Sec.1. **CHARTER SCHOOL AUTHORITY**

The Texas Education Agency (TEA) issued a charter to The University of Texas at Tyler (UT Tyler) to operate UT Tyler University Academy, pursuant to Chapter 12, Subchapter E of the Texas Education Code. The governing board of the charter holder, the Board of Regents of The University of Texas System, pursuant to the Regents Rule and Regulations Series 40901, has delegated the responsibility for the operation and oversight of UT Tyler University Academy to the President of UT Tyler.

The President appoints the Superintendent of UT Tyler University Academy, who serves as the central administrative officer and performs the duties as provided in the charter.

The President authorizes the members of the Advisory Board to advise and make recommendations to the Superintendent on matters related to the management, operation, and accountability for the UT Tyler University Academy.

Sec.2. **RESPONSIBILITY FOR UT TYLER UNIVERSITY ACADEMY OPERATIONS**

a) **Primary Responsibilities**

The Advisory Board of UT Tyler University Academy (the “Board”) has the primary responsibility for:

1. Implementing the public school program authorized by The University of Texas at Tyler open-enrollment charter; and
2. Ensuring the performance of students enrolled in UT Tyler University Academy in accordance with the Texas Education Code.

19 Tex. Admin. Code § 100.1101(a).

b) **Alienation of Open-Enrollment Charter**

The Board derives its authority to operate UT Tyler University Academy schools from The University of Texas at Tyler President and 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 The University of Texas at Tyler charter schools.
2. Except as provided below, the Board’s powers and duties to operate all The University of Texas at Tyler charter schools shall not be delegated, transferred, assigned, encumbered, pledged, subcontracted, or in any way alienated by the Board.
3. The University of Texas at Tyler 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 University of Texas at Tyler open-enrollment charter or a charter delegation amendment approved by the Texas Education Agency division responsible for charter schools.

19 Tex. Admin. Code § 100.1101(b)-(c).

c) **Accountability for Delegated Powers and Duties**

The Board remains responsible for the management, operation, and accountability of all The University of Texas at Tyler charter schools, regardless of whether the Board delegates any of its powers or duties.

19 Tex. Admin. Code § 100.1101(d).

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 UT Tyler University Academy budget, 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 UT Tyler University Academy 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 Superintendent or, as applicable, the administrator serving as the educational leader and chief executive officer.