

**Sec. 5.1.1. Board Powers and Duties.**

The Board of Directors (“Board”) of Essence Preparatory Charter School shall:

- (a) Govern under the governing structure described in the Essence Preparatory Charter School Charter;
- (b) Be primarily responsible for implementing the programs authorized by the Essence Preparatory Charter School Charter;
- (c) Delegate powers and duties as described in the Essence Preparatory Charter School Charter or through a request for a delegation amendment with the TEA division responsible for charter schools;
- (d) Remain responsible for the management, operation, and accountability of the charter schools operated by the charter holder, regardless of whether the governing body delegates any of its powers or duties;
- (e) Monitor the performance of the students enrolled in Essence Preparatory Charter School;
- (f) Adopt the budget of the charter holder and Essence Preparatory Charter School compliant with Title 19, Texas Administrative Code, § 100.1101(a);
- (g) Amend the budget of the charter holder and Essence Preparatory Charter School if the amendment exceeds one percent (1%) of the total budgeted expenditures or \$50,000 (whichever is lesser);
- (h) Approve the acquisition of real property or the improvement of real property;
- (i) Approve the obligation of funds for goods and services through formal contracts for business arrangements or financial transactions exceeding \$10,000.
- (j) Approve (or disapprove) the annual financial and compliance report;
- (k) Approve (or disapprove) any audit, investigative, or other monitoring report pertaining to the fiscal management of the charter holder and Essence Preparatory Charter School issued by any oversight agency including the Texas Education Agency;
- (l) Authorize the obligation and expenditure of funds pursuant to the policies adopted by the Board;

- (m) Authorize the chief executive officer and chief financial officer to sign checks or other legal instruments disbursing funds from the charter holder's and Essence Preparatory Charter School' bank accounts;
- (n) Authorize the use of property pursuant to the policies adopted by the Board;
- (o) Authorize the investment of funds pursuant to the policies adopted by the Board;
- (p) Authorize the collection of tuition and other fees pursuant to the policies adopted by the Board;
- (q) Authorize the development and implementation of administrative procedures applying the policies adopted by the Board;
- (r) Direct, govern, manage, and otherwise oversee the fiscal management of the charter holder and Essence Preparatory Charter School; and
- (s) Delegate other powers and duties as permitted by law.

**Sec. 5.1.2. Board's Overarching Authority.**

Absent the specific delegation of a power or duty as enumerated below, only the Board, functioning as a body corporate, may exercise a power or duty pertaining to the fiscal management of the charter holder and Essence Preparatory Charter School.

**Sec. 5.1.3. Delegation Amendment.**

The Board shall adopt a resolution delegating the powers enumerated below to the Superintendent. In its resolution, the Board shall authorize the Superintendent to file the delegation amendment approved by the Board.

**Sec. 5.1.4. Powers and Duties Delegated to Superintendent.**

The Superintendent may perform the following powers and duties delegated by the Board in this part as enumerated below.

- (a) Prepare, or cause to be prepared, a proposed budget of the charter holder and Essence Preparatory Charter School.
- (b) Prepare, or cause to be prepared, an amendment to the original and subsequently amended budgets of the charter holder and Essence Preparatory Charter School approved by the Board if the amendment exceeds one percent (1%) of the total budgeted expenditures or \$50,000 (whichever is lesser).

- (c) Prepare, or cause to be prepared, a recommendation to the Board for the approval of the acquisition of real property or the improvement of real property pursuant to the policies adopted by the Board.
- (d) Prepare, or cause to be prepared, a recommendation to the Board for the approval of the obligation of funds for goods and services through formal contracts for business arrangements or financial transactions exceeding \$10,000.
- (e) Submit the annual financial and compliance report to the Board for its approval (or disapproval).
- (f) Submit any audit, investigative, or other monitoring report pertaining to the fiscal management of the charter holder and Essence Preparatory Charter School issued by any oversight agency including the Texas Education Agency to the Board for its approval (or disapproval).
- (g) Obligate and expend, or cause to be obligated and expended, funds pursuant to the policies adopted by the Board.
- (h) Sign any check or other legal instrument disbursing funds.
- (i) Use, or cause to be used, property pursuant to the policies adopted by the Board.
- (j) Invest, or cause to be invested, funds pursuant to the policies adopted by the Board.
- (k) Collect, or cause to be collected, tuition and other fees pursuant to the policies adopted by the Board.
- (l) Develop and implement, or cause to be developed and implemented, administrative procedures applying the policies adopted by the Board.
- (m) Direct, guide, manage and otherwise supervise the fiscal management of the charter holder and Essence Preparatory Charter School.
- (n) Exercise only the powers and duties enumerated above in this part.
- (o) Delegate, in whole or in part, any power or duty enumerated above to the Chief Financial Officer or other officer through the adoption of an administrative procedure.

**Sec. 5.1.5. Limitation of Authority.**

The Superintendent shall not perform any power and duty not delegated by the Board in this part as enumerated above.

**Sec. 5.1.6. Accountability for Delegated Authority.**

The Superintendent shall be responsible for directing, guiding, managing and supervising any power and duty delegated to and exercised by their designee or other officer. Accordingly, the Superintendent shall remain accountable to the Board for any power and duty delegated to the Chief Financial Officer or other officers regardless of the delegation of the power or duty.

**Sec. 5.1.7. Administrative Procedures.**

The Superintendent shall prepare administrative procedures as necessary to implement this policy.