

BOARD LEGAL STATUS  
POWERS AND DUTIES

BAA  
(LEGAL)

All powers and duties not specifically delegated by statute to TEA or the State Board are reserved for the Board. *Education Code 11.151(b)*

The Board has the legal power to:

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| GOVERNANCE                                 | 1. Govern and oversee the management of the public schools of the District. <i>Education Code 11.151(b)</i>   |
| RULES AND BYLAWS                           | 2. Adopt rules and bylaws. <i>Education Code 11.151(d)</i> [See BF]   |
| PLANNING AND<br>DECISION-MAKING<br>PROCESS | 3. Adopt a policy to establish a District- and campus-level planning and decision-making process. <i>Education Code 11.251(b)</i> [See BQ series]   |
| TAX COLLECTION                             | 4. Levy and collect taxes and issue bonds. <i>Education Code 45.001</i> [See CCA, CCG]  |
| TAX OFFICIALS                              | 5. Employ and compensate a tax assessor or collector, as the Board considers appropriate. <i>Education Code 45.231(a); Tax Code 6.22</i> [See BDAF]   |
| ANNUAL BUDGET                              | 6. Adopt and file a budget for the next succeeding fiscal year. <i>Education Code 44.004, 44.005</i> [See CE]   |
| ANNUAL AUDIT                               | 7. Have District fiscal accounts audited at District expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy following the close of each fiscal year. <i>Education Code 44.008(a)</i> [See CFC] |
| INTERNAL AUDITOR                           | 8. Select the internal auditor if the District employs an internal auditor. The internal auditor shall report directly to the Board. <i>Education Code 11.170</i>   |
| ANNUAL<br>SUPERINTENDENT<br>APPRAISAL      | 9. Appraise the Superintendent annually using either the Commissioner's recommended appraisal process or a process and criteria developed by the District. <i>Education Code 21.354(c)</i> [See BJCD]   |
| PERFORMANCE<br>REPORT                      | 10. Publish an annual report describing the District's educational performance including campus performance objectives and the progress of each campus toward those objectives. <i>Education Code 39.053(a)</i> [See BQ series, BR]                   |
| BEQUESTS                                   | 11. Receive bequests and donations or other moneys or funds coming legally into its hands in the name of the District. <i>Education Code 11.151(a)</i> [See CDC]  |
| DEPOSITORY                                 | 12. Select a depository for District funds. <i>Education Code, Ch. 45, Subch. G</i> [See BDAE]  |

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| ELECTIONS                       | 13. Canvass election results as required by law. <i>Election Code 67.003</i> [See BBB]   |
| PROPERTY ACQUISITION            | 14. Acquire and hold real and personal property in the name of the District. <i>Education Code 11.151(a); Local Gov't Code 271.004</i> [See CHG]   |
| LEASE OF PERSONAL PROPERTY      | 15. Execute, perform, and make payments under contracts, which may include leases, leases with option(s) to purchase, or installment purchases, with any person for the use, acquisition, or purchases of any personal property, or the financing thereof. The contracts shall be on terms and conditions that are deemed appropriate by the Board in accordance with state law. <i>Local Gov't Code 271.005</i> |
| EMINENT DOMAIN                  | 16. Exercise the right of eminent domain to acquire property. <i>Education Code 11.155</i>   |
| TITLE TO PROPERTY               | 17. Hold all rights and titles to the school property of the District, whether real or personal. <i>Education Code 11.151(c)</i> [See CI]  |
| SALE OF PROPERTY                | 18. Authorize the sale of any property, other than minerals, held in trust for free school purposes. <i>Education Code 11.154(a)</i> [See CDB]   |
| MINERAL RIGHTS                  | 19. Sell minerals in land belonging to the District. <i>Education Code 11.153(a)</i> [See CDB]   |
| REAL ESTATE BROKER              | 20. Employ, retain, contract with, or compensate a licensed real estate broker or salesperson for assistance in the acquisition or sale of real property. <i>Education Code 11.154(c)</i>  |
| PERSONNEL                       | 21. Adopt a policy providing for the employment and duties of District personnel. <i>Education Code 11.163</i> [See BJ series, DC series, DEA]   |
| RESTRICTIONS ON WRITTEN REPORTS | 22. Limit redundant requests for information and the number and length of written reports that a classroom teacher is required to prepare. <i>Education Code 11.164(a)</i> [See DLB]   |
| PAPERWORK REVIEW                | 23. Review paperwork requirements imposed on classroom teachers and transfer to existing noninstructional staff a reporting task that can reasonably be accomplished by that staff. <i>Education Code 11.164(b)</i> [See also DLB]   |
| ATTORNEY GENERAL                | 24. Request the assistance of the attorney general on any legal matter. The District must pay any costs associated with the assistance. <i>Education Code 11.151(e)</i>  |
| LAWSUITS                        | 25. Sue and be sued in the name of the District. <i>Education Code 11.151(a)</i>   |