Board of Managers: Frequently Asked Questions

Board of Managers: FAQ

What is a Board of Managers?

Appointed by the Commissioner of Education, a Board of Managers temporarily replaces the elected Board of Trustees and exercises all powers and duties assigned to trustees to oversee the management of the school district.

When is a Board of Managers Appointed?

The Commissioner may appoint a board of managers if a school district or charter school fails to satisfy at least one of the following: accreditation criteria; academic performance standards; financial accountability standards; or on the basis of a special investigation. The Commissioner may also appoint a Board of Managers if the district has been managed by a conservator for two consecutive school years.

What authority does a Board of Managers have?

Once appointed and sworn in, the Board of Managers has all of the powers and duties assigned to the elected board of trustees.

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Has a final decision been made to appoint a Board of Managers to replace the current elected Board of Trustees?

No (as of July 19, 2023), the Commissioner of Education has not made a final decision to appoint a Board of Managers to replace the current elected Board of Trustees. There are still multiple legal steps in the process that must be satisfied before the Commissioner of Education can make a final decision.

Since a final decision has not been made (as of July 19, 2023), what is the process going forward?

Before a Board of Managers can formally be appointed, due process under state law is afforded to the district. First, the district's school board exercised its right to appeal the TEA Special Investigation Unit's recommendation that a board of managers be appointed, and that appeal is scheduled to be considered by an administrative law judge (ALJ) at a hearing that will occur later this summer. The ALJ will then issue findings of fact and conclusions of law, and those findings and conclusions will be presented to the Commissioner of Education to make a final decision. The Board of Managers cannot be appointed until after the Commissioner makes his final decision, and then only if the Commissioner determines that the ALJ's findings support the replacement of the school board with a Board of Managers.

Why is TEA soliciting applications for the Board of Managers if a final decision has not been made?

To ensure that TEA is prepared to support the community should the Commissioner ultimately decide to appoint a Board of Managers, the TEA Division of Sanction Monitoring is initiating a process to recruit prospective members of a Board of Managers. That process will begin with an online application available at www.tea.texas.gov/LaJoya. The application will close on August 13, and applicants will then be required to attend a Lone Star Governance training on August 19 and 20 and participate in at least one interview before final selections will be made.

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What happens to the elected board of trustees after a Board of Managers is appointed?

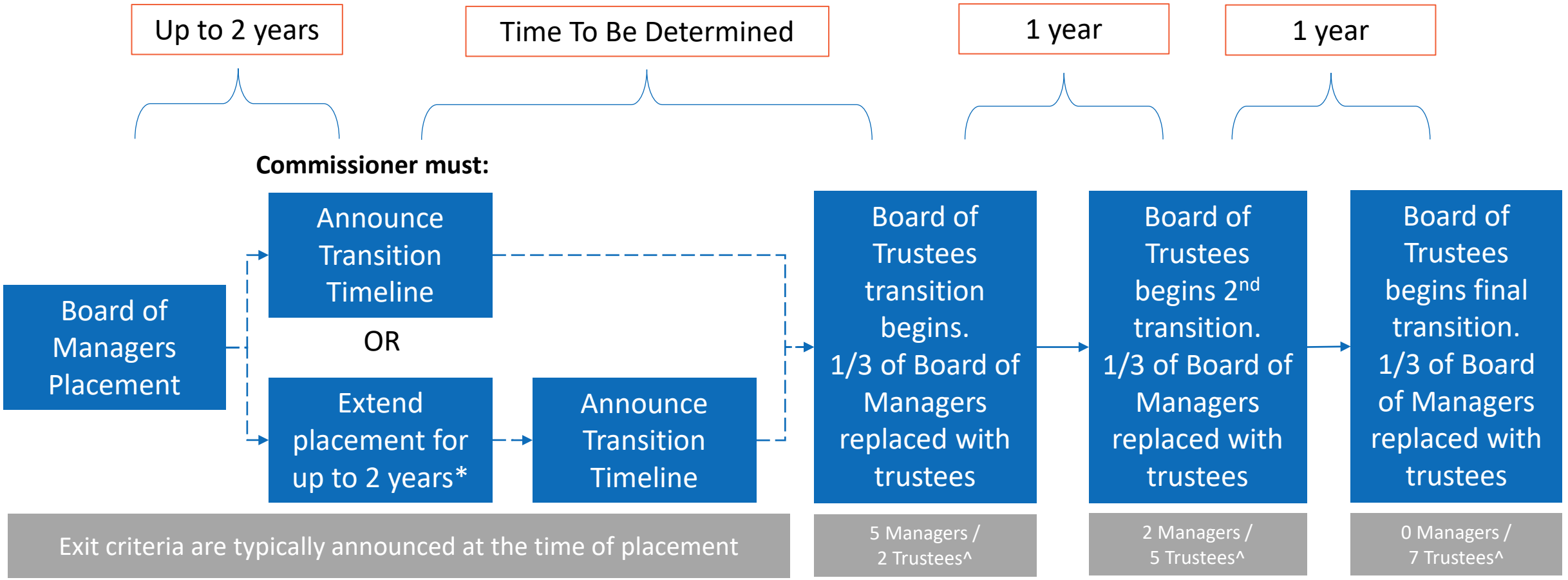
If the Commissioner appoints a Board of Managers to govern a school district, the powers of the elected Board of Trustees are suspended for the period of the appointment. Authority is removed, but trustees remain elected officials. Board elections continue and, when a Board of Managers is removed, elected board trustees return.

If ultimately appointed, how long will a Board of Managers remain in the district?

Under the Texas Education Code (TEC), the Commissioner determines when the Board of Managers will exit the district. Exit criteria will be established and communicated to the district. Before the Commissioner announces the expiration of the appointment and begins the transition back to the elected Board of Trustees, the Board of Managers is expected to achieve the identified exit criteria.

The Commissioner formally initiates a transition back to the elected board based on the following statutory requirements:

Timeline for Return to Elected Trustee Control



**Per Tex. Educ. Code § 39A.208(c), Commissioner's decision to extend placement depends on local feedback as to whether sufficient academic progress has been made.*

^ Transition structure assumes 7-member Board of Managers

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What is the process for appointing a Board of Managers?

When the need for a Board of Managers is established at a school district, a call for applications is made within the respective community.

The TEA hosts informational community meetings to provide information on the role, duties, and projected timelines for the prospective appointment of a Board of Managers. The community meetings also serve as an opportunity to answer questions about the application process.

When the application window closes, applications are reviewed, candidates take part in governance training, and interviews are conducted. Once finalists are identified, they are presented to the Commissioner of Education for final review and approval. Presentation of finalists to the Commissioner, and the Commissioner's final review and approval, occurs only after a final decision to appoint a Board of Managers has been made.

The following slide outlines the application, selection, and appointment process the agency will conduct:

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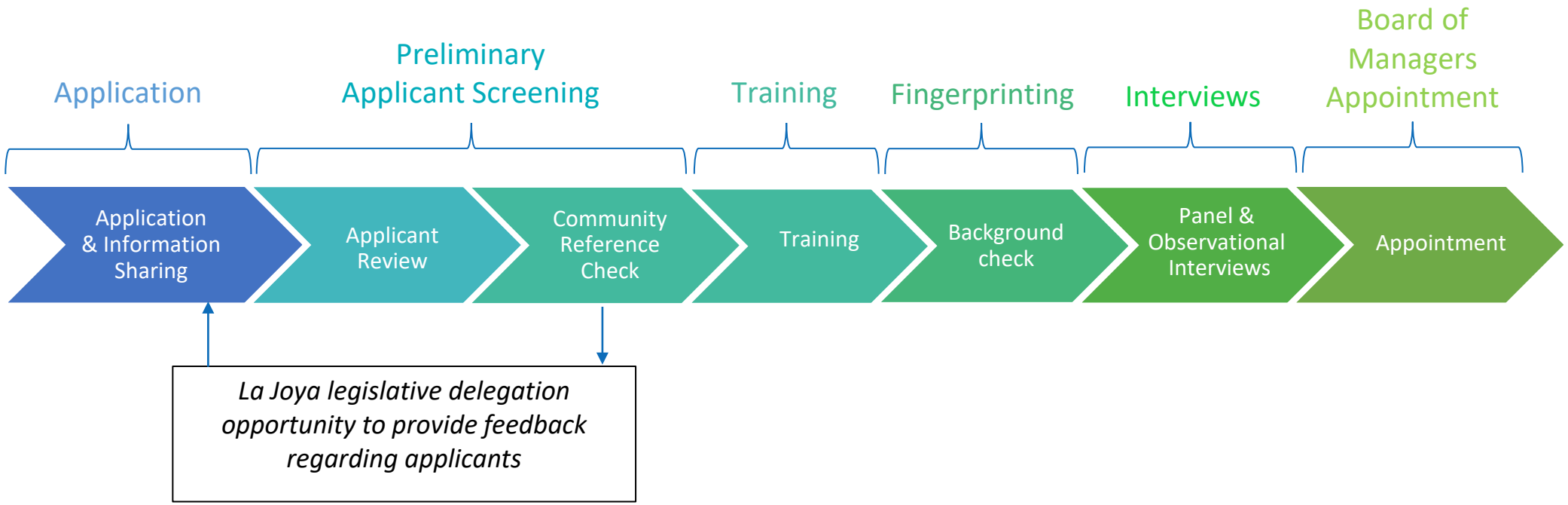

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Have Boards of Managers been successful when appointed in Texas?

Yes. As the following slide displays, all Board of Managers placements have successfully achieved the stated purpose of the intervention. Student achievement improved in all but one of the placements. In that district, Beaumont ISD, a Board of Managers was placed for financial reasons; the Board of Managers resolved the financial issues in the district while maintaining academic achievement.

Boards of Managers have improved student outcomes

Placements since 2000 for purposes of operating an ISD

Texas Education Agency

	District	Reason for Intervention	Appointment Range		% Students Meet Grade Level* at Appointment	% Students Meet Grade Level* at Transition	Academic Change under BOM
Academic Interventions	Shepherd	Five consecutive unacceptable campus academic ratings	Nov 2019	Present	28%	35%	+ 7
	Marlin	Four consecutive unacceptable district academic ratings	Sep 2016	Present	12%	28%	+ 16
	El Paso	Academic malfeasance	Dec 2012	May 2015	30%	38%	+ 8
Non-Academic Interventions	Southside	Governance failures	Dec 2016	May 2022	24%	38%	+ 14
	Edgewood	Governance failures	Mar 2016	May 2020	24%	29%	+ 5
	Beaumont	Financial mismanagement	Apr 2014	Feb 2020	30%	30%	+ 0
	North Forest	Governance & financial mismanagement	Jul 2008	Nov 2010	69%	78%	+ 9

All Board of Managers placements in ISDs since 2000. Excludes temporary Board of Managers placements to facilitate consolidation in Wilmer Hutchins ISD (2006), Kendleton ISD (2010), North Forest ISD (2013), and La Marque ISD (2016). Excludes interventions that did not involve a final Board of Managers assignment.

**Source: Data from 2011 and earlier are from TAKS at the 'Met Standard' level, which is closer to the current Approaches Grade Level standard; 2012–2013 are from STAAR at the 'Final Level II' standard for all subjects.; 2014–2015 are from STAAR at the 'Postsecondary Readiness' standard in 'Two or More Subjects'; 2016 are from STAAR at the 'Meets Grade Level' standard in 'Two or More Subjects.'2017 and later are from STAAR at the 'Meets Grade Level' standard for all subjects.*

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Additional Information and Resources

The roles and responsibilities of an appointed Board of Managers can be found on the TEA Board of Managers website.

In addition, some key legal citations regarding an appointed board of managers include:

- Appointment of Monitor, Conservator, or Board of Managers (TAC §97.1073)
- Appointment of Board of Managers (TEC §39A.004)
- Board of Managers for School District Managed by Conservator or Management Team (TEC §39A.006)
- General Powers and Duties of Board of Managers (TEC §39A.201)
- Board of Managers School District (TEC §39A.202)
- Role of the Board of Trustees (TEC. §39A.202)
- Expiration of Appointment (TEC.§39A.208)