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**Powers and Duties**

In addition to the powers specified in statute, the Board shall:

1. Provide for the delivery of services that are responsive to the needs of school districts and consistent with the mission, goals, and objectives for public education in Texas.
2. Demonstrate accountability to the commissioner for operation of the center in compliance with the performance standards and indicators established by the commissioner. [See AE(LEGAL)]
3. Adopt and submit required reports to the commissioner.

**Functions**

The Board shall serve as the policymaking and evaluative body of the ESC and, in addition to those functions specified in law, shall:

1. Ensure that the ESC is governed by a plan that coordinates the needs of constituent districts with state goals for public education.
2. Participate in the performance evaluation of the Executive Director. [See BJCD]
3. Receive information from the Executive Director regarding the employment or dismissal of personnel.
4. Formulate policies to govern the operation of the ESC to include:
  - a. Provision, through the exercise of legal powers, of funds necessary for the operation of the ESC. [See CB series]
  - b. Approval of an annual operating budget for the ESC including a salary schedule for ESC staff and other personnel. [See CE]
  - c. Oversight of the fiscal affairs of the ESC to ensure compliance with law.
  - d. Assurance that procedures for budgetary control, expenditures, audits, and reports on expenditures within the adopted budget are developed by the Executive Director in accordance with law.
  - e. Accept gifts or donations on behalf of the ESC or delegate that authority to the Executive Director. However, any gift with a cost or market value of \$50,000 or more, any gift that the potential donor has expressly made conditional upon the ESC's use for a specified purpose, or any gift of real property, shall require Board approval. Once accepted, a gift becomes the sole property of the ESC. [See BEC(LEGAL)]

BOARD OF DIRECTORS LEGAL STATUS  
POWERS AND DUTIES

BAA  
(LOCAL)

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5. Acquire and hold title to real property. [See BAA(LEGAL)]
  6. Formulate policies regarding the role of the Regional Advisory Committee. [See BDF]

**Early Head Start or  
Head Start Program**

For an Early Head Start or Head Start program, the ESC shall approve the functions, policies, or procedures as required by law including:

1. Program planning procedures;
2. Program philosophy and long- and short-range program goals and objectives;
3. Funding applications and amendments;
4. The composition of the Policy Council or Policy Committee and the selection procedures for policy group members;
5. Governing body roles and responsibilities for Early Head Start or Head Start including shared decision making with the appropriate policy group;
6. Written procedures that are jointly established by the Board and the Policy Council or Policy Committee for resolving internal disputes, including impasse procedures, between the governing body and policy group; and
7. Personnel policies.

*45 C.F.R. 1304.50, Appendix A*