutoff date for accepting applications.

3.02-3 Applications for Employment

Applications for both support and professional positions will be accepted on a continuing basis. Professional positions will be recommended to the West Board of Trustees by the RBEC Management Board for employment, and support personnel will be approved for employment by the Executive Director.

All applications will be placed in a file for the specific position vacancy and will be reviewed by the appropriate RBEC supervisor at the close of the stated period for that position. Only those applications indicating that the applicant may be a successful qualified candidate will be called for an interview.

After an applicant has been selected for recommendation to the West Board of Trustees, successful RBEC applicants will be advised verbally by the employing supervisor. All unsuccessful applicants outside the RBEC will be advised by a form letter which can be obtained from the secretary to the Executive Director.

References must be checked before an applicant is recommended for employment.

3.02-4 Employment

Once a selection has been made for a position, the supervisor will complete the "Employment Recommendation Form" which is to be signed by the Executive Director. If the Executive Director is unable to sign the form for support personnel, the hiring may proceed but the form should be signed by him as soon as possible and the new employee introduced to him as soon as convenience allows. No professional employee may be hired prior to an interview with the Executive Director and his signature on the "Employment Recommendation" form. The Board must approve professional degreed staff. The support staff (non-degree) are at-will employees, employed by the Executive Director under Board policy, approval of positions and pay scales.

The Executive Director is empowered to fill positions for professional personnel subject to the approval of the Board and a recommendation to the West I.S.D. Board for issuance of a contract.

Employees of the Rio Brazos Education Cooperative are subject to the policies of the RBEC and West ISD. Staff funded through the Title 1 federal program will be subject to the policies and procedures of the member district.

Furthermore, the RBEC shall comply with the hiring policies set forth by the Civil Rights Act of 1964 (Title VII) and by Executive Order 11246 to provide equal employment opportunities for any individual, regardless of race, color, religion, age, sex, handicapping condition, or national origin.

3.02-5 Part-time and Temporary Employees

Since temporary and part-time employees are hired to perform limited duties within specific times; and because they are eligible for none of the

benefits granted permanent employees, hiring for their jobs will not be subject to all the requirements. However, all such employees will complete the RBEC's personnel forms required of permanent employees, and personnel records will be kept for them.

3.02-6 Disposition of Application Forms

Applications for employment will be maintained in the office of the secretary to the Executive Director for two years. Supervisors are encouraged to review the applications in this file when a vacancy occurs.

Application forms for successful hires will become part of their personnel files when they become RBEC employees.

3.03 THE EXECUTIVE DIRECTOR

The Board of the RBEC shall recommend the employment of the Executive Director to the West I.S.D. Board of Trustees. The Executive Director shall serve under the terms of a contract agreed upon by the Board and the Executive Director.

3.03-1 Qualifications of the Executive Director

He shall hold a Superintendents Certification from the Texas Education Agency and be a person who has demonstrated, through experience in education, a high degree of ability in administration.

3.03-2 Duties and Functions of the Executive Director

- a. Report to and be accountable to the Board for management and operation of the RBEC in accordance with board policies.
- b. Develop and implement administrative procedures consistent with RBEC policies, State Board of Education rules, and state and federal law.
- c. Identify and respond to needs of school districts in the RBEC.
- d. Facilitate coordination of educational planning in the RBEC.
- e. Be responsible for the quality of services provided by the RBEC.
- f. Be responsible for providing the leadership necessary to ensure that the programs and services provided by the RBEC support the improved quality of public education.
- g. Accept resignations of employees
- h. Supervise and be responsible for all core and "other services" as described in policy 2.01 and 2.02.

3.03.3 Other Duties of the Executive Director

3.04-1 The Executive Director shall keep the management board informed and present for approval information concerning kinds of professional and support positions needed to carry out the functions of the RBEC

3.04 EVALUATION OF EXECUTIVE DIRECTOR

The Board of Directors will complete an evaluation of the Executive Director on an annual basis. Evaluation forms will be completed and be made part of the Executive Director's file prior to March of each year.

The process of this evaluation will be determined cooperatively by the Board and the Executive Director. This will result in one evaluation based on the job description.

3.05 EMPLOYMENT REQUIREMENTS

3.05-1 Oath of Office

Upon employment, each professional employee is required to sign the oath of office as required by the Education Code.

3.06 RESTRICTIONS ON EMPLOYEE RELATIVES

3.06-1 Nepotism

RBEC will be subject to the nepotism policies of the West I.S.D. Board of Trustees as the employing district for all RBEC employees.

3.07 EMPLOYEE STANDARDS OF CONDUCT: SEXUAL HARASSMENT

See adopted policies of Fiscal Agent.

3.08 CONFLICT OF INTEREST

See adopted policies of Fiscal Agent.

3.09 EMPLOYMENT OF RBEC STAFF

To be employed in a position with the RBEC, an applicant shall meet the requirements

of the position and any additional standards established by the Board and shall indicate a willingness to conform to the RBEC's administrative policies and procedures. For Professional employees of RBEC, the first two years of employment shall constitute a probationary period and this probation period may be extended to three years.

3.09-1 General Positions

The following criteria shall serve as general conditions of employment for all personnel of the RBEC:

- A. Professional staff of RBEC will receive standard professional contracts.
- B. Support personnel are employed as at-will employees by the Executive Director.

3.09-2 Employee Classifications

The following classifications shall be used to provide RBEC payroll information and to determine eligibility for RBEC benefits. (Central office and itinerant personnel)

- A. Full-time - Full-time employees shall work forty (40) hours per week for twelve (12) months 240 days or as indicated by their contract, and shall enroll in the Teacher Retirement System, and may enroll in the RBEC's hospitalization plan. They will earn sick leave and vacation under the provisions of policy 3.22.
- B. Full-time/Part-time - Full-time/part-time employees shall work between twenty (20) and forty (40) hours per week. Such employees shall enroll in the Teacher Retirement System with optional enrollment in the RBEC's hospitalization plan. Vacation and sick leave will be earned based upon the percentage of hours worked per week compared to the forty (40) hours of a full-time employee.
- C. Part-time/Temporary, Seasonal Employees. Employees classified as Part-time/Temporary or Seasonal shall be employed between one (1) and nineteen (19) hour week or for a specified period of time that would equate to less than 50% of a regular position. They shall not be eligible for enrollment in the Teacher Retirement System, hospitalization benefits, vacation or sick leave. When such employment with the RBEC, when combined with other employment in Texas public educational institution during the same school year, qualifies the employee as service eligible for membership in the Teacher Retirement System, they shall enroll in TRS irrespective of the number of hours worked per week.

3.10 SALARY SCHEDULE

3.10-1 Salary Schedule

- A. In establishing a salary schedule for support and professional employees, the Board shall consider:
 - 1. salaries paid by local school districts within RBEC for employees having similar levels of education, experience, and responsibility;
 - 2. the educational level, professional skills, and experience required for successful performance in a particular position;
 - 3. the educational level, professional skills, and experience possessed by a particular employee or applicant;
 - 4. the nature, complexity, and responsibility of the position to be filled;
 - 5. the Texas State Public Education Compensation Plan.
- B. Salary schedule amounts shall be revalidated and revised as appropriate as least on a biennial basis.
- C. Salary ranges, including fringe benefits for the Executive Director shall be established by the Board. The salary range will take into consideration the size of the RBEC operation and the responsibilities.

3.10-2 General Policies on Years of Service for Salary Purposes

- A. Prior Service Eligible for Salary Increments:

Professional and support personnel service can be used to determine salary step provided the criteria applicable to a particular year of service is met

- B. Documenting Service:

All service claimed for salary increment purposes must be documented on a Teacher Service Record (form FIN-115) or other similar document containing the same basic minimum information. The service record and any other required supporting document containing the same basic minimum information must be properly completed.

C. Time Frame Used for Service:

All service is based on the operational year September 1 - August 31. No more than one year of experience may be acquired in any one operational year.

3.10-3 Minimum Employment Requirements for Creditable Service

Minimum days and percent of days required for professional and support personnel determination of years experience will be determined according to State Board Policy .

3.11 ASSIGNMENT AND TRANSFER

Assignment and/or transfer to positions shall be made based on recommendations of component supervisors. Assignments and transfers shall be approved by the Executive Director.

Assignment and transfers may be approved for any of the following reasons:

1. Needs of RBEC
2. Programmatic changes
3. Administrative need
4. Employee request
5. Funding considerations
6. Other reasons as deemed necessary by the Executive Director

3.12 STAFF DEVELOPMENT

The Executive Director shall establish procedures to ensure continued development of competencies of all staff members through

- orientation of new personnel
- in-service education activities
- direct supervision of job performance
- formal study or instruction related to job
- attendance at professional meetings
- appropriate travel

3.13 OUTSIDE EMPLOYMENT AND/OR COLLEGE COURSES

3.13-1 Accepting honoraria (Addendum)

Professional employees of the RBEC are prohibited from soliciting honoraria from any local education agency in Texas while employed by the RBEC. Honoraria for services performed outside the regular work schedule may be accepted.

3.13-2 Dual Employment

Professional employees of the RBEC desiring to accept a position of honor, trust, or profit under the State of Texas or the United States must formally apply for and receive prior approval from the Board of the RBEC.

3.13-3 Courses Taken by Employees

Formal course work during working hours not exceeding three (3) credit hours may be taken during any semester, quarter or summer term by full-time employees with the approval of the Executive Director when such leave serves the best interests of the RBEC. The maximum time allowed is the amount required to take a course in Waco (Baylor, MCC, TSTC). For courses taken out of Waco, additional time would require use of non-work or vacation time.

3.13-4 Teaching Academic Courses (Non-leave Basis)

An employee may accept a teaching assignment, not to exceed one course during any semester, quarter or summer term, at an institution of higher education during normal working hours upon the written approval of the Executive Director when such leave serves the best interests of the RBEC and the schools within.

3.13-5 Outside Employment

Employment may, with approval of the Executive Director, engage in other occupations during non-working hours providing there is no conflict of interest and such activities do not reflect unfavorably upon the RBEC and such activities do not disrupt the programs or activities shall not solicit subordinates employed at the RBEC.

3.14 EMPLOYEE EVALUATION

3.14-1 Evaluation of Staff Performance

Evaluation of an employee's performance will be conducted by the immediate supervisor on an ongoing basis as needed.

3.15 TERMINATION OF EMPLOYMENT

3.15-1 POLICIES & PROCEDURES

Professional employees of RBEC central office and itinerant personnel

are subject to the personnel policies and procedures of the fiscal agent, West I.S.D.

3.15-2 Staff funded through the Title 1 federal program and assigned to member districts are subject to the personnel policies and procedures of that district.

3.15-3 RESIGNATIONS

The Executive Director shall notify the West I.S.D. Board when a certified employee resigns.

3.16 TERMINATION OF EMPLOYMENT (NON CERTIFIED/SUPPORT STAFF)

3.16-1 Resignation

Support staff shall provide at least two (2) weeks notice in writing prior to effective date of resignation.

3.16-2 Dismissal

Support staff employees are at will employees. The Executive Director or appropriate Supervisor, may terminate employment at any time, for any reason, except as otherwise provided by law or policy. Support staff who are dismissed shall receive two weeks' notice or salary equivalent. Dismissal under this policy shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, handicap, or age.

3.17 VACATIONS, SICK LEAVE, LEAVE OF ABSENCE AND COMPENSATORY TIME OF CENTRAL OFFICE AND ITINERANT STAFF. (Staff assigned to a member district and funded through the Title 1 federal program are subject to the policies and procedures of that district.)

3.17-1 Scheduling of Vacation

Written requests for vacation leave must be submitted to the Supervisor or Executive Director for approval prior to taking such leave.

3.17-2 Minimum Vacation Leave

West I.S.D. Policy

3.17-3 Accumulation of Vacation Leave

West I.S.D. Policy

3.17-4 Sick Leave

West I.S.D. Policy

3.17-5 Minimum Sick Leave

West I.S.D. Policy

3.17-6 Compensatory Time

When an employee is required to work outside the normal working period or on a RBEC holiday, a supervisor may recommend to the Executive Director compensatory time for employees. Professional employees are expected to perform tasks necessary for completion of assignments and projects. Compensatory time is specifically designed for work performed on weekends, holidays or after hours which is required and with supervisory approval. Conventions, workshops, etc., on weekends that are not required will not constitute compensatory time. Support staff may receive compensatory time, with supervisor's prior approval, for hours worked outside the normal workday. This may be at the supervisor's direction for completion of projects, attendance at workshops, etc.

3.18 SALARY

3.18-1 Pay Period

In accordance with the salary schedule recommended by the Executive Director and approved by the Board, each employee shall receive his salary by monthly check on the 15th day of each month.

3.18-2 Accrued Salaries

An employee who is on less than a twelve-month salary may accrue salary to be paid in twelve equal payments. An employee who works less than 240 days may distribute the working days throughout the year as determined by program needs and approval of immediate supervisor.

3.18-3 Direct Deposit

All employees are required to have their regular monthly pay directly deposited into their bank account at the bank of their choice. Substitute teachers are excluded from this requirement.

3.19 RETIREMENT BENEFITS

3.19-1 Participation in Teacher Retirement

RBEC employees shall participate in the TRS program, and deductions shall be made from each employee's monthly salary in accordance with the rules and regulations of the System.

3.19-2 Participation in Tax Sheltered Annuity Plan

Employees of the RBEC may participate in a tax sheltered annuity plan. Payroll deduction may be used if the employee so desires.

3.20 JURY DUTY

Employees of the RBEC may serve when called for jury duty. An employee who serves jury duty shall continue to draw his regular salary during the time he is absent from his work at the RBEC.

3.21 CALENDAR AND HOLIDAYS

The Executive Director shall recommend for the approval of the Board a calendar of business for the year, including holidays, at an appropriate meeting time prior to July 1 each year.

3.22 TRAVEL EXPENSE ALLOWANCE

3.22-1 In-State Travel

In-state travel by the RBEC personnel shall be reimbursed at the following rate:

1. State approved rate per mile on a point-to-point basis using the State of Texas Mileage Guide when personal vehicle is used.
2. Actual reimbursement for commercial fare at tourist class (receipt required).
3. Miscellaneous costs including cab, bus, car rental, registration fees, etc., (receipt required if over \$5.00).
4. Hotel costs (receipt required and not to exceed state rates) RBEC employees are exempt from the payment of the state sales tax when presenting a properly completed exemption certificate for commercial lodging. To receive reimbursement for the local hotel occupancy tax as a miscellaneous expense on the RBEC travel claim form, the RBEC employee must properly receive exemption from the state sales tax. An RBEC employee who fails to present properly completed exemption certificate to a commercial lodging establishment may not be reimbursed for any hotel occupancy taxes charged by the establishment when daily costs exceed state rates.
5. Breakfast, luncheon and banquet tickets (receipt required).

6. Meals at the state rates: \$36 per day (\$8 breakfast, \$12 lunch, and \$16 dinner).
7. When travel for the RBEC within the region does not necessitate an overnight stay but does cover more than one meal period, the RBEC will reimburse for each meal after the first one.
8. When travel for the RBEC necessitates overnight stays, the RBEC will reimburse for meals eaten away from home as specified in Policy 3.28-6.

3.22-2 Out-of-State Travel

- A. Meals reimbursed at current state-approved rate.
- B. Lodging costs at actual rate, not to exceed state rate, with a receipt required.

3.23 DRUG FREE WORK PLACE

See adopted policies of Fiscal Agent.

4.00 STATE, FEDERAL, AND LOCAL FUNDS

4.01 FISCAL POLICY

RBEC receives funding from the following sources: member school districts; state funds administered through the Texas Education Agency; federal funds administered through the Texas Education Agency; federal funds administered through federal or other agencies; and private agencies. These funds are allocated to the RBEC in the following ways:

1. formula basis in accordance with application guidelines set by the grantor;
2. application basis, in accordance with application guidelines set by the grantor;
3. contract or agreement basis, i.e. an amount stipulated in a contract for services to be performed by the regional education services, and
4. contract resulting from a request for proposal solicited by the administering agency, i.e., federal, local or private.
5. other funds as they become available

4.02 FISCAL AUDITS, RECORDS, AND REPORTS

The West I.S.D. Board will employ an independent auditor to provide a complete financial audit each fiscal year for board approval and submission to the Texas Education Agency. The RBEC Management Board will receive a copy of the West I.S.D. independent audit report or a report from the independent auditor concerning RBEC financial status.

4.03 ANNUAL OPERATING BUDGET: BUDGET PLANNING PROCEDURES

4.03-1 Budget

Budget planning shall be an integral part of overall program planning so that the budget may effectively express and implement all programs and activities of the RBEC. The RBEC Board shall endeavor to provide the human and physical resources to assure for all schools in the cooperative the best educational program possible.

4.03-2 Budget Plan

The Board shall approve an annual operating budget for the RBEC as provided for in state and federal law.

The plan for budget preparation shall include:

- A. General educational goals.
- B. Specific program goals.
- C. Alternative ways of achieving program goals.
- D. An evaluation system that will help determine how effectively goals are being achieved.

4.03-3 Budget Approval

The annual budget will be presented for Board review and approval at a regular or special meeting of the Board. This meeting will be open to the public, and notices of meeting will meet requirements of the Texas Open Meeting Law. The Rio Brazos Education Cooperative budget will be approved for recommendation to the West Independent School District Board of Trustees.

4.03-4 Budget Evaluation

The Board shall, when deemed necessary, select and approve management systems to monitor RBEC program goals and objectives. Current achievement levels will be assessed in comparison to the goals and objectives to identify. Needs and problem areas will be identified. Resources shall be allocated to areas of greatest need or priority. Moreover, the performance of every program will be periodically evaluated to see how effectively the goals and objectives are being achieved.

4.04 ANNUAL OPERATING BUDGET: SCHEDULES

The Executive Director shall supervise the development of a budget calendar and a specific plan for budget preparation which will be used to coordinate the final

budget which will be presented for review and approval by the Board. The budget schedule shall include dates for completion of action, shall designate the individuals or groups who will perform the action and the scope of their duties, and shall include a description of the action to be performed.

4.05 ANNUAL OPERATING BUDGET: DEADLINES

The Board shall approve an annual operating budget for the RBEC.

1. The annual budget shall show the estimated fund balance, revenue, and expenditures applicable to the fiscal year beginning September 1 and ending August 31. The annual budget shall be prepared in the form prescribed by the Texas Education Agency TEA Financial Accountability System Resource Guide.
2. The governing board of RBEC shall adopt the annual budget on or before August 31 of the prior fiscal year.
3. The annual budget may be amended as needed by the Board. Amendments, before the fact, shall be made whenever it is determined that fund revenues will be materially less than estimated and/or whenever budgeted expenditures will be exceeded. Formal board approval will be required to move funds from one fund to another or from one function to another.

4.06 AUTHORIZED EXPENDITURES - STATE FUNDS

In order to expend state funds or federal funds, the RBEC must comply with the prescribed reporting requirements and provide necessary information to the Texas Education Agency. Expenditure reports will be filed on a timely basis on all federal funds. All federal funds will be expended as approved in the appropriate application. RBEC will maintain all audit information concerning federal programs and expenditure of federal funds. Audit exceptions - Any audit exception requiring reimbursement of funds to the Texas Education Agency will be paid by the district responsible for the audit exception.

4.07 ACCOUNTING: FINANCIAL REPORTS AND STATEMENTS

4.07-1 Accounting System
As per West I.S.D. policy

4.07-2 Annual Financial Statement

As per West I.S.D. policy

4.07-3 Publication and Filing

As per West I.S.D. policy

4.07-4 Financial Reports and Statements

The Executive Director shall present a statement of the financial condition of the RBEC at each regular meeting of the Board, or at any time at the request of the President of the Board.

4.07-5 Fiscal Review

The Board shall be responsible for a continuing study of the fiscal needs of the RBEC, and shall establish and revise the amount to be contributed by member school districts accordingly. The Board shall ensure that sufficient funds are made available for effective operation of the program of the RBEC.

4.07-6 Expenditure of Funds

The Executive Director shall be responsible for the expenditure of RBEC funds in accordance with the approved budget, and within established regulations and procedures.

4.08 ACCOUNTING: INVENTORIES

The Executive Director shall be responsible for establishing an accurate inventory of all RBEC property, including material, equipment, real and personal property on an annual basis. This inventory shall be properly entered on the appropriate records for accounting purposes.

4.09 ACCOUNTING: AUDITS

A financial audit will be conducted annually by an independent auditor as a part of the audit of the West I.S.D. This audit will be performed in accordance with the requirement established in TEA Financial Accountability System Resource Guide, *Financial Accounting Manual*. The report of audit including the opinion of the independent auditor shall be submitted to the state agency for review as prescribed in TEA Financial Accountability System Resource Guide, *Financial Accounting Manual*.

4.10 ACCOUNTING:

4.10-1 Payroll Procedures - Annual

The following procedures will be used in developing annual payrolls:

- A. RBEC itinerant, special campus and shared staff are paid by the RBEC pay scale and benefits. Central office professional staff receive the same salary and benefits as special education support staff. Central office support staff receive salary and benefits as

recommended by the Executive Director and approved in the annual budget. These salaries should be comparable with salaries for similar positions in other districts in the County.

- B. Program supervisors, the payroll staff and the Executive Director verify the final payroll.
- C. The RBEC salary plan will be managed and kept up to date by the Executive Director.
- D. The RBEC Board approves the salary plan and scales annually for all RBEC staff.

4.10-2 Payrolls

The following procedures shall be employed when submitting payrolls to the RBEC:

- A. The payroll shall be submitted in accordance with the TEA *Financial Accountability System Resource Guide*.
- B. Forms shall be submitted to the payroll clerk at least ten working days prior to payroll schedule.
- C. All requests for reimbursement shall be submitted with payroll forms.
- D. The payroll as approved for the year will only be changed due to wage and hour law requirements.

4.10-3 Issuing Checks

Payroll procedures for issuance of checks shall be as follows:

Checks shall be issued on the 15th day of each month .

All payroll checks shall be directly deposited into the bank account of the employee at a bank of the employee's choice. Substitute teachers are exempt from this requirement.

4.10-4 Absence Reports

A report showing the date(s) of absence of each employee and the reasons shall be prepared by the business office at the end of every calendar month. All reports are due three days after the end of the month.

4.11 PAYROLL DEDUCTIONS

The RBEC shall make the following periodic deductions from the salaries of its employees:

- A. The RBEC shall deduct and withhold from the wages of all employees the amount of federal income tax required by federal law.
- B. The RBEC shall deduct from the wages of all employees serving on a full-time, regular salary basis the required contribution to the TRS.
- C. The RBEC shall, in accordance with provisions of the law, deduct from the salary of any school employee who has made a valid assignment, transfer, or pledge of his salary or wages as security for indebtedness, the amount stated in the terms of such valid assignment, transfer, or pledge.
- D. The RBEC shall deduct from the salaries of designated employees the amount of social security tax (FICA) required by federal law.
- E. The RBEC shall deduct from the salaries of all employees participating in approved insurance programs the contributions set forth in such programs.
- F. The RBEC shall deduct from the salaries of all employees participating in an approved deferred compensation program the amounts designated by those employees.
- G. The RBEC shall deduct from the salaries of all employees participating in an approved credit union program.
- H. All requests for additions, deletions or changes in payroll deductions will be in writing and submitted a minimum of 10 work days prior to the next payroll.

4.12 PURCHASING: PURCHASING AUTHORITY

4.12-1 Budgeted Purchases

Unless state law or Board policy specifically requires the Board to make or approve a purchase, RBEC supervisors and program directors in charge of a departmental budget may purchase items included in their approved budget. Purchase commitments shall be made on properly drawn and issued purchase orders, and shall be forwarded to the Executive Director or his designee for final approval. Creditors of the RBEC shall be on notice that purchase commitments which are made without a properly drawn purchase order may not be honored by the RBEC. Any purchase or encumbrance in excess of \$25,000 shall

require approval of the management board.

4.12-2 The Director of Business Services

The Director of Business Services shall establish procedures regarding the manner of verifying the quality, quantity, and physical condition of the materials received so that approval for payment may be established.

4.13 ACCOUNTING: CASH IN THE RBEC BUILDING

4.13-1 Person Responsible for Safekeeping

The Executive Director will designate a responsible person for the safekeeping of the petty cash reserve maintained for RBEC purposes and kept in the RBEC itself. He shall designate safe places where any such funds shall be kept and shall ensure that those places are appropriately guarded. (Limit \$100)

4.13-2 Responsibility for Public Funds

Any public funds entrusted to the care of individual RBEC employees shall become the complete responsibility of such employees. No money shall be left in rooms or offices except in such safeguarded places as shall be indicated by the Executive Director.

4.14 PURCHASING: BIDDING REQUIREMENTS

See West I.S.D. Policy

4.15 PURCHASING PROCEDURES

4.15-1 Purchasing Procedures

The Executive Director or designee shall develop and implement procedures for the orderly and responsible purchase of goods and services to the RBEC. In formulating such procedures, he shall be guided by the following principles:

- A. The provision of services in support of the education of students in the RBEC district is the primary concern; therefore, quality, promptness of delivery, and dealer service shall be of utmost importance in all purchases.
- B. Purchases shall be made locally when quality, promptness of delivery, service and price are equal to those of businesses outside

the area.

- C. Since public funds are being expended, RBEC administrators have an obligation to taxpayers in the region to obtain in the best prices available on purchases, consistent with the philosophy set above.

4.15-2 Procedure Coverage

Procedures shall be designed to cover such considerations as the careful writing of specifications; quality controls measures, including trail tests, field checks, and preparation of vendor list, where practical; cost control measures; proper requisitioning and the issuance of properly-worded purchase orders and contracts and any other procedure essential to the accomplishment of the objectives set out above.

4.16 SELECTION OF DEPOSITORY BANK

Bidding and selection of the depository bank will be done on a semi-annual basis in conjunction with the fiscal agent as required by law.

4.17 BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

4.17-1 Procedures

The Executive Director or designee shall establish procedures to provide accurate information regarding the nature, condition, location and value of all RBEC property; to safeguard property against loss, damage, or undue depreciation; to recover, replace, or restore to usefulness property which may be lost, stolen, or damaged; and to take any necessary action to ensure the proper maintenance and safekeeping of RBEC property.

4.17-2 Designated Persons

The Executive Director shall designate a person to be responsible for all properties belonging to or located on RBEC premises. Employees shall be held responsible for the care of properties located within their assigned areas.

4.18 PROPERTY MANAGEMENT: BUILDING AND GROUNDS MANAGEMENT

4.18-1 Insurance Programs

Adequate insurance shall be carried on RBEC property to protect the investment and interest of the Board.

4.18-2 Safety

Fire and Accident Prevention: The Executive Director shall establish guidelines for fire and accident prevention. Traffic and Parking Controls: Each employee shall receive written instructions for traffic and parking controls. Safety Inspections: The Executive Director shall establish and maintain a regular safety inspection program. Building Appearance and Maintenance: The Executive Director is charged with the responsibility of maintaining the Building in an operational and neat manner.

4.18-3 Security

The Executive Director shall establish a system for building security. Written instructions shall be available to all employees using the building after regular working hours.

4.18-4 Equipment and Supplies Management

Periodic summaries of losses or damages to equipment shall be reported to the Board by the Executive Director.

4.18-5 Insurance Program

Adequate insurance shall be maintained for all RBEC equipment.

4.19 SUPPLIES MANAGEMENT

4.19-1 Receiving and Warehousing

The RBEC shall maintain facilities for warehousing, reordering, receiving, and maintaining an inventory for all supplies used on a repetitive basis by all department of the RBEC. Administrative procedures shall be developed for requisitioning by departments.

4.20 TRANSPORTATION MANAGEMENT: RBEC-OWNED OR LEASED VEHICLES

4.20-1 Authorization to Purchase or Lease Vehicles

The Board may purchase or lease vehicles for the purpose of transporting RBEC materials and/or personnel on official business for the RBEC.

4.20-2 Registration

RBEC-owned vehicles are exempt from the state registration fee; however, they must be registered in accordance with general statutes

relating to motor vehicle registration. Application for license plates, identification of vehicles, and transfer of ownership are also governed by the general statutes relating to motor vehicles.

4.20-3 Issuance of Gasoline Credit Cards

Gasoline credit cards shall be used for operation of RBEC-owned or leased vehicles while on official business for the RBEC. Accountability and control of gasoline credit cards is exercised through budgeting and accounting processes.

The Executive Director is authorized to issue gasoline credit cards through the business office to employees who are assigned primary responsibility for maintenance and operation of RBEC-owned or leased vehicles. Each component director and the director of business services receives a monthly financial statement displaying expenditures and budget balances for his department. All gasoline credit card purchases are paid from appropriate travel accounts.

4.21 INSURANCE AND ANNUITIES MANAGEMENT

4.21-1 Commercial Insurance Plans

The RBEC may procure contracts with any insurance company authorized to do business in Texas to insure its employees. Policies may include group health, accident, dental, accidental death and dismemberment, disability income replacement, and hospital, surgical, and/or medical expense insurance, or a group contract providing for annuities. Dependents of employees may be insured under group policies which provide dental, hospital, surgical, and/or medical expense insurance.

4.21-2 Premium Payments

Any portion of the insurance premium paid by the RBEC shall be from local, state or federal funds from which the employee is paid. Contributions made by employees may be deducted from salary payments when the employee has authorized such deduction. All insurance contracts shall conform to the provisions of any existing or future laws pertaining to insurance. Employees assigned to a school district and funded through the Title 1 federal program shall receive the same insurance benefits as the district. Shared staff, itinerate and central office staff receive the same benefits as the fiscal agent or as approved by the Board.

4.22 INSURANCE AND ANNUITIES MANAGEMENT: PROPERTY INSURANCE

4.22-1 Quotations

The Executive Director shall obtain from qualified insurance agencies a fire and extended coverage policy for all RBEC property, including buildings, grounds, equipment, and RBEC owned vehicles. The agency shall submit a written proposal stating their proposed deductible and other pertinent information required by the Board.

4.22-2 Insurance Agent

On the basis of this information, the Executive Director shall recommend to the Board the extent of coverage of the policy to be written, as well as the servicing agent for the term of the policy. This agent shall have access to any books or other data needed by him to establish values on the property to be insured, and he shall submit to the Board a list of the values he places on RBEC property.

4.23 INSURANCE AND ANNUITIES MANAGEMENT: LIABILITY AND LIABILITY INSURANCE

4.23-1 Board Member Liability

The RBEC may purchase insurance to protect itself and its Board from the cost and expense of defending litigation brought against them individually for acts or omissions committed by them in the good faith discharge of their official duties and against an award of damages where the RBEC is not immune. The Board may not purchase insurance to indemnify its members in situations where it is not itself exposed, actually or potentially, to a similar liability.

4.23-2 Tort Claims Act Liability

The RBEC may purchase insurance protection against claims for bodily injury arising out of the negligence, wrongful act, or omission of the RBEC officers or employees, acting within the scope of their employment or office, arising from the operation or use of a motor vehicle under circumstances where such officers or employees would be personally liable to the claimant in accordance with the laws of this state.

4.23-3 Employee Liability

As an element of RBEC employee's compensation, the RBEC may purchase necessary liability insurance in the name of such employees who are exposed to individual liability by virtue of their official duties. The

RBEC may pay actual damages, court costs, and attorney's fees adjudged against an employee if the damages are based on an act or omission by the employee if in the course and scope of his or her employment and arise out of a cause of action for negligence, except a willful or wrongful act or omission or an act or omission constituting gross negligence, or for official misconduct. The RBEC may provide counsel to represent a defendant in a cause of action covered by this policy. Counsel may be an attorney regularly employed by the RBEC unless there is potential conflict of interest between the defendant and the RBEC, in which case, the RBEC may hire private counsel to defend the suit. By adopting this policy, the RBEC does not waive or modify any defense, immunity, or jurisdictional bar available to the RBEC or its employees. No policy of insurance providing coverage to an officer or employee of the RBEC is modified or changed by this policy.

4.24 INSURANCE AND ANNUITIES MANAGEMENT: WORKER'S COMPENSATION

4.24-1 Options

The RBEC, in accordance with state law, shall extend workers' compensation benefits to its employees by choosing one of the following options:

- A. Becoming a self-insurer
- B. Providing insurance under workers' compensation insurance contracts or policies.
- C. Entering into Inter-local agreements with other political subdivisions providing for self-insurance.

4.24-2 Definition

For the purposes of this policy, "employee" means every person in the service of the Chapter who has been appointed in accordance with the provisions of the Workers' Compensation Law. No person paid on a basis other than by the hour, day, week, month or year shall be considered an "employee."

4.24-3 Notice

The RBEC shall notify the Industrial Accident Board of the method by which RBEC employees shall receive benefits, the approximate number of employees covered, and the estimated amount of payroll. Notice of the provision for workers' compensation benefits and the effective date

thereof shall be given to the RBEC's employees.

4.25 INSURANCE AND ANNUITIES MANAGEMENT: UNEMPLOYMENT INSURANCE

4.25-1 Employees Not Covered

The RBEC shall extend unemployment compensation benefits under the Texas Unemployment Compensation Act to its employees, with the following exclusions:

- A. Employees who perform instruction, research, or principal administrative services and have a contract or reasonable assurance of performing such services for any education institution during the next succeeding academic year or term.
- B. Employees who perform other services for the RBEC and have reasonable assurance of performing such services during the next succeeding academic year or term.
- C. Employees in either category above who perform such services immediately before a vacation period or holiday recess and have reasonable assurance of performing such services during the period following such vacation or holiday recess.

4.25-2 Options

The RBEC shall contribute to the Unemployment Compensation Fund by entering a joint group account with other political subdivisions under which claims handling and cost control may be centralized.

4.26 FACILITY GOALS AND OBJECTIVES: EVALUATION OF EXISTING FACILITIES

4.26-1 Accessible Programs

No qualified handicapped person shall, because facilities are inaccessible to or unusable by handicapped persons, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity in the RBEC. Each program or activity shall be operated in a manner which ensures that, when viewed in its entirety, the program or activity is readily accessible to and usable by handicapped persons. Compliance with these requirements may be achieved by:

- A. Redesigning equipment.
- B. Reassigning classes or other services to accessible building.
- C. Assigning aides to students.

- D. Home visits.
- E. Delivery of health, welfare, or other social services at alternate accessible sites.
- F. Altering existing facilities.
- G. Constructing new facilities in conformance with 45 C.F.R. 84 23.
- H. Any other methods that would result in making programs and activities accessible to a handicapped person. Structural changes in existing facilities need not be made when other methods will achieve compliance with the handicap requirements. In choosing among available alternatives for meeting these requirements, the Board shall give priority to methods that offer programs and activities to handicapped persons in the most integrated setting appropriate.

5.00 MISCELLANEOUS

5.01 SAFETY PROGRAM

The Executive Director shall have overall responsibility for the safety program of the RBEC. The Executive Director or his designee shall develop safety programs which will include but not be limited to:

- Building Evacuation
- Fire Prevention/Safety
- Traffic Safety
- Severe Weather Procedures
- Plant Inspection

5.02 BUILDINGS AND GROUNDS INSPECTIONS

The Executive Director shall designate an employee to check the buildings continuously for possible hazards to the health and safety of employees and the public. Any condition which might be a hazard to good health, or might lead to fire or other accident, shall be promptly remedied or reported to the Executive Director or his designee for action. Should the situation need further attention, the Executive Director shall inform the Board.

5.03 PUBLIC USE OF RBEC FACILITIES

RBEC facilities are designated primarily for educational purposes and may be used without charge for meetings of pupils, teachers, and other organizations affiliated directly with the schools and also for meetings and

programs for the benefit of the schools. School meetings shall have precedence over all others and may be held by arrangement with the Executive Director or his representative who shall assume responsibility and either be present or represented by responsible persons.