

Agenda of Regular Meeting

The Board of Trustees Splendora ISD

A Regular meeting of the Board of Trustees of Splendora ISD will be held July 19, 2021, beginning at 6:30 PM in the Administration Building Boardroom, 23419 FM 2090, Splendora, Texas 77372.

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

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If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

The notice for this meeting was posted in compliance with the Texas Open Meeting Act on _____, at _____

For the Board of Trustees



STRATEGIC DIRECTION - *why we exist*

VISION Right People. Right Things. Right Way. Right Resources. Right Relationships

MISSION Cultivating Exceptional People

BELIEFS - <i>why we act</i>	PRINCIPLES
<u>Student-Focused</u> : We believe the greatest outcomes result when students come first.	• Be accountable. • Live with integrity. • Focus on student needs.
<u>Relationships</u> : We believe positive and supportive relationships create the conditions for students to be advocates in their education.	• Value each other.
<u>Culture</u> : We believe a healthy, collaborative culture fosters exploration and innovation in a supportive environment.	• Ensure a safe physical, emotional, + social environment.
<u>Servant Leaders</u> : We believe servant leaders and critical thinkers strengthen our community and democracy.	• Develop servant leaders.
<u>Learning</u> : We believe all students deserve high-quality, engaging learning experiences that honor the potential in each student.	• Create a dynamic learning environment.

LEARNER PROFILE

The Splendor ISD Learner Profile provides an educational setting where every student is empowered to be: Self Motivated, Confident, An Adaptable Learner, A Critical Thinker, A Productive Citizen

STRATEGIC GOALS

Goal 1: Establish a shared commitment to district beliefs, the need for continuous innovation, and a focus on the future.

Goal 2: Ensure the focus of school district activity is on improving the quality of learning experiences for all.

Goal 3: Enhance the capacity to increase student engagement through digital learning.

Goal 4: Enact a communication strategy that results in a common language and a shared commitment to student success.

Goal 5: Establish a culture that promotes social, emotional and physical well-being for all.

On March 16th Governor Gregg Abbott granted a request by Attorney General Ken Paxton to temporarily suspend a limited number of open meetings laws to the extent necessary to allow telephonic or videoconference meetings in response to the Coronavirus (COVID-19). In accordance with those suspended rules, we certify the following:

- 1) Notice of this meeting has been posted online for at least 72 hours (1 hour if an emergency meeting or emergency supplemental item).
- 2) Although members of the board are not gathered in a central, physical location, we do have a quorum in attendance at this meeting by videoconference or telephone call.
- 3) We are meeting by use of ZOOM software application which allows two-way communication for members of the public.
- 4) As we would at any in-person meeting, members of the public who have followed the instructions on the meeting notice for registering to speak during the public comment portion will be unmuted for 3 minutes to speak. If the speaker submitted written comments in advance, Katie Key (Superintendent's secretary) or the Board Secretary, will read the comments into record before or during the board's consideration of that item. If you would like to provide comment at a future meeting conducted by videoconference or telephone call, please follow instructions on the meeting notice.
- 5) All other meeting procedures will adhere to board-adopted procedures to the extent practicable.
- 6) An audio recording of this meeting is being made and will be available to the public at a later date.
- 7) This software application allows for up to 100 people to view and interact at a time. We apologize in advance for any unforeseeable difficulties and ask for your patience as we navigate unprecedented conditions.
- 8) If you have questions about these suspended laws, please call the Office of the Attorney General at 888-672-6787 or by email at TOMA@oag.texas.gov

U.S. Pledge:

"I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Texas Pledge:

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

Splendora ISD Strategic Plan Balanced Scorecard 2021-2025					
Strategic Priorities:	Performance Goals:	Key Strategic Actions: (Inputs)	Progress Measures	Long Term Desired Outcomes	Notes
Priority 1: Focus on Student Success	1.1 Increase opportunities to support Student Engagement	*Focus on student engagement and learning through Schlechty Engagment and Design Work	*Teacher Implementation		Implementation of Design Work Common Understanding of the Definition of Engagement Using SPEC Sheets to Design Work Design Units of Study Increase Opportunities for Capturing Student Voice Focus on Collaboration across Campuses (Principals and T&L) Continue to focus on showcasing student work and increasing student ownership of learning Bring back after school feeding program
		*Focus on increasing opportunities for student participation and capturing student voice	*Quality learning experiences		
		*Focus on Collaboration across Campuses (Principals and T&L)	*Teachers knowing their "Who"		
		*Continue to focus on showcasing student work and increasing student ownership of learning	*Increase in student achievement		
		*Bring back after school feeding program	*Schlechty Teacher Framework for Reflection and Discussion - Use surveys to identify patterns and trends and develop next level of work		
			*STAAR, Student Attendance, Grades, SBAs		
			*Data from T & I Student Engagment		
		*Provide transportation for extra-curricular activities	*Increase in participation		
			*Enrollment Numbers		
	1.2 Ensure Social / Emotional Wellness for All Students	*Implementation of CKH: EXCEL Model, Good Things, Social Contract, Greeting at the Door, Launch, Process Champions, Three Questions	*Increase in relational capacity & positive culture		
			*Walkthroughs & Surveys		
		*Implement Quaver K-6	*Increase in SEL skills as measured by Panorama		
			*Panorama Survey		
		*Implement Rhithim 7-12	*Increase in social / emotional competencies as measured by Panorama		
			*Panorama Survey		
	1.3 Create Future Ready Students CCMR		*Industry based certification opportunities		
		*Develop, monitor, and track Pathways Of Studies (POS) for funding purposes.	*Increase or sustain funding received for POS		
		*Provide pathways to industry-based certifications (IBC) as set by a data-based goals.	*Student participation and completion rates		
			*State data on completion rate of POS and or IBC		
		*Establish any tactical processes which will identify populations to be targeted in order to provide opportunities for all students to gain college credit while in high school.	*Equitable participation for ECHS and PAP/AP/DC programs for all populations		
			*Enrollment numbers		
		*Define indicators or standards for our learner profile attributes by developing teacher, student, parent, and community focus groups for input.	*Standardized set of criteria to identify student profile attributes that can be embedded in daily learning experiences		
			*Meeting minutes and agendas		
	1.4 Increase focus on Student Learning & Progress		*Increase in meaningful feedback that results in an increase in learning.		
			*Diversification of assessment practices.		
		*Establish an assessment focus group that includes students, teachers, and administrators in order to study meaningful assessments and understand the value of learning and feedback over a grade or score.	*CFAs, SBAs, STAAR, Student Writing - Identifying Patterns & Trends		
			*Lesson plans will demonstrate assessment diversity		
			*Walkthroughs		
		*Partner with students on lesson design and assessments. (Ready-Set-Teach, GEARS, Student Counseil). Survey students about lesson and assessment effectiveness.	*Students advocating for their own education		
			*Surveys		
			*Design Meeting/Training Sign-In Sheets		

Splendora ISD Strategic Plan Balanced Scorecard 2021-2025					
Strategic Priorities:	Performance Goals:	Key Strategic Actions: (Inputs)	Progress Measures	Long Term Desired Outcomes	Notes
	1.5 Focus on Student Safety	*Ensure that the safety and security committee is meeting on a regular basis with a focus on student safety *Increase opportunities for training with students at the secondary level on human trafficking; drug, alcohol, and vaping awareness;			

Strategic Priorities:	Performance Goals:	Key Strategic Actions: (Inputs)	Progress Measures	Long Term Desired Outcomes
Priority 2: Focus on Staff Well-Being, Engagement and Growth	2.1 Design intentional Professional Learning aligned to the Strategic Direction	*District Focus on Staff Engagement *Make Staff engagement/ PL a focus with campus and district design teams	*DLT/Instructional Design *Engagement vs Participation *Quality Experiences for Staff *Intentional Design/Feedback Surveys *Retention Rate of 90%	
			*Time, Funds - ESSER to target Professional Learning *District led PD schedule that includes engagement *PLC Activities & Learning opportunities for engagement *Allocated Time & Resources for Professional Development *\$\$\$\$ for Resources allocation	8
	2.2 Build Capacity to support increased Staff Engagement	*Utilize Employee Wellness Committee to generate ideas *HR- design and implement trainings to increase awareness of SE *Work with Counselors to conduct surveys and report results on Staff Engagement	*Exceptional Leaders & professional growth *Increased staff attendance % *Participation #s in PD surrounding Well-Being, Engagement & Growth	

		*Conduct Team Trust surveys for each department and campus *Identify Key Work and Key Support Processes to ask key customers for feedback *Conduct connection and collaboration rounding process		
	2.3 Measure and provide action steps to increase Staff Satisfaction & Trust	*Conduct exit interviews (making sure that everyone has one and that the results are being reported)		
	2.4 Increase Focus on Staff Well-Being			

Strategic Priorities:	Performance Goals:	Key Strategic Actions: (Inputs)	Progress Measures	Long Term Desired Outcomes
Priority 3: Focus on Community Engagement, Transparency and Trust	3.1 Measure Perception of Increased Transparency	*Strategic District Engagement & Communication *Tactical Campus/Department Engagement & Communication *Refine & Communicate Processes		
	3.2 Augment Community Partnerships	*Parents *Businesses *Community	*PTOs *Boosters *Volunteers *DEIC *CITs *Superintendent Council Group To what degree does our community consider it a benefit to partner with the school district financially (sponsors in marketing), as educational sponsors (partners in education), and/or as volunteers?	
	3.3 Measure Community Satisfaction for Non-Parents	*Senior Citizens *Church Groups *Young Adults	To what degree are SISD stakeholders adequately informed and able to share comments, concerns, and questions with staff?	
	3.4 Measure Community Satisfaction for Parents	*Attendance at Events *Track Social Media *Surveys/Feedback Form	To what degree do we provide an inclusive framework of parent involvement and leadership?	
	3.5 Increase Customer Satisfaction			

Strategic Priorities:	Performance Goals:	Key Strategic Actions (Inputs)	Progress Measures:	Long Term Desired Outcomes:
Priority 4: Focus on Strategic Financial Stewardship	4.1 Develop clear plan for growth	*10 Year plan to include: demographic information, projected enrollment, and debt structure as well as bond projections		
		*Align capital outlay to include land and long-term capital projects		
		*Ensure Staffing Ratios are consistent with market as well factored into growth		
		*Build out with Land and Facility Committee		
	4.2 Ensure Coherent and Transparent Budget Development, Adoption, and management	*Budget Calendar	*Checklist of timeline	*Smooth budget adoption in June
		*Budget Workshop	*Checking Goals	*Educating School Board on our Budget process
		*Facility and Land Committee	*Build Out Schedule	*Aide the board in projecting and managing growth
	4.3 Ensure Efficiency, Cost Avoidance, and Strategic Alignment of Resources	*Annual budget presentations by department	*Line item review budget	
		*Internal bid requirement processes	*Ensure value by comparison	
		*Program Audits	* Audit report	
	4.4 Structure Debt for Maximum Accommodation of future growth	*Financial Advisory by consultant	*Financial report and guidance	*Remain financially prepared for the future
	4.5 Focus on Well-Maintained Facilities			

Staff and students have been busy this summer! Many of our staff members have attended professional development, leadership meetings and even walked door-to-door to greet new families. Students have competed in All-Star games, band competitions, Clay shooting events, ad the FFA rodeo. They also attended sports, STEAM, livestock, and band camps. What an incredible, fast-paced summer!





Superintendent Spotlight





Spendora ISD

More Than A Score.

Dr. Jeff Burke as Superintendent of Schools

I am honored and privileged to serve as Superintendent of Spendora ISD. Since 1981, we have seen tremendous growth, hard working teachers, and created a culture based on our beliefs, values and core principles. We believe that as educators, there are only two things that we can control: the quality of work that we design for our students, and the relationships that we build. In Spendora ISD, we are more than a score. We believe that we are an environment where our students have the opportunity to explore their passions, and they are not limited in those endeavors by what they experience in a traditional classroom. To that end, we focus on the strengths and talents of our students and our teachers, and we encourage and design, and a focus on the future. At Spendora ISD, we make every effort to ensure that our students are well-rounded and that they engage in academic and learning experiences that foster and build confidence, and self-motivation. We are proud to be a National Showcase District for our Creating Kids' Hearts initiative, which helps build our students' heart to heart, positive, appropriate relationships through consistent adults and with each other, understand the importance of advocating for themselves, and to be prepared to be productive citizens when they leave Spendora ISD. We will continue to build student voice throughout our district, because we believe it is equally important that our students offer their viewpoints and perspectives. After all, they are the reason we are here.



Dr. Jeff Burke is a member of the Texas Association of School Administrators (TASBA) and has been the Executive Director of Professional Learning and Student Engagement in Allen ISD, and was the High School Principal at McKinney ISD and the High School Principal in Irving, Texas. Dr. Burke graduated from Baylor University and attended Houston Baptist University and Lamar University, before earning his teaching license in 1980 at the University of Texas at Dallas.

Dr. Burke received his doctorate in educational leadership from Texas A&M University in 2015. Currently, Dr. Burke serves at the state level as a member of the Texas Association of School Administrators (TASBA) and has been the Executive Director of Professional Learning and Student Engagement in Allen ISD, and was the High School Principal at McKinney ISD and the High School Principal in Irving, Texas. Dr. Burke graduated from Baylor University and attended Houston Baptist University and Lamar University, before earning his teaching license in 1980 at the University of Texas at Dallas.



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**Splendor ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: July 06, 2021

Agenda Business Items:

☐ Consent Agenda Item

(Board has acted on items such as this previously)

New Action

(Board has not seen information previously and allows for more time to discuss)

Information Only Items:

Presentation

☐ Recognition

X Information

Name of Person Responsible: Kevin Lynch

Department or Campus: Administration Office

Topic: Skate Center Update

Background Information: Several applications have been received for the manager's position. Interviews will be set up for the week of July 12th.

Attachments: N/A

Superintendent's Resolutions: Reviewed



**Splendora ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: April 23, 2021

Agenda Business Items:

- ☐ Consent Agenda Item
- ☐ New Action

Information Only Items:

- ☐ Presentation
- ☐ Recognition
- ☒ Information

Name of Person Responsible: Susan Hoisington

Department or Campus: Teaching & Learning

Topic: ECHS Designation Renewal

Background Information: Each year we must submit a renewal application for the ECHS designation. The application submission tends to be a formality. We typically have 3-4 meetings per year with an Educate Texas representative who is assigned to us by TEA. Our representative is Ginger Noyes and we have had only one meeting with her this year. I have provided some data highlights for students in the EC program and links to documents that are unique to the EC program.

Attachments: [Hoisington June 2021 Board Report](#)

Superintendent's Resolutions: Recommended

ECHS Designation Renewal 2021-2022

- Each year a new EC designation application must be submitted--this tends to be a formality for ECHS campuses that are established. This is our 12th year of Early College designation.
 - ◆ Copy of [2021-2022 submitted application](#)
- [ECHS Blueprint](#) - these are the guidelines/expectations for all ECHS campuses. Effective for the 2020-2021 school year and beyond.
- [Outcomes Based Measures Summary 2021](#) - this information is pulled directly from PEIMS data which is why it is so important to have accurate data in Skyward.



**Splendoria ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: July 6, 2021

Agenda Business Items:

- ☐ Consent Agenda Item
- ☐ New Action

Information Only Items:

- ☐ Presentation
- ☐ Recognition
- ✓ Information

Name of Person Responsible: Colin Weatherly

Department or Campus: Police

Topic: Monthly Report

Background Information:

Attachments: Monthly Report(s)

Superintendent's Resolutions: Reviewed

July 2021 Police Report

- MONTHLY ACTIVITY June 20211
 - 1 SISD officer was here M-F during summer school hours
- SIGNIFICANT EVENTS
 - None
- PERSONNEL ISSUES
 - Mike Bryant is new sergeant is charge of School Operations
 - Stacy Sherlock is current sergeant in charge of Support Operations
 - Hired replacement high school officer that will start on evenings but move to open school position
 - Final stages of hiring an officer that will be permanent evening hours.
 - Will work Tues - Fri from 1330 - 2200
 - Will work Sat hours dependent on events in district
- BUDGET ISSUES
- OTHER



**Splendor ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: July 15, 2021

- ☐ Consent Agenda Item
- ☐ Action Needed
- ☒ Information Only
- ☐ Recognition / Presentation

Name of Person Responsible:

Allen Wells

Department or Campus:

School Board

Topic:

Land & Facilities Committee Update

Background Information:

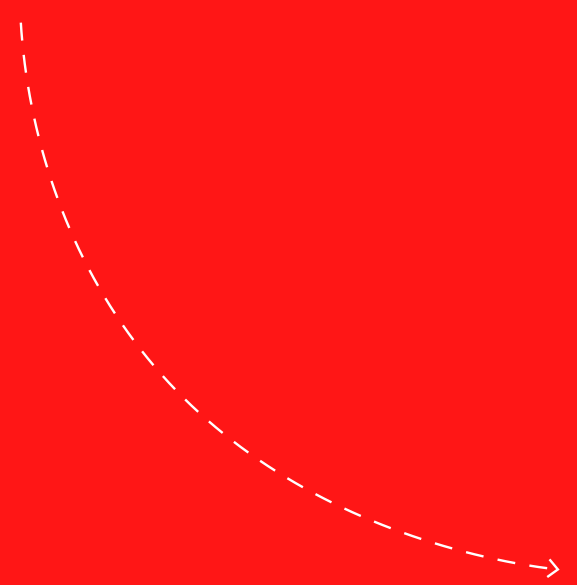
Attachments:

Land & Facilities Committee Update

Superintendent's Resolutions: Reviewed

Cultivating Exceptional People

The Wildcat Way



Planning the future
for generations.



What we're hearing



24% Increase in
construction cost vs.
2020.

Increased lead time
sourcing material.

More new
developments are
coming.

Bond planning is on
schedule.

Moving forward with
LGI tract
negotiations, but
asked for an
extension.

What we're doing next



Next Meeting Date
8-25-2021

Review material
provided by Stantec
regarding design,
campus makeup and
layouts

Review Bond schedule

Develop a vision for
the future. What we
want, what we need
and what we can
afford. This
includes campus
size, capacity,
design, programs,
etc..



Peach Creek Elementary

Capacity: 850

Approximately 96 Sq ft per
student



Green Leaf Elementary

Capacity: 850

Approximately 108 Sq ft per
student



Timber Lakes Elementary

Capacity: 850

Approximately 120 Sq ft per
student



Piney Woods Elementary

Capacity: 850

Approximately 159 Sq ft per
student

Elementary



Splendor JH

Capacity: 850

Approximately 171 Sq ft per student

This includes JH CTE



Splendor HS

Capacity: 1500

Approximately 207 Sq ft per student

This includes CTE, cosmetology and annex

Secondary



**Splendor ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: July 15, 2021

- ☐ Consent Agenda Item
- ☐ Action Needed
- ☒ Information Only
- ☐ Recognition / Presentation

Name of Person Responsible:

Dr Jeff Burke

Department or Campus:

Superintendent

Topic:

2021-2022 COVID Protocols

Background Information:

Attachments:

Superintendent's Resolutions:



MONTGOMERY CENTRAL APPRAISAL DISTRICT

TONY BELINOSKI, RPA
CHIEF APPRAISER

June 10, 2021

Splendora ISD
Superintendent
23419 FM 2090
Splendora Texas 77372

Re: MCAD Board of Directors Election for the 2022-2023 Term

Each odd-numbered year, the taxing districts elect the appraisal district's board of directors in accordance with Section 6.03 of the Property Tax Code. The purpose of this letter is to inform you of this upcoming process to elect Montgomery Central Appraisal District's Board of Directors.

In August, you will receive a second letter requesting nominations from your entity. An Election Calendar is enclosed to assist you in setting your agenda to comply with deadlines.

Also enclosed are the voting entitlements for all-eligible taxing districts in Montgomery County and the eligibility requirements for a board of director member.

I encourage your district to exercise its right to nominate and vote in this election process. If you have any questions concerning the election, please call me.

Sincerely,

Tony Belinoski, RPA
Chief Appraiser

Attachments: Voting Entitlements, Qualifications for Board Members, Election Calendar
[1-Co-ISD City Letter.doc]

Election Calendar

Board of Directors Election - 2022-2023 Term
Montgomery Central Appraisal District



JANUARY 2021	FEBRUARY 2021	MARCH 2021
APRIL 2021 1 If a request to participate has not been received, mail 1st letter to MUDs: advise at least one MUD must request to participate in election by June 7. Request verification of current presiding officer. Enclose eligibility requirements and election calendar <i>On receipt of a request to participate, chief appraiser must certify a list of all eligible MUDs by June 15</i> [1-MUD]	MAY 2021 3 Mail 2nd letter to MUDs: request nomination to be in our office before July 15. Enclose sample resolution, voting entitlement and eligibility requirements <i>Chief appraiser must notify MUDs of its voting entitlements & right to nominate before July 1</i> [2-MUD]	JUNE 2021 3 Mail 1st letter to County, ISDs & Cities: advise of election & request verification of current presiding officer. Enclose eligibility qualifications, election calendar and voting entitlements. <i>Chief appraiser must notify all other tax districts of its voting entitlements before October 1</i> [1-County]&[1-1-1SD City]
JULY 2021 15 Mail Ballot to MUDs with all nominees to be returned before August 15. The winner of the election will be placed on October ballot to all tax districts. Enclose sample resolution <i>Chief appraiser must deliver nominating ballot to MUDs before August 1</i> [3-MUD]	AUGUST 2021 2 Mail 2nd letter to County, ISDs & Cities: request nominations. Must submit nominees before October 15. Enclose Resolution and eligibility requirements. [2-Co 1SD City] 18 Mail 4th letter to MUDs: Notify MUDs of the nominee selected to appear on general ballot in October. [4-MUD]	SEPTEMBER 2021 BEFORE Oct. 1 deliver notice of Voting Entitlement to: - County Judge - Each Commissioner - Presiding Officer - City Mgr/Secretary/Clerk - Presiding Officer of each ISD - Each Superintendent of the ISD's
OCTOBER 2021 16 Mail Official Ballot to <u>all</u> voting tax districts before October 30. Ballots must be returned before December 16 <i>Chief appraiser must deliver copy of ballot to all tax districts before October 30</i> [5-All]	NOVEMBER 2021	DECEMBER 2021 Notify all tax districts of election results before December 31 [6-All]

MONTGOMERY CENTRAL APPRAISAL DISTRICT
Voting Entitlements for County, ISD's and Cities
Board of Directors Election, 2022-2023 Term

District	Votes
Montgomery County	920
Lone Star College	223
Cleveland ISD	1
Conroe ISD	1703
Magnolia ISD	330
Montgomery ISD	294
New Caney ISD	265
Richards ISD	1
Splendora ISD	40
Tomball ISD	45
Willis ISD	175
City of Cleveland	1
City of Conroe	145
City of Houston	15
City of Magnolia	5
City of Montgomery	5
City of Oak Ridge No.	5
City of Panorama Vlge	5
City of Patton Vlge	1
City of Roman Forest	5
City of Shenandoah	8
City of Splendora	1
City of Stagecoach	1
City of Willis	8
City of Woodbranch Vlge	1
City of Woodloch	1
Total County/ISD/City Votes	4,204

Number of County/ISD/City Districts	26
Number of Special Districts	111
Number of All Voting Districts	137

Total County/ISD/City Votes	4,204
Total Special District Votes	796
Total of All Votes	5,000

QUALIFICATIONS FOR AN APPRAISAL DISTRICT DIRECTOR

[Texas Property Tax Code 6.03]

To be eligible to serve on the board of directors, an individual must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office.

An individual is **ineligible** to serve if the individual is:

- A person who has appraised property for compensation for use in proceedings or represented property owners for compensation in proceedings in the CAD at any time within the preceding three years is ineligible to serve on the board of directors.
- An employee of a taxing unit in the district [a person may be an elected official of a taxing unit].
- An appraisal district employee
- A person (or spouse) or business entity that contracts with the appraisal district or with a taxing unit in the appraisal district.
- A person (or spouse) or business entity that is a participant in a current lawsuit with the district.
- A person or relative within the second degree by consanguinity or affinity who does business in the appraisal district as a paid property tax agent or fee appraiser whose work involves property taxes.
- A person owing delinquent property taxes. [IF delinquency is older than 60 days] [DOES NOT apply if person is paying delinquent taxes and any penalty and interest under an installment payment agreement or has deferred or abated a suit to collect delinquent taxes.]

1 st DEGREE	2 nd DEGREE	3 rd DEGREE
By Consanguinity • Parents • Children By Affinity • Spouses of relatives listed under first degree consanguinity • Spouse • Spouse's parents • Spouse's children • Stepparents • Stepchildren	By Consanguinity • Grandparents • Grandchildren • Brothers & sisters By Affinity • Spouses of relatives listed by second degree consanguinity • Spouse's grandparents • Spouse's grandchildren • Spouse's brothers & sisters	By Consanguinity • Great grandparents • Great grandchildren • Nieces & nephews • Aunts & uncles By Affinity • No prohibitions



MONTGOMERY CENTRAL APPRAISAL DISTRICT

TONY BELINOSKI, RPA
CHIEF APPRAISER

June 10, 2021

Splendora ISD
Board President
23419 FM 2090
Splendora Texas 77372

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Election Calendar

Board of Directors Election - 2022-2023 Term
Montgomery Central Appraisal District



JANUARY 2021	FEBRUARY 2021	MARCH 2021
APRIL 2021 1 If a request to participate has not been received, mail 1st letter to MUDs: advise at least one MUD must request to participate in election by June 7. Request verification of current presiding officer. Enclose eligibility requirements and election calendar <i>On receipt of a request to participate, chief appraiser must certify a list of all eligible MUDs by June 15</i> [1-MUD]	MAY 2021 3 Mail 2nd letter to MUDs: request nomination to be in our office before July 15. Enclose sample resolution, voting entitlement and eligibility requirements <i>Chief appraiser must notify MUDs of its voting entitlements & right to nominate before July 1</i> [2-MUD]	JUNE 2021 3 Mail 1st letter to County, ISDs & Cities: advise of election & request verification of current presiding officer. Enclose eligibility qualifications, election calendar and voting entitlements. <i>Chief appraiser must notify all other tax districts of its voting entitlements before October 1</i> [1-County]&[1-ISD City]
JULY 2021 15 Mail Ballot to MUDs with all nominees to be returned before August 15. The winner of the election will be placed on October ballot to all tax districts. Enclose sample resolution <i>Chief appraiser must deliver nominating ballot to MUDs before August 1</i> [3-MUD]	AUGUST 2021 2 Mail 2nd letter to County, ISDs & Cities: request nominations. Must submit nominees before October 15. Enclose Resolution and eligibility requirements. [2-Co ISD City] 18 Mail 4th letter to MUDs: Notify MUDs of the nominee selected to appear on general ballot in October. [4-MUD]	SEPTEMBER 2021 BEFORE Oct. 1 deliver notice of Voting Entitlement to: - County Judge - Each Commissioner - Presiding Officer - City Mgr/Secretary/Clerk - Presiding Officer of each ISD - Each Superintendent of the ISD's
OCTOBER 2021 16 Mail Official Ballot to <u>all</u> voting tax districts before October 30. Ballots must be returned before December 16 <i>Chief appraiser must deliver copy of ballot to all tax districts before October 30</i> [5-All]	NOVEMBER 2021	DECEMBER 2021 Notify all tax districts of election results before December 31 [6-All]

MONTGOMERY CENTRAL APPRAISAL DISTRICT
Voting Entitlements for County, ISD's and Cities
Board of Directors Election, 2022-2023 Term

District	Votes
Montgomery County	920
Lone Star College	223
Cleveland ISD	1
Conroe ISD	1703
Magnolia ISD	330
Montgomery ISD	294
New Caney ISD	265
Richards ISD	1
Splendora ISD	40
Tomball ISD	45
Willis ISD	175
City of Cleveland	1
City of Conroe	145
City of Houston	15
City of Magnolia	5
City of Montgomery	5
City of Oak Ridge No.	5
City of Panorama Vlge	5
City of Patton Vlge	1
City of Roman Forest	5
City of Shenandoah	8
City of Splendora	1
City of Stagecoach	1
City of Willis	8
City of Woodbranch Vlge	1
City of Woodloch	1
Total County/ISD/City Votes	4,204

Number of County/ISD/City Districts	26
Number of Special Districts	111
Number of All Voting Districts	137

Total County/ISD/City Votes	4,204
Total Special District Votes	796
Total of All Votes	5,000

QUALIFICATIONS FOR AN APPRAISAL DISTRICT DIRECTOR

[Texas Property Tax Code 6.03]

To be eligible to serve on the board of directors, an individual must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office.

An individual is **ineligible** to serve if the individual is:

- A person who has appraised property for compensation for use in proceedings or represented property owners for compensation in proceedings in the CAD at any time within the preceding three years is ineligible to serve on the board of directors.
- An employee of a taxing unit in the district [a person may be an elected official of a taxing unit].
- An appraisal district employee
- A person (or spouse) or business entity that contracts with the appraisal district or with a taxing unit in the appraisal district.
- A person (or spouse) or business entity that is a participant in a current lawsuit with the district.
- A person or relative within the second degree by consanguinity or affinity who does business in the appraisal district as a paid property tax agent or fee appraiser whose work involves property taxes.
- A person owing delinquent property taxes. [IF delinquency is older than 60 days] [DOES NOT apply if person is paying delinquent taxes and any penalty and interest under an installment payment agreement or has deferred or abated a suit to collect delinquent taxes.]

1 st DEGREE	2 nd DEGREE	3 rd DEGREE
By Consanguinity • Parents • Children By Affinity • Spouses of relatives listed under first degree consanguinity • Spouse • Spouse's parents • Spouse's children • Stepparents • Stepchildren	By Consanguinity • Grandparents • Grandchildren • Brothers & sisters By Affinity • Spouses of relatives listed by second degree consanguinity • Spouse's grandparents • Spouse's grandchildren • Spouse's brothers & sisters	By Consanguinity • Great grandparents • Great grandchildren • Nieces & nephews • Aunts & uncles By Affinity • No prohibitions



**Splendor ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: July 15, 2021

Agenda Business Items:

- ☐ Consent Agenda Item
(Board has acted on items such as this previously)
- ☐ New Action
(Board has not seen information previously and allows for more time to discuss)

Information Only Items:

- ☐ Presentation
- ☐ Recognition
- ☒ Information

Name of Person Responsible: Suzanne Soto

Department or Campus: Board President

Topic: Montgomery Central Appraisal District

Background Information:

Attachments: See Boardbook for attachments

**Superintendent's Resolutions:
Reviewed**



**Splendoria ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: July 1, 2021

- ☐ **Consent Agenda Item**
- ☐ **Action Needed**
- ☒ **Information Only**
- ☐ **Recognition / Presentation**

Name of Person Responsible:

Dr Jeff Burke

Department or Campus:

Admin

Topic:

Safety Recommendations

Background Information:

The Safety & Security Committee met and these are the recommendations they have made. The notes in red are the current plans for each recommendation. The School Board does not have to approve the recommendations.

Attachments:

Safety Recommendations

Superintendent's Resolutions: Reviewed

Safety Committee Recommendations

Counseling & Mental Health

Mental Health First Aid training for coaches and sponsors. Available free through Tri-County and Region 6. **IN PROGRESS**

Adding a district employed social worker to serve DAEP, JH and High School. **HIRED**

Removing non-counselor supported duties - Use The Texas Model of Comprehensive School Counseling as legislated. **IN PROGRESS**

- Testing, 504, Student Council, SPED referrals

Incorporating Trauma Informed Care and Instruction as a regular part of PD both at the beginning of the year and on PD days and faculty meetings - delivered by the campus counselor and/or region 6 Mental Health Specialist. **COMPLETED**

Student & Staff Safety

Ensure that all students and staff have a lockable safe place during an active shooter or like crisis. **STILL IN PROGRESS - WILL BE HANDLED IN STAFF TRAININGS**

Cybersecurity: Scheduling 3rd Party email Phishing audits to send out fake phishing attacks on the district and using that data to pinpoint weak points within the district. This data would be used to train staff on how to handle different phishing situations. **IN PROGRESS**

Crimestoppers program or easier way/incentivised way for students to report other students. **LET'S TALK IS SUCCESSFUL.**

Student Advisory Committees on Safety and Security - including Physical and Mental Health JH and HS. **IN EARLY PLANNING STAGES.**

Some type of Education for students on what to do if there is an Active Shooter - example - JetBlue Presentation. **IN PROGRESS.**

Working with legislative, local and state officials to change drills, to include different types (active shooter, etc) **IN PROGRESS.**

Drug Testing - expense vs. benefit **RESEARCHING (STUDENT SERVICES DIRECTOR)**

Vaping nicotine vs. Thc - and DAEP placement **RESEARCHING (STUDENT SERVICES DIRECTOR)**

Leadership Academy's with Counselor and PD - TLE has started the process. **IN PROGRESS**

- On the Radar to keep an eye on as we continue to grow: 2 Elementary Counselors - 1 East and 1 West Side
Current Student Population
GLE 679
PCE 508
PWE 532
TLE 593

Maintenance & Facilities

Access control improvements-**(Under Review)**

- HS-Add a camera phone to the athletic door leading to the Athletic Annex
- HS-Add a camera phone to the Entrance leading to the CATE building
- Remove the open/close schedule completely and replace it with a student level access card. (prevent doors automatically opening unattended)
- Build in an automated lock-down process. Consider using existing technology to initiate a series of automated features that occur during a lockdown. Examples are a card swipe to start the lock-down, pre recorded message on the PA system, Automated text and email notifications. Disable all access cards except for designated "responders".
- Harden the access control server to have generator UPS backup.
- Develop policy that restricts who has access to the server and Atrium software system.

Physical grounds security

- Consider perimeter fencing on new construction facilities-**To be addressed in the design phase of each project.**
- Close and lock access gates after hours to reduce the amount of random people coming on campus.**Under review**
- Add access gating to roads coming into the district. **Noted. Not to be addressed at this time**

- Add gated access to teacher parking areas to increase site security-**Noted.**
- Add lighting to the “ring road” behind the high school. **To be addressed**
- Add additional lighting to the staff parking at the Jr High-**Noted.**
- Consider 6’ fencing around all playground areas with locks and keys. **Not recommended.**
- Design a perimeter physical security “rounds” checklist (checking locks, gates and doors) that is completed by designated staff daily at the start of school and at the end of the day. Logs digitally kept. **Under review by PD.**
- WWTP cameras-**Noted.**
- Water Plant Cameras-**Noted.**
- Additional lighting on the trail between the ADMIN building and HS. -**Not recommended. We do not wish to encourage after dark use of the trail.**
- Add CNG generators to the Admin building and Technology building to maintain servicers during outages. **Under review**
- Consider moving all security and access control services to third party cloud servers. **Under review**
- Harden the exterior glass at all Admin office suites. **Noted.**
- Install cameras at all district entrances and parking lots.**Noted.**



**Splendora ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: July 15, 2021

- ☐ **Consent Agenda Item**
- ☐ **Action Needed**
- ☒ **Information Only**
- ☐ **Recognition / Presentation**

Name of Person Responsible:

Dr Jeff Burke

Department or Campus:

Admin

Topic:

Audit Plan

Background Information:

We are discussing audits of several departments, including: Special Education, CTE, Human Resources, and Counseling. We will most likely start with CTE and Human Resources, including payroll. We have previously audited: Human Resources (Staffing), Business and Operations, Activity Funds, and Curriculum.

Attachments:

None

Superintendent's Resolutions: Recommended



**Splendor ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: May 21, 2021

Agenda Business Items:

- ☐ Consent Agenda Item
- ☐ New Action

Information Only Items:

- ☐ Presentation
- ☐ Recognition
- ☒ Information

Name of Person Responsible: Susan Hoisington & Adam Lira

Department or Campus: Teaching & Learning

Topic: CCMR information

Background Information:

Attachments: CCMR report

Superintendent's Resolutions: Reviewed

July 2021 CCMR Board Report

**Susan Hoisington
Adam Lira**

Early College TSIA2 Numbers

	EC/DC	# passed ELAR	# passed Math
12th	103/2	84	51
11th	85/2	56	9
10th	80/10	37	Not tested yet
9th	80	26	Not tested yet

New TSIA2 tests released on January 11, 2021

- Math 950-990 OR
- 910-949 with a diagnostic score of 6+
- ELAR 945-990 and Essay 5-8 OR
- 910-944 with a diagnostic score of 5-6 and Essay 5-8

College Ready Academic Measures

Focus Area	2020-2021 (309 graduates)
TSI Reading (≥ 351)	103
TSI Math (≥ 350)	51
TSI both Reading/Math	47
SAT Math (≥ 530)	19
SAT Reading (≥ 480)	65
ACT Reading (≥ 19)	0
ACT Math (≥ 19)	0
College Prep ELAR	N/A
College Prep Math	N/A

Focus Area <u>Accountability Readiness Tracker</u>	2020-2021 (309 graduates)
AP (3+)	No scores yet
Dual Credit (3 hrs in Math or ELAR or 9 hrs in any subject)	88
Earned Associate Degree or Core Complete	42
Students Receiving Sped Services and Diploma Type	0
Earn Industry Based Certification approved by TEA	287
Earn Industry Based Certification <u>Not</u> approved by TEA	158
Grad w/ Completed IEP & Workforce Readiness	Data Not Available
For 1/2 point only! CTE Coherent Sequence Aligned w/ Industry Based Certification	229

Summary of Finances Report - as of June 17, 2021

Category	Amount received	Amount spent	Difference
College Preparation Assessment Reimbursement (spring of junior year or during senior year - one reimbursement per student)	\$14,586	\$10,700.60	(\$3,885.40)
Certification Examination Reimbursement	\$13,245	\$15,231.99	\$1986.99



**Splendora ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: 14Jul21

Agenda Business Items:

- ☐ Consent Agenda Item
(Board has acted on items such as this previously)
- ☐ New Action
(Board has not seen information previously and allows for more time to discuss)

Information Only Items:

- ☒ Presentation
- ☐ Recognition
- ☐ Information

Name of Person Responsible:

Troy Reynolds

Department or Campus:

Federal Programs and Compliance

Topic:

Presentation of 2021 STAAR

Background Information:

None

Attachments: None

Superintendent's Resolutions: Reviewed

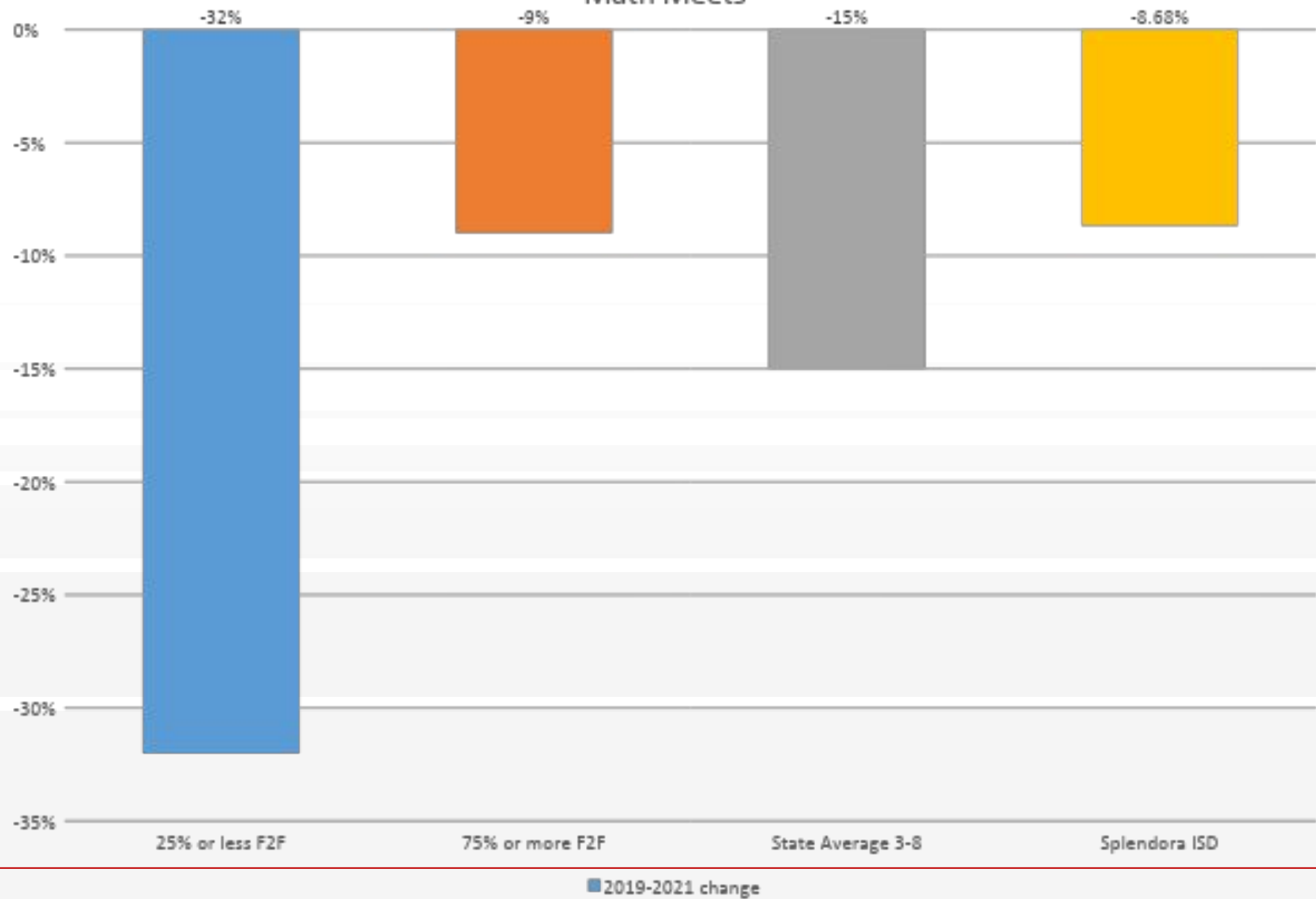


STAAR Results

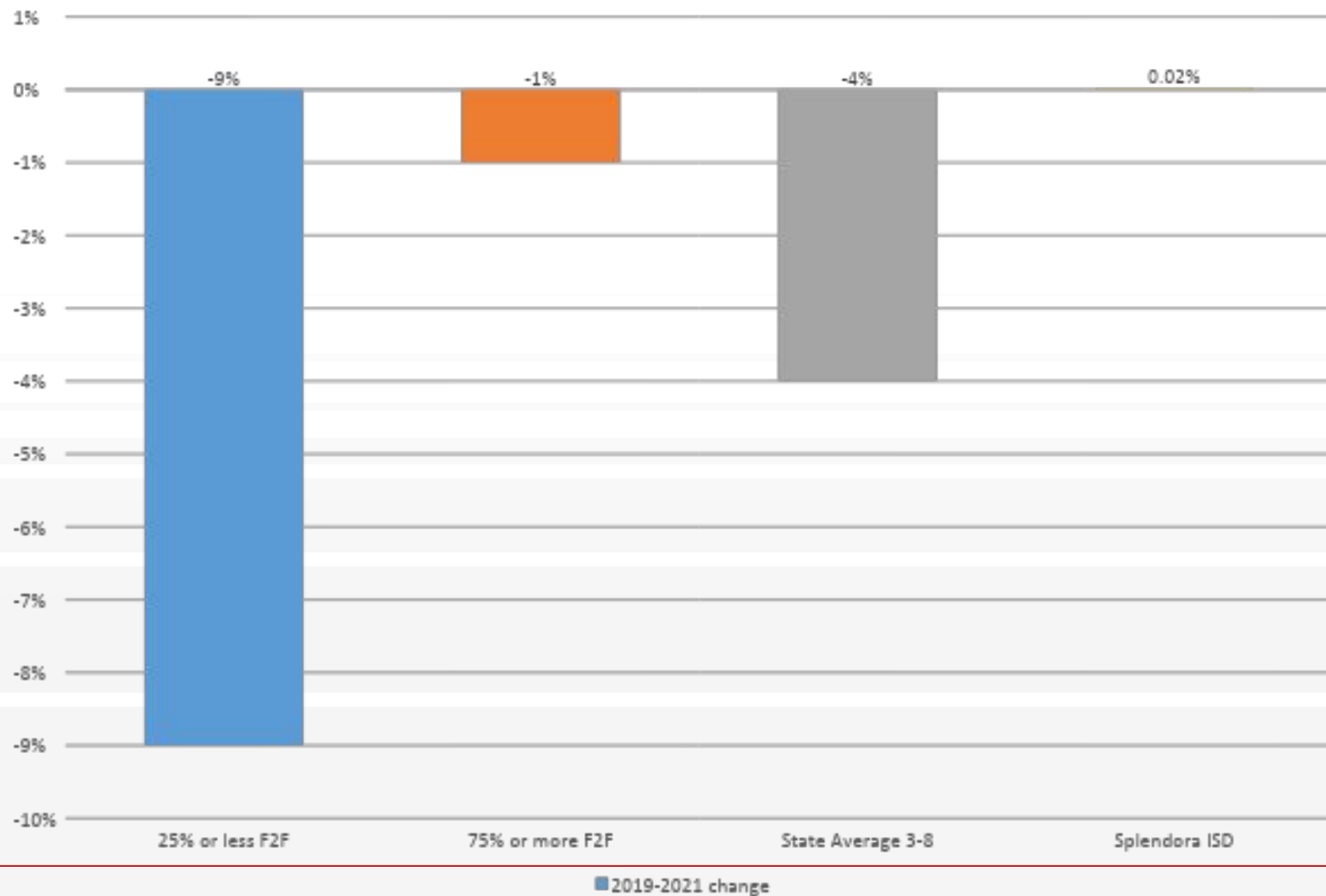
2019-2021 comparison

13Jul21

Math Meets



Reading Meets



Takeaways

- Like the rest of the state, math suffered the most.
- 6 of 15 areas measured had statistically insignificant losses (under 1%) with one measured area showing a small gain.
- Positives:
 - SHS, SJH, and PCE all showed more gains than losses
 - Gaps were less than state average and smaller than predicted
- Challenges
 - Meets and masters tend to lose more ground than approaches
 - Still slightly behind state average performance

SPLENDORA INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES
SPECIAL MINUTES
June 7, 2021
5:30 PM

The trustees of the Splendora Independent School District met in a special meeting on Monday, June 7, 2021 in the boardroom of the administration building, 23419 FM 2090, Splendora, TX 77372.

1. STRATEGIC DIRECTION - WHY WE EXIST

2. Meeting began at **5:30 PM. ROLL CALL:** (1) Adam Dietrich - Member (2) Dan Muirhead – Assistant Secretary, (3) Barry Welch – Member, (4) Jason Sessum - Member, (5) Allen Wells - Vice President, (6) Jackie Knott - Secretary, (7) Suzanne Soto - President, and Dr. Jeff Burke – Superintendent

Presiding: Allen Wells
Absent: Suzanne Soto

Recording: Jackie Knott
Barry Welch arrived at 5:50 pm

3. INVOCATION given by Dan Muirhead

4. US & STATE OF TEXAS PLEDGE OF ALLEGIANCES

5. GOOD THINGS

Jason Sessum was happy to be able to drop his daughter off to take the TSI.

Adam Dietrich said his sons are getting into FFA with the arrival of some rabbits and chickens. He also wanted to say that the Athletic Director search process was very good.

Jackie Knott said that having graduation back at home was great.

Dr Burke announced that the Education Foundation Golf tournament raised approximately \$24k. He also said that last week's District Leadership Team retreat was great.

Allen Wells gave a shout out to the Wildcat Clay Team on winning state.

6. **AUDIENCE** - Participants must have signed up prior to Board Meeting start time. Participants may address the Board on any agenda item. Participation is limited to three minutes to make comments to the Board, unless the participant requires the use of a translator, in which case participation is limited to six minutes. The Board will only consider complaints that remain unresolved after being addressed through proper administrative channels and when they have been placed on the agenda. Please note the Board of Trustees shall not

deliberate, respond, or make decisions regarding any subject that is not included on the agenda that is posted. For further information on these requirements, contact Katie Key, Superintendent Secretary at 281-689-4441

No one asked to address the Board.

7. PUBLIC HEARING

7. A. ESSER 3 Grant - One of the ESSER 3 requirements is documentation that we have solicited meaningful input from all stakeholders. The public was encouraged to ask any questions.

No one from the public asked any questions.

"The Board of Trustees will now go into a Closed session. This Closed Session will be held for purposes authorized by the Texas Open Meetings Act, Texas Government Code(s) 551.074 - Personnel, concerning any and all purposes permitted by the Act(s). No voting will take place in the closed meeting. Any action the Board wishes to take as a part of discussions in closed session will take place after the board reconvenes in the open meeting. It is now 5:46 pm."

8. CLOSED SESSION ITEM(S)

A. Personnel - Section 551.074

**BREAK AT 5:46 PM; CLOSED SESSION BEGAN AT 5:49 PM
RECONVENED FROM CLOSED SESSION AT 6:36 PM**

9. ACTION ITEM(S)

9.A. Consider Recommendation of Athletic Director

A motion was made by Dan Muirhead seconded by Jason Sessum to approve Randy Rowe for the Athletic Director as presented.

Voting for: 6, Against: 0. Motion carried.

10. JUNE REGULAR MEETING AGENDA REVIEW

11. ADJOURN

ADJOURNMENT AT 7:33 pm.

President

Secretary

SPLENDORA INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES
PUBLIC HEARING
June 21, 2021
6:00 PM

The trustees of the Splendora Independent School District met in a public hearing on Monday, June 21, 2021 in the boardroom of the administration building, 23419 FM 2090, Splendora, TX 77372.

1. STRATEGIC DIRECTION - WHY WE EXIST

2. Meeting began at **6:00 PM. ROLL CALL:** (1) Adam Dietrich - Member
(2) Dan Muirhead – Assistant Secretary, (3) Barry Welch – Member, (4) Jason Sessum - Member, (5) Allen Wells - Vice President, (6) Jackie Knott - Secretary, (7) Suzanne Soto - President, and Dr. Jeff Burke – Superintendent

Presiding: Suzanne Soto Recording: Dan Muirhead

Absent: Barry Welch, Jackie Knott

3. **AUDIENCE** - Participants must have signed up prior to Board Meeting start time. Participants may address the Board on any agenda item. Participation is limited to three minutes to make comments to the Board, unless the participant requires the use of a translator, in which case participation is limited to six minutes. The Board will only consider complaints that remain unresolved after being addressed through proper administrative channels and when they have been placed on the agenda. Please note the Board of Trustees shall not deliberate, respond, or make decisions regarding any subject that is not included on the agenda that is posted. For further information on these requirements, contact Katie Key, Superintendent Secretary at 281-689-4441

4. PUBLIC HEARING FOR 2021-2022 BUDGET

The public was allowed 3 minutes to ask questions.

No one from the public asked any questions.

5. ADJOURN

ADJOURNMENT AT **6:05 pm.**

President

Secretary

SPLENDORA INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
June 21, 2021
6:30 PM

The trustees of the Splendora Independent School District met in a regular meeting on Monday, June 21, 2021 in the boardroom of the administration building, 23419 FM 2090, Splendora, TX 77372.

1. STRATEGIC DIRECTION - WHY WE EXIST

2. Meeting began at **6:30 PM. ROLL CALL:** (1) Adam Dietrich - Member
(2) Dan Muirhead – Assistant Secretary, (3) Barry Welch – Member, (4) Jason Sessum - Member, (5) Allen Wells - Vice President, (6) Jackie Knott - Secretary, (7) Suzanne Soto - President, and Dr. Jeff Burke – Superintendent

Presiding: Suzanne Soto Recording: Dan Muirhead

Absent: Barry Welch Jackie Knott arrived at 7:15 pm

3. INVOCATION given by Dan Muirhead

4. US & STATE OF TEXAS PLEDGE OF ALLEGIANCES

5. GOOD THINGS

Jason Sessum said his son, Lance just recently attended an FFA Leadership camp and had a great time.

6. STUDENT RECOGNITION - State Qualifying Students Presentation

Dr Burke talked about all of the great students who reached regionals or state in different programs across the district.

7. DISTRICT RECOGNITION - R.B. Tullis Presentation

The R.B. Tullis Award was presented to Mrs Joyce Lucas for her significant impact in our community.

8. AUDIENCE - Participants must have signed up prior to Board Meeting start time. Participants may address the Board on any agenda item. Participation is limited to three minutes to make comments to the Board, unless the participant requires the use of a translator, in which case participation is limited to six minutes. The Board will only consider complaints that remain unresolved after being addressed through proper administrative channels and when they have been placed on the agenda. Please note the Board of Trustees shall not deliberate, respond, or make decisions regarding any subject that is not included on the agenda that is posted. For further information on these requirements, contact Katie Key, Superintendent Secretary at 281-689-4441

No one asked to address the Board.

9. INFORMATION/DISCUSSION ITEMS

A. Demolition East Campus

Discussion regarding the demolition of East side buildings. Assistant Superintendent Kevin Lynch was available for questions.

B. Skating Rink Discussion

Discussion regarding the Skate Center. Assistant Superintendent Kevin Lynch was available for questions.

Dan Muirhead made a motion, Jason Sessum seconded, to post for a management position for the skating rink and re-open the rink as soon as possible.

Voting for: 5, Against: 0 Motion carried.

C. ECHS Designation

Discussion regarding the renewal application for ECHS designation. Dr. Susan Hoisington was available for questions.

This item was moved to the July 19, 2021 regular meeting.

D. Monthly Police Report

The Monthly Police report was in the Boardbook packet.

E. District Waste Removal (Dumpster Lease/Pickup) Information

Discussion regarding waste removal from the district. Director of Purchasing/Warehouse Darla Baker was available for questions.

F. Discussion regarding Portable Buildings

Discussion regarding movement of the portable buildings. Assistant Superintendent Kevin Lynch was available for questions.

10. PRESENTATION(S)

A. Curriculum Management Plan Presentation(s)

- a. Dual Language Update - an Update from Bilingual/ESL Coordinator Zizi Asfour as to the seven year plan for Dual Language and included research on how students' progress academically. It also included charts on our SISD's students progress in PK, K, and 1st grades.

11. CONSENT AGENDA ITEMS

A. Minutes

- B. Financials, Tax Report, Investment Report, and Accounts Payable
- C. Consider Approval of Solution Tree Contract
- D. Consider Renewal of Property/Casualty Insurance with Texas Political Subdivisions
- E. Consider Renewal of District Copier Contract with Skelton Business for a 1-year term 2021-2022
- F. Consider Approval of District Cybersecurity Equipment Lease

A motion was made by Adam Dietrich seconded by Suzanne Soto to approve the special May 3, 2021 meeting minutes, the regular meeting May 17, 2021 minutes, the workshop May 24 meeting minutes, the financials, tax reports, investment and collections reports, and accounts payable in the General Operating Account in the total amount of \$1,333,353.61, the approval of Solution Tree Contract, the renewal of the Property/Casualty Insurance with Texas Political Subdivisions, the district copier contract with Skelton Business for a 1-year term 2021-2022 and the district Cybersecurity equipment lease.

Voting for: 5, Against: 0 Motion carried.

12. ACTION ITEMS

- A. Consider Approval of Budget Amendment #3 (2020-2021)

A motion was made by Suzanne Soto seconded by Jason Sessum to approve Budget Amendment #3 (2020-2021).

Voting for: 5, Against: 0 Motion carried

- B. Consider Approval of the 2021-2022 Budget

A motion was made by Allen Wells seconded by Adam Dietrich to approve the 2021-2022 Budget as presented.

Voting for: 5, Against: 0 Motion carried

- C. Consider Approval of Student Fees Recommendation

A motion was made by Jason Sessum seconded by Allen Wells to allocate a maximum of \$30,000 dollars to offset student fees for the 2021-2022 school year.

Voting for: 5, Against: 0, Motion carried

13. SUPERINTENDENT'S REPORT

- A. Enrollment - Summer School
- B. Month-at-a-Glance
- C. Balanced Scorecard Update

"The Board of Trustees will now go into a Closed session. This Closed Session will be held for purposes authorized by the Texas Open Meetings Act, Texas Government Code(s) 551.074 - Personnel, concerning any and all purposes permitted by the Act(s). No voting will take

place in the closed meeting. Any action the Board wishes to take as a part of discussions in closed session will take place after the board reconvenes in the open meeting. It is now 7:22 pm."

- 14. CLOSED SESSION
 - A. Personnel - 551.074
 - 1. Resignations/Retirements
 - 2. New Hires

BREAK AT 7:22 PM

CLOSED SESSION BEGAN AT 7:29 PM

RECONVENED FROM CLOSED SESSION AT 8:19 PM

- 15. POSSIBLE ACTION ARISING FROM CLOSED SESSION

No action items arising from Closed Session.

- 16. POSSIBLE AGENDA ITEMS FOR NEXT REGULAR MEETING:

- A. Curriculum Management Plan Presentation - CCMR Update
- B. Monthly Police Report
- C. Workers Compensation Insurance
- D. Consider 2021-2022 Student Handbook and Code of Conduct
- E. Consider 2021-2022 Employee Handbook
- F. Board Self Evaluation
- G. Program(s) Audit(s) Plan
- H. EOC/STAAR Results
- I. Safety Recommendations
- J. ECHS Designation
- K. Skating Rink Update
- L. Board/Supt Operational Goals

- 17. ADJOURN

ADJOURNMENT AT 8:24 pm.

President

Secretary

For the Month of June								
Check Nbr	Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.So-Org-Prog	Reason	Amount	EFT
094293	06-04-2021	HOUSTON BROWN	000008	02282020	169-36-6294.00-001-191000	REISSUE CK NEVER RECEIVED	-90.00	N
095388	06-04-2021	JASON MULLER	000461	10262020	169-36-6294.00-001-191000	REISSUE CK NEVER RECEIVED	-125.00	N
095454	06-04-2021	DUSTIN STURDIVANT	000481	10302020	169-36-6294.00-001-191000	REISSUE CK NEVER RECEIVED	-125.00	N
097049	06-23-2021	FOLLETT SCHOOL SOLU	211432	842334F	199-11-6399.00-102-125000	CHECK DAMAGED REISSUE	-860.50	N
			211432	842334F	199-11-6399.00-102-130000	CHECK DAMAGED REISSUE	-860.50	N
Totals for Check 097049							-1,721.00	
097326	06-03-2021	A TO Z SPECIALTIES	212014	26913	199-41-6399.00-701-199000	DLT PLAQUES	29.40	N
			211999	26970	199-41-6497.00-750-199041	RETIREMENT PLAQUE	70.00	N
Totals for Check 097326							99.40	
097327	06-03-2021	ACE MART RESTAURAN	211759	78007714	199-11-6399.62-001-122000	FOOD SCIENCE SUPPLIES	483.44	N
097328	06-03-2021	AMERICAN INDUSTRIAL	211962	31837	199-11-6399.00-001-122000	WELDING BOTTLES RENTALS	231.00	N
			211962	31623	199-11-6399.00-001-122000	WELDING BOTTLES RENTALS	203.00	N
Totals for Check 097328							434.00	
097329	06-03-2021	ANAHUAC ISD	001232	04/28-29	169-36-6499.00-001-191035	SOFTBALL FACILITY RENTAL	826.38	N
097330	06-03-2021	HOUSTON PASADENA A	212009	G42548-IN	199-34-6311.00-999-199000	Fuel	15,225.77	N
097331	06-03-2021	ARC MECHANICAL LLC	001218	12818	240-35-6249.00-001-199000	EQUIPMENT REPAIR	317.26	N
			001218	13187	240-35-6249.00-041-199000	EQUIPMENT REPAIR	92.02	N
			001218	12810	240-35-6249.00-104-199000	EQUIPMENT REPAIR	212.50	N
			001218	12853	240-35-6249.00-104-199000	EQUIPMENT REPAIR	212.50	N
Totals for Check 097331							834.28	
097332	06-03-2021	BALFOUR	210261	1424914	199-11-6399.89-001-111000	OPEN FOR DIPLOMAS	32.66	N
097333	06-03-2021	BARNES & NOBLE, INC	211781	4117074	199-11-6399.00-102-111000	PRE-K CLASSROOM SUPLIES	6.39	N
			211506	4117367	199-11-6399.53-102-111000	MATH INSTRUCTIONAL SUPPLIES	271.25	N
Totals for Check 097333							277.64	
097334	06-03-2021	CENTERPOINT ENERGY	001222	2624185-1	199-51-6259.73-999-199000	DISTRICT GAS	37.00	N
097335	06-03-2021	CHICK FIL A	211993	2084951	199-51-6497.00-999-199078	MEETING FOOD	339.34	N
097336	06-03-2021	CINTAS CORPORATION	211166	5064091101	199-51-6319.00-999-199000	FIRST AID KIT REFILLS	8.05	N
097337	06-03-2021	CROSBY ISD ATHLETICS	001233	04262021	169-36-6499.00-001-191035	SOFTBALL FACILITY RENTAL	871.73	N
097338	06-03-2021	CROWN EQUIPMENT CO	001235	135412229	199-51-6249.49-999-199025	FORKLIFT REPAIR	856.89	N
			211908	135411441	199-51-6399.00-999-199025	DISTRICT FORKLIFT 20-21	343.83	N
Totals for Check 097338							1,200.72	
097339	06-03-2021	DUROTECH, INC.	001230	APP 12 20631-12	199-81-6629.00-001-199081	HS, CATE & AG ADDITIONS	196,469.52	N
097340	06-03-2021	EAST MONGOMERY CO.	210435	30550092003520	199-51-6259.70-999-199000	WATER/SEWER - TLE	277.10	N
			210435	30550092003510	199-51-6259.70-999-199000	WATER/SEWER - TLE	117.50	N
Totals for Check 097340							394.60	
097341	06-03-2021	GREATER EMC CHAMBE	211982	92792	199-41-6411.00-701-199000	CHAMBER LUNCHEON JUNE 2, 20	20.00	N
			211984	92805	199-41-6419.00-702-199000	CHAMBER LUNCHEON	20.00	N
			211982	92792	199-41-6419.00-702-199000	CHAMBER LUNCHEON JUNE 2, 20	20.00	N
Totals for Check 097341							60.00	

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Check Nbr	Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.So-Org-Prog	Reason	Amount	EFT
097342	06-03-2021	EDUCATOR'S DEPOT	211697	13790	199-11-6396.00-101-111000	PRINCIPAL FURNITURE	3,501.95	N
			211634	13786	199-11-6396.00-105-111000	Furniture	511.01	N
			Totals for Check 097342				4,012.96	
097343	06-03-2021	ENTERGY	202262	365004592350	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	316.16	N
			202262	2023253447	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	42,240.18	N
			202262	2023276591	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	19,710.68	N
			202262	490002852200	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	194.38	N
			202262	145006200877	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	12,300.61	N
			202262	220004754947	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	592.79	N
			202262	75006534843	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	72.37	N
			202262	180005198503	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	380.64	N
			202262	90006601339	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	1,378.45	N
			202262	385004428376	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	141.89	N
			202262	385004428377	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	206.05	N
			202262	2023271632	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	76,311.05	N
			Totals for Check 097343				153,845.25	
097344	06-03-2021	EXAMITY INC	212012	SPLE521	199-31-6339.39-001-199039	TSIA Proctor	250.00	N
097345	06-03-2021	FOLLETT SCHOOL SOLU	211685	875107	199-12-6669.00-041-199000	books for circulation	2,060.26	N
			211685	875107F	199-12-6669.00-041-199000	books for circulation	691.26	N
			Totals for Check 097345				2,751.52	
097346	06-03-2021	HEXAGRAMM US LLC	211539	INV0412	263-11-6399.00-999-125000	ESL & BILINGUAL BOOKS	2,337.71	N
097347	06-03-2021	HIGH POINT	001217	182207	199-34-6319.00-999-199000	Trash bags	108.60	N
			211944	182095	199-51-6399.02-999-199078	DEPARTMENT SUPPLIES	5,421.40	N
			211944	182360	199-51-6399.02-999-199078	DEPARTMENT SUPPLIES	479.30	N
			211944	181759	199-51-6399.02-999-199078	DEPARTMENT SUPPLIES	720.30	N
			211927	181555-1	199-51-6399.02-999-199078	DEPARTMENT SUPPLIES	86.08	N
			211927	182095-1	199-51-6399.02-999-199078	DEPARTMENT SUPPLIES	1,683.75	N
			Totals for Check 097347				8,499.43	
097348	06-03-2021	HOUSTON COMMUNICA	211633	INV826952	199-31-6399.00-105-199000	Counselor	358.00	N
097349	06-03-2021	HOWARD INDUSTRIES I	211891	2100521425	199-53-6398.00-999-199000	IOCKNCHARGE STATIONS FOR DI	48,076.00	N
097350	06-03-2021	HUNTON SERVICES	211464	JC80946	199-51-6248.77-999-199000	COIL REPLACEMENT AT SHS	23,000.00	N
097351	06-03-2021	IT OUTLET INC	211835	65157	199-11-6398.00-041-111000	CHARGING CARTS FOR SJH	19,118.00	N
097352	06-03-2021	JUDY JUDY	001227	SUPPLY REIMB	199-34-6319.00-999-199000	REIMB SUPLLIES	43.52	N
097353	06-03-2021	K&R PROPANE	210099	025305	199-34-6311.00-999-199000	PO Created by Req: 003569	1,171.50	N
097354	06-03-2021	LABATT FOOD SERVICE	001220	05257452	240-35-6341.00-001-199000	FOOD DELIVERY	1,864.69	N
			001220	05257452	240-35-6341.00-001-199021	FOOD DELIVERY	1,864.68	N
			001221	04270167	240-35-6341.00-104-199000	FOOD DELIVERY	717.91	N
			001221	04270167	240-35-6341.00-104-199021	FOOD DELIVERY	848.77	N
			001221	04270159	240-35-6342.00-101-199000	SUPPLIES	28.63	N
			001221	04270167	240-35-6342.00-104-199000	SUPPLIES	182.07	N
			001221	04270167	240-35-6342.00-104-199021	SUPPLIES	67.65	N
			Totals for Check 097354				5,574.40	

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097355	06-03-2021	LAKESHORE LEARNING	211827	1540960421	199-11-6399.00-101-123000	SOCIAL SKILL PROMPTS	189.96	N
097356	06-03-2021	LONE STAR A/C	212000	LS1522	199-51-6248.77-999-199000	HVAC @ ISB	1,145.00	N
			212003	LS1523	199-51-6248.77-999-199000	HVAC REPAIR	1,123.00	N
			210135	LS1527	199-51-6248.77-999-199000	AS NEEDED HVAC REPAIRS FOR	290.00	N
			Totals for Check 097356				2,558.00	
097357	06-03-2021	MARK'S PLUMBING PAR	211945	INV001947803	199-51-6319.00-999-199000	PLUMBING SUPPLIES	35.98	N
			211945	INV001949463	199-51-6319.00-999-199000	PLUMBING SUPPLIES	773.68	N
			Totals for Check 097357				809.66	
097358	06-03-2021	MCCOY CORPORATION	211542	9896828	199-51-6319.00-999-199000	BUILDING SUPPLIES	162.47	N
			211542	9896917	199-51-6319.00-999-199000	BUILDING SUPPLIES	8.32	N
			211542	9897376	199-51-6319.00-999-199000	BUILDING SUPPLIES	136.20	N
			211542	9897589	199-51-6319.00-999-199000	BUILDING SUPPLIES	168.00	N
			Totals for Check 097358				474.99	
097359	06-03-2021	MONTGOMERY CENTRA	001223	ACCT - SSP	199-99-6213.00-703-199000	QUARTERLY BILLING	26,574.40	N
097360	06-03-2021	MONTGOMERY ISD ATH	001231	05072021	169-36-6499.00-001-191035	SOFTBALL FACILITY RENTAL	217.50	N
097361	06-03-2021	NEW DAIRY OPCO, LLC	001219	448021314	240-35-6341.00-041-199000	FOOD DELIVERY	35.94	N
			001219	448021314	240-35-6341.00-041-199021	FOOD DELIVERY	35.91	N
			001219	448283613	240-35-6341.00-101-199021	FOOD DELIVERY	200.88	N
			Totals for Check 097361				272.73	
097362	06-03-2021	PATRIOT HYDRO-CLEAN	211955	P52821	199-51-6249.00-999-199000	STADIUM PRESSURE WASHING	2,500.00	N
097363	06-03-2021	NCS PEARSON, INC	211980	14402399	199-11-6299.00-001-122000	QUICKBOOK CERTIFICATION	412.00	N
097364	06-03-2021	QUILL CORP.	211916	16639624	199-00-1312.00-000-100000	WHSE/DISTRICT	592.89	N
			211916	16635915	199-00-1312.00-000-100000	WHSE/DISTRICT	380.38	N
			Totals for Check 097364				973.27	
097365	06-03-2021	RANK ONE SPORT	001228	5728	169-36-6399.00-001-191000	ANNUAL SOFTWARE SUBSCRIPTI	1,000.00	N
097366	06-03-2021	REGION VI - ED. SERV.	001234	050526	199-11-6398.00-999-111053	ZOOM LICENSE	50.00	N
097367	06-03-2021	RICE UNIVERSITY	211992	CV57110565063	199-13-6411.00-001-199039	Spanish workshop reg. fee	600.00	N
097368	06-03-2021	ROGERS, MORRIS, & GR	001226	49606	199-41-6211.00-702-199000	LEGAL FEES	1,483.55	N
097369	06-03-2021	SOUTHERN FLORAL	211536	141257	199-11-6399.68-001-122000	FLORAL LAB SUPPLIES	724.19	N
097370	06-03-2021	STEPS TO LITERACY	211426	198195	199-11-6399.00-102-125000	GUIDED READING	735.05	N
			211426	198195	199-11-6399.55-102-111000	GUIDED READING	520.52	N
			211426	198195	211-11-6399.00-102-130000	GUIDED READING	463.00	N
			Totals for Check 097370				1,718.57	
097371	06-03-2021	MIDWAY FAST FOODS	211997	05202021	199-21-6497.00-999-199040	WORKING PRINCIPAL MEETING	115.83	N
097372	06-03-2021	TAHPERD	211858	M.	199-13-6411.00-105-199000	PE Conference	200.00	N
097373	06-03-2021	TASB	211971	608537	199-21-6411.00-999-199040	SLI CONFERENCE REGISTRATIO	435.00	N
			211971	608537	199-41-6411.00-701-199000	SLI CONFERENCE REGISTRATIO	435.00	N
			211971	608537	199-41-6419.00-702-199000	SLI CONFERENCE REGISTRATIO	2,495.00	N
			211958	608536	199-41-6419.00-702-199000	SLI CONFERENCE REGISTRATIO	435.00	N
			Totals for Check 097373				3,800.00	

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097374	06-03-2021	TEXAS LETTER JACKET	211440	4546	169-36-6399.06-001-191000	WINTER SPORTS JACKETS	190.00	N
			211440	4547	169-36-6399.06-001-191000	WINTER SPORTS JACKETS	114.00	N
			211440	4548	169-36-6399.06-001-191000	WINTER SPORTS JACKETS	38.00	N
			211440	4549	169-36-6399.06-001-191000	WINTER SPORTS JACKETS	38.00	N
			211440	4556	169-36-6399.06-001-191000	WINTER SPORTS JACKETS	76.00	N
Totals for Check 097374							456.00	
097375	06-03-2021	TEXAS LETTER JACKET	211938	4555	169-36-6399.06-001-191000	SPRING SPORT JACKETS	684.00	N
097376	06-03-2021	THE COLLEGE BOARD	211726	EA00031359	199-11-6321.00-001-111039	PAP materials-Jr. High	4,110.00	N
			211725	EA00031358	199-11-6321.00-001-111039	PAP materials	13,930.00	N
Totals for Check 097376							18,040.00	
097377	06-03-2021	THE COLLEGE BOARD	211941	CV58990032003	199-13-6411.00-001-199039	Reg. fee for AP Science	799.00	N
097378	06-03-2021	THE FLIPPEN GROUP LL	211991	63555	199-23-6411.00-001-199000	NEW HS PRINCIPAL TRAINING	1,200.00	N
097379	06-03-2021	THOMAS BUS GULF	211653	SIP-02543537	199-34-6319.00-999-199000	Parts	704.02	N
097380	06-03-2021	UNIFY ENERGY SOLUTI	212002	2295	199-51-6248.77-999-199000	HVAC REPAIRS	522.50	N
			212002	2413	199-51-6248.77-999-199000	HVAC REPAIRS	2,309.68	N
Totals for Check 097380							2,832.18	
097381	06-03-2021	US ACADEMIC	001225	SPLENDORA	199-36-6399.37-001-199000	SUPPLIES	1,452.90	N
097382	06-03-2021	WEAVER	001224	10671386	199-41-6212.00-750-199000	2021 ANNUAL AUDIT	14,000.00	N
097383	06-03-2021	WORTH HYDROCHEM O	210474	116134	199-51-6248.77-999-199000	12 MONTHS HVAC WATER TREAT	675.00	N
097384	06-10-2021	ACME ARCHITECTURAL	210065	5432529	199-51-6319.00-999-199000	DOOR REPAIR SUPPLIES	1,558.01	N
097385	06-10-2021	AMAZON CAPITAL	211918	05/19-06/05	199-00-1312.00-000-100000	WHSE/DISTRICT	3,080.98	N
097386	06-10-2021	AMERICAN INDUSTRIAL	211962	32103	199-11-6399.00-001-122000	WELDING BOTTLES RENTALS	231.00	N
097387	06-10-2021	ANGELA COATS	001262	CN ACCT	240-00-5751.00-000-100000	CN ACCOUNT REFUND	5.00	N
097388	06-10-2021	ASHLEY TYLER	001263	CN ACCT	240-00-5751.00-000-100000	CN ACCOUNT REFUND	11.50	N
097389	06-10-2021	AT&T	202272	28168920980227	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	115.06	N
			202272	28168932136818	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	38.81	N
			202272	28168936936080	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	44.93	N
			202272	28168951983892	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	77.54	N
			202272	28139951804958	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	106.07	N
			202272	28168905120518	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	87.00	N
			202272	28168963113892	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	77.54	N
			202272	28168979759266	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	116.31	N
			202272	28168936436818	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	38.77	N
			202272	28168971282960	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	44.93	N
			202272	28168974305560	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	77.54	N
			202272	28168978266081	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	44.93	N
			202272	28168993305872	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	198.49	N
			202272	28168993315129	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	2,611.45	N
Totals for Check 097389							3,679.37	

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097390	06-10-2021	AT&T	202271	2340452602	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	276.96	N
			202271	6865881601	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	800.97	N
			Totals for Check 097390				1,077.93	
097391	06-10-2021	AT&T	210924	0592900751001	199-51-6259.71-999-199000	LONG DISTANCE SERVICE	108.55	N
097392	06-10-2021	AT&T	202270	72951751705252	199-51-6259.71-999-199000	DISTRICT PHONE SERVICE	799.89	N
097393	06-10-2021	BALFOUR COMPANY - B	001271	1374	199-11-6399.89-001-111000	DIPLOMAS	92.06	N
			001271	1369	199-11-6399.89-001-111000	DIPLOMAS	52.33	N
			Totals for Check 097393				144.39	
097394	06-10-2021	BSN SPORTS, LLC	211844	912836642	199-11-6399.00-102-111000	GYM EQUIPMENT FOR K-6TH GR.	27.02	N
			211381	303769709	199-11-6399.51-041-111000	PE SUPPLIES	1,208.00	N
			211844	912836642	199-11-6399.51-102-111000	GYM EQUIPMENT FOR K-6TH GR.	237.35	N
Totals for Check 097394				1,472.37				
097395	06-10-2021	CASCO AUTO PARTS #2	210074	9151-244672	199-51-6319.00-999-199000	MISC REPAIR SUPPLIES	14.38	N
097396	06-10-2021	CHALK'S TRUCK PARTS	001237	79799-1	199-34-6319.00-999-199000	Parts	191.00	N
			001238	79802-1	199-34-6319.00-999-199000	Parts	351.35	N
			Totals for Check 097396				542.35	
097397	06-10-2021	CHRISTI ANN TURNER	211765	SPL06060721	255-13-6299.00-999-124000	T & L June PD	2,167.24	N
097398	06-10-2021	CINTAS CORPORATION	211905	4D86D42000	199-34-6299.00-999-199000	Dry Cleaning	77.07	N
			211905	4D86514854	199-34-6299.00-999-199000	Dry Cleaning	77.07	N
			211905	4085312880	199-34-6299.00-999-199000	Dry Cleaning	77.07	N
Totals for Check 097398				231.21				
097399	06-10-2021	CITY OF SPLENDORA	202260	08017201262000	199-51-6259.73-999-199000	DISTRICT GAS	97.50	N
097400	06-10-2021	CITY OF SPLENDORA-W	202261	08016104451500	168-51-6259.70-999-199000	DISTRICT WATER	114.34	N
			202261	08016104450400	199-51-6259.70-999-199000	DISTRICT WATER	2,273.38	N
			202261	08016104452000	199-51-6259.70-999-199000	DISTRICT WATER	220.09	N
			202261	08016104451550	199-51-6259.70-999-199000	DISTRICT WATER	184.50	N
			202261	08016104451000	199-51-6259.70-999-199000	DISTRICT WATER	216.73	N
Totals for Check 097400				3,009.04				
097401	06-10-2021	CONROE WELDING SUP	001267	R05212457	199-34-6319.00-999-199000	Parts	7.20	N
			210069	R 05212456	199-51-6319.00-999-199000	CO2 CYLINDERS	17.70	N
Totals for Check 097401				24.90				
097402	06-10-2021	DEMCO	211369	6932535	199-12-6399.00-999-199000	shelving signage	37.94	N
097403	06-10-2021	DUSTIN STURDIVANT	001258	10302020	169-36-6294.00-001-191000	OFFICIAL	125.00	N
097404	06-10-2021	EDITH KENDRICK	001276	06/09-11	199-13-6411.00-104-199000	ADMIN RETREAT TRAVEL	84.00	N
097405	06-10-2021	EDUCATIONAL THERAP	001250	SISDMAY2021	199-11-6299.00-999-123000	OT SERVICES	1,131.25	N
			211737	SISDMAY2021	199-11-6299.00-999-123023	OT Services	1,812.50	N
Totals for Check 097405				2,943.75				
097406	06-10-2021	EDUCATOR'S DEPOT	211854	13779	199-11-6399.93-041-111000	CAMPUS FURNITURE	10,247.00	N
097407	06-10-2021	EMMANUEL F SANCHEZ	212010	2020215	199-11-6299.00-999-123000	Bi lingual Assessment	600.00	N

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097408	06-10-2021	EXPRESS BOOKSELLER	211931	13140	199-00-1312.00-000-100000	WHSE/DISTRICT	305.46	N
			211960	13139	199-00-1312.00-000-100000	WHSE/DISTRICT	205.24	N
			Totals for Check 097408					510.70
097409	06-10-2021	FASTENAL	212019	TXCLV88051	199-34-6319.00-999-199000	PO Created by Req: 004263	1,229.65	N
097410	06-10-2021	FOLLETT SCHOOL SOLU	211686	875108F	199-12-6669.00-102-199000	books for circulation	1,142.48	N
097411	06-10-2021	LOS CAPORALES LLC	211886	06012021	199-13-6497.00-999-123023	Think Tank Breakfast for Offic	75.60	N
097412	06-10-2021	FRONTLINE TECHNOLO	210430	INVSEP12247	199-11-6299.00-999-123000	TSBS	64.08	N
097413	06-10-2021	GANDY INK	212016	715504	199-11-6399.00-699-130000	STEAM CAMP T-SHIRTS	517.65	N
097414	06-10-2021	GBI INK	001255	14146	199-34-6319.00-999-199000	banners and table cloths	1,425.00	N
097415	06-10-2021	GOOD PROMOTIONS	212001	12347	199-51-6249.00-999-199000	SIGN REPLACEMENT	35.00	N
097416	06-10-2021	HAWTHORNE	211850	560085	199-31-6339.00-999-123023	Scoring Manual	45.00	N
097417	06-10-2021	HEATH LUCAS	001275	06/09-11	199-13-6411.00-104-199000	ADMIN RETREAT TRAVEL	84.00	N
097418	06-10-2021	HIGH POINT	001241	181369-1	199-51-6399.02-999-199078	SCRUB PADS	12.60	N
			001241	181373	199-51-6399.02-999-199078	GRIT BRUSHES	649.40	N
			Totals for Check 097418					662.00
097419	06-10-2021	HOUSTON BROWN	001257	2282020	169-36-6294.00-001-191000	OFFICIAL	90.00	N
097420	06-10-2021	HOWARD INDUSTRIES I	211900	2100521424	199-11-6398.00-102-111000	LOCKNCHARGE STATION FOR GL	3,978.00	N
			211964	21-00522257	199-11-6398.00-999-111053	LOCKNCHARGE STATIONS FOR	8,619.00	N
			Totals for Check 097420					12,597.00
097421	06-10-2021	INDUSTRIAL FIRE EQUIP	210102	PS-INV109697	199-34-6249.00-999-199000	PO Created by Req: 003572	1,300.00	N
			001266	PS-INV109697	199-34-6319.00-999-199000	Fire extinguisher inspection	50.36	N
			Totals for Check 097421					1,350.36
097422	06-10-2021	JASON MULLER	001256	10262020	169-36-6294.00-001-191000	OFFICIAL	125.00	N
097423	06-10-2021	JDP	001270	56411	199-61-6299.00-999-199000	VOLUNTEER BACKGROUND CHE	3.15	N
097424	06-10-2021	KRISTY STEPP	001274	06/09-11	199-13-6411.00-104-199000	ADMIN RETREAT TRAVEL	84.00	N
097425	06-10-2021	KRYSTAL CARDENAS	001264	CN ACCT	240-00-5751.00-000-100000	CN ACCOUNT REFUND	23.75	N
097426	06-10-2021	LEELANNEE PATINO	001265	CN ACCT	240-00-5751.00-000-100000	CN ACCOUNT REFUND	16.75	N
097427	06-10-2021	LEGO EDUCATION NOR	211812	1190458341	199-36-6399.34-999-199000	ROBOTICS SUPPLIES	359.90	N
097428	06-10-2021	MAGNA FLOW ENVIRON	001244	69361	199-51-6249.00-999-199000	SLUDGE REMOVAL	2,286.17	N
			211909	69361	199-51-6299.00-999-199000	CONTRACTED SERVICES	549.97	N
			Totals for Check 097428					2,836.14
097429	06-10-2021	MARK'S PLUMBING PAR	211945	INV001950191	199-51-6319.00-999-199000	PLUMBING SUPPLIES	129.25	N
097430	06-10-2021	MARTIN CHEVROLET BU	211995	71277	199-34-6631.00-999-199000	Truck	39,706.53	N
097431	06-10-2021	MARY SMITH	001261	CN ACCT	240-00-5751.00-000-100000	CN ACCOUNT REFUND	15.77	N
097432	06-10-2021	MCCOY CORPORATION	211542	9897722	199-51-6319.00-999-199000	BUILDING SUPPLIES	824.09	N
097433	06-10-2021	MICRO INTEGRATION IN	211973	221317	199-21-6398.00-999-199040	POWERPOINT FOR BOARDROOM	86.00	N
			211256	221051	199-52-6398.00-999-199000	Microsoft Office	83.99	N
			Totals for Check 097433					169.99

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Check Nbr	Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.So-Org-Prog	Reason	Amount	EFT
097434	06-10-2021	MOAK, CASEY & ASSOCI	212017	05-8104	199-41-6299.00-701-199000	CONSORTIUM IMPROVEMENT DU	2,796.66	N
097435	06-10-2021	MOBILE	211843	34725	199-34-6299.00-999-199000	Radio Hardware	16,736.05	N
097436	06-10-2021	NABE CONFERENCE	211567	500320210807	199-13-6411.00-105-199000	NABE Conference	390.00	N
			211568	500320210810	199-13-6411.00-105-199000	NABE Conference	390.00	N
Totals for Check 097436							780.00	
097437	06-10-2021	NATIONAL BUSINESS FU	211410	CW014745	199-00-1312.00-000-100000	PCE/OFFICE FURNITURE	4,701.90	N
097438	06-10-2021	NEW DAIRY OPCO, LLC	001236	449221218	242-35-6341.00-699-199000	FOOD DELIVERY	86.07	N
097439	06-10-2021	NICOLE PORTERPAN	001273	06/09-11	199-13-6411.00-104-199000	ADMIN RETREAT TRAVEL	84.00	N
097440	06-10-2021	O'REILY AUTOMOTIVE S	212018	6043-127528	199-34-6319.00-999-199000	Parts	252.53	N
			212018	6043-127539	199-34-6319.00-999-199000	Parts	6.58	N
			212018	6043-127543	199-34-6319.00-999-199000	Parts	46.82	N
			212018	6043-127633	199-34-6319.00-999-199000	Parts	15.47	N
			212018	6043-127805	199-34-6319.00-999-199000	Parts	20.31	N
			212018	6043-127812	199-34-6319.00-999-199000	Parts	437.99	N
			212018	6043-127886	199-34-6319.00-999-199000	Parts	75.00	N
			212018	6043-127889	199-34-6319.00-999-199000	Parts	34.36	N
			212018	6043-128502	199-34-6319.00-999-199000	Parts	3.99	N
			212018	6043-128507	199-34-6319.00-999-199000	Parts	13.09	N
			212018	6043-128511	199-34-6319.00-999-199000	Parts	3.99	N
			212018	6043-128516	199-34-6319.00-999-199000	Parts	5.67	N
			212018	6043-128568	199-34-6319.00-999-199000	Parts	3.99	N
			212018	6043-129558	199-34-6319.00-999-199000	Parts	42.74	N
			212018	6043-129585	199-34-6319.00-999-199000	Parts	15.27	N
			212018	6043-130627	199-34-6319.00-999-199000	Parts	152.56	N
			212018	6043-131337	199-34-6319.00-999-199000	Parts	23.13	N
			212018	6043-131405	199-34-6319.00-999-199000	Parts	57.02	N
			212018	6043-134344	199-34-6319.00-999-199000	Parts	111.57	N
			212018	6043-132778	199-34-6319.00-999-199000	Parts	129.57	N
			001253	6043-128751	199-34-6319.00-999-199000	Parts	731.04	N
			212018	6043-132149	199-34-6319.00-999-199000	Parts	35.10	N
			212018	6043-133647	199-34-6319.00-999-199000	Parts	36.46	N
				6043-134357	199-34-6319.00-999-199000	Wrong Part	-71.22	N
				6043-128512	199-34-6319.00-999-199000	Wrong Part	-3.99	N
Totals for Check 097440							2,179.04	
097441	06-10-2021	PATRICIA HESSONG	001260	CN ACCT	240-00-5751.00-000-100000	CN ACCOUNT REFUND	109.00	N
097442	06-10-2021	NCS PEARSON, INC.	211429	13307425	199-11-6299.00-001-122000	MOS CERT EXAM VOUCHERS	126.00	N
			211004	14505577	199-31-6339.00-999-121000	GT SUPPLIES	2,700.00	N
Totals for Check 097442							2,826.00	
097443	06-10-2021	PIONEER MANUFACTUR	211950	INV791666	199-51-6399.79-999-199091	ATHLETIC FIELD PAINT	104.00	N
097444	06-10-2021	QUILL CORP.	211961	16818179	199-00-1312.00-000-100000	WHSE/DISTRICT	25.47	N
			211961	16835485	199-00-1312.00-000-100000	WHSE/DISTRICT	380.07	N
			211987	17013348	199-00-1312.00-000-100000	WHSE/DISTRICT	311.60	N

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			211987	17030537	199-00-1312.00-000-100000	WHSE/DISTRICT	366.07	N
			211986	17035200	199-00-1312.00-000-100000	WHSE/DISTRICT	321.30	N
			211986	17013981	199-00-1312.00-000-100000	WHSE/DISTRICT	147.25	N
			211986	17029877	199-00-1312.00-000-100000	WHSE/DISTRICT	189.90	N
			Totals for Check 097444					
097445	06-10-2021	REALLY GOOD STUFF	001259	7530153	199-11-6399.00-102-111000	SUPPLIES	150.21	N
			001259	7530153	199-11-6399.00-102-125000	SUPPLIES	1.75	N
Totals for Check 097445						151.96		
097446	06-10-2021	REGION VI - ED. SERV.	211885	051094	199-13-6411.00-999-123023	Staff PD	1,000.00	N
			211959	051093	199-21-6411.00-999-199040	T PESS TRAINING	2,800.00	N
			210002	051011	199-34-6239.00-999-199000	School Bus Driver Certificatio	100.00	N
			001268	051082	199-34-6319.00-999-199000	BUS DRIVER CERTIFICATION	50.00	N
Totals for Check 097446						3,950.00		
097447	06-10-2021	RIVER OAKS ACADEMY	210529	4252	224-11-6299.00-999-123000	Off Campus Student Placement	5,500.00	N
097448	06-10-2021	SALLY HARRIS	001277	06/09-11	199-13-6411.00-104-199000	ADMIN RETREAT TRAVEL	84.00	N
097449	06-10-2021	SERVPRO OF FLOWER	001272	1549	169-36-6299.00-001-191000	SHOULDER PAD CLEANING	2,580.00	N
097450	06-10-2021	SHERWIN WILLIAMS	211949	6782-8	199-51-6319.00-999-199000	PAINT SUPPLIES	2,986.39	N
097451	06-10-2021	SOCIAL THINKING PUBLI	211609	208400	199-21-6399.00-999-123023	Classroom Supplies	656.62	N
097452	06-10-2021	SONYA SIMPSON	001269	T-TESS REIMB	199-13-6411.00-104-199000	ADMIN RETREAT TRAVEL	84.00	N
			001269	T-TESS REIMB	255-41-6411.00-750-124041	T-TESS REIMB	450.00	N
Totals for Check 097452						534.00		
097453	06-10-2021	SOUTHERN TIRE MART	001248	4500284260	199-34-6319.00-999-199000	tires	18,920.00	N
097454	06-10-2021	STANTEC ARCHITECTU	001285	1791783	199-81-6629.00-001-199081	HS, CATE & AG ADDITIONS	9,255.74	N
097455	06-10-2021	SUNSET FIRE & SECURI	211751	018184	199-81-6629.00-001-199081	SECURITY ALARM INSTALL	4,977.00	N
			211751	018185	199-81-6629.00-001-199081	SECURITY ALARM INSTALL	3,609.00	N
Totals for Check 097455						8,586.00		
097456	06-10-2021	SUSAN LADNER	001279	CN ACCT	240-00-5751.00-000-100000	CN ACCOUNT REFUND	38.20	N
097457	06-10-2021	SWICEGOOD MUSIC CO	211311	R207074	199-11-6249.29-001-111000	FLUTE REPAIR	225.00	N
			211776	06092021	199-11-6249.29-001-111000	INSTRUMENT REPAIRS	4,220.00	N
			211552	REPAIRS	199-11-6249.29-041-111000	BAND REPAIRS	2,425.00	N
			211278	REPAIRS	199-11-6249.29-041-111000	BAND REPAIRS	3,215.00	N
Totals for Check 097457						10,085.00		
097458	06-10-2021	TAGT	211743	12026	199-13-6411.00-999-121000	TAGT GIFTED CONFERFENCE	150.00	N
097459	06-10-2021	TASB	211016	609664	199-41-6299.00-750-199041	PAY SYSTEM MAINT	3,000.00	N
097460	06-10-2021	TEJAS MATERIALS, INC.	211926	2193051-00	199-51-6319.00-999-199000	MAINTENANCE MATERIALS	1,462.28	N
097461	06-10-2021	TEXAS OPERATIONS &	211496	92920	199-51-6259.74-999-199000	WWTP OPERATIONS	3,950.00	N
			211499	92920	199-51-6259.74-999-199000	WWTP LAB RESULTS	2,143.03	N
			211498	92920	199-51-6259.74-999-199000	WWTP MICELLANIOUS REPAIRS	3,656.40	N
Totals for Check 097461						9,749.43		

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097462	06-10-2021	TEXAS STATE FLORISTS	211037	1069T	199-11-6299.00-001-122000	CTE CERTIFICATIONS	3,780.00	N
097463	06-10-2021	THE SCHOLASTIC NETW	211777		199-11-6299.00-001-130000	CAMPUS CONNECT MONITOR SY	3,300.00	N
			211777	05192021	199-11-6398.00-001-130000	CAMPUS CONNECT MONITOR SY	3,600.00	N
Totals for Check 097463							6,900.00	
097464	06-10-2021	THOMAS BUS GULF	212011	SIS-00461712	199-34-6249.00-999-199000	Bulkhead module program	907.50	N
			211653	SIP-02543696	199-34-6319.00-999-199000	Parts	206.44	N
			001239	SIP-02543614	199-34-6319.00-999-199000	Parts	334.00	N
			001240	SIP-02543988	199-34-6319.00-999-199000	Parts	309.09	N
			001242	SIP-02543297	199-34-6319.00-999-199000	Parts	281.27	N
			001243	SIP-02543538	199-34-6319.00-999-199000	Parts	172.20	N
			001245	SIP-02544026	199-34-6319.00-999-199000	Parts	499.99	N
			001246	SIP-02544027	199-34-6319.00-999-199000	Parts	187.45	N
			211653	SIP-02543174	199-34-6319.00-999-199000	Parts	1,057.54	N
			001280	SIP-02543482	199-34-6319.00-999-199000	Parts	479.21	N
			001281	SIP-02544112	199-34-6319.00-999-199000	Parts	479.21	N
			001282	SIP-02544117	199-34-6319.00-999-199000	Parts	746.78	N
			001283	SIP-02544113	199-34-6319.00-999-199000	Parts	138.27	N
			001284	SIP-02544114	199-34-6319.00-999-199000	Parts	309.09	N
			001284	SIP-02544123	199-34-6319.00-999-199000	Parts	130.90	N
Totals for Check 097464							6,238.94	
097465	06-10-2021	TISHA MASON	001278	CN ACCT	240-00-5751.00-000-100000	CN ACCOUNT REFUND	14.00	N
097466	06-10-2021	TOTAL GRAPHIC	001251	68	199-34-6319.00-999-199000	shirts	396.00	N
			001252	75	199-34-6319.00-999-199000	drivers shirts	1,500.00	N
Totals for Check 097466							1,896.00	
097467	06-10-2021	CAPITAL ONE	211851	1635667495	199-00-1312.00-000-100000	WHSE/DISTRICT	2,292.81	N
			211643	1635667495	199-11-6399.00-999-121000	GT SUPPLIES	312.03	N
			211890	1635667495	199-11-6399.98-041-111000	ATTENDANCE PRIZES	689.00	N
			001254	1635667495	199-11-6499.99-999-111000	GT SUPPLIES	272.74	N
			211770	1635667495	199-13-6497.00-041-199000	FACULTY MEETING	887.97	N
			211924	1635667495	199-33-6497.00-999-199033	SHAC MEETING SUPPLIES	54.61	N
			211784	1635667495	199-61-6497.00-041-199000	NJHS INDUCTION FOR GUEST	368.38	N
Totals for Check 097467							4,877.54	
097468	06-10-2021	WETZELS STATE INSPE	210097	M-81-2022	199-34-6249.00-999-199000	PO Created by Req: 003566	25.50	N
			210097	T-15-2022	199-34-6249.00-999-199000	PO Created by Req: 003566	25.50	N
			210097	T-17-2022	199-34-6249.00-999-199000	PO Created by Req: 003566	25.50	N
Totals for Check 097468							76.50	
097469	06-10-2021	WPS	211675	ORDER SO067	199-31-6339.00-999-123023	Protocols	86.90	N
097470	06-16-2021	AMPLIFIED IT, LLC	211048	27511	199-11-6397.00-999-111053	GOPHER INVENTORY	882.00	N
097471	06-16-2021	BALFOUR	210261	1426323	199-11-6399.89-001-111000	OPEN FOR DIPLOMAS	29.48	N
097472	06-16-2021	BENCHMARK EDUCATIO	211974	146493	199-13-6299.00-999-125000	ESL & BILINGUAL	2,162.00	N

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097473	06-16-2021	CASCO AUTO PARTS #2	210074	9151-244892	199-51-6319.00-999-199000	MISC REPAIR SUPPLIES	122.77	N
097474	06-16-2021	CDW GOVERNMENT	211171	F039752	199-11-6398.00-999-121000	GT CBKS. TECH TUB, HEADPHON	328.02	N
			211171	6605028	199-11-6398.00-999-121000	GT CBKS. TECH TUB, HEADPHON	1,878.24	N
			211171	6737580	199-11-6398.00-999-121000	GT CBKS. TECH TUB, HEADPHON	168.90	N
			Totals for Check 097474				2,375.16	
097475	06-16-2021	CHALK'S TRUCK PARTS	001293	79802/1	199-34-6319.00-999-199000	Parts	371.55	N
			001295	79799/1	199-34-6319.00-999-199000	Parts	210.05	N
			Totals for Check 097475				581.60	
097476	06-16-2021	CINTAS CORPORATION	211905	4DB7202841	199-34-6299.00-999-199000	Dry Cleaning	77.07	N
			210041	4085312839	199-51-6299.00-999-199000	MAINTENANCE UNIFORMS	51.97	N
			Totals for Check 097476				129.04	
097477	06-16-2021	CITIBANK	211981		169-36-6411.00-001-191000	HOTEL ROOMS	601.67	N
					199-00-1312.00-000-100000	ITEMS RETURNED	-3.95	N
			211746		199-11-6299.00-001-122000	COSMETOLOGY CERTIFICATION	246.99	N
			211484		199-11-6299.00-001-122000	COSMETOLOGY CERTIFICATION	150.00	N
			211978		199-11-6299.00-001-122000	LEVEL 1 EDUCATION AID CERT	114.50	N
			211861		199-11-6399.00-001-122000	SERVSAFE CERTIFICATION	1,988.06	N
			211758		199-11-6411.61-001-122000	HOTEL LIVESTOCK TRAVEL	336.05	N
			001296		199-11-6499.99-999-111000	CLAY CLUB ACTIVITY	953.58	N
			001296		199-11-6499.99-999-111000	THEATRE ACTIVITY	824.00	N
			001296		199-11-6499.99-999-111000	HS REIMB CITIBANK FRAME	150.75	N
			001296		199-11-6499.99-999-111000	CULINARY ACTIVITY	360.00	N
			001297		199-11-6499.99-999-111000	GT SUPPLIES	260.72	N
			001296		199-13-6398.00-999-199043	TEACHING AND LEARING ZOOM	149.63	N
			06032021		199-13-6497.00-001-199000	DOUBLE CHARGE	-147.00	N
					199-13-6497.00-101-199000	STAFF LUNCH EOY	417.90	N
			211882		199-13-6497.00-999-123023	End Of Year PD	984.32	N
			211374		199-34-6499.00-999-199000	Vehicle registration	99.34	N
			001296		199-36-6412.00-999-191000	BOYS STATE GOLF	1,030.18	N
			211892		199-41-6411.00-701-199000	CAPITOL VISIT/MEETING	129.84	N
			211928		199-41-6411.00-701-199000	MEETING WITH GREG GIBSON	158.84	N
			210390		199-41-6499.00-701-199000	ZOOM VIRTUAL MEETINGS	199.40	N
			211998		199-61-6398.00-999-199000	COMPUTER UPGRADE	2,599.99	N
			211824	0093106	240-35-6411.00-999-199000	CONFRENCE REGISTRATION	370.00	N
			211824	0093106	240-35-6495.00-999-199000	CONFRENCE REGISTRATION	140.00	N
			Totals for Check 097477				12,114.81	
097478	06-16-2021	DE LAGE LANDEN FINAN	001290	72545264	169-36-6269.00-001-191000	ATHLETICS	138.52	N
			001290	72545264	199-11-6269.00-001-111000	SHS	609.83	N
			001290	72545264	199-11-6269.00-001-111039	ECHS	135.37	N
			001290	72545264	199-11-6269.00-001-122000	CATE	34.63	N
			001290	72545264	199-11-6269.00-041-111000	SJH	371.29	N
			001290	72545264	199-11-6269.00-101-111000	PCE	220.16	N
			001290	72545264	199-11-6269.00-102-111000	GLE	220.16	N
			001290	72545264	199-11-6269.00-104-111000	PWE	220.16	N

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			001290	72545264	199-11-6269.00-105-111000	TLE	233.40	N
			001290	72545264	199-11-6269.00-999-111000	ISS FRONT	82.80	N
			001290	72545264	199-21-6269.00-999-123023	ATHLETICS	114.85	N
			001290	72545264	199-23-6269.00-001-199000	SHS FRONT	194.61	N
			001290	72545264	199-23-6269.00-041-199000	SJH FRONT	114.85	N
			001290	72545264	199-23-6269.00-101-199000	PCE FRONT	114.85	N
			001290	72545264	199-23-6269.00-102-199000	GLE FRONT	114.85	N
			001290	72545264	199-23-6269.00-104-199000	PWE FRONT	114.85	N
			001290	72545264	199-23-6269.00-105-199000	TLE FRONT	118.45	N
			001290	72545264	199-31-6269.00-001-199000	SHS COUNSELOR	79.76	N
			001290	72545264	199-34-6269.00-999-199000	TRANSPORTATION	114.85	N
			001290	72545264	199-41-6269.00-750-199000	ADMIN	197.65	N
			001290	72545264	199-51-6269.00-999-199000	MAINTENANCE	52.74	N
			001290	72545264	199-51-6269.00-999-199025	WAREHOUSE	34.63	N
			001290	72545264	199-52-6269.00-999-199000	POLICE	34.63	N
			001290	72545264	199-53-6269.00-999-199000	TECHNOLOGY	34.63	N
			001290	72545264	240-35-6269.00-999-199000	FOOD SERVICE	52.74	N
							Totals for Check 097478	3,755.26
097479	06-16-2021	DXI INDUSTRIES INC.	210018	DE05004271-21	199-51-6259.74-999-199000	CHLORINE CYLINDERS	90.00	N
097480	06-16-2021	EAI EDUCATION	211811	INV1084398	199-36-6399.34-999-199000	SUPPLIES	1,254.99	N
097481	06-16-2021	EDUCATOR'S DEPOT	211815	13801	199-11-6396.00-104-111000	WHITEBOARD KIDNEY TABLES	5,924.16	N
097482	06-16-2021	FOLLETT SCHOOL SOLU	211560	864837F	199-11-6399.00-999-121000	GT SUPPLIES	169.18	N
			211744	1439583	199-12-6299.00-999-199000	Cataloging District Equipment	2,949.00	N
							Totals for Check 097482	3,118.18
097483	06-16-2021	HARDIE'S FRUIT & VEGE	001288	4697394	240-35-6341.00-001-199000	FOOD DELIVERY	490.83	N
097484	06-16-2021	HEXAGRAMM US LLC	211768	INV0413	263-11-6399.00-999-125000	ESL & BILINGUAL BOOKS	2,670.20	N
			211767	INV0414	263-11-6399.00-999-125000	1ST GRADE READ ALONGS	3,611.38	N
							Totals for Check 097484	6,281.58
097485	06-16-2021	HIGH POINT	001300	182095-2	199-51-6399.02-999-199078	Department Supplies	720.30	N
097486	06-16-2021	HOME DEPOT CREDIT S	211907	6031616	199-11-6399.67-001-122000	TINY HOUSE SUPPLIES	543.83	N
			001289	4023402	199-11-6499.99-999-111000	AG MECHANIC ACTIVITY	37.64	N
			001289	9032885	199-11-6499.99-999-111000	AG MECHANIC ACTIVITY	858.67	N
			211975	2031904	199-34-6319.00-999-199000	Grill	454.96	N
			211948	8030478	199-51-6319.00-999-199000	MAINTENANCE SUPPLIES	106.89	N
			211948	4974403	199-51-6319.00-999-199000	MAINTENANCE SUPPLIES	1,446.58	N
			211948	2111921	199-51-6319.00-999-199000	MAINTENANCE SUPPLIES	348.00	N
			211947	5360115	199-51-6319.00-999-199000	MAINTENANCE SUPPLIES	1,637.65	N
			211946	5360116	199-51-6399.79-999-199091	ATHLETIC FIELD SUPPLIES	88.33	N
			210753	4875867	199-51-6649.00-999-199078	Equipment < 5000	69.98	N
			210753	6902659	199-51-6649.00-999-199078	Equipment < 5000	418.92	N
			211969	1241433	199-53-6398.00-999-199000	HARDWARE FOR CB LOCKERS	39.97	N
			211969	1901804	199-53-6398.00-999-199000	HARDWARE FOR CB LOCKERS	35.94	N
			211969	9112068	199-53-6398.00-999-199000	HARDWARE FOR CB LOCKERS	43.20	N

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			211969	3902271	199-53-6398.00-999-199000	HARDWARE FOR CB LOCKERS	35.94	N
			211969	1894337	199-53-6398.00-999-199000	HARDWARE FOR CB LOCKERS	10.80	N
						Totals for Check 097486	6,177.30	
097487	06-16-2021	HUNTON SERVICES	211464	JC81015	199-51-6248.77-999-199000	COIL REPLACEMENT AT SHS	5,750.00	N
097488	06-16-2021	INNOVATIVE SOLUTION	212015	SISD-1001	211-61-6299.00-999-130000	SISD ANNUAL REPORT 2021	1,720.00	N
097489	06-16-2021	STRATEGIC EQUIPMENT	212006	212006	199-51-6249.79-999-199091	ICE MACHINE	4,782.85	N
			212006	212006	199-51-6249.79-999-199091	ICE MACHINE	786.00	N
						Totals for Check 097489	5,568.85	
097490	06-16-2021	IT OUTLET INC	001299	65110	199-11-6398.00-001-130000	CHARGE CART	1,000.00	N
097491	06-16-2021	JOHNSON SUPPLY	211925	04253708	199-51-6248.77-999-199000	HVAC MATERIALS	894.16	N
			211740	04253708	199-51-6319.00-999-199000	ELECTRICAL SUPPLIES	9.06	N
						Totals for Check 097491	903.22	
097492	06-16-2021	LORI BAUER	001306	06/19-22/21	240-35-6411.00-999-199000	TASN CONF	132.00	N
097493	06-16-2021	MCCOY CORPORATION	211542	9897588	199-51-6319.00-999-199000	BUILDING SUPPLIES	170.66	N
			211542	9897457	199-51-6319.00-999-199000	BUILDING SUPPLIES	55.00	N
			211542	9898753	199-51-6319.00-999-199000	BUILDING SUPPLIES	235.26	N
						Totals for Check 097493	460.92	
097494	06-16-2021	NANCY MONTALBO	001305	06/19-22/21	240-35-6411.00-999-199000	TASN CONF	132.00	N
097495	06-16-2021	NASCO	211989	P763211	199-81-6629.00-001-199081	2021 HS ADDITION FF&E	2,299.67	N
097496	06-16-2021	NEW DAIRY OPCO, LLC	001286	449908188	242-35-6341.00-699-199000	FOOD DELIVERY	602.79	N
			001286	449393549	242-35-6341.00-699-199000	FOOD DELIVERY	286.95	N
						Totals for Check 097496	889.74	
097497	06-16-2021	OTICON INC	211889	INV8227413R	199-21-6399.00-999-123023	Hearing device for student	1,441.35	N
097498	06-16-2021	POTETZ HOME CENTER	210073	I200836669	199-51-6319.00-999-199000	MISC REPAIR SUPPLIES	115.77	N
097499	06-16-2021	PPG ARCHITECTURAL FI	211742	961303076212	199-51-6319.00-999-199000	PAINT SUPPLIES	333.47	N
097500	06-16-2021	REGION VI - ED. SERV.	210525	051124	199-13-6411.00-999-121000	GT COORDINATOR MEETING	75.00	N
			211859	051167	199-33-6411.00-999-199000	NURSE TRAINING	300.00	N
			001298	051236	211-13-6239.00-999-130020	SCHOOL IMPROVEMENT CONTR	5,000.00	N
						Totals for Check 097500	5,375.00	
097501	06-16-2021	ALLIED WASTE SERVICE	210148	0853006314585	199-51-6259.75-999-199000	20-21 DISTRICT DUMPSTERS	6,512.45	N
097502	06-16-2021	SHARON JONES	001308	06/19-22/21	240-35-6411.00-999-199000	TASN CONF	132.00	N
097503	06-16-2021	SHEREE WALKER	001307	06/22-24/21	199-23-6411.00-001-199000	BLUEPRINT TRAINING TRAVEL	338.00	N
			001307	06/17-18	199-23-6411.00-001-199000	CKH TRAINING TRAVEL	116.64	N
						Totals for Check 097503	454.64	
097504	06-16-2021	SHERWIN WILLIAMS	210064	6968-3	199-51-6319.00-999-199000	PAINT	296.94	N
097505	06-16-2021	SKELTON BUSINESS EQ	001291	450652	169-36-6269.00-001-191000	ATHLETICS	264.20	N
			001291	450652	199-11-6269.00-001-111000	SHS	1,163.14	N
			001291	450652	199-11-6269.00-001-111039	ECHS	258.19	N
			001291	450652	199-11-6269.00-001-122000	CATE	66.05	N
			001291	450652	199-11-6269.00-041-111000	SJH	708.17	N

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			001291	450652	199-11-6269.00-101-111000	PCE	419.92	N
			001291	450652	199-11-6269.00-102-111000	GLE	419.92	N
			001291	450652	199-11-6269.00-104-111000	PWE	419.92	N
			001291	450652	199-11-6269.00-105-111000	TLE	445.17	N
			001291	450652	199-11-6269.00-999-111000	ISS FRONT	157.93	N
			001291	450652	199-21-6269.00-999-123023	ISS SPED	219.06	N
			001291	450652	199-23-6269.00-001-199000	SHS FRONT	371.18	N
			001291	450652	199-23-6269.00-041-199000	SJH FRONT	219.06	N
			001291	450652	199-23-6269.00-101-199000	PCE FRONT	219.06	N
			001291	450652	199-23-6269.00-102-199000	GLE FRONT	219.06	N
			001291	450652	199-23-6269.00-104-199000	PWE FRONT	219.06	N
			001291	450652	199-23-6269.00-105-199000	TLE FRONT	225.92	N
			001291	450652	199-31-6269.00-001-199000	SHS COUNSELOR	152.13	N
			001291	450652	199-34-6269.00-999-199000	TRANSPORTATION	219.06	N
			001291	450652	199-41-6269.00-750-199000	ADMIN	376.98	N
			001291	450652	199-51-6269.00-999-199000	MAINTENANCE	100.59	N
			001291	450652	199-51-6269.00-999-199025	WAREHOUSE	66.05	N
			001291	450652	199-52-6269.00-999-199000	POLICE	66.05	N
			001291	450652	199-53-6269.00-999-199000	TECHNOLOGY	66.05	N
			001291	450652	240-35-6269.00-999-199000	FOOD SERVICE	100.58	N
						Totals for Check 097505	7,162.50	
097506	06-16-2021	STANTEC ARCHITECTU	001304	1791786	199-41-6219.00-750-199000	LONG RANGE FACILITY PLANNIN	4,894.00	N
097507	06-16-2021	SUDDENLINK B2B DEPT	210663	100549075	199-11-6299.00-999-111053	TLE FIBER - MONTHLY, ERATE	1,417.58	N
097508	06-16-2021	TDINDUSTRIES, INC	211756	05322	199-51-6248.77-999-199000	HVAC @ COSMETOLOGY	1,048.60	N
			211512	1852918	199-51-6248.77-999-199000	PWE COIL RPLMNT DUE TO FREE	8,329.00	N
			211511	1852749	199-51-6248.77-999-199000	REPLACE CHILLED WATER COILS	14,461.00	N
			202257	0001616081	199-51-6248.77-999-199000	DISTRICT HVAC MAINTENANCE	17,976.00	N
						Totals for Check 097508	41,814.60	
097509	06-16-2021	THE COLLEGE BOARD	001302	EP00035054	199-31-6339.00-001-199039	AP EXAMS	12,954.00	N
097510	06-16-2021	THE WHOLE KID AND KA	001301	SUMMER 2021	199-41-6299.00-750-199042	ADVERTISEMENT	275.00	N
097511	06-16-2021	THOMAS BUS GULF	001292	02544027	199-34-6319.00-999-199000	Parts	1,175.99	N
097512	06-16-2021	UNIVERSAL NATURAL G	210408	400650	199-51-6259.73-999-199000	GAS - TLE	426.67	N
097513	06-16-2021	WETZELS STATE INSPE	001294	M54	199-34-6249.00-999-199000	Inspections	25.50	N
			001294	TN90	199-34-6249.00-999-199000	Inspections	25.50	N
						Totals for Check 097513	51.00	
097514	06-16-2021	WORTH HYDROCHEM O	210474	115697	199-51-6248.77-999-199000	12 MONTHS HVAC WATER TREAT	675.00	N
097515	06-16-2021	WPS	211673	WPS-403036	199-31-6339.00-999-123023	Protocols	864.90	N
097516	06-16-2021	YELLOWSTONE LANDSC	210016	NH 72792A	199-51-6299.79-999-199000	ANNUAL LANDSCAPE CONTRACT	11,318.72	N
097517	06-16-2021	YU,SOUTH & ASSOCIAT	001303	7449	199-41-6211.00-701-125000	LEGAL FEES	500.00	N

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Cnty Dist: 170-907					SPLENDORA ISD			Page: 14 of 18	
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097518	06-24-2021	ACE MART RESTAURAN	211954	331-118400	199-11-6399.00-001-122000	DENTON LAB FREEZER	5,399.99	N	
097519	06-24-2021	ADAM DIETRICH	001336	06/16-18/21	199-41-6419.00-702-199000	SLI CONF TRAVEL	780.70	N	
097520	06-24-2021	ADVANCED GRAPHICS	211849	73104	199-11-6399.93-101-111000	LAMINATE FOR TEACHERS	960.00	N	
097521	06-24-2021	ALLEN WELLS	001334	06/16-19/21	199-41-6419.00-702-199000	SLI CONF TRAVEL	438.96	N	
			001338	05/11-12	199-41-6419.00-702-199000	CAPITOL VISIT HOTEL REIMB	177.33	N	
Totals for Check 097521							616.29		
097522	06-24-2021	AMS OF HOUSTON, LLC	211913	1225927	199-51-6248.77-999-199000	HVAC REPAIRS @ PWE	8,463.38	N	
			001310	1225933	199-51-6248.77-999-199000	HVAC REPAIR	255.00	N	
Totals for Check 097522							8,718.38		
097523	06-24-2021	AMS OF HOUSTON, LLC	211956	1225910	199-51-6299.00-999-199000	CONTRACTED SERVICES	41,779.16	N	
097524	06-24-2021	AT&T	001324	0592900751001	199-51-6259.71-999-199000	LONG DISTANCE	52.63	N	
097525	06-24-2021	BEACON EQUIPMENT S	211228	43499/Z	199-81-6629.00-001-199081	SEMI DOWN DRAFT BOOTH PACK	99,246.42	N	
097526	06-24-2021	CDW GOVERNMENT	211838	C509481	199-12-6299.00-999-199000	Software Update	115.05	N	
			211838	C509481	199-12-6398.00-999-199000	Software Update	117.90	N	
			211838	C576157	199-12-6398.00-999-199000	Software Update	585.63	N	
Totals for Check 097526							818.58		
097527	06-24-2021	CINTAS CORPORATION	211905	4087871512	199-34-6299.00-999-199000	Dry Cleaning	77.07	N	
			001311	4086041999	199-51-6299.00-999-199000	MAINTENANCE UNIFORM SERVIC	51.97	N	
			001311	4086514873	199-51-6299.00-999-199000	MAINTENANCE UNIFORM SERVIC	51.97	N	
			001311	4087202857	199-51-6299.00-999-199000	MAINTENANCE UNIFORM SERVIC	51.97	N	
Totals for Check 097527							232.98		
097528	06-24-2021	CMTA, INC	210997	51752	199-81-6629.00-001-199081	PERFORM COMMISSIONING	7,700.00	N	
			210042	49277	699-81-6629.00-999-199071	NEW ELE. COMMISSIONING	2,722.50	N	
			210042	49822	699-81-6629.00-999-199071	NEW ELE. COMMISSIONING	2,722.50	N	
Totals for Check 097528							13,145.00		
097529	06-24-2021	DAN MUIRHEAD	001333	06/16-19/21	199-41-6419.00-702-199000	SLI CONF TRAVEL	1,160.72	N	
			001339	5/11-12/21	199-41-6419.00-702-199000	CAPITOL VISIT HOTEL REIMB	177.33	N	
Totals for Check 097529							1,338.05		
097530	06-24-2021	DEPARTMENT OF STAT	001319	STMNT2021	199-51-6259.74-999-199000	WATER SAMPLES	513.90	N	
097531	06-24-2021	DEPT. OF INFORMATION	202274	21051381N	199-51-6259.71-999-199000	LONG DISTANCE SERVICE	402.97	N	
097532	06-24-2021	DUKE COMMUNICATION	211266	7760	199-51-6249.00-999-199000	ADDING A LOCK DOWN FEATURE	500.00	N	
097533	06-24-2021	EDUCATOR'S DEPOT	211611	13807	199-11-6396.00-001-111000	SCIENCE CLASSES	7,195.80	N	
097534	06-24-2021	ELECTRICAL TECH SER	211663	1877	199-51-6249.00-999-199000	PA SYSTEM REPAIRS	890.00	N	
			001312	1876	199-51-6249.00-999-199000	ELECTRICAL SERVICE	350.00	N	
			001312	1880	199-51-6249.00-999-199000	ELECTRICAL SERVICE	288.75	N	
			001312	1881	199-51-6249.00-999-199000	ELECTRICAL SERVICE	1,130.00	N	
Totals for Check 097534							2,658.75		
097535	06-24-2021	ENTERGY	202263	150005154088	168-51-6259.72-999-199000	SKATING RINK ELECTRICITY	525.65	N	
			001326	410002650542	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	2,209.05	N	
			001326	445003978061	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	1,170.26	N	
			001326	90006631032	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	848.58	N	

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			001326	55006672639	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	526.80	N
			001331	175006155201	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	8,984.14	N
			001331	175006155200	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	42.89	N
						Totals for Check 097535	14,307.37	
097536	06-24-2021	FASTENAL	001315	TXCLV88163	199-34-6319.00-999-199000	Parts	5,233.93	N
097537	06-24-2021	FISH WINDOW CLEANIN	210055	3009-106244	199-51-6299.00-999-199078	CONTRACTED SERVICES	325.00	N
			210055	3009-106246	199-51-6299.00-999-199078	CONTRACTED SERVICES	325.00	N
			210055	3009-106245	199-51-6299.00-999-199078	CONTRACTED SERVICES	1,295.00	N
						Totals for Check 097537	1,945.00	
097538	06-24-2021	FOLLETT SCHOOL SOLU	001328	842334F	199-11-6399.00-102-125000	DICTIONARIES	860.50	N
			001328	842334F	199-11-6399.00-102-130000	DICTIONARIES	860.50	N
						Totals for Check 097538	1,721.00	
097539	06-24-2021	GLENN BARNES	001330	06/16-19/21	199-21-6411.00-999-199040	SLI CONF TRAVEL	368.96	N
097540	06-24-2021	GOOD PROMOTIONS	211911	12142	199-51-6319.00-999-199000	UNIFORMS	1,564.00	N
097541	06-24-2021	HEINEMANN	211996	7331550	199-11-6321.00-001-111039	Books for Instructional	1,248.50	N
097542	06-24-2021	JACKIE KNOTT	001335	06/16-19/21	199-41-6419.00-702-199000	SLI CONF TRAVEL	479.96	N
097543	06-24-2021	JASON SESSUM	001337	06/16-19	199-41-6419.00-702-199000	SLI CONF TRAVEL	403.96	N
097544	06-24-2021	JASON'S DELI	212027	21062106906003	199-41-6497.00-702-199000	BOARD MEETING FOOD 6-21-21	149.18	N
097545	06-24-2021	JEFFREY BURKE	001329	06/16-18/21	199-41-6411.00-701-199000	SLI CONF TRAVEL	409.95	N
			001329	06/21-22/21	199-41-6411.00-701-199000	TXED FEST TRAVEL	36.00	N
						Totals for Check 097545	445.95	
097546	06-24-2021	JOANNA BONNETTE	001340	CN ACCT	240-00-5751.00-000-100000	CN ACCOUNT REFUND	56.65	N
097547	06-24-2021	LABATT FOOD SERVICE	001322	06157922	242-35-6341.00-699-199000	FOOD DELIVERY	925.28	N
097548	06-24-2021	LCD CONCEPTS, INC	211977	22407	199-81-6629.00-001-199081	IFP FOR HS NEW WING FLEX SPA	38,958.00	N
			211977	22407	199-81-6629.00-001-199081	IFP FOR HS NEW WING FLEX SPA	11,244.00	N
						Totals for Check 097548	50,202.00	
097549	06-24-2021	LONE STAR A/C	001318	LS1547	199-34-6249.00-999-199000	Repair to the Ice Machine	2,465.00	N
			001313	LS1541	199-51-6248.77-999-199000	HVAC REPAIR @ TECH	3,025.00	N
			001321	LS1548	199-51-6248.77-999-199000	HVAC REPAIR @ TECH LAB 1	70.00	N
						Totals for Check 097549	5,560.00	
097550	06-24-2021	LUMENKIND, LLC	001341	1096	199-41-6299.00-702-199000	STRATEGIC CONSULTING	6,000.00	N
097551	06-24-2021	MARK'S PLUMBING PAR	001314	INV001952590	199-51-6319.00-999-199000	MAINTENANCE SUPPLIES	422.56	N
			001314	INV001952398	199-51-6319.00-999-199000	MAINTENANCE SUPPLIES	169.14	N
						Totals for Check 097551	591.70	
097552	06-24-2021	MCCOY CORPORATION	211542	9898897	199-51-6319.00-999-199000	BUILDING SUPPLIES	967.19	N
097553	06-24-2021	MOTOROLA SOLUTIONS	211651	187055051	199-34-6319.00-999-199000	Radios	1,527.73	N
			211680	1187055051	199-34-6319.00-999-199000	Radios	570.04	N
						Totals for Check 097553	2,097.77	
097554	06-24-2021	NEW DAIRY OPCO, LLC	001327	451013221	242-35-6341.00-699-199000	FOOD DELIVERY	57.48	N

For the Month of June								
Check Nbr	Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.So-Org-Prog	Reason	Amount	EFT
097555	06-24-2021	NORTHSIDE OVERHEAD	001323	37753	199-51-6299.00-999-199000	OVERHEAD DOOR REPAIR @ MAI	385.00	N
097556	06-24-2021	O'REILY AUTOMOTIVE S	001342	6043-138000	199-34-6319.00-999-199000	PARTS	195.44	N
097557	06-24-2021	OKAPI EDUCATIONAL P	212023	17523	263-11-6399.00-999-125000	ESL & BILINGUAL BOOKS	2,703.00	N
097558	06-24-2021	REGION 13 EDUCATION	211382	242984	199-13-6499.00-999-125000	VIRTUAL LEARNING SESSIONS	170.00	N
097559	06-24-2021	REGION 4 ESC	211696	156334970	199-23-6411.00-041-199000	REGISTRATION	35.00	N
097560	06-24-2021	SOUTHERN TIRE MART	001325	4500289637	199-34-6319.00-999-199000	TIRE PARTS	1,097.00	N
097561	06-24-2021	SYMMETRY ENERGY SO	202259	10684644	199-51-6259.73-999-199000	DISTRICT GAS	1,307.83	N
097562	06-24-2021	T & R MECHANICAL, INC.	211933	B21-0414	199-51-6248.77-999-199000	BOILER REPAIR @ HS	1,176.50	N
097563	06-24-2021	TEXAS OPERATIONS &	211496	94002	199-51-6259.74-999-199000	WWTP OPERATIONS	3,950.00	N
			211496	94002	199-51-6259.74-999-199000	WWTP OPERATIONS	10.20	N
			211496	94061	199-51-6259.74-999-199000	WWTP OPERATIONS	3,950.00	N
			211499	94002	199-51-6259.74-999-199000	WWTP LAB RESULTS	92.00	N
			001309	94002	199-51-6259.74-999-199000	WWTP LAB RESULTS	718.75	N
			001309	94002	199-51-6259.74-999-199000	WWTP LAB RESULTS	3,752.59	N
			001309	94002	199-51-6299.00-999-199000	WWTP LAB RESULTS	1,071.48	N
Totals for Check 097563							13,545.02	
097564	06-24-2021	CARRER SERVICES TX	001332	4328	255-41-6411.00-750-124041	SPRING JOB FAIR	275.00	N
097565	06-24-2021	TEXAS TOP COP SHOP	211566	62694	199-52-6395.00-999-199000	Badges	220.00	N
097566	06-24-2021	THOMAS BUS GULF	001316	02543614	199-34-6319.00-999-199000	Parts	334.00	N
			001317	02544200	199-34-6319.00-999-199000	Parts	1,108.94	N
			001320	02544413	199-34-6319.00-999-199000	Parts	1,844.68	N
Totals for Check 097566							3,287.62	
097567	06-24-2021	THOMPSON & HORTON	212024	44213	199-41-6211.00-702-199000	LEGAL FEES INV 44213, 44075	12,518.75	N
097568	06-24-2021	YOUTHLIGHT, INC	211820	1100523	199-31-6399.00-104-199000	COUNSELOR SUPPLIES	219.89	N
097569	06-30-2021	BALFOUR	210261	1427007	199-11-6399.89-001-111000	OPEN FOR DIPLOMAS	29.48	N
097570	06-30-2021	CDW GOVERNMENT	211612	B302905	199-11-6398.00-001-111000	CHROMEBOOKS FOR SHS	13,800.00	N
			211814	C316656	199-11-6398.00-001-111039	EARLY COLLEGE CHROMEBOOK	3,480.00	N
			211814	B302905	199-11-6398.00-001-111039	EARLY COLLEGE CHROMEBOOK	25,520.00	N
			211731	G069366	199-11-6398.00-101-111000	DOC CAMERA & PROJECTOR FO	402.50	N
			211731	B762055	199-11-6398.00-101-111000	DOC CAMERA & PROJECTOR FO	1,196.18	N
Totals for Check 097570							44,398.68	
097571	06-30-2021	CINTAS CORPORATION	211905	4088533812	199-34-6299.00-999-199000	Dry Cleaning	77.07	N
			001348	5067178635	199-34-6299.00-999-199000	FIRST AID KIT REFILL	111.48	N
Totals for Check 097571							188.55	
097572	06-30-2021	DELL MARKETING LP	001345	10490391039	199-11-6399.93-001-111039	LAPTOP CASES	2,940.00	N
097573	06-30-2021	DUROTECH, INC.	001350	APP13 20631-13	199-81-6629.00-001-199081	HS, CATE & AG ADDITIONS	74,469.43	N
			001351	APP 14 20631-14	199-81-6629.00-001-199081	HS, CATE & AG ADDITIONS	220,461.61	N
Totals for Check 097573							294,931.04	

For the Month of June

Check Nbr	Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.So-Org-Prog	Reason	Amount	EFT
097574	06-30-2021	ENTERGY	001346	375004528297	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	173.53	N
			001346	220004785080	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	13,289.08	N
			001346	155006184066	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	49.22	N
			001346	190005365699	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	374.88	N
			001346	285005300657	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	6,590.23	N
			001346	155006182105	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	8,210.13	N
			001346	195006277922	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	206.94	N
			001346	80006644061	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	1,641.59	N
			001346	325004869361	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	612.89	N
			001346	475003872247	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	202.85	N
			001346	365004616322	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	492.57	N
			001346	480002852701	199-51-6259.72-999-199000	DISTRICT ELECTRICITY	208.02	N
Totals for Check 097574							32,051.93	
097575	06-30-2021	HOUSTON CHRONICLE	001343	34126262	199-41-6491.00-750-199000	PROPOSED BUDGET 21/22 AD	465.00	N
097576	06-30-2021	IRON MOUNTAIN INC	210372	DSKX913	199-51-6399.00-999-199025	DISTRICT SHREDDING 20-21	154.49	N
097577	06-30-2021	REGION 4 ESC	211952	4102003245	199-23-6411.00-001-199000	T-TESS TRAINING	450.00	N
			211952	13017294	199-23-6411.00-001-199000	ADVANCED EDUCATIONAL LEAD	450.00	N
Totals for Check 097577							900.00	
097578	06-30-2021	ROGERS, MORRIS, & GR	001344	49773	199-41-6211.00-702-199000	LEGAL FEES	321.60	N
			001344	49753	199-41-6211.00-702-199000	LEGAL FEES	1,527.75	N
Totals for Check 097578							1,849.35	
097579	06-30-2021	SAM'S CLUB DIRECT	211852	DISTRICT	199-00-1312.00-000-100000	WHSE/DISTRICT	156.51	N
097580	06-30-2021	SUZANNE SOTO	001349	06/23-26/21	199-41-6419.00-702-199000	SLI CONF TRAVEL	367.68	N
097581	06-30-2021	CAPITAL ONE	001347		199-00-1312.00-000-100000	WAREHOUSE STOCK	646.20	N
			001347		199-11-6399.00-699-130000	STEAM CAMP SUPPLIES	225.93	N
			001347		199-11-6499.99-999-111000	GT ACTIVITY REIMB WALMART	59.70	N
			001347		199-41-6399.00-701-199000	DLT SUPPLIES	42.98	N
Totals for Check 097581							974.81	
097582	06-30-2021	WRIGHT EXPRESS FINA	210004	72336266	199-34-6311.00-999-199000	Fuel	236.32	N
135538	06-24-2021	ATPE	DEDCH		863-00-2159.00-800-100000	JUN DED MISCELLANEOUS DEDU	39.50	N
135539	06-24-2021	TEXAS CLASSROOM TE	DEDCH		863-00-2159.00-802-100000	JUN DED MISCELLANEOUS DEDU	201.50	N
135540	06-24-2021	TEXAS AFT/PROF EDUC	DEDCH		863-00-2159.00-804-100000	JUN DED MISCELLANEOUS DEDU	140.00	N
135541	06-24-2021	WILLIAM E. HEITKAMP, T	DEDCH		863-00-2159.00-108-100000	JUN DED MISCELLANEOUS DEDU	1,500.00	N
135542	06-24-2021	TCG ADMINISTRATORS	DEDCH		863-00-2159.00-100-100000	JUN DED 457 DEFERRED COMP.	4,167.65	N
			DEDCH		863-00-2159.00-415-100000	JUN DED TAX SHEL. ANNUITY	17,396.00	N
			DEDCH		863-00-2159.00-416-100000	JUN DED ROTH ANNUITY	912.00	N
			DEDCH		863-00-2159.00-418-100000	JUN DED PAYROLL DEDUCTION	2,630.00	N
			DEDCH		863-00-2159.00-419-100000	JUN DED 457 DEFERRED COMP.	4,190.00	N
Totals for Check 135542							29,295.65	

For the Month of June

Check Nbr	Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.So-Org-Prog	Reason	Amount	EFT
135543	06-24-2021	FINANCIAL BENEFIT SE	DEDCH		863-00-2153.00-230-100000	JUN DED TEA CONTRIB	49.00	N
			DEDCH		863-00-2153.00-310-100000	JUN DED LIFE INSURANCE	521.60	N
			DEDCH		863-00-2153.00-311-100000	JUN DED LIFE INSURANCE	7,712.36	N
			DEDCH		863-00-2159.00-312-100000	JUN DED MISCELLANEOUS DEDU	1,960.85	N
			DEDCH		863-00-2159.00-313-100000	JUN DED MISCELLANEOUS DEDU	172.00	N
			DEDCH		863-00-2159.00-504-100000	JUN DED MISCELLANEOUS DEDU	10,333.80	N
			DEDCH		863-00-2159.00-508-100000	JUN DED MISCELLANEOUS DEDU	5,381.60	N
			DEDCH		863-00-2159.00-512-100000	JUN DED MISCELLANEOUS DEDU	4,624.96	N
			DEDCH		863-00-2159.00-514-100000	JUN DED MISCELLANEOUS DEDU	728.70	N
			DEDCH		863-00-2159.00-520-100000	JUN DED MISCELLANEOUS DEDU	1,526.00	N
			DEDCH		863-00-2159.00-521-100000	JUN DED MISCELLANEOUS DEDU	4,145.14	N
			DEDCH		863-00-2159.00-522-100000	JUN DED MISCELLANEOUS DEDU	2,331.81	N
			DEDCH		863-00-2159.00-523-100000	JUN DED MISCELLANEOUS DEDU	783.60	N
			DEDCH		863-00-2159.00-600-100000	JUN DED MISCELLANEOUS DEDU	358.63	N
			DEDCH		863-00-2159.00-601-100000	JUN DED MISCELLANEOUS DEDU	1,401.20	N
			DEDCH		863-00-2159.00-607-100000	JUN DED MISCELLANEOUS DEDU	3,302.06	N
			DEDCH		863-00-2159.00-613-100000	JUN DED MISCELLANEOUS DEDU	4,594.41	N
			DEDCH		863-00-2159.00-614-100000	JUN DED MISCELLANEOUS DEDU	13,350.96	N
			DEDCH		863-00-2159.00-619-100000	JUN DED MISCELLANEOUS DEDU	3,190.00	N
			DEDCH		863-00-2159.00-620-100000	JUN DED MISCELLANEOUS DEDU	3,726.68	N
Totals for Check 135543							70,195.36	
135544	06-24-2021	NATIONAL BENEFIT SER	DEDCH		863-00-2159.00-611-100000	JUN DED DEPENDENT CHILD CA	841.66	N
			DEDCH		863-00-2159.00-612-100000	JUN DED MISCELLANEOUS DEDU	9,683.94	N
Totals for Check 135544							10,525.60	
135545	06-24-2021	EECU	DEDCH		863-00-2159.00-616-100000	JUN DED HSA	6,690.84	N

Total Checks 1,777,520.85

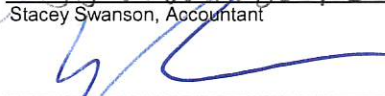
End of Report

Splendora ISD Investment Report
June-21

FUND ACCOUNT	INTEREST RATE	INVESTMENT LOCATION	BEGINNING BALANCE	DEPOSITS / (WITHDRWS)	INTEREST EARNED	FISCAL YTD INTEREST	ENDING BALANCE	TOTAL BY FUND
199 GENERAL OPERATING								
Checking Account	0.16%	Southside Bank	6,961,192.75	(803,339.03)	721.90	9,589.94	6,158,575.62	
TexPool	0.01%	TexPool	5,001,946.71	0.00	53.82	8,123.91	5,002,000.53	
Government Overnight Fund	0.01%	LoneStar Inv Pool	5,681,251.00	0.00	23.86	4,695.50	5,681,274.86	
Texas CLASS Government	0.04%	Texas CLASS Pool	5,001,580.89	0.00	149.31	1,730.20	5,001,730.20	
								21,843,581.21
599 DEBT SERVICE								
Money Market Account	0.24%	Southside Bank	999,806.17	61,580.39	207.32	2,592.47	1,061,593.88	
								1,061,593.88
699 CAPITAL PROJECTS								
Checking Account	0.16%	Southside Bank	990,281.61	(13,854.81)	129.98	3,347.83	976,556.78	
TexPool	0.01%	TexPool	2,023,079.01	(0.00)	21.73	1,077.88	2,023,100.74	
								2,999,657.52
240 FOOD SERVICES								
Checking Account	0.15%	Southside Bank	445,743.68	119,806.26	62.97	444.28	565,612.91	
TexPool	0.01%	TexPool	18,173.55	0.00	0.29	90.87	18,173.84	
								583,786.75
TOTALS					1,371.18	31,692.88	26,488,619.36	26,488,619.36

Signed


Stacey Swanson, Accountant


Kevin Lynch, Asst. Superint of Business

Board Report
 Recap Comparison of Revenue to Budget
 SPLENDORA ISD
 As of June

	EstimatedRevenue (Budget)	Revenue Realized Current	Revenue Realized To Date	Revenue Balance	Percent Realized
168 / 1 SKATING RINK	5,000.00	.00	-979.46	4,020.54	19.59%
169 / 1 ATHLETICS	40,000.00	.00	-63,534.25	-23,534.25	158.84%
199 / 1 GENERAL FUND	44,415,500.00	-10,332,688.77	-46,645,948.30	-2,230,448.30	105.02%
240 / 1 NATL SCHOOL LUNCH	2,547,000.00	-396,675.12	-2,157,951.24	389,048.76	84.73%
599 / 1 DEBT SERVICE	18,541,000.00	-129,426.47	-18,558,626.52	-17,626.52	100.10%
699 / 1 CAPITAL PROJECTS	.00	-151.71	-6,506.63	-6,506.63	.00%
Total 5000 Revenues	53,924,500.00	-10,858,793.89	-55,809,387.42	-1,884,887.42	103.50%
Total 7000 Revenues	11,624,000.00	-148.18	-11,624,158.98	-158.98	100.00%
Total Revenues	65,548,500.00	-10,858,942.07	-67,433,546.40	-1,885,046.40	203.50%

Board Report
Recap Comparison of Expenditures and Encumbrances to Budget
SPLENDORA ISD
As of June

	<u>Budget</u>	<u>Encumbrance YTD</u>	<u>Expenditure YTD</u>	<u>Current Expenditure</u>	<u>Balance</u>	<u>Percent Expended</u>
168 / 1 SKATING RINK	-20,000.00	.00	9,105.54	954.99	-10,894.46	45.53%
169 / 1 ATHLETICS	-275,000.00	.00	273,871.24	9,040.20	-1,128.76	99.59%
199 / 1 GENERAL FUND	-53,537,500.00	.00	50,439,671.62	6,907,907.76	-3,097,828.38	94.21%
240 / 1 NATL SCHOOL LUNCH	-2,547,000.00	.00	2,325,889.97	290,078.60	-221,110.03	91.32%
599 / 1 DEBT SERVICE	-18,418,000.00	.00	18,417,577.91	.00	-422.09	100.00%
699 / 1 CAPITAL PROJECTS	-7,290,650.24	.00	4,108,331.76	5,445.00	-3,182,318.48	56.35%
Total 6000 Expenditures	-70,535,150.24	.00	64,021,448.14	7,213,278.37	-6,513,702.10	90.77%
Total 8000 Expenditures	-11,553,000.00	.00	11,552,999.90	148.18	-.10	100.00%
Total Expenditures	-82,088,150.24	.00	75,574,448.04	7,213,426.55	-6,513,702.20	190.77%

End of Report

SPLENDORA ISD MC TAX COLLECTION
May-21

YEAR	M&O AMOUNT	I&S AMOUNT	LEVY PAID	P&I AMOUNT	ATTORNEY	TOTAL
2020	91,244.97	40,237.16	131,482.13	13,320.39	1,404.62	146,207.14
2019	56,153.03	22,599.98	78,753.01	22,512.16	20,631.21	121,896.38
2018	4,683.16	1,721.15	6,404.31	2,620.33	1,849.77	10,874.41
2017	809.62	297.56	1,107.18	479.13	280.65	1,866.96
2016	387.32	142.34	529.66	221.85	113.70	865.21
2015	84.37	10.49	94.86	72.09	33.39	200.34
2014	47.14	5.87	53.01	24.55	2.47	80.03
2013	5.20	1.38	6.58	6.58	2.63	15.79
2012	11.10	2.94	14.04	15.73	5.95	35.72
2011	0.00	0.00	0.00	0.00	0.00	0.00
2010	0.00	0.00	0.00	0.00	0.00	0.00
PRIOR	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	\$153,425.91	\$65,018.87	\$218,444.78	\$39,272.81	\$24,324.39	\$282,041.98



Monthly Newsletter: July 2021

ANNOUNCEMENTS

We welcome the following entities who joined TexPool in June 2021:

TexPool

Travis County MUD 19
Leander MUD 1
Leander MUD 3
Kaufman County MUD 5
Kaufman County MUD 6
Kaufman County MUD 7
Montgomery County MUD 115
Fort Bend County MUD 190
Harris County MUD 473

TexPool Prime

No New Participants

Upcoming Events

September 1 2021 - September 3 2021
TAC Legislative Conference
Fairmount Austin Hotel, Austin, Texas

September 13 2021 - September 16 2021
CTAT Annual Conference
The Bevy a Doubletree by Hilton,
Boerne, Texas

September 24 2021 - September 26 2021
TASA/TASB Annual Conference
Dallas, Texas

TexPool Advisory Board Members

David Garcia Jerry Dale
Patrick Krishock David Landeros
Belinda Weaver Sharon Matthews
Deborah Lauder milk Vivian Wood

Overseen by the State of Texas Comptroller
of Public Accounts Glenn Hegar.

Operated under the supervision of the
Texas Treasury Safekeeping Trust Company

Economic and Market Commentary: About time

July 1, 2021

The Fed finally raised the overnight reverse repo rate.

Economists tell us that monetary policy works with a lag. The idea is that it takes time for changes to take hold, especially broad shifts like altering the supply of money. But it also could apply to how slow policymakers generally are to make decisions in the first place.

While the speed with which the Federal Reserve responded to the pandemic was excellent, officials pondered adjusting the reverse repurchase agreement rate for too long. The overnight markets haven't been working as they should for some time now. At the June Federal Open Market Committee meeting, they finally increased the Reverse Repo Facility and the Interest on Excess Reserves by 5 basis points each, to 5 and 15 basis points, respectively. The money markets breathed a sigh of relief, but shouldn't have needed to hold their breath for so long.

It seems the Fed wanted to make the change in phases for maximum impact: first increase the total amount of available repo from \$30 billion to \$80 billion, then expand the number of counterparties by lowering the requirements for minimum asset size, then bump up the administered rates. But was that really necessary? The markets easily could have handled

(continued page 6)

Performance as of June 30, 2021

	TexPool	TexPool Prime
Current Invested Balance	\$23,828,759,765.63	\$10,183,303,688.47
Weighted Average Maturity**	30 Days	45 Days
Weighted Average Life**	90 Days	57 Days
Net Asset Value	1.00009	1.00005
Total Number of Participants	2,658	445
Management Fee on Invested Balance	0.0450%	0.0550%
Interest Distributed	\$261,269.57	\$599,231.77
Management Fee Collected	\$779,707.27	\$434,784.01
Standard & Poor's Current Rating	AAAm	AAAm
Month Averages		
Average Invested Balance	\$24,392,540,901.06	\$10,304,982,385.57
Average Monthly Rate*	0.01%	0.07%
Average Weighted Average Maturity**	29	49
Average Weighted Average Life**	91	60

*This average monthly rate for TexPool Prime for each date may reflect a waiver of some portion or all of each of the management fees.

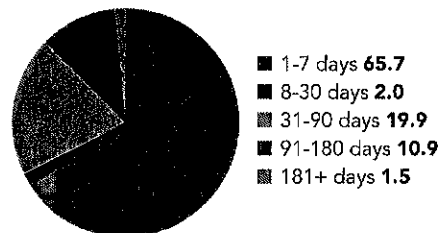
**See page 2 for definitions.

Past performance is no guarantee of future results.



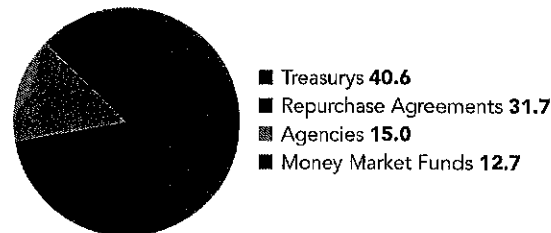
Portfolio by Maturity (%)

As of June 30, 2021



Portfolio by Type of Investment (%)

As of June 30, 2021



Portfolio Asset Summary as of June 30, 2021

	Book Value	Market Value
Uninvested Balance	\$673.11	\$673.11
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	4,051,750.72	4,051,750.72
Interest and Management Fees Payable	-261,265.04	-261,265.04
Payable for Investments Purchased	-1,324,096,592.50	-1,324,096,592.50
Accrued Expenses & Taxes	-29,377.92	-29,377.92
Repurchase Agreements	8,024,081,000.00	8,024,081,000.00
Mutual Fund Investments	3,192,074,000.00	3,192,074,000.00
Government Securities	3,709,952,619.81	3,712,033,891.15
US Treasury Bills	8,350,726,740.80	8,350,585,078.59
US Treasury Notes	1,872,260,216.65	1,872,535,609.62
Total	\$23,828,759,765.63	\$23,830,974,767.72

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool. The only source of payment to the Participants is the assets of TexPool. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

Participant Summary

	Number of Participants	Balance
School District	599	\$6,579,824,438.04
Higher Education	60	\$1,532,502,024.69
County	194	\$3,019,146,173.28
Healthcare	90	\$1,190,264,566.91
Utility District	849	\$3,637,189,579.70
City	484	\$6,442,418,775.54
Emergency Districts	98	\$321,443,872.35
Economic Development Districts	83	\$125,050,753.63
Other	201	\$977,295,224.57

**Definition of Weighted Average Maturity and Weighted Average Life

WAM is the mean average of the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid, (b) would be repaid upon a demand by TexPool, or (c) are scheduled to have their interest rate readjusted to reflect current market rates. Securities with adjustable rates payable upon demand are treated as maturing on the earlier of the two dates set forth in (b) and (c) if their scheduled maturity is 397 days or less; and the later of the two dates set forth in (b) and (c) if their scheduled maturity is more than 397 days. The mean is weighted based on the percentage of the amortized cost of the portfolio invested in each period.

WAL is calculated in the same manner as WAM, but is based solely on the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid or (b) would be repaid upon a demand by TexPool, without reference to when interest rates of securities within TexPool are scheduled to be readjusted.



Daily Summary

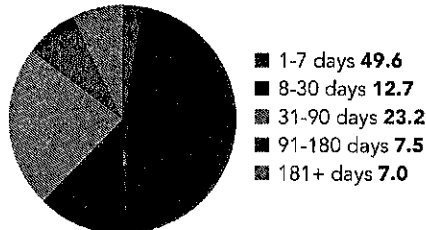
Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Invested Balance	NAV	WAM Days	WAL Days
6/1	0.0101%	0.000000277	\$24,640,914,053.05	1.00014	31	94
6/2	0.0101%	0.000000277	\$24,774,332,134.52	1.00014	31	94
6/3	0.0101%	0.000000277	\$24,809,080,756.98	1.00013	30	93
6/4	0.0101%	0.000000277	\$24,704,747,778.81	1.00013	31	94
6/5	0.0101%	0.000000277	\$24,704,747,778.81	1.00013	31	94
6/6	0.0101%	0.000000277	\$24,704,747,778.81	1.00013	31	94
6/7	0.0101%	0.000000277	\$24,696,555,759.49	1.00013	30	92
6/8	0.0101%	0.000000277	\$24,383,169,236.83	1.00013	30	92
6/9	0.0101%	0.000000277	\$24,463,157,095.28	1.00013	30	92
6/10	0.0101%	0.000000277	\$24,404,256,359.28	1.00013	30	93
6/11	0.0101%	0.000000277	\$24,503,611,336.65	1.00012	31	93
6/12	0.0101%	0.000000277	\$24,503,611,336.65	1.00012	31	93
6/13	0.0101%	0.000000277	\$24,503,611,336.65	1.00012	31	93
6/14	0.0101%	0.000000277	\$24,416,614,947.58	1.00013	29	90
6/15	0.0101%	0.000000277	\$24,365,824,719.71	1.00013	29	90
6/16	0.0100%	0.000000274	\$24,349,432,565.71	1.00010	28	90
6/17	0.0114%	0.000000311	\$24,351,550,713.93	1.00010	28	90
6/18	0.0168%	0.000000461	\$24,297,882,144.53	1.00009	29	90
6/19	0.0168%	0.000000461	\$24,297,882,144.53	1.00009	29	90
6/20	0.0168%	0.000000461	\$24,297,882,144.53	1.00009	29	90
6/21	0.0161%	0.000000440	\$24,311,241,190.08	1.00009	26	87
6/22	0.0164%	0.000000450	\$24,234,956,162.88	1.00011	26	87
6/23	0.0163%	0.000000446	\$24,125,261,680.11	1.00010	26	90
6/24	0.0167%	0.000000458	\$24,037,109,283.38	1.00009	25	88
6/25	0.0173%	0.000000473	\$24,236,102,932.04	1.00009	27	90
6/26	0.0173%	0.000000473	\$24,236,102,932.04	1.00009	27	90
6/27	0.0173%	0.000000473	\$24,236,102,932.04	1.00009	27	90
6/28	0.0174%	0.000000478	\$24,201,592,886.32	1.00010	28	89
6/29	0.0164%	0.000000449	\$24,155,385,145.08	1.00009	30	90
6/30	0.0174%	0.000000477	\$23,828,759,765.63	1.00009	30	90
Average:	0.0131%	0.000000358	\$24,392,540,901.06	1.00011	29	91



TexPool Prime

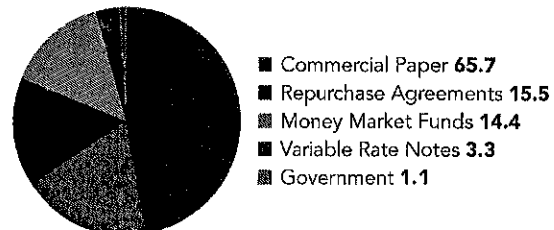
Portfolio by Maturity (%)

As of June 30, 2021



Portfolio by Type of Investment (%)

As of June 30, 2021



Portfolio Asset Summary as of June 30, 2021

	Book Value	Market Value
Uninvested Balance	\$343.54	\$343.54
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	275,846.55	275,846.55
Interest and Management Fees Payable	-599,226.21	-599,226.21
Payable for Investments Purchased	0.00	0.00
Accrued Expenses & Taxes	-14,304.70	-14,304.70
Repurchase Agreements	1,574,425,682.00	1,574,425,682.00
Commercial Paper	6,689,571,613.82	6,690,134,802.94
Bank Instruments	0.00	0.00
Mutual Fund Investments	1,462,126,486.47	1,461,892,067.75
Government Securities	117,517,247.00	117,503,325.25
Variable Rate Notes	340,000,000.00	340,142,050.00
Total	\$10,183,303,688.47	\$10,183,760,587.12

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool Prime. The assets of TexPool Prime are the only source of payments to the Participants. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services

Participant Summary

	Number of Participants	Balance
School District	128	\$3,126,549,089.65
Higher Education	19	\$563,323,316.81
County	47	\$792,709,081.92
Healthcare	18	\$251,034,685.45
Utility District	49	\$313,365,921.13
City	90	\$2,354,778,440.69
Emergency Districts	21	\$34,927,391.72
Economic Development Districts	15	\$21,313,229.91
Other	58	\$2,725,304,926.79



TexPool Prime

Daily Summary

Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Prime Invested Balance	NAV	WAM Days	WAL Days
6/1	0.0718%	0.000001968	\$10,279,998,569.77	1.00010	51	56
6/2	0.0718%	0.000001968	\$10,286,975,795.39	1.00010	52	57
6/3	0.0725%	0.000001986	\$10,396,718,062.73	1.00011	53	58
6/4	0.0729%	0.000001998	\$10,337,680,630.45	1.00010	53	63
6/5	0.0729%	0.000001998	\$10,337,680,630.45	1.00010	53	63
6/6	0.0729%	0.000001998	\$10,337,680,630.45	1.00010	53	63
6/7	0.0695%	0.000001905	\$10,324,212,050.83	1.00011	50	61
6/8	0.0649%	0.000001779	\$10,426,014,392.15	1.00011	50	61
6/9	0.0657%	0.000001801	\$10,412,792,183.76	1.00010	50	61
6/10	0.0638%	0.000001748	\$10,430,121,554.29	1.00010	49	62
6/11	0.0654%	0.000001792	\$10,376,358,238.53	1.00010	51	63
6/12	0.0654%	0.000001792	\$10,376,358,238.53	1.00010	51	63
6/13	0.0654%	0.000001792	\$10,376,358,238.53	1.00010	51	63
6/14	0.0652%	0.000001786	\$10,373,344,921.44	1.00010	49	61
6/15	0.0667%	0.000001828	\$10,394,418,811.90	1.00010	49	61
6/16	0.0675%	0.000001849	\$10,366,459,375.25	1.00010	49	61
6/17	0.0749%	0.000002051	\$10,373,274,567.24	1.00008	48	61
6/18	0.0773%	0.000002117	\$10,244,168,112.95	1.00007	49	61
6/19	0.0773%	0.000002117	\$10,244,168,112.95	1.00007	49	61
6/20	0.0773%	0.000002117	\$10,244,168,112.95	1.00007	49	61
6/21	0.0764%	0.000002094	\$10,267,121,720.34	1.00007	46	58
6/22	0.0760%	0.000002082	\$10,241,472,115.60	1.00008	48	61
6/23	0.0767%	0.000002101	\$10,191,029,931.56	1.00007	49	61
6/24	0.0749%	0.000002053	\$10,186,189,695.93	1.00007	48	60
6/25	0.0745%	0.000002040	\$10,197,380,475.64	1.00006	48	60
6/26	0.0745%	0.000002040	\$10,197,380,475.64	1.00006	48	60
6/27	0.0745%	0.000002040	\$10,197,380,475.64	1.00006	48	60
6/28	0.0690%	0.000001890	\$10,249,246,159.63	1.00007	45	57
6/29	0.0646%	0.000001771	\$10,300,015,598.18	1.00007	44	56
6/30	0.0615%	0.000001684	\$10,183,303,688.47	1.00005	45	57
Average:	0.0708%	0.000001940	\$10,304,982,385.57	1.00009	49	60



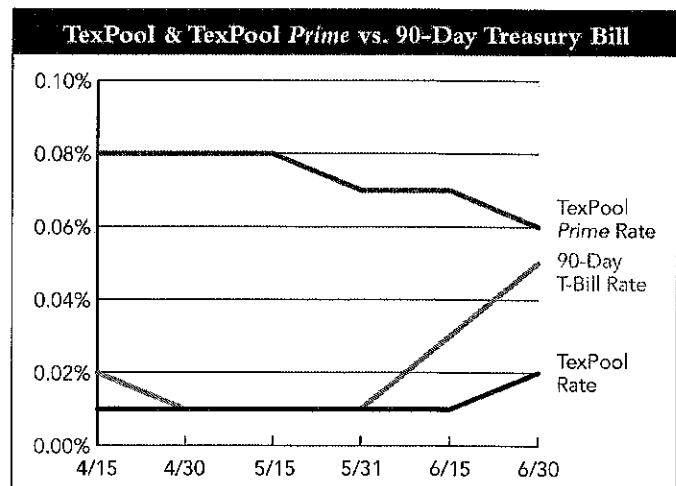
Participant Services
1001 Texas Ave. Suite 1150
Houston, TX 77002

implementing all of these in one week. We are not ungrateful. Since the move, the industry has seen higher gross yields, and overnight operations are much smoother. For instance, banks again have incentive to sponsor repo transactions. But the Fed's caution was overdone.

The real drama of the meeting was in the dot plot's suggestion that the fed funds liftoff might come earlier—welcome news, of course. But the theater has just begun. Fed members have started to diverge in their opinions of when this, and tapering of asset purchases, should happen. Differences surely will become more pronounced as the year progresses and new readings on inflation and gross domestic product (GDP) emerge. It won't be long before we see hawk and dove scorecards, and it will test Chair Jerome Powell's diplomacy to avoid dissent.

It's worth noting the details of the Summary of Projections beyond rates. Participants' personal consumption expenditures projections for 2021 rose from 2.4% in the March meeting to 3.4%, and they now forecast a GDP growth rate of 7% for this year compared to their previous call of 6.5%. But both measures retreat soon after, with inflation floating above 2%. Employment remains the wild card. If companies have found they can do without as many employees as before due to reorganization, automation or productivity from remote work, it might be hard for the unemployment rate to get to where the Fed wants to see it.

At the end of June, yields on 1-, 3-, 6- and 12-month U.S. Treasuries were 0.04%, 0.05%, 0.06% and 0.07%, respectively; the 1-, 3-, 6- and 12-month London interbank offered rates (Libor)



90-Day Treasury Bill is a short-term debt instrument backed by the national government. These are used to collect immediate cash to meet outstanding obligations.

Any private investor can invest in a Treasury bill. The 90-Day Treasury Bill is a weighted average rate of the weekly auctions of 90-Day Treasury Bills.

Past performance is no guarantee of future results.

were 0.1%, 0.15%, 0.16% and 0.25%, respectively; and the weighted average maturities (WAMs) of TexPool and TexPool Prime were 30 and 45 days, respectively.

BOARD CHECK PAYMENT RECAP
For the month ending Jun 30, 2021

ACCOUNTS PAYABLE

Skating Rink	639.99
Athletics	7,640.00
General Fund	1,634,726.66
Food Service	10,480.75
Bond Fund	5,445.00
Payroll Clearing	118,588.45
TOTAL ACCOUNTS PAYABLE*	\$ 1,777,520.85

PAYROLL

Skating Rink	-
General Fund	2,759,595.20
Food Service	78,457.20
Grants	111,733.44
TOTAL PAYROLL	\$ 2,949,785.84

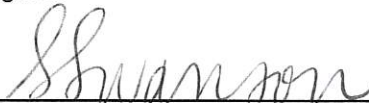
WIRE TRANSFERS

Bond Payments to Wells Fargo Bank	-
Bond Payments to Bank of NY Mellon	-
Other Wires	-
TOTAL OUTGOING WIRES	\$ -

TOTAL DISBURSEMENTS	\$ 4,727,306.69
----------------------------	------------------------

*See attached Check Register

Signed:



Stacey Swanson, Accountant



Kevin Lynch, Asst. Superint of Business

Date Run: 07-08-2021 8:33 AM
Cnty Dist: 170-907
From To

Check Payments Fund Summary
SPLENDORA ISD

Program: FIN1300
Page: 1 of 1
File ID: 1

For the Month of June.

Check Nbr	Check Date	Payee	Organization	Fnd-Fnc-Obj.So-Org-Prog	Reason	Amount
					Totals for Fund 168 / 1	639.99
					Totals for Fund 169 / 1	7,640.00
					Totals for Fund 199 / 1	1,607,829.13
					Totals for Fund 211 / 1	7,183.00
					Totals for Fund 224 / 1	5,500.00
					Totals for Fund 240 / 1	8,522.18
					Totals for Fund 242 / 1	1,958.57
					Totals for Fund 255 / 1	2,892.24
					Totals for Fund 263 / 1	11,322.29
					Totals for Fund 699 / 1	5,445.00
					Totals for Fund 863 / 1	118,588.45
					Totals For Checks	1,777,520.85

Estimated Number Of Unpaid Checks To Print:

End of Report

SPLENDORA INDEPENDENT SCHOOL DISTRICT

FINANCIAL STATEMENT

July 19, 2021

THIS IS TO CERTIFY THAT THE BOARD OF EDUCATION OF THE SPLENDORA
INDEPENDENT SCHOOL DISTRICT IN A MEETING WITH A QUORUM PRESENT ON THIS
DATE APPROVED THE FINANCIAL STATEMENT FOR THE PERIOD ENDING June 30, 2021.

PRESIDENT

SECRETARY



**Splendora ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 12, 2021

Submitted Date: July 19, 2021

- ☒ **Consent Agenda Item**
- ☐ **Action Needed**
- ☐ **Information Only**
- ☐ **Recognition / Presentation**

Name of Person Responsible:

Dr Jeff Burke

Department or Campus:

Admin

Topic:

TASB Update 117

Background Information:

CH(LOCAL): PURCHASING AND ACQUISITION

CV(LOCAL): FACILITIES CONSTRUCTION

DEC(LOCAL): COMPENSATION AND BENEFITS - LEAVES AND
ABSENCES

Attachments:

TASB Update 117

Superintendent's Resolutions: Recommended

Explanatory Notes

TASB Localized Policy Manual Update 117

Splendora ISD

AIC(LEGAL)

ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Administrative Code provisions amended effective January 5, 2021, address program performance regarding certain special student populations. The rules address supervision and monitoring reviews and require the commissioner to assign districts an annual determination level based on performance of the special student populations.

BBC(LEGAL)

BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE

We have streamlined the reference to CH(LEGAL) regarding board member removal for purchasing violations.

BBD(EXHIBIT)

BOARD MEMBERS: TRAINING AND ORIENTATION

As approved by the State Board of Education in November 2020, the Framework for School Board Development has been extensively revised.

BJCE(LEGAL)

SUPERINTENDENT: SUSPENSION/TERMINATION DURING CONTRACT

Changes to this legally referenced policy on suspension of the superintendent without pay and termination during the contract term were prompted by Administrative Code revisions effective January 11, 2021.

C(LEGAL)

BUSINESS AND SUPPORT SERVICES

The C Section table of contents has been revised to rename CHE to Vendor Disclosures and Contracts.

CBB(LEGAL)

STATE AND FEDERAL REVENUE SOURCES: FEDERAL

The federal Department of Education issued correcting amendments to the Uniform Guidance for Grants and Agreements, effective February 22, 2021, resulting in a change to the provisions on cooperative purchasing in this legally referenced policy. Citations have also been updated.

CH(LEGAL)

PURCHASING AND ACQUISITION

Update 117 includes a reorganization of the purchasing and facilities construction legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material;
- Added existing provisions on site-based purchasing;
- Reordered and adjusted provisions for clarity and to better match statutory wording;
- Moved to CHE(LEGAL) provisions on required vendor disclosures and contract provisions and lobbying restrictions; and
- Moved detailed provisions on competitive bidding to CVA(LEGAL).

Provisions on purchasing recycled products were added from new Administrative Code rules, effective July 2, 2020.

CH(LOCAL)

PURCHASING AND ACQUISITION

The major winter storms earlier this year caused extensive damage to many district facilities. Based on district requests for additional flexibility in such emergency circumstances, we recommend a new provision delegating authority to the superintendent to contract for the replacement, construction, or repair of equipment or facilities in the event of a catastrophe, emergency, or natural disaster affecting the district if

Explanatory Notes

TASB Localized Policy Manual Update 117

Splendora ISD

emergency replacement, construction, or repair is necessary for the health and safety of district students and staff. The superintendent must report to the board any contracts made under the delegated authority at the next regular meeting.

The recommended text also clarifies that the delegation *does not* permit the superintendent to act under Education Code 44.031(h) to make purchases without following normal competitive purchasing requirements; the board must take action to waive any Chapter 44 provisions in accordance with law.

The recommended delegation provision is optional. Please carefully review the new text to ensure it aligns with the district's practices and contact the district's policy consultant if your district does not wish to add this provision or has other revisions.

TASB Legal Services' eSource article [Emergency Management for Texas Public Schools](#) provides additional information on purchasing in emergency situations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

CHE(LEGAL)

PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS

This legally referenced policy has been reorganized to focus on required vendor disclosures and contract provisions. This material has been moved from CH(LEGAL).

In addition, we have:

- Included references to other pertinent codes and deleted material duplicated at other policy codes; and
- Reordered and adjusted provisions for clarity and to better match statutory wording.

CL(LEGAL)

BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

New Administrative Code rules, effective July 2, 2020, prompted revisions to provisions on recycling programs.

Provisions on pool sanitation and safety standards have been streamlined to refer to the relevant legal guidance.

CV(LEGAL)

FACILITIES CONSTRUCTION

Update 117 includes a reorganization of the purchasing- and construction-related legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material; and
- Reordered and adjusted provisions for flow and to better match statutory wording.

CV(LOCAL)

FACILITIES CONSTRUCTION

For ease of reference and to align with recommended changes at CH(LOCAL) on delegation to the superintendent for emergency contracting, Policy Service recommends adding a Note referring to CH(LOCAL) for those provisions.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

Explanatory Notes

TASB Localized Policy Manual Update 117

Splendora ISD

CVA(LEGAL)

FACILITIES CONSTRUCTION: COMPETITIVE BIDDING

Provisions on identical, competitive bids have been moved from CH(LEGAL). In addition, a provision on making bid evaluations public has been moved to this policy from CV(LEGAL). Other revisions are to delete material duplicated at other policy codes and adjust language for clarity and to better match statutory wording.

CVB(LEGAL)

FACILITIES CONSTRUCTION: COMPETITIVE SEALED PROPOSALS

A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVC(LEGAL)

FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AGENT

Additional detail has been added regarding the construction manager-agent method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVD(LEGAL)

FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AT-RISK

Additional detail has been added regarding the construction manager-at-risk method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVE(LEGAL)

FACILITIES CONSTRUCTION: DESIGN-BUILD

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

CVF(LEGAL)

FACILITIES CONSTRUCTION: JOB ORDER CONTRACTS

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

DEC(LOCAL)

COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

The events of the past year have highlighted the need for additional flexibility regarding administration of leave. TASB Policy, Legal, and HR Services collaborated on the recommended revisions to this policy, which remove administrative details not required to be in board policy and that may be more appropriately addressed elsewhere, such as in the employee handbook.

To support the removal of these administrative details, a new paragraph directs the superintendent to develop administrative regulations to implement the policy. [Remember that BJA(LOCAL) permits the superintendent to delegate this responsibility as appropriate.] In addition, TASB HR Services has:

- Created a corresponding [Framework for Developing Leaves and Absences Procedures](#), with prompts and placeholders for administrative decisions; and
- Revised the 2021–22 *Model Employee Handbook* to address administrative provisions removed from the policy.

Other changes include:

- Updating the definition of *catastrophic illness or injury* to clarify how it applies to the use of leave from the district's sick leave pool and sick leave bank.

Explanatory Notes

TASB Localized Policy Manual Update 117

Splendora ISD

- Adding a definition of *school year* that aligns with terminology in the TASB sample contracts and that provides context for references to the term elsewhere in the policy.
- Relocating provisions on concurrent use of leave and compensatory time to the sections addressing temporary disability leave and family and medical leave.
- Streamlining of family and medical leave provisions to eliminate information not necessary in board-adopted policy.
- Adding a clear statement to reflect that the district does not permit paid leave offset in conjunction with workers' compensation benefits.
- Revising terminology from *reimbursement* to *payment* for unused leave to reflect that employees are receiving payment for days of accumulated leave upon retirement.

New recommended provisions on state personal leave clarify that the district will also consider how the duration of the requested absence affects the educational program and district operations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

EHAA(LEGAL)

BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

New Administrative Code rules address the requirement for districts to provide instruction in positive character traits, which can be met through a stand-alone course or by integrating the TEKS into other courses. The rules address the frequency of instruction by grade bands and are effective for the 2021–22 school year.

EHBA(LEGAL)

SPECIAL PROGRAMS: SPECIAL EDUCATION

Revised Administrative Code rules, effective March 14, 2021, address various special education provisions and:

- Provide more detail on instructional arrangements;
- Include a definition of *regular school day* for the purpose of determining the instructional arrangement; and
- Update citations to funding statutes.

EHBAA(LEGAL)

SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

Provisions on a district's obligation to refer for evaluation and the definition of a *child with a disability* have been updated based on revised Administrative Code rules, effective March 14, 2021. Other changes are to better reflect statute.

EHBAB(LEGAL)

SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

As a result of revised Administrative Code rules effective March 14, 2021, we have updated text regarding establishment of the admission, review, and dismissal (ARD) committee and added a provision addressing a district's overall responsibility for all of the functions of the IEP team and ARD committee. Citations have also been updated.

Explanatory Notes

TASB Localized Policy Manual Update 117

Splendora ISD

EHBAC(LEGAL) SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT

From revised Administrative Code rules effective March 14, 2021, we have added a provision requiring the district to notify TEA within 30 calendar days of an ARD committee's decision to place a student in a residential education program.

EHBAD(LEGAL) SPECIAL EDUCATION: TRANSITION SERVICES

Revised Administrative Code rules, effective March 14, 2021, prompted a revision to the graduation provisions and updates to cites throughout this legally referenced policy.

EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES

Revisions regarding approval of an optional flexible school day program are from revised Administrative Code rules, effective December 6, 2020.

EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

Details have been added on the graduation of students receiving special education services who entered grade nine after the 2014–15 school year. The changes come from revised Administrative Code rules effective March 14, 2021.

In addition, we have replaced detailed provisions on graduation of students receiving special education services who entered grade nine before the 2014–15 school year with a reference to the relevant Administrative Code provision. Citations have been updated throughout.

EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT

In accordance with House Bill 3906 (86th Legislative Session) and effective September 1, 2021, the reference to the separate writing assessment in grades 4 and 7 has been removed.

EL(LEGAL) CAMPUS OR PROGRAM CHARTERS

We have added provisions that a district is entitled to additional state aid if the district was under contract during the 2017–18 school year or is under renewal of such a contract to jointly operate a campus or campus program under Education Code 11.157 (Contracts for Educational Services). Details may be found in revised Administrative Code rules, effective March 30, 2021.

FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

New Administrative Code rules, effective February 18, 2021, address maintenance and administration of unassigned asthma medication for districts that choose to implement such a program. Contact your policy consultant if your district has a program but lacks local policy provisions.

See FFAC in the [TASB Regulations Resource Manual](#).



(LOCAL) Policy Comparison Packet

This packet is generated by an automated process that compares the updated policy to the district's current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; omitted in Word)

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes ~~moved text~~.
- *Revision bars* appear in the right margin, as above.

Note: While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

Contact:	School Districts and Education Service Centers	Community Colleges
	policy.service@tasb.org	colleges@tasb.org
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

PURCHASING AND ACQUISITION

CH
(LOCAL)

**Purchasing
Authority**

The Board delegates to the Superintendent the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services that costs ~~\$50,000~~ \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

*Exception for
Emergency
Contracts*

In the event of a catastrophe, emergency, or natural disaster affecting the District, the Board delegates to the Superintendent the authority to contract for the replacement, construction, or repair of school equipment or facilities in accordance with law, if emergency replacement, construction, or repair is necessary for the health and safety of District students and staff. The Superintendent shall report to the Board at the next regular meeting any contract made under this authority. [See Disaster Exception, CH(LEGAL)]

The delegation regarding emergency contracts does not waive competitive purchasing requirements under Education Code Chapter 44. Only the Board is authorized to waive competitive purchasing requirements under limited circumstances in accordance with Education Code 44.031(h). [See Emergency Damage or Destruction, CH(LEGAL)]

**Purchasing
Procedures**

The Superintendent shall develop purchasing procedures to implement the requirements of state and federal law. [See also CB, CBB, CH(LEGAL), and COA]

Purchasing Method

The Board delegates to the Superintendent the authority to determine the method of purchasing in accordance with CH(LEGAL) or CBB(LEGAL), as appropriate.

*Competitive
Bidding*

If competitive bidding is chosen as the purchasing method, the Superintendent shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted rules. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.

The District may reject any and all bids in accordance with state or federal law, as applicable.

*Competitive
Sealed Proposals*

If competitive sealed proposals are chosen as the purchasing method, the Superintendent shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted rules. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time

PURCHASING AND ACQUISITION

CH
(LOCAL)

specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

The District may reject any and all proposals in accordance with state or federal law, as applicable.

**Electronic Bids or
Proposals**

Bids or proposals that the District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.

**Responsibility for
Debts**

The Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the District's purchasing procedures. [See CE] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.

**Purchase
Commitments**

All purchase commitments shall be made by the Superintendent in accordance with administrative procedures, including the District's purchasing procedures.

Personal Purchases

District employees shall not be permitted to make purchases for personal use through the District's business office.

FACILITIES CONSTRUCTION

CV
(LOCAL)

Compliance with Law

The Superintendent shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.

Construction Contracts

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above \$50,000. To assist the Board, the Superintendent shall recommend the project delivery/contract award method that he or she determines provides the best value to the District. [See CV series generally and CBB(LEGAL) for requirements if federal funds are involved.]

For construction contracts valued at or above ~~\$50,000~~ \$50,000, the Superintendent shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the Superintendent and consistent with law and policy. [See also CH and CBB(LEGAL)]

Note: For provisions regarding delegation of authority for construction contracts in the event of a catastrophe, emergency, or natural disaster affecting the District, see CH(LOCAL).

Change Orders

Change orders permitted by law shall be approved by the Board or its designee prior to any changes being made in the approved plans or the actual construction of the facility.

Project Administration

All construction projects shall be administered by the Superintendent or designee.

The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.

Final Payment

The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Board has accepted the work.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

**Leave
Administration**

The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

Definitions

The term "immediate family" is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Leave Day

A "leave day" for purposes of earning, ~~using~~**use**, or recording ~~of~~ leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

School Year

A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.

**Catastrophic Illness
or Injury**

A catastrophic illness or injury is a severe, ~~life-threatening~~ condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph. ~~Complications resulting from pregnancy shall be treated the same as any other condition.~~

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Note: For District contribution to employee insurance during leave, see CRD(LOCAL).

Availability

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

State Earning Local Leave

~~An employee shall not earn any local leave when he or she is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status.~~

Deductions

~~Leave without Pay~~

~~The District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.~~

~~Leave Proration~~

~~Employed for
Less Than Full
Year~~

If an employee separates from employment with the District before his or her last duty day of the ~~school~~ year, or begins employment after the first duty day of the ~~school~~ year, state personal leave ~~and local leave~~ shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for ~~state personal leave the employee used beyond his or her pro rata entitlement for the school year.~~

~~1. State personal leave the employee used beyond his or her pro rata entitlement for the school year; and~~

~~2. Local leave the employee used but had not earned as of the date of separation.~~

~~Employed for Full
Year~~

~~If an employee uses more local leave than he or she earned and remains employed with the District through his or her last duty day, the District shall deduct the cost of the excess leave days from the employee's pay in accordance with administrative regulations.~~

Recording

~~Leave shall be recorded as follows:~~

~~1. Leave shall be recorded in half-day increments for all employees.~~

~~2. If the employee is taking intermittent FMLA leave, leave shall be recorded in one-hour increments.~~

Order of Use

~~Earned compensatory time shall be used before any available paid state and local leave. [See DEAB]~~

~~Unless an employee requests a different order, available paid state and local leave shall be used in the following order, as applicable:~~

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

- ~~1. Local leave earned before July 1, 2010.~~
- ~~2. Local leave earned on or after July 1, 2010.~~
- ~~3. State sick leave accumulated before the 1995-96 school year.~~
- ~~4. State personal leave.~~

~~Use of sick leave bank or sick leave pool days shall be permitted only after all available state and local leave has been exhausted.~~

Concurrent Use of Leave

~~When an absent employee is eligible for FMLA leave, the District shall designate the absence as FMLA leave.~~

~~The District shall require the employee to use temporary disability leave and paid leave, including compensatory time, concurrently with FMLA leave.~~

~~An employee receiving workers' compensation income benefits may be eligible for paid or unpaid leave. An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.~~

Medical Certification

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than three consecutive work-days because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; **or**
- ~~3. The employee requests FMLA leave for the employee's serious health condition; a serious health condition or that of the employee's a spouse, parent, or child; or~~
- ~~4.3. The employee requests FMLA leave for military caregiver leave purposes.~~

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

Note: ~~For District contribution to employee insurance during leave, see GRD(LOCAL).~~

State Personal Leave

The Board requires employees to differentiate the manner in which state personal leave is used. :

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Nondiscretionary Non-Discretionary Use	1.4. Nondiscretionary Non-discretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]
	Nondiscretionary Non-discretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.
Discretionary Use	2.5. Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.
Limitations Request for Leave	In deciding whether to approve or deny a The employee shall submit a written request for discretionary use of state personal leave, to the immediate supervisor or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny state personal leave, the supervisor or designee shall not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes.
Duration of Leave	Discretionary use of state personal leave shall not exceed three consecutive workdays.
Local Leave	Each All full-time employee employees shall earn five paid local leave days per school year in accordance with administrative regulations. Local leave shall accumulate without limit. Local leave shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]
Sick Leave Bank	The District shall establish a sick leave bank that employees may join through contribution of local leave. Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee experiences a catastrophic illness or injury (as defined by the rules and guidelines of the sick leave bank) and has exhausted all paid leave and any applicable compensatory time . If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request. The Superintendent or designee shall develop regulations for the operation of the sick leave bank that address the following:

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

1. Membership in the sick leave bank, including the number of days an employee must contribute to become a member;
2. Procedures to request leave from the sick leave bank;
3. The maximum number of days per school year a member employee may receive from the sick leave bank;
4. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; and
5. Other procedures deemed necessary for the operation of the sick leave bank.

Appeal

An employee may appeal a decision ~~All decisions~~ regarding the sick leave bank ~~may be appealed~~ in accordance with DGBA(LOCAL), beginning with the Superintendent or ~~appropriate administrator~~ ~~designee~~.

Sick Leave Pool

An employee who has exhausted all paid leave ~~as well as any applicable compensatory time and who~~ and is absent due to the catastrophic illness or injury of a member of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate ~~only~~ local leave for use by the eligible employee.

~~If the employee is unable to submit the request, a member of the employee's family or the employee's supervisor may submit the request to establish a sick leave pool.~~

The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.

The Superintendent ~~or designee~~ shall develop regulations for the implementation of the sick leave pool that address the following:

1. Procedures to request the establishment of a sick leave pool;
2. The maximum number of days an employee may donate to a sick leave pool;
3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and
4. The return of unused days to donors.

Appeal

An employee may appeal a decision ~~All decisions~~ regarding the establishment or implementation of the District's sick leave pool ~~may~~

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

	be appealed in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator designee .
Family and Medical Leave	FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable. Note: See DECA(LEGAL) for provisions addressing FMLA.
Twelve-Month Period	For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be measured backward from the date an employee uses FMLA leave.
Combined Leave for Spouses	When If both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks. [See DECA(LEGAL)]
Intermittent or Reduced Schedule Leave	The District shall not permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. [See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]
Certification of Leave	When If an employee requests leave, the employee shall provide certification, in accordance with as required by FMLA regulations, of the need for leave. [See DECA(LEGAL)]
Fitness-for-Duty Certification	In accordance with administrative regulations, when If an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. If the District will require certification of the employee's ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.
Leave at the End of -of Semester-Leave	When If a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester. [See DECA(LEGAL), Leave at the End of a Semester]
Failure to Return	If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. [See DECA(LEGAL), Recovery of Benefit Cost]
Temporary Disability Leave	Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]

An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent ~~or designee~~ as a request for temporary disability leave.

The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.

**Workers'
Compensation**

Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. ~~[See CRD(LOCAL) regarding payment of insurance contribution during employee absences.]~~

An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

**No Paid Leave
Offset**

The District shall not permit the option ~~An employee eligible~~ for paid leave offset in conjunction with workers' compensation income benefits. ~~[See CRE], and not on assault leave, may elect in writing to use paid leave.~~

Court Appearances

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.

**Payment Reimburse
ment for
Accumulated Leave
Upon Retirement**

The following leave provisions shall apply to local leave ~~accumulated~~ **earned** beginning on July 1, 2010.

An employee who retires from the District shall be eligible for payment for accumulated local leave under the following conditions:

1. The employee is retiring through the Teacher Retirement System of Texas (TRS).

~~The~~ ~~shall be eligible for reimbursement for local leave if the~~ employee provides advance written notice of intent to retire. Contract employees must provide written notice at least 90 days before the last day of employment. ~~Noncontract~~ **Non-contract** employees must provide written notice at least two weeks before the last day of employment.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

The employee shall ~~be reimbursed~~ receive payment for each day of accumulated local leave at the daily substitute rate established by the Board. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

The ~~daily substitute~~ rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

**Neutral Absence
Control**

An employee who has excessive absences equal to four workdays during the school year may be recommended for termination in accordance with this policy, other applicable policies, and applicable law. [See DF series]

Definitions

Definitions used in these provisions shall be as follows:

1. Excessive absence shall mean a failure to appear for work when no leave applies to the absence and the absence is not excused on any other basis in policy or law. Elective leaves, if any, apply to and excuse an absence only when the leave has been duly elected by the employee and approved by the District, and the absence qualifies for and falls within the leave period.
2. Workdays shall be those days on which the employee is required to perform services for the District in compliance with policy and the employment agreement between the parties.

Use of Leave

Prior to termination or recommendation for termination under these provisions, an employee shall be provided with notice of the employee's rights to apply for leave.

Due Process

An employee shall receive any process to which he or she is entitled in law or in policy prior to termination. [See DF series]

Reasonable
Accommodation,
Restoration, and
Reemployment

When required by law, reasonable accommodation and/or restoration to the same, an equivalent, or another position shall be afforded. [See DEC(LEGAL) and DAA(LEGAL)] Employees not qualifying for reasonable accommodations who are terminated may apply for and be considered on an equal basis with other applicants for other open employment positions.

Localized Policy Manual Update 117

170907 Splendora ISD

Update 117 contains (LOCAL) policies that require board action and adoption notification before we can incorporate the revisions into your district's Policy On Line® manual.

What should I do to prepare for board adoption?

1. In [Local Manual Updates](#)¹ (*myTASB login required*), download and save the numbered update resource material.
2. Present the (LOCAL) policies to your board for adoption.
3. Following board action, notify Policy Service of adoption so we can incorporate the adopted policies into your district's Policy On Line manual.
4. If there are additional changes, submit the annotated changes with your Adoption Notification Form.

How do I notify Policy Service that the board has adopted the update?

1. Go to [Local Manual Updates](#) and click the “notify TASB” link.
2. Fill out and submit the electronic Adoption Notification Form for TASB-Initiated Updates.

Questions?

- If you have questions regarding Policy On Line, contact pol-support@tasb.org.
- If you have questions regarding policy text, contact your [district's assigned policy consultant](#).²

¹ Local Manual Updates: <https://www.tasb.org/apps/policyUpdates/GetUpdates.aspx>

² Contact a Policy Service Consultant: <https://www.tasb.org/services/policy-service/consultant-contact-information.aspx>

Localized Policy Manual Update 117

Splendora ISD

You can download a PDF of this update packet, annotated copies of the (LOCAL) policies, editable (LOCAL) text, and more under [Local Manual Updates](#)³ in the myTASB Policy Service Resource Library.

Other materials, including an overview video of the (LOCAL) policy changes, are available under [Policy Manual Update Resources](#).⁴

Need help? Please call your policy consultant at 800-580-7529 or email Policy.Service@TASB.org.

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Overview

Update 117 includes policy revisions in response to revised state and federal rules. In addition, the update includes a reorganization of the legally referenced policies in the CH and CV series regarding purchasing and facilities construction. Local policy recommendations address revisions to the leaves and absences policy and an optional delegation to the superintendent for certain emergency contracts. Please carefully review these local policy recommendations to ensure the text aligns with the district's practices and contact your policy consultant if changes are needed.

Your Localized Update 117 packet also contains:

- **Explanatory Notes** describing the changes to each policy. Please note that, where appropriate, the Explanatory Notes ask you to verify that a particular policy reflects current district practice and to advise us of any changes needed so that our records and the district's policy manual accurately track the district's practice.

Explanatory notes may also provide important information about policies not included in the update packet.

- **Instructions** for incorporating this update into each of the district's Localized Policy Manuals after board adoption. Use the enclosed Instruction Sheet as a guide to which policies should be added, replaced, and removed from your manual.

Local Policy Overview for Update 117

Beginning with Update 116, the newly redesigned publication *Local Policy Overview* replaced *Vantage Points*.

Like *Vantage Points*, the *Local Policy Overview* provides a general, high-level overview of the changes to the (LOCAL) policies included in TASB updates. Presented in both video and written document formats, the *Local Policy Overview* is available on myTASB in [Policy Manual Update Resources](#).⁵ From there, you may forward it electronically or print the written document for distribution to staff and board members.

Legal Services Update Memo

TASB Legal Services' [Legal Issues in Update 117 memo](#)⁶ (available in the myTASB Policy Service Resource Library under Policy Manual Update Resources) describes common legal concerns specific to the local policies recommended in this update for your consideration prior to board adoption of any local policies. Local policies will not be sent for a separate review by Legal Services as part of the update process. If after reviewing the memo you have questions about any specific provisions in your local policies, please contact TASB Legal Services at 800-580-5345.

(LEGAL) vs. (LOCAL) Policies: Remember the Difference

(LEGAL) policies:

- Reflect the ever-changing legal context for governance and management of the district
- Should inform local decision making
- Should NOT be adopted, but only reviewed

(LOCAL) policies:

- Require close attention by both the administration and the board

- Must reflect the practices of the district and the intentions of the board
- May only be changed by board action (adopt, revise, or repeal)

If your board adopts changes to the (LOCAL) policies contained in this packet, please notify your policy consultant.

How to Place Policy Changes on the Agenda for Board Action

TASB recommends that the district address this update on the agenda as follows:

“Policy Update 117:

- *(LEGAL) policies*
- *(LOCAL) policies (see attached list of codes)”*

(LEGAL) policies sub-item: TASB recommends that the board review, but not adopt, the (LEGAL) policies issued in the update. If the board may discuss certain issues addressed by the updated (LEGAL) policies, particularly if those issues are of interest to the public, then, for purposes of discussion, the relevant policy codes, titles, and subtitles should be listed under the sub-item.

(LOCAL) policies sub-item: Board action on the (LOCAL) policies included in the update must occur within a properly posted, open meeting of the board.

- You may use the “(LOCAL) Policy Action List” provided online in Local Manual Updates and include the list under the sub-item, or you may compile a list of (LOCAL) policy codes, titles, and subtitles from the Instruction Sheet and Explanatory Notes included in the update packet.
- A suggested motion for board action on the (LOCAL) policies included in the update:

“I move that the board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 117 [with the following changes:]”

How to Notify Policy Service of Board Action

Notify Policy Service of the board’s action on Update 117 so our records remain accurate. Go to [Local Manual Updates](#)⁷ in myTASB and click the “notify TASB” link. Then fill out and submit the electronic Adoption Notification Form for TASB-Initiated Updates.

How to Keep Minutes

The board's action on Localized Update 117 must be reflected in board minutes. Your minutes should include:

- The list of proposed (LOCAL) policy actions, such as the Instruction Sheet—annotated to reflect any changes made by the board
- The Explanatory Notes for the update (filed as an attachment to the minutes)
- Copies of new, replaced, or rescinded (LOCAL) policies

How to Maintain Your Historical Record

To construct a separate historical record of the manual, you must track the history of individual (LOCAL) policies. You should maintain a permanent historical record of every (LOCAL) policy adopted, revised, or rescinded by the board.

At a minimum, this record should include the following key pieces of information:

- Policy code
- Date of board action
- Text of policy

For more guidance on maintaining this record, please refer to:

- [*The Administrator's Guide to Policy Management*](#)⁸
- [Tutorial videos](#)⁹ on handling an update

These guides are available in the myTASB Policy Service Resource Library.

How to Keep Your Administrative Regulations Current

[*Regulations Resource Manual*](#)¹⁰ Update 63, which includes revisions to model regulations and forms corresponding with Update 117, is now available on myTASB.

Inspect your district's administrative procedures and documents—including (EXHIBIT)s, (REGULATION)s, handbooks, and guides—that may be affected by Update 117 policy changes.

If you must make changes to the (REGULATION)s or (EXHIBIT)s contained in your board policy manual, please notify your policy consultant.

Disclaimer and Copyright

PLEASE NOTE: This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.

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³ Local Manual Updates: <https://www.tasb.org/apps/policyUpdates/GetUpdates.aspx>

⁴ Policy Manual Update Resources: <https://www.tasb.org/services/policy-service/mytasb/policy-manual-update-resources.aspx>

⁵ Policy Manual Update Resources: <https://www.tasb.org/services/policy-service/mytasb/policy-manual-update-resources.aspx>

⁶ Legal Issues memo: https://www.tasb.org/services/policy-service/mytasb/policy-manual-update-resources/documents/u117_legal_issues.pdf

⁷ Local Manual Updates: <https://www.tasb.org/apps/policyUpdates/GetUpdates.aspx>

⁸ Administrator's Guide to Policy Management: <https://www.tasb.org/services/policy-service/mytasb/guidance-for-policy-administrators.aspx>

⁹ Tutorials: <https://www.tasb.org/services/policy-service/mytasb/tutorials.aspx>

¹⁰ *TASB Regulations Resource Manual*: <https://www.tasb.org/services/policy-service/mytasb/regulations-resource-manual.aspx>

Instruction Sheet

TASB Localized Policy Manual Update 117

Splendora ISD

Code	Type	Action To Be Taken	Note
AIC	(LEGAL)	Replace policy	Revised policy
BBC	(LEGAL)	Replace policy	Revised policy
BBD	(EXHIBIT)	Replace exhibit	Revised exhibit
BJCE	(LEGAL)	Replace policy	Revised policy
C	(LEGAL)	Replace table of contents	Revised table of contents
CBB	(LEGAL)	Replace policy	Revised policy
CH	(LEGAL)	Replace policy	Revised policy
CH	(LOCAL)	Replace policy	Revised policy
CHE	(LEGAL)	Replace policy	Revised policy
CL	(LEGAL)	Replace policy	Revised policy
CV	(LEGAL)	Replace policy	Revised policy
CV	(LOCAL)	Replace policy	Revised policy
CVA	(LEGAL)	Replace policy	Revised policy
CVB	(LEGAL)	Replace policy	Revised policy
CVC	(LEGAL)	Replace policy	Revised policy
CVD	(LEGAL)	Replace policy	Revised policy
CVE	(LEGAL)	Replace policy	Revised policy
CVF	(LEGAL)	Replace policy	Revised policy
DEC	(LOCAL)	Replace policy	Revised policy
EHAA	(LEGAL)	Replace policy	Revised policy
EHBA	(LEGAL)	Replace policy	Revised policy
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAB	(LEGAL)	Replace policy	Revised policy
EBBAC	(LEGAL)	Replace policy	Revised policy
EBBAD	(LEGAL)	Replace policy	Revised policy
EBBC	(LEGAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EL	(LEGAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy

Explanatory Notes

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AIC(LEGAL)

ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Administrative Code provisions amended effective January 5, 2021, address program performance regarding certain special student populations. The rules address supervision and monitoring reviews and require the commissioner to assign districts an annual determination level based on performance of the special student populations.

BBC(LEGAL)

BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE

We have streamlined the reference to CH(LEGAL) regarding board member removal for purchasing violations.

BBD(EXHIBIT)

BOARD MEMBERS: TRAINING AND ORIENTATION

As approved by the State Board of Education in November 2020, the Framework for School Board Development has been extensively revised.

BJCE(LEGAL)

SUPERINTENDENT: SUSPENSION/TERMINATION DURING CONTRACT

Changes to this legally referenced policy on suspension of the superintendent without pay and termination during the contract term were prompted by Administrative Code revisions effective January 11, 2021.

C(LEGAL)

BUSINESS AND SUPPORT SERVICES

The C Section table of contents has been revised to rename CHE to Vendor Disclosures and Contracts.

CBB(LEGAL)

STATE AND FEDERAL REVENUE SOURCES: FEDERAL

The federal Department of Education issued correcting amendments to the Uniform Guidance for Grants and Agreements, effective February 22, 2021, resulting in a change to the provisions on cooperative purchasing in this legally referenced policy. Citations have also been updated.

CH(LEGAL)

PURCHASING AND ACQUISITION

Update 117 includes a reorganization of the purchasing and facilities construction legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material;
- Added existing provisions on site-based purchasing;
- Reordered and adjusted provisions for clarity and to better match statutory wording;
- Moved to CHE(LEGAL) provisions on required vendor disclosures and contract provisions and lobbying restrictions; and
- Moved detailed provisions on competitive bidding to CVA(LEGAL).

Provisions on purchasing recycled products were added from new Administrative Code rules, effective July 2, 2020.

CH(LOCAL)

PURCHASING AND ACQUISITION

The major winter storms earlier this year caused extensive damage to many district facilities. Based on district requests for additional flexibility in such emergency circumstances, we recommend a new provision delegating authority to the superintendent to contract for the replacement, construction, or repair of equipment or facilities in the event of a catastrophe, emergency, or natural disaster affecting the district if

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emergency replacement, construction, or repair is necessary for the health and safety of district students and staff. The superintendent must report to the board any contracts made under the delegated authority at the next regular meeting.

The recommended text also clarifies that the delegation *does not* permit the superintendent to act under Education Code 44.031(h) to make purchases without following normal competitive purchasing requirements; the board must take action to waive any Chapter 44 provisions in accordance with law.

The recommended delegation provision is optional. Please carefully review the new text to ensure it aligns with the district's practices and contact the district's policy consultant if your district does not wish to add this provision or has other revisions.

TASB Legal Services' eSource article [Emergency Management for Texas Public Schools](#) provides additional information on purchasing in emergency situations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

CHE(LEGAL)

PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS

This legally referenced policy has been reorganized to focus on required vendor disclosures and contract provisions. This material has been moved from CH(LEGAL).

In addition, we have:

- Included references to other pertinent codes and deleted material duplicated at other policy codes; and
- Reordered and adjusted provisions for clarity and to better match statutory wording.

CL(LEGAL)

BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

New Administrative Code rules, effective July 2, 2020, prompted revisions to provisions on recycling programs.

Provisions on pool sanitation and safety standards have been streamlined to refer to the relevant legal guidance.

CV(LEGAL)

FACILITIES CONSTRUCTION

Update 117 includes a reorganization of the purchasing- and construction-related legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material; and
- Reordered and adjusted provisions for flow and to better match statutory wording.

CV(LOCAL)

FACILITIES CONSTRUCTION

For ease of reference and to align with recommended changes at CH(LOCAL) on delegation to the superintendent for emergency contracting, Policy Service recommends adding a Note referring to CH(LOCAL) for those provisions.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

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CVA(LEGAL)

FACILITIES CONSTRUCTION: COMPETITIVE BIDDING

Provisions on identical, competitive bids have been moved from CH(LEGAL). In addition, a provision on making bid evaluations public has been moved to this policy from CV(LEGAL). Other revisions are to delete material duplicated at other policy codes and adjust language for clarity and to better match statutory wording.

CVB(LEGAL)

FACILITIES CONSTRUCTION: COMPETITIVE SEALED PROPOSALS

A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVC(LEGAL)

FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AGENT

Additional detail has been added regarding the construction manager-agent method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVD(LEGAL)

FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AT-RISK

Additional detail has been added regarding the construction manager-at-risk method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVE(LEGAL)

FACILITIES CONSTRUCTION: DESIGN-BUILD

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

CVF(LEGAL)

FACILITIES CONSTRUCTION: JOB ORDER CONTRACTS

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

DEC(LOCAL)

COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

The events of the past year have highlighted the need for additional flexibility regarding administration of leave. TASB Policy, Legal, and HR Services collaborated on the recommended revisions to this policy, which remove administrative details not required to be in board policy and that may be more appropriately addressed elsewhere, such as in the employee handbook.

To support the removal of these administrative details, a new paragraph directs the superintendent to develop administrative regulations to implement the policy. [Remember that BJA(LOCAL) permits the superintendent to delegate this responsibility as appropriate.] In addition, TASB HR Services has:

- Created a corresponding [Framework for Developing Leaves and Absences Procedures](#), with prompts and placeholders for administrative decisions; and
- Revised the 2021–22 *Model Employee Handbook* to address administrative provisions removed from the policy.

Other changes include:

- Updating the definition of *catastrophic illness or injury* to clarify how it applies to the use of leave from the district's sick leave pool and sick leave bank.

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- Adding a definition of *school year* that aligns with terminology in the TASB sample contracts and that provides context for references to the term elsewhere in the policy.
- Relocating provisions on concurrent use of leave and compensatory time to the sections addressing temporary disability leave and family and medical leave.
- Streamlining of family and medical leave provisions to eliminate information not necessary in board-adopted policy.
- Adding a clear statement to reflect that the district does not permit paid leave offset in conjunction with workers' compensation benefits.
- Revising terminology from *reimbursement* to *payment* for unused leave to reflect that employees are receiving payment for days of accumulated leave upon retirement.

New recommended provisions on state personal leave clarify that the district will also consider how the duration of the requested absence affects the educational program and district operations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

EHAA(LEGAL)

BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

New Administrative Code rules address the requirement for districts to provide instruction in positive character traits, which can be met through a stand-alone course or by integrating the TEKS into other courses. The rules address the frequency of instruction by grade bands and are effective for the 2021–22 school year.

EHBA(LEGAL)

SPECIAL PROGRAMS: SPECIAL EDUCATION

Revised Administrative Code rules, effective March 14, 2021, address various special education provisions and:

- Provide more detail on instructional arrangements;
- Include a definition of *regular school day* for the purpose of determining the instructional arrangement; and
- Update citations to funding statutes.

EHBAA(LEGAL)

SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

Provisions on a district's obligation to refer for evaluation and the definition of a *child with a disability* have been updated based on revised Administrative Code rules, effective March 14, 2021. Other changes are to better reflect statute.

EHBAB(LEGAL)

SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

As a result of revised Administrative Code rules effective March 14, 2021, we have updated text regarding establishment of the admission, review, and dismissal (ARD) committee and added a provision addressing a district's overall responsibility for all of the functions of the IEP team and ARD committee. Citations have also been updated.

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EHBAC(LEGAL)

SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT

From revised Administrative Code rules effective March 14, 2021, we have added a provision requiring the district to notify TEA within 30 calendar days of an ARD committee's decision to place a student in a residential education program.

EHBAD(LEGAL)

SPECIAL EDUCATION: TRANSITION SERVICES

Revised Administrative Code rules, effective March 14, 2021, prompted a revision to the graduation provisions and updates to cites throughout this legally referenced policy.

EHBC(LEGAL)

SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES

Revisions regarding approval of an optional flexible school day program are from revised Administrative Code rules, effective December 6, 2020.

EIF(LEGAL)

ACADEMIC ACHIEVEMENT: GRADUATION

Details have been added on the graduation of students receiving special education services who entered grade nine after the 2014–15 school year. The changes come from revised Administrative Code rules effective March 14, 2021.

In addition, we have replaced detailed provisions on graduation of students receiving special education services who entered grade nine before the 2014–15 school year with a reference to the relevant Administrative Code provision. Citations have been updated throughout.

EKB(LEGAL)

TESTING PROGRAMS: STATE ASSESSMENT

In accordance with House Bill 3906 (86th Legislative Session) and effective September 1, 2021, the reference to the separate writing assessment in grades 4 and 7 has been removed.

EL(LEGAL)

CAMPUS OR PROGRAM CHARTERS

We have added provisions that a district is entitled to additional state aid if the district was under contract during the 2017–18 school year or is under renewal of such a contract to jointly operate a campus or campus program under Education Code 11.157 (Contracts for Educational Services). Details may be found in revised Administrative Code rules, effective March 30, 2021.

FFAC(LEGAL)

WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

New Administrative Code rules, effective February 18, 2021, address maintenance and administration of unassigned asthma medication for districts that choose to implement such a program. Contact your policy consultant if your district has a program but lacks local policy provisions.

See FFAC in the [TASB Regulations Resource Manual](#).

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ACCOUNTABILITY
INTERVENTIONS AND SANCTIONS

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**Interventions and
Sanctions for School
Districts**

Grounds for
Commissioner
Action

The commissioner of education shall take any of the actions authorized by Education Code, Chapter 39A, Subchapter A, to the extent the commissioner determines necessary if:

1. A district does not satisfy:
 - a. The accreditation criteria under Education Code 39.052 [see AIA];
 - b. The academic performance standards under Education Code 39.053 or 39.054 [see AIA]; or
 - c. Any financial accountability standard as determined by commissioner rule [see CFA]; or
2. The commissioner considers the action to be appropriate on the basis of a special accreditation investigation under Education Code 39.057.

Education Code 39A.001

*Authorized
Commissioner
Actions*

If a district is subject to commissioner action, the commissioner may:

1. Issue public notice of the deficiency to the board;
2. Order a hearing to be conducted by the board to notify the public of:
 - a. The insufficient performance;
 - b. The improvements in performance expected by the Texas Education Agency (TEA); and
 - c. The interventions and sanctions that may be imposed if the performance does not improve;
3. Order the preparation of a student achievement improvement plan that addresses each academic achievement indicator under Education Code 39.053(c) for which the district's performance is insufficient, the submission of the plan to the commissioner for approval, and the implementation of the plan;
4. Order a hearing to be held before the commissioner or the commissioner's designee at which the president of the board and the district's superintendent shall appear and explain the district's low performance, lack of improvement, and plans for improvement;
5. Arrange a monitoring review of the district;
6. Appoint a TEA monitor to participate in and report to TEA on the activities of the board or superintendent;

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7. Appoint a conservator to oversee the operations of the district;
8. Appoint a management team to direct the operations of the district in areas of insufficient performance or require the district to obtain certain services under a contract with another person; or
9. Authorize the district to enter into a memorandum of understanding with an institution of higher education that provides for the assistance of the institution of higher education in improving the district's performance.

Education Code 39A.002

Regardless of whether the commissioner lowers a district's status or rating, the commissioner may take action under Education Code Chapters 39 and 39A or 19 Administrative Code 97.1057 if the commissioner determines that the action is necessary to improve any area of performance by the district or campus.

Subject to 19 Administrative Code 97.1057(h)–(k), once the commissioner takes action under 19 Administrative Code Subchapter EE (accreditation status, standards, and sanctions), the commissioner may impose on the district or campus any other sanction under Education Code Chapter 39 or 39A, or Subchapter EE, singly or in combination, to the extent the commissioner determines is reasonably required to achieve the purposes specified in 19 Administrative Code 97.1053.

19 TAC 97.1057(c), (e)

In making a determination to impose district and campus accreditation sanctions under 19 Administrative Code Chapter 97, Subchapter EE, the commissioner shall meet the requirements of 19 Administrative Code 97.1059. *19 TAC 97.1059*

Conservator or
Management Team

The commissioner shall clearly define the powers and duties of a conservator or management team appointed to oversee the operations of a district.

At least every 90 days, the commissioner shall review the need for the conservator or management team and shall remove the conservator or management team unless the commissioner determines that continued appointment is necessary for effective governance of the district or delivery of instructional services.

A conservator or management team, if directed by the commissioner, shall prepare a plan for the implementation of the appointment of a board of managers or the revocation of accreditation.

The conservator or management team may:

1. Direct an action to be taken by the principal of a campus, the superintendent of the district, or the board; and
2. Approve or disapprove any action of the principal of a campus, the superintendent of the district, or the board.

The conservator or management team may not:

1. Take any action concerning a district election, including ordering or canceling an election or altering the date of or the polling places for an election;
2. Change the number of or method of selecting the board;
3. Set a tax rate for the district; and
4. Adopt a budget for the district that provides for spending a different amount, exclusive of required debt service, from that previously adopted by the board.

Education Code 39A.003

Regardless of whether a district has satisfied the accreditation criteria, if for two consecutive school years, including the current school year, a district has had a conservator or management team assigned, the commissioner may appoint a board of managers, a majority of whom must be residents of the district, to exercise the powers and duties of the board of trustees. For purposes of this subsection, a school year begins on the first day of instruction and includes any portion of the school year. *19 TAC 97.1057(d); Education Code 39A.006(b)*

Board of Managers

The commissioner may appoint a board of managers to exercise the powers and duties of a district's board if the district is subject to commissioner action and:

1. Has a current accreditation status of accredited-warned or accredited-probation;
2. Fails to satisfy any standard under Education Code 39.054(e); or
3. Fails to satisfy financial accountability standards as determined by commissioner rule.

Education Code 39A.004

Revocation of
Accreditation

The commissioner may revoke the accreditation of a district if the district is subject to commissioner action, and for two consecutive school years, including the current school year, the district has:

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1. Received an accreditation status of accredited-warned or accredited-probation;
2. Failed to satisfy any standard under Education Code 39.054(e); or
3. Failed to satisfy financial accountability standards as determined by commissioner rule.

In addition to revoking a district's accreditation, the commissioner may:

1. Order closure of the district and annex the district to one or more adjoining districts under Education Code 13.054; or
2. In the case of a home-rule school district, order closure of all programs operated under the district's charter.

Education Code 39A.005

Intervention to
Improve High
School Completion
Rate

If a district is subject to commissioner action and the district has failed to satisfy any standard under Education Code 39.054(e) because of the district's dropout rates, the commissioner may impose sanctions against a district designed to improve high school completion rates, including:

1. Ordering the development of a dropout prevention plan for approval by the commissioner;
2. Restructuring the district or appropriate campuses to improve identification of and service to students who are at risk of dropping out of school, as defined by Education Code 29.081;
3. Ordering lower student-to-counselor ratios on campuses with high dropout rates; and
4. Ordering the use of any other intervention strategy effective in reducing dropout rates, including mentor programs and flexible class scheduling.

Education Code 39A.007

**Campus Intervention
Team and Targeted
Improvement Plan**

Actions Based on
Campus
Performance

If the performance of a campus is below any standard under Education Code 39.054(e), the commissioner shall:

1. Take actions, to the extent the commissioner determines necessary, as provided by Education Code, Chapter 39A; and
2. Assign a campus intervention team.

To the extent the commissioner determines necessary, the commissioner may:

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(LEGAL)

1. Order a hearing to be held before the commissioner or the commissioner's designee at which the president of the board, the superintendent, and the campus principal shall appear and explain the campus's low performance, lack of improvement, and plans for improvement; or
2. Establish a school community partnership team composed of members of the campus-level planning and decision-making committee and additional community representatives as determined appropriate by the commissioner.

Education Code 39A.051

Texas
Accountability
Intervention System

If a campus's performance is below any standard under Education Code 39.054(e), the campus shall engage in interventions as described by TEA. The commissioner shall assign members to a campus intervention team as outlined in 19 Administrative Code 97.1063 and Education Code 39A.052. The campus shall establish a campus leadership team (CLT) that includes the campus principal and other campus leaders responsible for the development, implementation, and monitoring of the targeted improvement plan.

If a campus is assigned an unacceptable rating under Education Code 39.054(e):

1. For a second consecutive year, the campus must engage in the processes outlined in this provision, and the campus must develop a campus turnaround plan to be approved by the commissioner.
2. For a third or fourth consecutive year, the campus must engage in the processes outlined in this provision, and the campus must implement the commissioner-approved campus turnaround plan as described in 19 Administrative Code 97.1064.
3. For a fifth consecutive year, the commissioner shall order the appointment of a board of managers to govern the district or the closure of the campus.

Based on a campus's progress toward improvement, the commissioner may order a hearing if a campus's performance is below any standard under Education Code 39.054(e).

Interventions and sanctions listed under this provision begin upon release of preliminary ratings and may be adjusted based on final accountability ratings.

19 TAC 97.1061(a)–(c), (e)–(i)

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INTERVENTIONS AND SANCTIONS

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Campus
Intervention Team

The campus intervention team shall follow the requirements of 19 Administrative Code 97.1061 and Education Code 39.106.

A campus intervention team assigned by the commissioner may include teachers, principals, other educational professionals, and superintendents recognized for excellence in their roles and appointed by the commissioner to serve as members of a team.

Education Code 39A.052

A campus intervention team must include a district coordinator of school improvement (DCSI) and the campus principal's direct supervisor, if the DCSI is not the campus principal's direct supervisor. The DCSI must submit qualifications to TEA for approval.

An education professional, approved through an application either by TEA or TEA's technical assistance provider, who is not an employee of the campus or district, shall assist with the needs assessment.

19 TAC 97.1063(b)–(c)

*On-Site Needs
Assessment*

A campus intervention team shall:

1. Conduct, with the involvement and advice of the school community partnership team, if applicable:
 - a. If the commissioner determines necessary, a comprehensive on-site needs assessment; or
 - b. A targeted on-site needs assessment relevant to an area of insufficient performance of the campus; and
2. Recommend appropriate actions as provided by Education Code 39A.054.

An on-site needs assessment must determine the factors resulting in the campus's low performance and lack of progress, including the contributing education-related factors.

In conducting a comprehensive on-site needs assessment, the campus intervention team shall use each of the guidelines and procedures at Education Code 39A.053(c) and 19 Administrative Code 97.1061(d).

In conducting a targeted on-site needs assessment, the campus intervention team shall use the appropriate guidelines and procedures described above relevant to each area of insufficient performance.

Education Code 39A.053

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(LEGAL)

Recommendations

On completing the on-site needs assessment, the campus intervention team shall, with the involvement and advice of the school community partnership team, if applicable, recommend actions relating to any area of insufficient performance, including:

1. Reallocation of resources;
2. Technical assistance;
3. Changes in school procedures or operations;
4. Staff development for instructional and administrative staff;
5. Intervention for individual administrators or teachers;
6. Waivers from state statutes or rules;
7. Teacher recruitment or retention strategies and incentives provided by the district to attract and retain appropriately certified and experienced teachers; or
8. Other actions the campus intervention team considers appropriate.

Education Code 39A.054

*Targeted
Improvement
Plan*

In addition to the duties relating to the on-site needs assessment, the campus intervention team shall:

1. Assist the campus in developing a targeted improvement plan;
2. Conduct a public meeting at the campus with the campus principal, the members of the campus-level planning and decision-making committee, parents of students attending the campus, and community members residing in the district to review the campus performance rating and solicit input for the development of the targeted improvement plan [see Notice of Public Meeting, below];
3. Assist the campus in submitting the targeted improvement plan to the board for approval and presenting the plan in a public hearing [see Public Hearing, below]; and
4. Assist the commissioner in monitoring the progress of the campus in executing the targeted improvement plan.

Education Code 39A.055; 19 TAC 97.1061(d)(3)–(4)

Notice of Public
Meeting

The campus intervention team must provide written notice of the public meeting to the parents of students attending the campus and post notice of the meeting on the campus's internet website.

	The notice must include the date, time, and place of the meeting. <i>Education Code 39A.056</i> The public must be notified of the meeting 15 days prior to the meeting by way of the district and campus website, local newspapers or other media that reach the general public, and the parent liaison, if present on the campus. <i>19 TAC 97.1061(d)(3)(A)(ii)</i>
Public Hearing	After a targeted improvement plan or an updated targeted improvement plan is submitted to the board, the board shall conduct a hearing to: 1. Notify the public of: a. The insufficient performance of the campus; b. The improvements in performance expected by TEA; and c. The intervention measures or sanctions that may be imposed under Education Code, Chapter 39A if the performance does not improve within a designated period; and 2. Solicit public comment on the targeted improvement plan or updated targeted improvement plan. The board must post the targeted improvement plan on the district's internet website before the hearing. The board may conduct one hearing relating to one or more campuses subject to a targeted improvement plan or an updated targeted improvement plan. <i>Education Code 39A.057</i>
Submission to Commissioner	The board shall submit the targeted improvement plan or updated targeted improvement plan to the commissioner for approval. The campus intervention team shall assist the campus in submitting the targeted improvement plan to the commissioner. <i>Education Code 39A.058</i>
Executing Plan	In executing the targeted improvement plan, the campus intervention team shall, if appropriate: 1. Assist the campus in implementing research-based practices for curriculum development and classroom instruction, including bilingual education and special education programs, and financial management;

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2. Provide research-based technical assistance, including data analysis, academic deficiency identification, intervention implementation, and budget analysis, to strengthen and improve the instructional programs at the campus; and
3. Require the district to develop a teacher recruitment and retention plan to address the qualifications and retention of the teachers at the campus.

Education Code 39A.059

*Continuing Duties
of the Campus
Intervention
Team*

For each year a campus is assigned an unacceptable performance rating, the campus intervention team shall:

1. Assist in updating the targeted improvement plan to identify and analyze areas of growth and areas that require improvement; and
2. Submit each updated targeted improvement plan to the board.

Education Code 39A.060

Needs Improvement
Rating

If a district or campus is assigned an overall or domain performance rating of D:

1. The commissioner shall order the district or campus to develop and implement a targeted improvement plan approved by the board; and
2. The interventions and sanctions provided by Education Code, Chapter 39A based on failure to satisfy performance standards under Education Code 39.054(e) apply to the district or campus only as provided below.

The interventions and sanctions based on failure to satisfy performance standards under Education Code 39.054(e) apply to a district or campus ordered to develop and implement a targeted improvement plan if the district or campus is assigned:

1. An overall or domain performance rating of F; or
2. An overall performance rating of D as provided below.

If a district or campus is assigned an overall performance rating of D for a school year after the district or campus is ordered to develop and implement a targeted improvement plan, the commissioner shall implement interventions and sanctions that apply to an unacceptable campus and those interventions and sanctions shall

continue for each consecutive school year thereafter in which the campus is assigned an overall performance rating of D.

Education Code 39A.0545

Campus Planning
and Site-Based
Decision-Making

The commissioner may authorize a school community partnership team established under Education Code 39A.051 to supersede the authority of and satisfy the requirements of establishing and maintaining a campus-level planning and decision-making committee.

The commissioner may authorize a targeted improvement plan or an updated targeted improvement plan to supersede the provisions of and satisfy the requirements of developing, reviewing, and revising a campus improvement plan.

Education Code 39A.061

Submission of
Campus
Improvement Plan

If the performance of a campus satisfies performance standards under Education Code 39.054(e) for the current school year but would not satisfy the performance standards if the standards to be used for the following school year were applied to the current school year, on the request of the commissioner, the campus-level planning and decision-making committee shall revise and submit to the commissioner the portions of the campus improvement plan that are relevant to those areas for which the campus would not satisfy performance standards. The revised portions of the improvement plan must be submitted in an electronic format. *Education Code 39A.062*

Compliance
Through Federal
Accountability

Notwithstanding the provisions of Education Code Chapter 39A, if the commissioner determines that a campus subject to interventions or sanctions has implemented substantially similar intervention measures under federal accountability requirements, the commissioner may accept the substantially similar intervention measures as measures in compliance with Education Code Chapter 39A. *Education Code 39A.063*

**Campus Turnaround
Plan**

If a campus has been identified as unacceptable for two consecutive school years, the commissioner shall order the campus to prepare and submit a campus turnaround plan.

Updated Targeted
Improvement Plan

A campus intervention team shall assist the campus in:

1. Developing an updated targeted improvement plan, including a campus turnaround plan to be implemented by the campus;
2. Submitting the updated targeted improvement plan to the board for approval and presenting the plan in a public hearing as provided by Education Code 39A.057;

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3. Obtaining approval of the updated plan from the commissioner; and
4. Executing the updated plan on approval by the commissioner.

The updated targeted improvement plan submitted to the board must include all plans and details that are required to execute the campus turnaround plan without any additional action or approval by the board.

Education Code 39A.101

Public Notice	Within 60 days of receiving a campus's preliminary accountability rating, the district must notify parents, community members, and stakeholders that the campus received an unacceptable rating for two consecutive years and request assistance in developing the campus turnaround plan in accordance with 19 Administrative Code 97.1064. <i>19 TAC 97.1064(d)</i>
Submission and Approval	Upon approval of the board, the district must submit the campus turnaround plan electronically to TEA by March 1 unless otherwise specified. Not later than June 15 of each year, the commissioner must either approve or reject any campus turnaround plan prepared and submitted by a district. <i>19 TAC 97.1064(g)–(h); Education Code 39A.103–.104</i>
Implementation	A campus may implement, modify, or withdraw its campus turnaround plan with board approval if the campus receives an academically acceptable rating for the school year following the development of the campus turnaround plan. A campus that has received an unacceptable rating for the school year following the development of the campus turnaround plan must implement its commissioner-approved campus turnaround plan with fidelity until the campus operates for two consecutive school years without an unacceptable rating. The commissioner may appoint a monitor, conservator, management team, or board of managers for a school district that has a campus that has been ordered to implement an updated targeted improvement plan. The commissioner may order any of the interventions as necessary to ensure district-level support for the low-performing campus and the implementation of the updated targeted improvement plan. The commissioner may make the appointment at any time during which the campus is required to implement the updated targeted improvement plan. <i>19 TAC 97.1064(j)–(k)</i>
Required Contents	A campus turnaround plan must include:

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1. Details on the method for restructuring, reforming, or reconstituting the campus;
2. A detailed description of the academic programs to be offered at the campus, including:
 - a. Instructional methods;
 - b. Length of school day and school year;
 - c. Academic credit and promotion criteria; and
 - d. Programs to serve special student populations;
3. If a district charter is to be granted for the campus under Education Code 12.0522:
 - a. The term of the charter; and
 - b. Information on the implementation of the charter;
4. Written comments from:
 - a. The campus-level committee established under Education Code 11.251, if applicable;
 - b. Parents; and
 - c. Teachers at the campus;
5. A detailed description of the budget, staffing, and financial resources required to implement the plan, including any supplemental resources to be provided by the district or other identified sources; and
6. A detailed description for developing and supporting the oversight of academic achievement and student performance by the board of trustees under Education Code 11.1515.

Education Code 39A.105(a) [Acts of the 85th Legislative Session, Senate Bill 1566, amended former Education Code 39.107(b-1) to include the information provided at Subsection (6)]

ACE Turnaround
Plan

A campus may submit an accelerated campus excellence (ACE) turnaround plan. The plan must provide:

1. The assignment of a principal to the campus who has demonstrated a history of improvement in student academic growth at campuses in which the principal has previously worked;
2. That the principal has final authority over personnel decisions at the campus;

3. That at least 60 percent of the classroom teachers assigned to the campus be teachers who demonstrated instructional effectiveness during the previous school year, with instructional effectiveness determined by:
 - a. For a teacher who taught in the district during the previous school year:
 - (1) The teacher's impact on student growth as determined using a locally developed value-added model that measures student performance on at least one assessment selected by the district; and
 - (2) An evaluation of the teacher based on classroom observation; and
 - b. For a teacher who did not teach in the district during the previous school year, data and other evidence indicating that if the teacher had taught in the district during the previous school year, the teacher would have performed in the top half of teachers in the district;
4. A detailed description of the employment and compensation structures for the principal and classroom teachers, which must include significant incentives for a high-performing principal or teacher to remain at the campus and a three-year commitment by the district to continue incentives for the principal and teachers;
5. Policies and procedures for the implementation of best practices at the campus, including:
 - a. Data-driven instructional practices;
 - b. A system of observation of and feedback for classroom teachers;
 - c. Positive student culture on the campus;
 - d. Family and community engagement, including partnerships with parent and community groups;
 - e. Extended learning opportunities for students, which may include service or workforce learning opportunities; and
 - f. Providing student services before or after the instructional day that improve student performance, which may include tutoring, extracurricular activities, counseling services, and offering breakfast, lunch, and dinner to all students at the campus; and

6. Assistance by a third-party provider that is approved by the commissioner in the development and implementation of the district's plan.

Education Code 39A.105(b)

Implementing
Entities

A campus ordered to prepare a campus turnaround plan shall implement the updated targeted improvement plan as approved by the commissioner.

The commissioner may appoint a monitor, conservator, management team, or board of managers to the district to ensure and oversee district-level support to low-performing campuses and the implementation of the updated targeted improvement plan.

In making appointments, the commissioner shall consider individuals who have demonstrated success in managing campuses with student populations similar to the campus at which the individual appointed will serve.

Education Code 39A.102, .108

Effective Date

A campus turnaround plan must take effect not later than the school year following the third consecutive school year that the campus has received an unacceptable performance rating. *Education Code 39A.106*

Commissioner
Approval or
Rejection

Not later than June 15 of each year, the commissioner shall, in writing, either approve or reject any campus turnaround plan prepared and submitted to the commissioner by a district. If the commissioner rejects a campus turnaround plan, the commissioner must also send the district an outline of the specific concerns regarding the turnaround plan that resulted in the rejection. *Education Code 39A.107(a-1)*

If the commissioner rejects a campus turnaround plan, the district must create a modified plan with assistance from TEA staff and submit the modified plan to the commissioner for approval not later than the 60th day after the date the commissioner rejects the campus turnaround plan. The commissioner shall notify the district in writing of the commissioner's decision regarding the modified plan not later than the 15th day after the date the commissioner receives the modified plan. *Education Code 39A.107(a-2)*

The commissioner may approve a campus turnaround plan only if the commissioner determines that the campus will satisfy all student performance standards required under Education Code 39.054(e) not later than the second year the campus receives a performance rating following the implementation of the campus turnaround plan.

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Education Code 12.0522(b) does not apply to a district charter approved by the commissioner. An approved district charter may be renewed or continue in effect after the campus is no longer subject to the commissioner's order under Education Code 39A.101.

If the commissioner does not approve a campus turnaround plan, the commissioner shall order:

1. Appointment of a board of managers to govern the district;
2. Alternative management of the campus; or
3. Closure of the campus.

Education Code 39A.107; 19 TAC 97.1065

Implementation

Following approval of a campus turnaround plan by the commissioner, the district, in consultation with the campus intervention team, may take any actions needed to prepare for the implementation of the plan. *Education Code 39A.108*

Assistance and
Partnerships

A district may:

1. Request that a regional education service center provide assistance in the development and implementation of a campus turnaround plan; or
2. Partner with an institution of higher education to develop and implement a campus turnaround plan.

Education Code 39A.109

Change in Campus
Performance Rating

If a campus for which a campus turnaround plan has been ordered receives an acceptable performance rating for the school year following the order, the board may:

1. Implement the campus turnaround plan;
2. Implement a modified version of the campus turnaround plan; or
3. Withdraw the campus turnaround plan.

A district required to implement a campus turnaround plan may modify the plan if the campus receives an acceptable performance rating for two consecutive school years following implementation of the plan.

Education Code 39A.110

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Continued
Unacceptable
Performance Rating

If a campus is considered to have an unacceptable performance rating for three consecutive school years after the campus is ordered to submit a campus turnaround plan, the commissioner shall order:

1. Appointment of a board of managers to govern the district; or
2. Closure of the campus.

Education Code 39A.111; 19 TAC 97.1065(a)(2)

*Parent Petition
for Action*

"Parent" means the parent who is indicated on the student registration form at that campus and the signature of only one parent of a student is required.

If the commissioner is presented, in the time and manner specified by commissioner rule, with a written petition signed by the parents of a majority of the students enrolled at a campus with an unacceptable performance rating for three consecutive school years, specifying an authorized action that the parents request the commissioner to order, the commissioner shall order the specific action requested.

If the board presents to the commissioner, in the time and manner specified by commissioner rule, a written request that the commissioner order specific authorized action other than the specific action requested in the parents' petition and a written explanation of the basis for the board's request, the commissioner may order the action requested by the board.

Education Code 12.051, 39A.112; 19 TAC 97.1065(d)

Repurposing of
Closed Campus

If the commissioner orders the closure of a campus, that campus may be repurposed to serve students at that campus location only if the commissioner finds that the repurposed campus offers a distinctly different academic program and approves a new campus identification number for the repurposed campus. A campus may be repurposed if the campus:

1. Serves a majority of grade levels not served at the original campus; or
2. Is operated under a contract, approved by the school board, with a nonprofit organization exempt from federal taxation under Section 501(c)(3), Internal Revenue Code of 1986 that:
 - a. Has a governing board that is independent of the district;
 - b. Has a successful history of operating school district campuses or open-enrollment charter schools:

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- (1) That cumulatively serve 10,000 or more students;
and
 - (2) A majority of which have been assigned an overall performance rating of B or higher under Education Code 39.054 for the preceding school year; and
- c. Has been assigned an overall performance rating of B or higher under Education Code 39.054 for the preceding school year.

Student Enrollment
and Assignment

Any student assigned to a campus that has been closed must be allowed to transfer to any other campus in the district that serves that student's grade level and on request must be provided transportation to the other campus.

The commissioner may grant an exemption allowing students assigned to a closed campus to attend the repurposed campus if there is no other campus in the district at which the students may enroll.

*Noncontracted
Repurposed
Campus*

The majority of students assigned to a campus that has been closed and repurposed may not have attended that campus in the previous school year if the campus was repurposed to serve a majority of grade levels not served at the original campus.

*Enrollment
Provision in
Contract*

A contract approved by the school board with a nonprofit organization must provide that a student residing in the attendance zone of the campus immediately before the campus was repurposed shall be admitted for enrollment at the repurposed campus.

Education Code 39A.113

Targeted Technical
Assistance

If the commissioner determines that the basis for the unacceptable performance of a campus for more than two consecutive school years is limited to a specific condition that may be remedied with targeted technical assistance, the commissioner may require the district to contract for the appropriate technical assistance. *Education Code 39A.114*

Commissioner
Authority

A decision by the commissioner under the campus turnaround plan subchapter of the Education Code is final and may not be appealed. *Education Code 39A.116*

**Alternative
Management**

The commissioner shall appoint a monitor, conservator, management team, or board of managers whenever such action is required, as determined by 19 Administrative Code 1073. Action under any other section of 19 Administrative Code Chapter 97, Subchapter EE is not a prerequisite to acting under this section. *19 TAC 97.1073*

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Solicitation of
Proposals

If the commissioner orders alternative management of a campus, the commissioner shall solicit proposals from qualified nonprofit entities to assume management of the campus or appoint a school district as provided below. The commissioner may solicit proposals from qualified for-profit entities if a nonprofit entity has not responded to the commissioner's request for proposals.

The commissioner may appoint a school district to assume management of the campus if the district:

1. Is not the district in which the campus is located; and
2. Is located within the boundaries of the same regional education service center as the campus.

If a school district is appointed, the district shall assume management of the campus in the same manner as a qualified entity or in accordance with commissioner rule.

The commissioner may annually solicit proposals for the alternative management of a campus. The commissioner shall notify a qualified entity that has been approved as a provider under this section.

Education Code 39A.151

Qualifications of
Managing Entity

To qualify for consideration as a managing entity, the entity must submit a proposal that provides information relating to the entity's management and leadership team that will participate in management of the campus under consideration, including information relating to individuals who have:

1. Documented success in whole school interventions that increased the educational and performance levels of students in campuses considered to have an unacceptable performance rating;
2. A proven record of effectiveness with programs assisting low-performing students;
3. A proven ability to apply research-based school intervention strategies;
4. A proven record of financial ability to perform under the management contract; and
5. Any other experience or qualifications the commissioner determines necessary.

In selecting a managing entity, the commissioner shall give preference to a qualified entity that:

1. Meets any of the commissioner's qualifications; and

2. Has documented success in educating students from similar demographic groups and with similar educational needs as the students who attend the campus to be operated by the managing entity.

Education Code 39A.152

Contract with
Managing Entity

If the commissioner has ordered alternative management of a campus, the district shall execute a contract with an approved provider to serve as a managing entity for the campus. The term of the contract may not exceed five years with an option to renew the contract. The district must execute the contract and relinquish control of the campus before January 1 of the school year.

The management contract must include:

1. A provision describing the district's responsibilities in supporting the operation of the campus; and
2. Provisions approved by the commissioner requiring the managing entity to demonstrate improvement in campus performance, including negotiated performance measures.

Performance measures must be consistent with the priorities of Education Code Chapters 39 and 39A.

The management contract must be approved by the commissioner before the contract is executed. As appropriate, the commissioner may require the district, as a term of the contract, to support the campus in the same manner as the district was required to support the campus before the execution of the contract.

Education Code 39A.153; 19 TAC 97.1067

*Extension of
Management
Contract*

The commissioner may require a district to extend the term of a management contract with a managing entity if the commissioner determines that extending the contract on expiration of the initial term is in the best interest of the students attending the campus. The terms of the contract must be approved by the commissioner.
Education Code 39A.154

*Evaluation of
Managing Entity*

The commissioner shall evaluate a managing entity's performance on the first and second anniversaries of the date of the management contract.

If the evaluation fails to demonstrate improvement as negotiated under the management contract by the first anniversary of the date of the contract, the district may:

1. Terminate the contract, with the commissioner's consent, for nonperformance or breach of contract; and

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2. Select another provider from an approved list provided by the commissioner.

If the evaluation fails to demonstrate significant improvement, as determined by the commissioner, by the second anniversary of the date of the management contract, the district shall:

1. Terminate the contract; and
2. Select another provider from an approved list provided by the commissioner or resume operation of the campus if approved by the commissioner.

If the commissioner approves the district's resumed operation of the campus, the commissioner shall assign a technical assistance team to assist the campus.

Education Code 39A.155

*Cancellation of
Management
Contract*

If a campus receives an unacceptable performance rating for two consecutive school years after a managing entity assumes management of the campus, the commissioner shall cancel the contract with the managing entity. *Education Code 39A.156*

*Return of
Management to
District*

Unless a campus has an unacceptable performance rating for three consecutive school years [see Continued Unacceptable Performance Rating, above], at the end of a management contract term or on the cancellation of a management contract, the board shall resume management of the campus. *Education Code 39A.157*

*Applicability of
Accountability
Provisions*

Each campus operated by a managing entity is subject to Education Code Chapters 39 and 39A in the same manner as any other campus in the district. *Education Code 39A.158*

Funding

The funding for a campus operated by a managing entity may not be less than the funding of the other campuses in the district on a per student basis so that the managing entity receives at least the same funding the campus would otherwise have received. *Education Code 39A.159*

*Open Meetings and
Public Information*

With respect to the management of a campus by a managing entity:

1. A managing entity is considered to be a governmental body for purposes of the Texas Open Meetings Act and Public Information Act; and

2. Any requirement in the Texas Open Meetings Act or Public Information Act that applies to a school district or the board of trustees of a district applies to a managing entity.

Education Code 39A.160

Board of Managers

General Powers
and Duties

A board of managers may exercise all of the powers and duties assigned to a board of trustees of a school district by law, rule, or regulation.

A board of managers appointed by the commissioner is required to take appropriate actions to resolve the conditions that caused a campus to be subject to the commissioner's order, including amending the district's budget, reassigning staff, or relocating academic programs. The commissioner may adopt rules necessary to implement this subsection.

Education Code 39A.201

Board of Managers
of District

If the commissioner appoints a board of managers to govern a district:

1. The powers of the board are suspended for the period of the appointment; and
2. The commissioner shall appoint a district superintendent.

A board of managers appointed to govern a school district may amend the budget of the district.

Education Code Chapter 39A applies to a school district governed by a board of managers in the same manner it applies to any other district.

Education Code 39A.202

Board of Managers
of Campus

If the commissioner appoints a board of managers to govern a campus:

1. The powers of the board of trustees of the school district in relation to the campus are suspended for the period of the appointment; and
2. The commissioner shall appoint a campus principal.

A board of managers appointed to govern a campus may submit to the commissioner for approval amendments to the budget of the school district for the benefit of the campus. If the commissioner approves the amendments, the board of trustees of the school district shall adopt the amendments.

Education Code 39A.203

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Composition of Board of Managers	A board of managers appointed by the commissioner must, if possible, include community leaders, business representatives who have expertise in leadership, and individuals who have knowledge or expertise in the field of education. <i>Education Code 39A.204</i>
Training of Board of Managers	The commissioner must provide each individual appointed to a board of managers with training in effective leadership strategies. <i>Education Code 39A.205</i> The training in effective leadership strategies shall be provided by TEA-approved authorized providers of board training to each individual appointed by the commissioner to a board of managers, and, following the expiration of the appointment of the board of managers, to the board of trustees of the school district. <i>19 TAC 97.1073(h)</i>
Compensation	The commissioner may authorize payment of a board of managers from TEA funds. A conservator or a member of a management team appointed to serve on a board of managers may continue to be compensated as determined by the commissioner. <i>Education Code 39A.206</i>
Replacement of Member of Board of Managers	The commissioner may at any time replace a member of a board of managers. The commissioner may adopt rules necessary to implement this section. <i>Education Code 39A.207</i>
Expiration of Appointment	A board of managers shall, during the period of the appointment, order the election of members of the board of trustees of the school district in accordance with the law. The members of the board of trustees do not assume any powers or duties after the election until the appointment of the board of managers expires. Not later than the second anniversary of the date the board of managers of a school district was appointed, the commissioner shall notify the board of managers and the board of trustees of the date on which the appointment of the board of managers will expire. Following each of the last three years of the period of the appointment, one-third of the members of the board of managers shall be replaced by the number of members of the board of trustees who were elected at an election that constitutes, as closely as possible, one-third of the membership of the board of trustees. If, before the second anniversary of the date the board of managers of a school district was appointed, the commissioner determines, after receiving local feedback, that insufficient progress has

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been made toward improving the academic or financial performance of the district, the commissioner may extend the authority of the board of managers for a period of up to two additional years.

On the expiration of the appointment of the board of managers, the board of trustees assumes all of the powers and duties assigned to a board of trustees by law, rule, or regulation.

Following the expiration of the period of appointment of a board of managers for a school district, the commissioner shall provide training in effective leadership strategies to the board of trustees.

Education Code 39A.208; 19 TAC 97.1073

Removal of Board
of Managers

The commissioner may remove a board of managers appointed to govern a school district only if the campus that was the basis for the appointment of the board of managers receives an acceptable performance rating for two consecutive school years.

If a campus that was the basis for the appointment of a board of managers receives an unacceptable performance rating for two additional consecutive years following the appointment of the board of managers, the commissioner may remove the board of managers and, in consultation with the local community, may appoint a new board of managers to govern the district.

Following the removal of a board of managers, or at the request of a managing entity to oversee the implementation of alternative management, the commissioner may appoint a conservator or monitor for the district to ensure district-level support for low-performing campuses and to oversee the implementation of the updated targeted improvement plan.

Education Code 39A.209; 19 TAC 97.1073

**Challenge of
Intervention or
Sanction**

A district that challenges the commissioner's decision to close the district or a campus or to pursue alternative management of a campus must appeal the decision as provided below.

Review of
Sanctions by SOAH

A challenge is under the substantial evidence rule [see Government Code, Chapter 2001, Subchapter G]. The commissioner shall adopt procedural rules for a challenge under this section.

Notwithstanding other law:

1. The State Office of Administrative Hearings (SOAH) shall conduct an expedited review of a challenge;
2. The administrative law judge shall issue a final order not later than the 30th day after the date on which the hearing is finally closed;

3. The decision of the administrative law judge is final and may not be appealed; and
4. The decision of the administrative law judge may set an effective date for an action under this section.

Education Code 39A.301

Annual Review

The commissioner shall annually review the performance of a district or campus subject to intervention and sanction to determine the appropriate actions to be implemented.

The commissioner must review at least annually the performance of a district for which the accreditation status or performance rating has been lowered due to insufficient student performance and may not raise the accreditation status or performance rating until the district has demonstrated improved student performance.

If the review reveals a lack of improvement, the commissioner shall increase the level of state intervention and sanction unless the commissioner finds good cause for maintaining the current status.

Education Code 39A.901

Increasing Intensity

If a district or campus does not exhibit improvement in student performance, the commissioner may increase the intensity of intervention and sanction that would otherwise be required by statute or rule, including ordering campus closure, district annexation, or appointment of a board of managers.

For purposes of this section, improvement means an increase in the scaled score for the overall academic performance rating under Education Code Chapter 39.

19 TAC 97.1070(a)–(b)

**Special
Accreditation
Investigations**

The commissioner may authorize a special accreditation investigation:

1. When excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;
2. When excessive numbers of allowable exemptions from the required state assessment are determined;
3. In response to complaints to TEA of alleged violations of civil rights or other requirements imposed on the state by federal law or court order;
4. In response to established compliance reviews of the district's financial accounting practices and state and federal reporting requirements;

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5. When extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Education Code 37.006 and 37.007, are determined;
6. In response to an allegation involving a conflict between members of the board or between the board and the district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by the Education Code. If TEA's findings indicate the board has observed a lawfully adopted policy, TEA may not substitute its judgment for that of the board;
7. When excessive numbers of students in special education programs are assessed through modified assessment instruments;
8. In response to an allegation regarding, or an analysis using a statistical method result indicating, a possible violation of an assessment instrument security procedure;
9. When a significant pattern of decreased academic performance has developed as a result of the promotion in the preceding two school years of students who did not perform satisfactorily on the state assessments;
10. When excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner;
11. When resource allocation practices indicate a potential for significant improvement in resource allocation;
12. When a disproportionate number of students of a particular demographic group is graduating with a particular endorsement;
13. When an excessive number of students is graduating with a particular endorsement;
14. When a school district for any reason fails to produce, at the request of TEA, evidence or an investigation report relating to an educator who is under investigation by the State Board for Educator Certification;
15. In response to a complaint with respect to alleged inaccurate data that is reported through PEIMS or through other reports required by state or federal law or rule or court order and that is used by TEA to make a determination relating to public school accountability, including accreditation, under Education Code Chapter 39;

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16. In response to repeated complaints concerning imposition of excessive paperwork requirements on classroom teachers; or
17. As the commissioner otherwise determines necessary.

Education Code 39.057(a)–(c)

TEA shall adopt written procedures for conducting special accreditation investigations, including procedures that allow TEA to obtain information from district employees in a manner that prevents a district or campus from screening the information. *Education Code 39.058(a); 19 TAC 102.1401*

Commissioner
Action

Based on the results of a special accreditation investigation, the commissioner may:

1. Take appropriate action under Education Code Chapter 39A, [see Interventions and Sanctions for School Districts, above];
2. Lower the district's accreditation status or a district's or campus's performance rating; or
3. Take action under both items 1 and 2 above.

Regardless of whether the commissioner lowers the accreditation status or a district's or campus's performance rating, the commissioner may impose one of the district- or campus-level interventions or sanctions under Education Code 39A.002 [see Interventions and Sanctions for School Districts, above].

Education Code 39.057(d), (e)

**Miscellaneous
Provisions**

Acquisition of
Professional
Services

In addition to other authorized interventions and sanctions, the commissioner may order a district or campus to acquire professional services at the expense of the district or campus to address the applicable financial, assessment, data quality, program, performance, or governance deficiency. The commissioner's order may require the district or campus to:

1. Select or be assigned an external auditor, data quality expert, professional authorized to monitor district assessment instrument administration, or curriculum or program expert; or
2. Provide for or participate in the appropriate training of district staff or board members in the case of a district, or campus staff, in the case of a campus.

Education Code 39A.902

Costs Paid by
District

The costs of providing a monitor, conservator, management team, campus intervention team, technical assistance team, managing entity, or service provider shall be paid by the district. If the district

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fails or refuses to pay the costs in a timely manner, the commissioner may:

1. Pay the costs using amounts withheld from any funds to which the district is otherwise entitled; or
2. Recover the amount of the costs in the manner provided for recovery of an over allocation of state funds under Education Code 48.272.

Education Code 39A.903

Monitoring Reviews
and On-Site
Investigations

Except as provided by Education Code 7.028(a), the commissioner may direct TEA to conduct monitoring reviews and random on-site visits of a district at any time, as authorized by Education Code 7.028, only as necessary to ensure:

1. Compliance with federal law and regulations;
2. Financial accountability, including compliance with grant requirements; and
3. Data integrity for purposes of:
 - a. The Public Education Information Management System (PEIMS);
 - b. Accountability under Education Code Chapter 39 and 39A; and
4. Qualification for funding under Chapter 48.

The board of trustees has primary responsibility for ensuring that the district complies with all applicable requirements of state educational programs.

Education Code 7.028

*Compliance
Monitoring
Activities*

Districts are subject to general supervision and monitoring activities for compliance with state law and federal regulation and review of program implementation and effectiveness within certain special populations of students.

Activities may include:

1. Random, targeted, or cyclical reviews authorized under Education Code 39.056 (monitoring reviews), conducted remotely or on-site to identify problems implementing state and federal requirements and to provide support for development of reasonable and appropriate strategies to address identified problems; and/or

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2. Intensive or special investigative remote or on-site reviews authorized under Education Code 39.057 (special accreditation investigations).

Activities described in item 1, above, are applicable for compliance with requirements for reading diagnosis in Education Code 28.006 [see EKC] and dyslexia and related disorders in Education Code 38.003 and 19 Administrative Code 74.28 [see EHB].

19 TAC 97.1071(a)–(b)

<i>Notice</i>	TEA shall give written notice to the superintendent and the board of trustees of any impending monitoring review. <i>Education Code 39.056(d)</i>
<i>Conducting the Review</i>	A monitoring review may include desk reviews and on-site visits, including random on-site visits. In conducting a monitoring review, TEA may obtain information from administrators, other district employees, parents of students enrolled in the district, and other persons as necessary. <i>Education Code 39.056(c), (g)</i>
<i>Accreditation Investigation</i>	The commissioner may at any time convert a monitoring review to a special accreditation investigation under Education Code 39.057, provided the commissioner promptly notifies the district of the conversion. <i>Education Code 39.056(h)</i>
<i>Improvements</i>	TEA shall report in writing to the superintendent and president of the board and shall make recommendations concerning any necessary improvements or sources of aid such as regional education service centers. A district that takes action with regard to the recommendations provided by TEA shall make a reasonable effort to seek assistance from a third party in developing an action plan to improve district performance using improvement techniques that are goal-oriented and research-based. <i>Education Code 39.056(e)–(f)</i>
Immunity from Civil Liability	An employee, volunteer, or contractor acting on behalf of the commissioner, or a member of a board of managers appointed by the commissioner, is immune from civil liability to the same extent as a professional employee of a district under Education Code 22.051. <i>Education Code 39A.904</i>
Campus Name Change	In reconstituting, repurposing, or imposing any other intervention or sanction on a campus, the commissioner may not require that the name of the campus be changed. <i>Education Code 39A.905</i>
Transitional Interventions and Sanctions	For a campus that received an unacceptable performance rating for the 2013–14, 2014–15, and 2015–16 school years, the commissioner may apply the interventions and sanctions authorized by

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Chapter 39 as that chapter existed on January 1, 2015, to the campus.

If a campus receives an unacceptable performance rating for the 2016–17 and 2017–18 school years, the commissioner shall apply the interventions and sanctions authorized when a campus has an unacceptable performance rating for three consecutive school years under current law.

For a campus that received an acceptable performance rating for the 2013–14 school year and an unacceptable performance rating for the 2014–15 and 2015–16 school years, the commissioner shall apply interventions and sanctions in current law to the campus. If the campus receives an unacceptable performance rating for the 2016–17, 2017–18, and 2018–19 school years, the commissioner shall apply the interventions and sanctions authorized when a campus has an unacceptable performance rating for three consecutive school years under current law.

These transition provisions expire September 1, 2020.

Education Code 39A.906

Special Program
Performance
Determination

The commissioner shall assign districts an annual determination level based on performance levels of certain special populations student groups under 19 Administrative Code 97.1005 (Results Driven Accountability) [see AIB] according to the criteria and requirements in 19 Administrative Code 97.1071.

The commissioner shall notify in writing each district identified for review under this section as a result of assigned determination level or cyclical selection prior to requiring a district to implement or participate in any activities included in 19 Administrative Code 97.1071(f)(1)–(6).

Actions taken under this section are intended to assist the district in raising its performance and/or achieving compliance under 19 Administrative Code 97.1005 and 74.28 and Education Code sections 28.006 and 38.003 and do not preclude or substitute for a sanction under another provision of Chapter 97, Subchapter EE.

19 TAC 97.1071(c), (g), (h)

Intervention Pause

Except as otherwise provided by 19 Administrative Code 97.1062 and unless extended by the commissioner, TEA will cease to enforce the interventions under Education Code 39A.101–39A.111 until conclusion of the second consecutive school year of operation under:

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1. A partnership as defined by 19 Administrative Code 97.1077(a)(2), (b), or (c) of this title [see ELA]; or
2. Designation as a mathematics innovation zone under Education Code 28.020 and applicable rules.

Any intervention or sanction not covered by the provision above shall continue.

If a campus ceases to qualify for the intervention pause at any point during a school year, TEA will resume previously ordered interventions and sanctions, order interventions and sanctions based on the rating from that school year, and count that rating for purposes of consecutive years of performance.

19 TAC 97.1062

Failure to Submit
Emergency
Operations Plan

If TEA receives notice from the Texas School Safety Center of a district's failure to submit a multihazard emergency operations plan [see CKC], the commissioner may appoint a conservator for the district under Education Code Chapter 39A. The conservator may order the district to adopt, implement, and submit a multihazard emergency operations plan. If a district fails to comply with a conservator's order to adopt, implement, and submit a multihazard emergency operations plan within the time frame imposed by the commissioner, the commissioner may appoint a board of managers under Education Code Chapter 39A to oversee the operations of the district. *Education Code 37.1082(a)–(b)*

Note: The following provisions apply to a district with a central administrative office that is located in a county with a population of more than two million and that has a student enrollment that is more than 125,000 and less than 200,000, and that is operating under a turnaround plan.

Student Board
Member

Notwithstanding Education Code 11.051(b) (number of trustees on a school board), the board may adopt a resolution establishing as a nonvoting member a student trustee position. If a board adopts such a resolution, the board shall adopt a policy addressing the topics specified in statute. *Education Code 11.0511*

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Note: If the district is subject to a court order or other binding legal determination, the district shall conduct its elections in accordance with that court order or determination, applicable law, and this policy. To the extent of any conflict, the court order or other legal determination shall prevail. [See BBB(LOCAL)]

Resignation

To be effective, a board member's resignation must be in writing and signed by the board member and delivered to the presiding officer of the board. A board may not refuse to accept a resignation. *Election Code 201.001*

Effective Date

If a board member submits a resignation, whether to be effective immediately or at a future date, a vacancy occurs on the date the resignation is accepted by the board or on the eighth day after the date of its receipt by the board, whichever is earlier. *Election Code 201.023*

Holdover Doctrine

All public officers shall continue to perform the duties of their offices until their successors shall be duly qualified (i.e., sworn in). Until the vacancy created by a board member's resignation is filled by a successor, the board member continues to serve and have the duties and powers of office and continues to be subject to the nepotism provisions. A holdover board member may not vote on the appointment of his or her successor. *Tex. Const., Art. XVI, Sec. 17; Atty. Gen. Ops. JM-636 (1987), O-6259 (1945)* [See DBE for more information on nepotism]

Residency

A person elected or appointed to serve as a board member must remain a resident of the district throughout the term of office. A board member who ceases to reside in the district vacates the office. *Tex. Const., Art. XVI, Sec. 14; Prince v. Inman, 280 S.W.2d 779 (Tex. Civ. App.—Beaumont 1955, no writ); Whitmarsh v. Buckley, 324 S.W.2d 298 (Tex. Civ. App.—Houston 1959, no writ)* [See BBA]

Single-Member
District

A trustee vacates the office if the trustee ceases to reside in the district the trustee represents. *Education Code 11.052(g)*

Filling a Vacancy

If a vacancy occurs on the board, the remaining board members may fill the vacancy by appointment until the next trustee election, or may order a special election to fill the vacancy. If more than one year remains in the term of the position vacated, the vacancy shall be filled not later than the 180th day after the date the vacancy occurs. *Education Code 11.060*

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Appointment	To be eligible to be appointed to a board, a person must have the qualifications set forth at Election Code 141.001(a). <i>Election Code 141.001(a)</i> [See BBA]
Special Election	A special election to fill a vacancy shall be conducted in the same manner as the district's general election. <i>Education Code 11.060(c)</i> An election to fill a vacancy shall be to fill the unexpired term only. <i>Tex. Const. Art. XVI, Sec. 27</i>
<i>Date of Election</i>	A special election to fill a vacancy shall be held on an authorized uniform election date occurring within the required period after the vacancy occurs. If no uniform election date affords enough time to hold the election in the manner required by law, the election shall be held on the first authorized uniform election date occurring after the expiration of the period. <i>Election Code 41.001(a), .004(a); Atty. Gen. Op. KP-102 (2016)</i> [See BBB]
<i>Ordering Election</i>	If a vacancy is to be filled by special election, the election shall be ordered as soon as practicable after the vacancy occurs. <i>Election Code 201.051(a)</i> Except as otherwise provided by the Election Code, a special election to fill a vacancy shall be held on the first authorized uniform election date occurring on or after the 46th day after the date the election is ordered. <i>Election Code 201.052(a)</i> If the special election is to be held on the date of the general election for state and county officers, the election shall be ordered not later than the 78th day before election day. The general election for state and county officers is the first Tuesday after the first Monday in November in even-numbered years. <i>Election Code 41.002, 201.051</i>
Officer's Statement and Oath	For requirements regarding the officer's statement and oath of office, see BBBB(LEGAL).
Former Board Member Employment	A trustee may not accept employment with the district until the first anniversary of the date the trustee's membership on a board ends. <i>Education Code 11.063</i>
Involuntary Removal from Office	On his or her own motion or at the request of an individual, the attorney general or the county or district attorney may petition the district court for leave to file an information in the nature of quo warranto. An action in the nature of quo warranto is available if:
Quo Warranto	1. A person usurps, intrudes into, or unlawfully holds or executes an office; or 2. A public officer does an act or allows an act that by law causes forfeiture of office.

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If the person against whom the information is filed is found guilty as charged, the court:

1. Shall enter judgment removing the person from the office and for the costs of prosecution; and
2. May fine the person for usurping, intruding into, or unlawfully holding and executing the office.

Civ. Prac. & Rem. Code 66.001–.003

Removal by Petition
and Trial

A proceeding for the removal of a board member is begun by filing a written petition for removal in district court of the county in which the board member resides. A resident of the state who has lived for at least six months in the county in which the petition is to be filed and who is not currently under indictment in the county may file a petition. *Local Gov't Code 87.015*

*Reasons for
Removal*

A board member may be removed from office for:

1. “Incompetency,” which means:
 - a. Gross ignorance of official duties;
 - b. Gross carelessness in the discharge of those duties; or
 - c. Unfitness or inability to promptly and properly discharge official duties because of a serious physical or mental defect that did not exist at the time of election.
2. “Official misconduct,” which means intentional, unlawful behavior relating to official duties by a board member entrusted with the administration of justice or the execution of the law. The term includes an intentional or corrupt failure, refusal, or neglect of a board member to perform a duty imposed on the board member by law.
3. Intoxication on or off duty caused by drinking an alcoholic beverage, but not if it was caused by drinking an alcoholic beverage on the direction and prescription of a licensed physician.
4. Conviction of a board member by a jury for any felony or for misdemeanor official misconduct. The conviction of a public officer by a petit jury for any felony or for a misdemeanor involving official misconduct operates as an immediate removal from office of that officer.

Tex. Const., Art. V, Sec. 24; Local Gov't Code 87.011, .012(14), .013, .031

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(LEGAL)

*Removal for
Purchasing
Violations*

See CH for information regarding removal for purchasing violations.

**Temporary
Replacement of
Board Member on
Military Active Duty**

A board member who enters active duty in the armed forces of the United States as a result of being called to duty, drafted, or activated does not vacate the office held, but the board may appoint a replacement to serve as a temporary board member if the elected or appointed board member will be on active duty for longer than 30 days.

The board member who is temporarily replaced may recommend to the board the name of a person to temporarily fill the office. The board shall appoint the temporary board member to begin service on the date specified in writing by the board member being temporarily replaced as the date the board member will enter active military service.

A temporary board member has all the powers, privileges, and duties of the office as the board member who is temporarily replaced. A temporary board member shall perform the duties of office for the shorter period of:

1. The term of the active military service of the board member who is temporarily replaced; or
2. The term of office of the board member who is temporarily replaced.

“Armed forces of the United States” means the United States Army, the United States Navy, the United States Air Force, the United States Marine Corps, the United States Coast Guard, any reserve or auxiliary component of any of those services, or the National Guard.

Tex. Const., Art. XVI, Sec. 72

Framework for School Board Development

Preamble: The mission of the public education system of this state is to ensure that all Texas children have access to a quality education that enables them to achieve their potential and fully participate now and in the future in the social, economic, and educational opportunities of our state and nation (Education Code 4.001).

The board of trustees is the governing body for Texas public schools. To effectively meet the challenges of public education, school boards and superintendents must function together as a governance leadership team. Each leadership team will annually assess its development needs both as a corporate body and as individuals. As a team, they will focus on the improvement of locally developed student outcomes and provide support for opportunities and experiences through vision and goals, systems and processes, progress and accountability, advocacy and engagement, and synergy and teamwork. Teams ensure that their districts provide equitable and effective educational programs and services for all students. The Framework for School Board Development has been approved by the State Board of Education to provide the critical areas of development for all public school boards.

1. Vision and Goals — The board ensures creation of a shared vision and locally developed, measurable goals that improve student outcomes and provide support for opportunities and experiences. The board:
 - Keeps the district focus on the well-being of all children.
 - Adopts a shared vision that incorporates input from the community to reflect local aspirations as well as present and future needs for all children.
 - Ensures that the vision aligns with the state's mission, objectives, and goals for education established by law and/or rule.
 - Adopts a reasonable number of specific, quantifiable, research-based, and time-bound goals that align with state law, are developed with community input, and support the vision to improve student outcomes.
 - Embraces, supports, and fulfills the vision that all students receive what they need to learn, thrive, and grow, including resources, opportunities, and experiences.
 - Uses the vision and goals to drive all deliberations, decisions, and actions.
2. Systems and Processes — The board ensures systems and processes are in place to accomplish the vision and goals. The board:
 - Regularly develops, reviews, and adopts board policies for effective support of the district's vision and goals.
 - Approves a budget that aligns with and maximizes resources to fulfill the district's vision and goals.
 - Monitors multiple, measurable elements of student progress and achievement throughout the year.

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- Incorporates equity when making decisions and evaluating systems and processes.
 - Focuses its actions on following board operating procedures while providing oversight of the superintendent, policymaking, planning and goal setting, progress monitoring, and evaluation, while avoiding involvement in daily operations and management.
 - Approves goals, policies, and programs that ensure a safe and secure learning environment.
 - Ensures the equitable distribution of resources, opportunities, and experiences based on the diverse needs of students and schools.
 - Adopts a planning calendar and engages in a decision-making process consistent with state law and rule to help achieve the district's vision.
 - Ensures that the district's planning and decision-making process enables all segments of the community, families, and staff to meaningfully contribute to achieving the district's vision.
 - Welcomes and values all people and cultures as important stakeholders in the process for student success.
 - Ensures the district has a system that monitors for sound business and fiscal practices.
 - Adopts policies regarding hiring, assigning, appraising, terminating, and compensating school district personnel in compliance with state laws and rules.
 - Ensures the district adopts a protocol regarding the recruitment, determination of professional development needs, building of leadership capacity, and retention rates for the district's teachers.
 - Fulfills the statutory duties of the local board of trustees and upholds all laws, rules, ethical procedures, and court orders pertaining to schools and school employees.
3. Progress and Accountability — The board sets clear goals, provides resources and support, evaluates goal attainment, and engages in ongoing objective feedback on progress and commitments. The board:
- Holds itself accountable to its adopted vision, goals, commitments, and operating procedures.
 - Ensures progress toward achievement of district goals through systematic, timely, and comprehensive review of relevant reports and student data that illustrate progress toward locally developed student outcome goals.
 - Ensures equity throughout the system by regularly identifying inequities, updating policies, and appropriately distributing resources.

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- Differentiates among resources, intermediate measures, and outcomes, especially when focusing on student outcomes.
 - Monitors and evaluates the allocation of resources in support of the district's vision and goals and sustainability.
 - Reviews the efficiency and effectiveness of district operations and use of resources in supporting the district's vision and goals.
 - Employs and annually evaluates the superintendent on the achievement of district goals, including locally developed academic goals, demonstration of educational leadership, and management of daily operations.
4. Advocacy and Engagement — The board promotes the vision and engages the community in developing and fulfilling the vision. The board advocates on behalf of Texas public schoolchildren. The board:
- Demonstrates its commitment to, and advocates on behalf of, the shared vision and goals by clearly communicating them to the superintendent, staff, and community.
 - Regularly reports district progress to families and the community, which could include an online dashboard for the community.
 - Ensures multiple forms of two-way communication will be used to engage, empower, and connect students, families, staff, media, and community with the district.
 - Builds collaborative relationships and partnerships with families and community, business, nonprofit, higher-education, education support organizations, and governmental leaders to influence and expand educational opportunities and meet the needs of students.
 - Recognizes the respective roles of and provides input and feedback to the legislature, State Board of Education, and the Texas Education Agency to ensure maximum effectiveness and benefit to Texas schoolchildren.
 - Promotes school board service by educating the community about the role of a school board and encouraging leadership opportunities within the community.
5. Synergy and Teamwork — The board's duties are distinct, and the board works effectively as a collaborative unit and as a team with the superintendent to lead the district in fulfilling the vision and goals. The board:
- Recognizes its distinct role in establishing the vision and the goals, adopting policies that guide the district, setting priorities, establishing governance protocols to oversee management of the district, adopting and overseeing the annual budget, and hiring and evaluating the superintendent.
 - Recognizes each individual trustee's duty as a trustee and fiduciary for the entire district.

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- Remains focused on its goals and priorities, as opposed to individual agendas separate and apart from the shared vision.
- Annually evaluates its performance as a team, with attention given to the district's vision and goals; fulfilling the board's duties, responsibilities, and commitments; and the board's working relationship with the superintendent.
- Makes decisions as a whole only at properly called meetings and recognizes that individual members have no authority to take individual action in policy or district and campus administrative matters.
- Respects the right of individual members to express their viewpoints and vote their convictions and honors the decisions of the majority.
- Develops teamwork, problem-solving, and decision-making skills as a team with its superintendent.
- Understands and adheres to laws and local policies and respects the superintendent's responsibility to manage the school district and to direct employees in district and campus matters.
- Adopts and adheres to established policies and procedures for welcoming and addressing ideas and concerns from students, families, staff, and the community.
- Establishes and follows local policies, procedures, and ethical standards governing the conduct and operations of the board.
- Understands the leadership role of the board president and adheres to local policies and procedures about the duties and responsibilities of the board officers.

Adopted by the State Board of Education, January 1996, as authorized by 19 TAC 61.1(a); revised November 20, 2020.

SUPERINTENDENT
SUSPENSION/TERMINATION DURING CONTRACT

BJCE
(LEGAL)

Suspension Without Pay	For good cause, as determined by the board, the board may suspend a superintendent without pay for a period not to extend beyond the end of the school year pending discharge or in lieu of termination. <i>Education Code 21.201(1), .211(b)</i>
Back Pay	A superintendent who is not discharged after being suspended without pay pending discharge is entitled to back pay for the period of suspension. <i>Education Code 21.211(c)</i>
Contract Termination	The board may terminate a term contract and discharge the superintendent at any time for good cause as determined by the board. <i>Education Code 21.211(a), .212(d)</i>
Due Process	Before dismissal for good cause, a superintendent shall be given notice of the charges against him or her, an explanation of the district's evidence, and an opportunity to respond. <u><i>Cleveland Bd. of Educ. v. Loudermill</i></u> , 470 U.S. 532, 546 (1985)
Hearing on Proposed Suspension or Termination	Education Code Chapter 21, Subchapter F (Hearings before Hearing Examiners) applies if a superintendent requests a hearing after receiving notice of the proposed decision to terminate the superintendent's term contract before the end of the contract period or suspend the superintendent without pay. <i>Education Code 21.251(a)(2)–(3)</i> The superintendent must file a written request for a hearing under Subchapter F with the commissioner not later than the 15th day after the date the superintendent receives written notice of the proposed action. The superintendent must provide the district with a copy of the request and must provide the commissioner with a copy of the notice. The parties may agree in writing to extend by not more than ten days the deadline for requesting a hearing. <i>Education Code 21.253</i> [See DFD]
Severance Payments Definition	"Severance payment" means any amount paid by a board to or in behalf of a superintendent on early termination of the superintendent's contract that exceeds the amount earned by the superintendent under the contract as of the date of termination, including any amount that exceeds the amount of earned standard salary and benefits that is paid as a condition of early termination of the contract. Payments to a former superintendent who remains employed by a district in another capacity or contracts with a district to provide the district services may be severance payments in whole or in part if the payments are compensation for the early termination of a prior employment agreement. Severance payments include any payment for actual or threatened litigation involving or related to the employment contract. <i>Education Code 11.201(c); 19 TAC 105.1021(a)(1)</i>

SUPERINTENDENT
SUSPENSION/TERMINATION DURING CONTRACT

BJCE
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Duty to Report

The board that makes a severance payment to a superintendent shall report the terms of the severance payment to the commissioner. *Education Code 11.201(c)*

A district that makes a payment of any kind to a departing superintendent must file with the Texas Education Agency (TEA) a Superintendent Payment Disclosure Form. No form is required to be filed for a payment already earned and payable under the terms of a terminated employment contract, such as a payment for accrued vacation.

The form must be filed by the 60th day after the district executes the agreement to make the payment or the 60th day after any payment under such an agreement, whichever is sooner. The interim superintendent, new superintendent, or board president is responsible for timely filing the Superintendent Payment Disclosure Form. Filing of the disclosure form is required regardless of whether a district considers a payment to be a severance payment as that term is defined above.

Compliance with the reporting requirements of these provisions is considered part of the district's compliance with required financial accounting practices under Education Code 39.057(a)(4). Failure to comply may result in sanctions as authorized by Education Code 39.057(d) and (e).

Required
Documentation

A district must enclose with the submitted Superintendent Payment Disclosure Form a copy of the superintendent employment contract and a copy of the termination or severance agreement. A district must provide the commissioner with any information or documentation that the commissioner requests to determine whether a payment to a departing superintendent is a severance payment and whether a district is subject to reductions in Foundation School Program (FSP) funding under 19 Administrative Code 105.1021.

19 TAC 105.1021(b), (d)

Reduction of State
Funds

The commissioner shall reduce a district's FSP funds by any amount that the severance payment exceeds one year's salary and benefits under the superintendent's terminated contract. The commissioner will reduce the district's FSP funding for the school year following the school year in which the first payment requiring an FSP reduction is made to the former superintendent. The commissioner also will reduce the district's FSP funding in the school year following each school year that any additional payment requiring an FSP reduction is made to the former superintendent. If a district's liability to the state exceeds the total of the district's estimated payments of FSP funding for the remainder of the school

year, the district is subject to reductions in its FSP funding for subsequent school years until the liability has been fully liquidated.

A reduction in FSP funding under these provisions does not affect a district's obligation to comply with all provisions of Education Code Chapter 48, including its obligation under that chapter to provide educational services to special populations.

19 TAC 105.1021(c); Education Code 11.201(c)

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

SECTION C: BUSINESS AND SUPPORT SERVICES

CA	FISCAL MANAGEMENT GOALS AND OBJECTIVES
CAA	Financial Ethics
CB	STATE AND FEDERAL REVENUE SOURCES
CBA	State
CBB	Federal
CC	LOCAL REVENUE SOURCES
CCA	Bond Issues
CCB	Time Warrants
CCC	Certificates of Indebtedness
CCD	Recreational Facilities Bonds
CCE	Athletic Stadium Authority
CCF	Loans and Notes
CCG	Ad Valorem Taxes
CCGA	Exemptions and Payments
CCGB	Economic Development
CCH	Appraisal District
CD	OTHER REVENUES
CDA	Investments
CDB	Sale, Lease, or Exchange of School-Owned Property
CDBA	Revenue Bonds from Proceeds
CDC	Gifts and Solicitations
CDD	Rentals and Service Charges
CDE	Shop Sales
CDF	Royalties
CDG	Gate Receipts, Concessions
CDH	Public and Private Facilities
CE	ANNUAL OPERATING BUDGET
CEA	Financial Exigency
CF	ACCOUNTING
CFA	Financial Reports and Statements
CFB	Inventories
CFC	Audits
CFD	Activity Funds Management
CFE	Payroll Procedures
CFEA	Salary Deductions and Reductions
CFF	Checking Accounts
CFG	Cash in School Buildings
CG	BONDED EMPLOYEES AND OFFICERS

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SECTION C: BUSINESS AND SUPPORT SERVICES

CH	PURCHASING AND ACQUISITION
CHB	Petty Cash Account
CHD	Purchasing Procedures
CHE	Vendor Disclosures and Contracts
CHF	Payment Procedures
CHG	Real Property and Improvements
CHH	Financing Personal Property Purchases
CI	SCHOOL PROPERTIES DISPOSAL
CJ	CONTRACTED SERVICES
CJA	Criminal History
CK	SAFETY PROGRAM/RISK MANAGEMENT
CKA	Inspections
CKB	Accident Prevention and Reports
CKC	Emergency Plans
CKD	Emergency Medical Equipment and Procedures
CKE	Security Personnel
CKEA	Commissioned Peace Officers
CKEB	School Marshals
CKEC	School Resource Officers
CL	BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT
CLA	Security
CLB	Maintenance
CLC	Traffic and Parking Controls
CLD	Records and Reports
CLE	Flag Displays
CM	EQUIPMENT AND SUPPLIES MANAGEMENT
CMA	Receiving and Warehousing
CMB	Authorized Uses of Equipment and Supplies
CMD	Instructional Materials Care and Accounting
CN	TRANSPORTATION MANAGEMENT
CNA	Student Transportation
CNB	District Vehicles
CNBA	Bus Maintenance
CNC	Transportation Safety
CO	FOOD AND NUTRITION MANAGEMENT
COA	Procurement
COB	Free and Reduced-Price Meals

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

SECTION C: BUSINESS AND SUPPORT SERVICES

COC	Vending Machines
CP	OFFICE MANAGEMENT
CPA	Office Communications
CPAA	Printing and Duplicating
CPAB	Mail and Delivery
CPAC	Telephone
CPC	Records Management
CQ	TECHNOLOGY RESOURCES
CQA	District, Campus, and Classroom Websites
CQB	Cybersecurity
CQC	Equipment
CR	INSURANCE AND ANNUITIES MANAGEMENT
CRA	Property Insurance
CRB	Liability Insurance
CRD	Health and Life Insurance
CRE	Workers' Compensation
CRF	Unemployment Insurance
CRG	Deferred Compensation and Annuities
CS	FACILITY STANDARDS
CT	FACILITIES PLANNING
CV	FACILITIES CONSTRUCTION
CVA	Competitive Bidding
CVB	Competitive Sealed Proposals
CVC	Construction Manager-Agent
CVD	Construction Manager-at-Risk
CVE	Design-Build
CVF	Job Order Contracts
CW	NAMING FACILITIES
CX	CONTRACTS FOR FACILITIES
CY	INTELLECTUAL PROPERTY

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The Texas Education Agency (TEA) may enter into an agreement with a federal agency concerning a project related to education, including provision of school lunches and construction of school buildings. TEA, or another state agency designated by the governor, shall coordinate the actions of a district participating in a federal financial assistance program. *Education Code 7.021(b), (c); Gov't Code 742.003*

**Retirement and
Insurance
Contributions**

Under the Texas Public School Retired Employees Group Benefits Act, Insurance Code Chapter 1575, a district that applies for money provided by the United States or a privately sponsored source shall, if any of the money will pay part or all of an active employee's salary, also apply for any legally available money to pay state contributions required by Insurance Code Chapter 1575, Subchapter E. *Insurance Code 1575.252*

Such district must comply with the requirements of Insurance Code Chapter 1575, Subchapter F. *Insurance Code 1575.252(2)–.257*

Under the Teacher Retirement System, Government Code, Title 8, Subtitle C, if a district applies for money provided by the United States, an agency of the United States, or a privately sponsored source, and if any of the money will pay part or all of an employee's salary, the district shall apply for any legally available money to pay state contributions required by Government Code 825.404 or 830.201. *Gov't Code 825.406(a)*

Such district must comply with the requirements of Government Code 825.406.

Block Grant Funds

If a district receives more than \$5,000 in block grant funds to be used as the district determines is appropriate, it shall provide evidence to TEA that a public meeting or hearing was held in a timely manner solely to seek public comment on the needs or uses of block grant funds received by the district. The board may hold this meeting or hearing in conjunction with another board meeting or hearing if the meeting or hearing to consider block grant funds is clearly noted in an announcement of the other meeting or hearing. *Gov't Code 2105.058*

**Education
Department General
Administrative
Regulations
(EDGAR)**

Note: For information regarding procurement under state law, see the CH policy series regarding Purchasing and Acquisition and the CV series regarding Facilities Construction.

For additional legal requirements applicable to school nutrition procurement, see COA.

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EDGAR means the Education Department General Administrative Regulations (34 C.F.R. 75, 76, 77, 79, 81, 82, 84, 86, 97, 98, and 99). *34 C.F.R. 77.1(c)*

Uniform Guidance
(2 C.F.R. 200)

The Department of Education (ED) adopts the Office of Management and Budget (OMB) Guidance in 2 C.F.R. Part 200 Uniform Guidance, except for 2 C.F.R. 200.102(a) and 2 C.F.R. 200.207(a). Thus, 2 C.F.R. Chapter XXXIV, Part 3474 gives regulatory effect to the OMB guidance and supplements the guidance as needed for the ED. *2 C.F.R. 3474.1*

The Uniform Guidance establishes uniform administrative requirements, cost principles, and audit requirements for federal awards to non-federal entities, including school districts, as described in 2 C.F.R. 200.101 (Applicability). *2 C.F.R. 200.1 (Definitions), .100*

Note: The Uniform Guidance applies to all new grant awards and non-competing continuations (NCCs) made on or after December 26, 2014 (see 2 C.F.R. 200.110).

For more information on EDGAR, the Uniform Guidance, and the federal regulations that apply to federal education grant awards, visit TEA's [EDGAR Materials and Resources](#)¹ and the ED's [EDGAR website](#)² and [Uniform Guidance website](#).³

*General
Compliance*

A district is responsible for complying with all requirements of the federal award. *2 C.F.R. 200.300(b)*

Throughout 2 C.F.R. Part 200 when the word “must” is used it indicates a requirement. Whereas, use of the word “should” or “may” indicates a best practice or recommended approach rather than a requirement and permits discretion. *2 C.F.R. 200.101(b)(1)*

*Disclosures
Conflicts*

A district must disclose in writing any potential conflict of interest to the federal awarding agency (e.g., ED) or pass-through entity (e.g., TEA) in accordance with applicable federal awarding agency policy. *2 C.F.R. 200.112*

Crimes

A district must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Failure to make required disclosures can result in any of the remedies described in 2 C.F.R. 200.339 (Remedies for Noncompliance), including suspension or debarment. *2 C.F.R. 200.113*

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<i>Procurement Standards</i>	The district must have and use documented procurement procedures, consistent with state, local, and tribal laws and regulations and the standards of 2 C.F.R. 200.318, for the acquisition of property or services required under a federal award or subaward. The district's documented procurement procedures [see Competition, below] must conform to the procurement standards identified in 2 C.F.R. 200.317 through 200.327.
District Procedures	
Oversight	The district must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
Conflicts of Interest	The district must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of these parties, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the district may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, districts may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the district. [See BBFA, CAA(LOCAL), CB(LOCAL), DBD]
Records	The district must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. [See Pre-procurement Review and Contract Cost and Price, below] 2 C.F.R. 200.318(a), (b), (c)(1), (i) [See 2 C.F.R. 200.334 for record retention requirements.]
<i>Financial Management</i>	The district's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been

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used according to the federal statutes, regulations, and the terms and conditions of the federal award. [See also 2 C.F.R. 200.450 (Lobbying)]

The district's financial management system must comply with 2 C.F.R. 200.302(b). [See also 2 C.F.R. 200.334 (Retention requirements for records), .335 (Requests for transfer of records), .336 (Methods for collection, transmission and storage of information), and .337 (Access to records)]

2 C.F.R. 200.302

Internal Controls The district must:

1. Establish and maintain effective internal control over the federal award that provides reasonable assurance that the district is managing the award in compliance with federal statutes, regulations, and the terms and conditions of the award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States or the "Internal Control Integrated Framework" issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
2. Comply with the U.S. Constitution, federal statutes, regulations, and the terms and conditions of the award.
3. Evaluate and monitor the district's compliance with statutes, regulations and the terms and conditions of federal awards.
4. Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
5. Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the district considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and responsibility over confidentiality.

2 C.F.R. 200.303

"Internal controls" for districts means processes designed and implemented by districts to provide reasonable assurance regarding the achievement of objectives in the following categories:

1. Effectiveness and efficiency of operations;
2. Reliability of reporting for internal and external use; and

3. Compliance with applicable laws and regulations.

2 C.F.R. 200.1

Competition

All procurement transactions for the acquisition of property or services required under a federal award must be conducted in a manner providing full and open competition consistent with the standards of 2 C.F.R. 200.319 and 200.320 (Methods of procurement to be followed).

In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

The district must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this provision preempts state licensing laws. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

The district must have written procedures for procurement transactions. These procedures must ensure that all solicitations meet the requirements of 2 C.F.R. 200.319(d). [See Procurement Standards, above]

The district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the district must not preclude potential bidders from qualifying during the solicitation period.

Noncompetitive procurements can only be awarded in accordance with 2 C.F.R. 200.320(c).

2 C.F.R. 200.319

*Procurement
Methods*

The district must have and use documented procurement procedures, consistent with the standards of 2 C.F.R. 200.320 and 200.317 (Procurements by states), 200.318 (General procurement standards), and 200.319 (Competition) for any of the following methods of procurement used for the acquisition of property or services required under a federal award or sub-award. *2 C.F. R. 200.320*

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Informal
Procurement
Methods

When the value of the procurement for property or services under a federal award does not exceed the simplified acquisition threshold, as defined in 2 C.F.R. 200.1, or a lower threshold established by a district, formal procurement methods are not required. The district may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the simplified acquisition threshold include:

*Micro-
Purchases—
Definitions*

“Micro-purchase” means a purchase of supplies or services, the aggregate amount of which does not exceed the micro-purchase threshold. Micro-purchases comprise a subset of a district's small purchases as defined in 2 C.F.R. 200.320.

“Micro-purchase threshold” means the dollar amount at or below which a district may purchase property or services using micro-purchase procedures. Generally, the micro-purchase threshold for procurement activities administered under federal awards is not to exceed the amount set by the Federal Acquisition Regulations (FAR) at 48 C.F.R. Part 2, Subpart 2.1 [see below], unless a higher threshold is requested by the district and approved by the cognizant agency for indirect costs.

2 C.F.R. 200.1

Micro-purchase threshold means \$10,000, except as provided by 48 C.F.R. 2.101. *48 C.F.R. 2.101*

*Micro-
Purchase
Distribution*

The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold. [See the definition of “micro-purchase” above.] To the maximum extent practicable, the district should distribute micro-purchases equitably among qualified suppliers. *2 C.F.R. 200.320(a)(1)(i)*

*Micro-
Purchase
Awards*

Micro-purchases may be awarded without soliciting competitive price or rate quotations if the district considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the district. *2 C.F.R. 200.320(a)(1)(ii)*

*Micro-
Purchase
Thresholds*

The district is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the district must be authorized or not prohibited under state, local, or tribal laws or regulations. Districts may establish a threshold higher than the federal

threshold established in the FAR in accordance with 2 C.F.R. 200.320(a)(1)(iv) and (v). *2 C.F.R. 200.320(a)(1)(iii)*

Districts may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of 2 C.F.R. 200.320. The district may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the federal awarding agency and auditors in accordance with 2 C.F.R. 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

1. A qualification as a low-risk auditee, in accordance with the criteria in 2 C.F.R. 200.520 for the most recent audit.
2. An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,
3. For public institutions, a higher threshold consistent with state law.

2 C.F.R. 200.320(a)(1)(iv)

Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The district must submit a request with the requirements included in 2 C.F.R.

200.320(a)(1)(iv). The increased threshold is valid until there is a change in status in which the justification was approved. *2 C.F.R. 200.320(a)(1)(v)*

*Small
Purchases—
Procedures*

The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the district. *2 C.F.R. 200.320(a)(2)(i)*

*Small
Purchases—
Simplified
Acquisition
Thresholds*

“Simplified acquisition threshold” means the dollar amount below which a district may purchase property or services using small purchase methods. Districts adopt small purchase procedures in order to expedite the purchase of items at or below the simplified acquisition threshold. The simplified acquisition threshold for procurement activities administered under federal awards is set by the FAR at 48 C.F.R. Part 2, Subpart 2.1 [see below]. The district is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. However, in no circumstances can this threshold exceed the dollar value established in the FAR

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(48 C.F.R. Part 2, Subpart 2.1) for the simplified acquisition threshold. Recipients should determine if local government laws on purchasing apply. 2 C.F.R. 200.1, .320(a)(2)(ii)

Simplified acquisition threshold means \$250,000, except as provided by 48 C.F.R. 2.101. 48 C.F.R. 2.101

Formal
Procurement
Methods

When the value of the procurement for property or services under a federal financial assistance award exceeds the simplified acquisition threshold, or a lower threshold established by a district, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with 2 C.F.R. 200.319 or 200.320(c). The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the district determines to be appropriate:

Sealed Bids

A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions [sic].

In order for sealed bidding to be feasible, the following conditions should be present:

1. A complete, adequate, and realistic specification or purchase description is available.
2. Two or more responsible bidders are willing and able to compete effectively for the business; and
3. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

1. Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local governments, the invitation for bids must be publicly advertised;
2. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

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3. All bids will be opened at the time and place prescribed in the invitation for bids, and for local governments, the bids must be opened publicly.
4. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
5. Any or all bids may be rejected if there is a sound documented reason.

2 C.F.R. 200.320(b)(1)

Proposals

A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;
2. The district must have a written method for conducting technical evaluations of the proposals received and making selections;
3. Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the district, with price and other factors considered; and
4. The district may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

2 C.F.R. 200.320(b)(2)

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Noncompetitive
Procurement

There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

1. The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold;
2. The item is available only from a single source;
3. The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;
4. The federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the district; or
5. After solicitation of a number of sources, competition is determined inadequate.

2 C.F.R. 200.320(c)

Cooperative
Purchasing

To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the federal government, the district is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements. *2 C.F.R. 200.318(e)*

*Minority, Small,
and Women's
Businesses*

The district must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

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4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in items 1 through 5 above.

2 C.F.R. 200.321

*Domestic
Preference*

As appropriate and to the extent consistent with law, the district should, to the greatest extent practicable under a federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of 2 C.F.R. 200.322 must be included in all subawards including all contracts and purchase orders for work or products under this award.

For purposes of this provision:

1. "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
2. "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

2 C.F.R. 200.322

*Pre-procurement
Review*

The district must make available upon request, for the federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

1. The district's procurement procedures or operation fails to comply with the procurement standards in 2 C.F.R. Part 200;
2. The procurement is expected to exceed the simplified acquisition threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

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3. The procurement, which is expected to exceed the simplified acquisition threshold, specifies a "brand name" product;
4. The proposed contract is more than the simplified acquisition threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
5. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the simplified acquisition threshold.

2 C.F.R. 200.325(b)

*Contract Cost
and Price*

The district must perform a cost or price analysis in connection with every procurement action in excess of the simplified acquisition threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the district must make independent estimates before receiving bids or proposals.

The district must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Costs or prices based on estimated costs for contracts under the federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the district under 2 C.F.R. Part 200, Subpart E. The district may reference its own cost principles that comply with the federal cost principles.

The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

2 C.F.R. 200.324

*Contract
Provisions*

The district's contracts must contain the applicable provisions described in appendix II to 2 C.F.R. Part 200. *2 C.F.R. 200.327*

*Suspension and
Debarment*

Districts are subject to the non-procurement debarment and suspension regulations at 2 C.F.R. Part 180. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. *2 C.F.R. 200.214*

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*Remedies for
Noncompliance*

If a district fails to comply with the U.S. Constitution, federal statutes, regulations, or the terms and conditions of a federal award, the federal awarding agency or pass-through entity may impose additional conditions, as described in 2 C.F.R. 200.208 (Specific Conditions). If the federal awarding agency or pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, the federal awarding agency or pass-through entity may take one or more of the following actions, as appropriate in the circumstances:

1. Temporarily withhold cash payments pending correction of the deficiency by the district or more severe enforcement action by the federal awarding agency or pass-through entity.
2. Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
3. Wholly or partly suspend or terminate the federal award.
4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a federal awarding agency).
5. Withhold further federal awards for the project or program.
6. Take other remedies that may be legally available.

2 C.F.R. 200.339

Travel Costs

Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the district. Such costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the district's non-federally funded activities and in accordance with the district's written travel reimbursement policies.

In the absence of an acceptable, written district policy regarding travel costs, the rates and amounts established under 5 U.S.C. 5701-11 (Travel and Subsistence Expenses; Mileage Allowances), or by the administrator of general services, or by the president (or his or her designee) pursuant to any provisions of such subchapter

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must apply to travel under federal awards [48 C.F.R. 31.205–46(a)].

2 C.F.R. 200.475(a), (d)

*Property
Standards*

Federally
Owned Property

Title to federally owned property remains vested in the federal government. The district must submit annually an inventory listing of federally owned property in its custody to the federal awarding agency. Upon completion of the federal award or when the property is no longer needed, the district must report the property to the federal awarding agency for further federal agency utilization.

Exempt property means property acquired under a federal award where the federal awarding agency has chosen to vest title to the property to the district without further responsibility to the federal government, based upon the explicit terms and conditions of the federal award. The federal awarding agency may exercise this option when statutory authority exists. Absent statutory authority and specific terms and conditions of the federal award, title to exempt property acquired under the federal award remains with the federal government.

2 C.F.R. 200.312(a), (c)

Property Trust
Relationship

Real property, equipment, and intangible property that are acquired or improved with a federal award must be held in trust by the district as trustee for the beneficiaries of the project or program under which the property was acquired or improved. The federal awarding agency may require the district to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with a federal award and that use and disposition conditions apply to the property. *2 C.F.R. 200.316*

Real Property

Subject to the requirements and conditions set forth in 2 C.F.R. 200.311, title to real property acquired or improved under a federal award will vest upon acquisition in the district.

Except as otherwise provided by federal statutes or by the federal awarding agency, real property will be used for the originally authorized purpose as long as needed for that purpose, during which time the district must not dispose of or encumber its title or other interests.

When real property is no longer needed for the originally authorized purpose, the district must obtain disposition instructions from the federal awarding agency or pass-through entity. The instructions must provide for one of the following alternatives:

1. Retain title after compensating the federal awarding agency an amount determined under 2 C.F.R. 200.311(c)(1).

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2. Sell the property and compensate the federal awarding agency an amount determined under 2 C.F.R. 200.311(c)(2).
3. Transfer title to the federal awarding agency or to a third party designated/approved by the federal awarding agency. The district is entitled to be paid an amount calculated by applying the district's percentage of participation in the purchase of the real property (and cost of any improvements) to the current fair market value of the property.

2 C.F.R. 200.311

Equipment

Title and Use

Subject to the requirements and conditions set forth in 2 C.F.R. 200.313, title to equipment acquired under a federal award will vest upon acquisition in the district. Unless a statute specifically authorizes the federal agency to vest title in the district without further responsibility to the federal government, and the federal agency elects to do so, the title must be a conditional title. Title must vest in the district subject to the following conditions:

1. Use the equipment for the authorized purposes of the project during the period of performance, or until the property is no longer needed for the purposes of the project.
2. Not encumber the property without approval of the federal awarding agency or pass-through entity.
3. Use and dispose of the property in accordance with the provisions below.

Equipment must be used by the district in the program or project for which it was acquired in accordance with 2 C.F.R. 200.313(c).

Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until disposition takes place will, as a minimum, meet the requirements of 2 C.F.R. 200.313(d).

Disposition

If the district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

When original or replacement equipment acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, except as otherwise provided in federal statutes, regulations, or federal awarding agency disposition instructions, the district must request disposition instructions from the federal awarding agency if required by the terms and conditions of the fed-

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eral award. Disposition of the equipment will be made as prescribed in 2 C.F.R. 200.313(e), in accordance with federal awarding agency disposition instructions.

2 C.F.R. 200.313

Supplies

Title to supplies will vest in the district upon acquisition. If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate value upon termination or completion of the project or program and the supplies are not needed for any other federal award, the district must retain the supplies for use on other activities or sell them, but must, in either case, compensate the federal government for its share. The amount of compensation must be computed in the same manner as for equipment under 2 C.F.R. 200.313(e)(2).

2 C.F.R. 200.314(a)

Intangible
Property

Title to intangible property acquired under a federal award vests upon acquisition in the district. The district must use that property for the originally-authorized purpose, and must not encumber the property without approval of the federal awarding agency. When no longer needed for the originally authorized purpose, disposition of the intangible property must occur in accordance with the provisions in 2 C.F.R. 200.313(e). *2 C.F.R. 200.315(a)*

Direct Grant
Programs

The regulations in 34 C.F.R. Part 75 apply to each direct grant program of the ED. *34 C.F.R. 75.1*

State-Administered
Programs

The regulations in 34 C.F.R. Part 76 apply to each state-administered program of the ED. *34 C.F.R. 76.1*

General Education
Provision Act

The regulations in 34 C.F.R. Part 81 govern the enforcement of legal requirements under applicable programs administered by the ED and implement Part E of the General Education Provisions Act (GEPA). *34 C.F.R. 81.1*

¹ TEA EDGAR Materials and Resources:

https://tea.texas.gov/Finance_and_Grants/Grants/EDGAR_Materials_and_Resources/

² ED EDGAR website:

<https://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>

³ ED Uniform Guidance website:

<https://www2.ed.gov/policy/fund/guid/uniform-guidance/index.html>

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Note: For legal requirements applicable to purchases with federal funds, see CBB.

For required vendor disclosures and contract provisions, including prohibitions, see CHE.

For provisions pertaining to criminal history record information on contractors, see CJA.

For legal requirements related to energy savings performance contracts, see CL.

For information on procuring school buses, see CNB.

For legal requirements applicable to school nutrition procurement, including produce, with federal funds, see COA.

For information regarding construction of school facilities, see CV series.

Board Authority

The board may adopt rules and procedures for the acquisition of goods and services. *Education Code 44.031(d)*

Delegation of
Authority

The board may, as appropriate, delegate its authority regarding an action authorized or required by Education Code Chapter 44, Subchapter B, to be taken by a district to a designated person, representative, or committee.

The board may not delegate the authority to act regarding an action authorized or required to be taken by the board by Education Code Chapter 44, Subchapter B.

*Disaster
Delegation*

Notwithstanding any other provision of the Education Code, in the event of a catastrophe, emergency, or natural disaster affecting a district, the board may delegate to the superintendent or designated person the authority to contract for the replacement, construction, or repair of school equipment or facilities under Education Code Chapter 44, Subchapter B if emergency replacement, construction, or repair is necessary for the health and safety of district students and staff.

Education Code 44.0312

**Purchases Valued at
or Above \$50,000**

Methods

Except as provided by Education Code Chapter 44, Subchapter B, all district contracts for the purchase of goods and services, except contracts for the purchase of produce or vehicle fuel, valued at \$50,000 or more in the aggregate for each 12-month period, shall be made by the method, of the following methods, that provides the best value for a district:

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1. Competitive bidding for services other than construction services.
2. Competitive sealed proposals for services other than construction services.
3. A request for proposals for services other than construction services.
4. An interlocal contract.
5. A method provided by Government Code Chapter 2269 for construction services [see CV series];
6. The reverse auction procedure as defined by Government Code 2155.062(d).
7. The formation of a political subdivision corporation under Local Government Code 304.001 (purchase of electricity).

Education Code 44.031(a)

Exceptions

Emergency
Damage or
Destruction

If school equipment, a school facility, or a part of a school facility or personal property is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and the board determines that the delay posed by the methods provided for in Education Code 44.031 would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment, school facility, or the part of the school facility may be made by methods other than those required by Education Code 44.031. *Education Code 44.031(h)*

Sole Source

Without complying with Education Code 44.031(a) above, a district may purchase an item that is available from only one source, including:

1. An item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly.
2. A film, manuscript, or book.
3. A utility service, including electricity, gas, or water.
4. A captive replacement part or component for equipment.

The exceptions above do not apply to mainframe data-processing equipment and peripheral attachments with a single-item purchase price in excess of \$15,000.

Education Code 44.031(j)–(k)

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*Competitive
Bidding*

Except to the extent prohibited by other law and to the extent consistent with Education Code Chapter 44, Subchapter B, a district may use competitive bidding to select a vendor as authorized by Education Code 44.031(a)(1).

A district shall award a competitively bid contract at the bid amount to the bidder offering the best value for the district. In determining the best value for the district, the district is not restricted to considering price alone but may consider any other factors stated in the selection criteria. The selection criteria may include the factors listed in Education Code 44.031(b) [see Contract Selection Factors, below].

Except as provided below, Local Government Code Chapter 271, Subchapter B (Competitive Bidding on Certain Public Works Contracts) does not apply to a competitive bidding process under this policy.

Local Government Code Sections 271.026 (Opening of Bids), 271.027(a) (Award of Contract), and 271.0275 (Safety Record of Bidder Considered) apply to a competitive bidding process under Education Code Chapter 44, Subchapter B. [See CVA for these requirements.]

Education Code 44.0351

*Competitive
Sealed Proposals*

In selecting a vendor through competitive sealed proposals as authorized by Education Code 44.031(a)(2), a district shall follow the procedures prescribed below.

Request for
Proposals

The district shall prepare a request for competitive sealed proposals that includes information that vendors may require to respond to the request. The district shall state in the request for proposals the selection criteria that will be used in selecting the successful offeror.

Opening
Proposals

The district shall receive, publicly open, and read aloud the names of the offerors and, if any are required to be stated, all prices stated in each proposal. Not later than the 45th day after the date on which the proposals are opened, the district shall evaluate and rank each proposal submitted in relation to the published selection criteria.

Selection

The district shall select the offeror that offers the best value for the district based on the published selection criteria and on its ranking evaluation. The district shall first attempt to negotiate a contract with the selected offeror. The district may discuss with the selected offeror options for a scope or time modification and any price change associated with the modification. If the district is unable to

negotiate a satisfactory contract with the selected offeror, the district shall, formally and in writing, end negotiations with that offeror and proceed to the next offeror in the order of the selection ranking until a contract is reached or all proposals are rejected.

In determining the best value for the district, the district is not restricted to considering price alone but may consider any other factors stated in the selection criteria.

Education Code 44.0352

*Interlocal
Contracts*

“Interlocal contract” means a contract or agreement made under Government Code Chapter 791 (Interlocal Cooperation Act). A district may contract or agree with another local government or a federally recognized Indian tribe, as listed by the U.S. secretary of the interior under 25 U.S.C. 479a-1, whose reservation is located within the boundaries of this state to perform governmental functions and services in accordance with Government Code Chapter 791. A district may agree with another local government and with the state or a state agency, including the comptroller, to purchase goods and services. *Gov’t Code 791.003(2), .011(a), .025(a)*

An interlocal contract must:

1. Be authorized by the governing body of each party to the contract;
2. State the purpose, terms, rights, and duties of the contracting parties; and
3. Specify that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party.

An interlocal contractual payment must be in an amount that fairly compensates the performing party for the services or functions performed under the contract. An interlocal contract may be renewed. Notwithstanding item 2 above, an interlocal contract may have a specified term of years.

Gov’t Code 791.011(d)–(f), (i)

A district may agree with another local government, including a nonprofit corporation that is created and operated to provide one or more governmental functions and services, or with the state or a state agency, including the comptroller, to purchase goods and any services reasonably required for the installation, operation, or maintenance of the goods. This provision does not apply to services provided by firefighters, police officers, or emergency medical personnel. *Gov’t Code 791.025(b)*

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A district that purchases goods and services under Government Code 791.025 satisfies the requirement to seek competitive bids for the purchase of the goods and services. *Gov't Code 791.025(c); Atty. Gen. Op. JC-37 (1999)*

Reverse Auction

A district that uses the reverse auction procedure must include in the procedure a notice provision and other provisions necessary to produce a method of purchasing that is advantageous to the district and fair to vendors. *Local Gov't Code 271.906(b)*

"Reverse auction procedure" means:

1. A real-time bidding process usually lasting less than one hour and taking place at a previously scheduled time and internet location, in which multiple suppliers, anonymous to each other, submit bids to provide the designated goods or services; or
2. A bidding process usually lasting less than two weeks and taking place during a previously scheduled period and at a previously scheduled internet location, in which multiple suppliers, anonymous to each other, submit bids to provide the designated goods or services.

Gov't Code 2155.062(d)

Site-Based
Purchasing

If a purchase is made at the campus level in a district with a student enrollment of 180,000 or more that has formally adopted a site-based decision-making plan under Education Code Subchapter F, Chapter 11 [see BQ series], that delegates purchasing decisions to the campus level, Education Code 44.031 applies only to the campus and does not require the district to aggregate and jointly award purchasing contracts. A district that adopts site-based purchasing under this provision shall adopt a policy to ensure that campus purchases achieve the best value to the district and are not intended or used to avoid the requirement that a district aggregate purchases under Education Code 44.031(a). *Education Code 44.031(m)*

**Contract Selection
Factors**

Except as provided by Education Code Chapter 44, Subchapter B, in determining to whom to award a contract, the district shall consider:

1. The purchase price.
2. The reputation of the vendor and of the vendor's goods or services.
3. The quality of the vendor's goods or services.

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4. The extent to which the goods or services meet the district's needs.
5. The vendor's past relationship with the district.
6. The impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses.
7. The total long-term cost to the district to acquire the vendor's goods or services.
8. For a contract for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendor's ultimate parent company or majority owner has its principal place of business in this state or employs at least 500 persons in this state.
9. Any other relevant factor specifically listed in the request for bids or proposals.

Education Code 44.031(b)

In awarding a contract by competitive sealed bid under Education Code 44.031, a district that has its central administrative office located in a municipality with a population of less than 250,000 may consider a bidder's principal place of business in the manner provided by Local Government Code 271.9051. This provision does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. Section 153. *Education Code 44.031(b-1)*

The factors listed above are the only criteria that may be considered by a district in its decision to award a contract. *R.G.V. Vend-ing v. Weslaco Indep. Sch. Dist.*, 995 S.W.2d 897 (Tex. App.—Corpus Christi 1999, no pet.)

Preferences
*Agricultural
Products*

A district that purchases agricultural products shall give preference to those produced, processed, or grown in Texas if the cost to the district is equal and the quality is equal. If agricultural products produced, processed, or grown in Texas are not equal in cost and quality to other products, the district shall give preference to agricultural products produced, processed, or grown in other states of the United States, if the cost and quality of the U.S. and foreign products are equal.

"Agricultural products" includes textiles and other similar products.

"Processed" means canning, freezing, drying, juicing, preserving, or any other act that changes the form of a good from its natural state to another form.

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	A district may not adopt product purchasing specifications that unnecessarily exclude agricultural products produced, processed, or grown in Texas.
Vegetation for Landscaping	A district that purchases vegetation for landscaping purposes, including plants, shall give preference to Texas vegetation if the cost to the district is equal and the quality is equal. <i>Education Code 44.042</i> [For legal requirements applicable to school nutrition procurement, including produce and agricultural products, with federal funds, see COA.]
<i>Recycled Products</i>	A district shall give preference in purchasing to products made of recycled materials if the products meet applicable specifications as to quantity and quality and the average price of the product is not more than ten percent greater than the price of comparable nonrecycled products. Preferences will be applied in accordance with state procurement statutes and rules. <i>30 TAC 328.203</i> Subchapter K of 30 Administrative Code (Governmental Entity Recycling and Purchasing of Recycled Materials) does not apply to a district with a student enrollment of less than 10,000 students. <i>30 TAC 328.204(a)</i> A district regularly shall review and revise its procurement procedures and specifications for the purchase of goods, supplies, equipment, and materials in order to: 1. Eliminate procedures and specifications that explicitly discriminate against products made of recycled materials; 2. Encourage the use of products made of recycled materials; and 3. Ensure to the maximum extent economically feasible that the district purchases products that may be recycled when they have served their intended use. In developing new procedures and specifications, the district shall encourage the use of recycled products and products that may be recycled or reused. <i>Health and Safety Code 361.426(b)–(c)</i>
<i>Bidder's Place of Business</i>	In awarding a contract by competitive sealed bid under Education Code 44.031, a district that has its central administrative office located in a municipality with a population of less than 250,000 may consider a bidder's principal place of business in the manner provided by Local Government Code Section 271.9051. This provision

does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. 153. *Education Code 44.031(b-1)*

Notice Publication

Notice of the time by when and place where the bids or proposals, or the responses to a request for qualifications, will be received and opened shall be published in the county in which the district's central administrative office is located, once a week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications. If there is not a newspaper in that county, the advertising shall be published in a newspaper in the county nearest the county seat of the county in which a district's central administrative office is located. In a two-step procurement process, the time and place where the second-step bids, proposals, or responses will be received are not required to be published separately. *Education Code 44.031(g)*

Electronic Bids or Proposals

A district may receive bids or proposals under Education Code Chapter 44 through electronic transmission if the board adopts rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time.

Notwithstanding any other provision of Education Code Chapter 44, an electronic bid or proposal is not required to be sealed. A provision of Education Code Chapter 44 that applies to a sealed bid or proposal applies to a bid or proposal received through electronic transmission in accordance with the rules adopted by the board.

Education Code 44.0313

Right to Work

While a district is engaged in procuring goods and services or awarding a contract, or overseeing procurement or construction for a public work or public improvement, a district:

1. May not consider whether a vendor is a member of or has another relationship with any organization; and
2. Shall ensure that its bid specifications and any subsequent contract or other agreement do not deny or diminish the right of a person to work because of the person's membership or other relationship status with respect to any organization.

Education Code 44.043

Contract with Person Indebted to District

The board by resolution may establish regulations permitting the district to refuse to enter into a contract or other transaction with a person indebted to the district. It is not a violation of Education Code Chapter 44, Subchapter B (Purchases; Contracts) for a district, under regulations adopted under this provision, to refuse to

award a contract to or enter into a transaction with an apparent low bidder or successful proposer that is indebted to the district.

“Person” includes an individual, sole proprietorship, corporation, nonprofit corporation, partnership, joint venture, limited liability company, and any other entity that proposes or otherwise seeks to enter into a contract or other transaction with the district requiring approval by the board.

Education Code 44.044

Out-of-State Bidders

A district may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the greater of the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident’s principal place of business is located, or the state in which a majority of the manufacturing relating to the contract will be performed. *Gov’t Code 2252.002*

This requirement does not apply to a contract involving federal funds. A district shall use the information published by the comptroller under Government Code 2252.003 (Publication of Other State’s Laws on Contracts) to evaluate the bid of a nonresident bidder. A district may rely on information published under Government Code 2252.003 to meet the requirements of Government Code 2252.002. *Gov’t Code 2252.003–.004*

“Governmental contract” means a contract awarded by a governmental entity, including a public school district, for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment.

“Resident bidder” refers to a person whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

Gov’t Code 2252.001

Professional Services

Education Code 44.031 does not apply to a contract for professional services rendered, including the services of an architect, attorney, certified public accountant, engineer, or fiscal agent. A district may, at its option, contract for professional services rendered by a financial consultant or a technology consultant in the manner provided by Government Code 2254.003 (Professional Services Procurement Act) (see below), in lieu of the methods provided by Education Code 44.031. *Education Code 44.031(f)*

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Professional
Services
Procurement Act
Selection

A district may not select a provider of professional services or a group or association of providers or award a contract for the services on the basis of competitive bids submitted for the contract or for the services, but shall make the selection and award on the basis of demonstrated competence and qualifications to perform the services and for a fair and reasonable price. *Gov't Code 2254.003(a)*

Definition

"Professional services" means services:

1. Within the scope of the practice, as defined by state law, of accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, real estate appraising, or professional nursing;
2. Provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant, architect, landscape architect, land surveyor, physician, optometrist, professional engineer, state-certified or state-licensed real estate appraiser, or registered nurse; or
3. Provided by a person lawfully engaged in interior design, regardless of whether the person is registered as an interior designer under Occupations Code Chapter 1053.

Gov't Code 2254.002

[For specific information on procuring architectural or engineering services, see CV.]

Contingent Fee
Contract for Legal
Services

Government Code Chapter 2254, Subchapter C provides the manner in which and the situations under which a district may compensate a public contractor under a contingent fee for legal services. That subchapter does not apply to a contract for legal services:

1. Provided to a district under Government Code Chapter 403, Subchapter M; or
2. Entered into under Tax Code 6.30 (delinquent tax collection) [see CCGA(LEGAL)] or Government Code 1201.027 (issuance of public securities) [see CCA(LEGAL)], except that Government Code sections 2254.1032, 2254.1034, 2254.1036, and 2254.1037 do apply to the contract.

Gov't Code 2254.102

A district may select an attorney or law firm to award a contingent fee contract only in accordance with Government Code 2254.003(a) (Professional Services Procurement Act) [see Selection, above] and Government Code 2254.1032.

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In procuring legal services under a contingent fee contract, a district shall:

1. Select a well-qualified attorney or law firm on the basis of demonstrated competence, qualifications, and experience in the requested services; and
2. Attempt to negotiate a contract with that attorney or law firm for a fair and reasonable price.

Gov't Code 2254.1032

Specific Purchases

Computers

A district may acquire computers and computer-related equipment, including computer software, through the Department of Information Resources (DIR) under contracts entered into in accordance with Government Code Chapter 2054 or 2157. *Education Code 44.031(i)*

Automated
Information System

A district may purchase an automated information system using the purchasing method described by Government Code 2157.068 for commodity items or a purchasing method designated by the comptroller to obtain the best value for the state, including a request for offers method. A district that purchases an item using a method described above satisfies any state law requiring the district to seek competitive bids for the purchase of the item. *Gov't Code 2157.006; 34 TAC 20.391*

Automated External
Defibrillators

A district that purchases or leases an automated external defibrillator (AED), as defined by Health and Safety Code 779.001, shall ensure that the AED meets standards established by the federal Food and Drug Administration. *Education Code 44.047(a)*

Insurance

A contract for the purchase of insurance is not a contract for professional services. A district must award such a contract using one of the methods in Education Code 44.031. *Atty. Gen. Op. DM-418 (1996)*

*Multiyear
Contracts*

A district may execute an insurance contract for a period longer than 12 months, if the contract complies with Local Government Code 271.903(a) [see Commitment of Current Revenue, below]. If a district executes a multiyear insurance contract, it need not advertise for insurance vendors until the 12-month period during which the district will be executing a new insurance contract. *Atty. Gen. Op. DM-418 (1996)*

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**Other Purchasing
Methods**

The comptroller shall establish a program by which the comptroller performs purchasing services for local governments. The services must include:

*State Purchasing
Program*

1. The extension of state contract prices to participating local governments when the comptroller considers it feasible.
2. Solicitation of bids on items desired by local governments if the solicitation is considered feasible by the comptroller and is desired by the local government.
3. Provision of information and technical assistance to local governments about the purchasing program.

The comptroller may charge a participating local government an amount not to exceed the actual costs incurred by the comptroller in providing purchasing services to the local government under the program.

Local Gov't Code 271.082

*District
Participation*

A district may participate in the purchasing program, including participation in purchases that use the reverse auction procedure, by filing with the comptroller a resolution adopted by the board requesting that the district be allowed to participate on a voluntary basis, and to the extent the comptroller deems feasible, and stating that the district will:

1. Designate an official to act for the district in all matters relating to the program, including the purchase of items from the vendor under any contract, and that the board will direct the decisions of the representative;
2. Be responsible for:
 - a. Submitting requisitions to the comptroller under any contract; or
 - b. Electronically sending purchase orders directly to vendors, or complying with procedures governing a reverse auction purchase, and electronically sending to the comptroller reports on actual purchases made under this provision that provide the information and are sent at the times required by the comptroller;
3. Be responsible for making payment directly to the vendor;
4. Be responsible for the vendor's compliance with all conditions of delivery and quality of the purchased item.

A district that purchases an item under a state contract or under a reverse auction procedure, sponsored by the comptroller satisfies

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any state law requiring the district to seek competitive bids for the purchase of the item.

Local Gov't Code 271.083

Multiple Award
Contract Schedule

The comptroller shall develop a schedule of multiple award contracts that have been previously awarded using a competitive process by the federal government or any other governmental entity in any state. *Gov't Code 2155.502(a)*

A district may purchase goods or services directly from a vendor under a contract listed on a schedule developed under Government Code Chapter 2155, Subchapter I. A district contracting for the purchase of an automated information system under a contract listed on a schedule shall comply with Government Code 2157.068(e-1) (Purchase of Information Technology Commodity Items) [see Automated Information System, above]. A purchase authorized by this provision satisfies any requirement of state law relating to competitive bids or proposals.

The price listed for a good or service under a multiple award contract is a maximum price. A district may negotiate a lower price for goods or services under a contract listed on a schedule developed under Government Code Chapter 2155, Subchapter I.

Gov't Code 2155.504

Cooperative
Purchasing
Program

A district may participate in a cooperative purchasing program with another local government of this state or another state or with a local cooperative organization of this state or another state. A district that is participating in a cooperative purchasing program may sign an agreement with another participating local government or a local cooperative organization stating that the district will:

1. Designate a person to act under the direction of, or on behalf of, the district in all matters relating to the program;
2. Make payments to another participating local government or local cooperative organization or directly to a vendor under a contract made under these provisions, as provided in the agreement between the participating local governments or between a local government and a local cooperative organization; and
3. Be responsible for the vendor's compliance relating to the quality of items and terms of delivery, to the extent provided in the agreement between the participating local governments or between a local government and a local cooperative organization.

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A district that purchases goods or services under these provisions satisfies any state law requiring the district to seek competitive bids for the purchase of the goods or services.

Local Gov't Code 271.102; Atty. Gen. Op. JC-37 (1999)

*Cooperative
Purchasing
Contract Fees*

A district that enters into a purchasing contract valued at \$25,000 or more under Education Code 44.031(a)(5) (interlocal contract), under Local Government Code Chapter 271, Subchapter F (cooperative purchasing program), or under any other cooperative purchasing program authorized for school districts by law shall document any contract-related fee, including any management fee, and the purpose of each fee under the contract.

The amount, purpose, and disposition of any fee described above must be presented in a written report and submitted annually in an open meeting of the board. The written report must appear as an agenda item. The commissioner of education may audit the written report.

Education Code 44.0331

**Commitment of
Current Revenue**

If a contract for the acquisition, including lease, of real or personal property retains to the board the continuing right to terminate at the expiration of each budget period during the term of the contract, is conditioned on a best efforts attempt by the board to obtain and appropriate funds for payment of the contract, or contains both the continuing right to terminate and the best efforts conditions, the contract is a commitment of a district's current revenue only. *Local Gov't Code 271.903*

Change Orders

For provisions regarding change orders, see CV.

Criminal Offenses

An officer, employee, or agent of a district commits an offense if the person with criminal negligence makes or authorizes separate, sequential, or component purchases to avoid the requirements of Education Code 44.031(a) or (b). An offense under this provision is a Class B misdemeanor and is an offense involving moral turpitude.

"Component purchases" means purchases of the component parts of an item that in normal purchasing practices would be made in one purchase. "Separate purchases" means purchases, made separately, of items that in normal purchasing practices would be made in one purchase. "Sequential purchases" means purchases, made over a period, of items that in normal purchasing practices would be made in one purchase.

Education Code 44.032(a)–(b)

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An officer, employee, or agent of a district commits an offense if the person with criminal negligence violates Education Code 44.031(a) or (b) other than by conduct described by Education Code 44.032(b). An offense under this provision is a Class B misdemeanor and is an offense involving moral turpitude. *Education Code 44.032(c)*

An officer or employee of a district commits an offense if the officer or employee knowingly violates Education Code 44.031, other than by conduct described by Education Code 44.032(b) or (c). An offense under this provision is a Class C misdemeanor. *Education Code 44.032(d)*

Removal from
Office

The final conviction of a person other than a trustee of a district for an offense under Education Code 44.032(b) or (c) above results in the immediate removal from office or employment of that person. A trustee who is convicted of an offense under Education Code 44.032 is considered to have committed official misconduct for purposes of Local Government Code Chapter 87, and is subject to removal as provided by that chapter and Texas Constitution Article V, Section 24. For four years after the date of the final conviction, the removed person is ineligible to be a candidate for or to be appointed or elected to a public office in Texas, is ineligible to be employed by or act as an agent for the state or a political subdivision of the state, and is ineligible to receive any compensation through a contract with the state or a political subdivision of the state. *Education Code 44.032(e)*

Injunction

A court may enjoin performance of a contract made in violation of Education Code Chapter 44, Subchapter B. A county attorney, district attorney, criminal district attorney, citizen of the county in which the district is located, or any interested party may bring an action for an injunction. A party who prevails in an action brought under this provision is entitled to reasonable attorney's fees as approved by the court. *Education Code 44.032(f)*

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**Purchasing
Authority**

The Board delegates to the Superintendent the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services that costs \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

**Exception for
Emergency
Contracts**

In the event of a catastrophe, emergency, or natural disaster affecting the District, the Board delegates to the Superintendent the authority to contract for the replacement, construction, or repair of school equipment or facilities in accordance with law, if emergency replacement, construction, or repair is necessary for the health and safety of District students and staff. The Superintendent shall report to the Board at the next regular meeting any contract made under this authority. [See Disaster Exception, CH(LEGAL)]

The delegation regarding emergency contracts does not waive competitive purchasing requirements under Education Code Chapter 44. Only the Board is authorized to waive competitive purchasing requirements under limited circumstances in accordance with Education Code 44.031(h). [See Emergency Damage or Destruction, CH(LEGAL)]

**Purchasing
Procedures**

The Superintendent shall develop purchasing procedures to implement the requirements of state and federal law. [See also CB, CBB, CH(LEGAL), and COA]

Purchasing Method

The Board delegates to the Superintendent the authority to determine the method of purchasing in accordance with CH(LEGAL) or CBB(LEGAL), as appropriate.

***Competitive
Bidding***

If competitive bidding is chosen as the purchasing method, the Superintendent shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted rules. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.

The District may reject any and all bids in accordance with state or federal law, as applicable.

***Competitive
Sealed Proposals***

If competitive sealed proposals are chosen as the purchasing method, the Superintendent shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted rules. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time

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specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

The District may reject any and all proposals in accordance with state or federal law, as applicable.

**Electronic Bids or
Proposals**

Bids or proposals that the District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.

**Responsibility for
Debts**

The Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the District's purchasing procedures. [See CE] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.

**Purchase
Commitments**

All purchase commitments shall be made by the Superintendent in accordance with administrative procedures, including the District's purchasing procedures.

Personal Purchases

District employees shall not be permitted to make purchases for personal use through the District's business office.

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Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

Required Vendor Disclosures

Disclosure of
Interested Parties

A district may not enter into a contract described below with a business entity unless the business entity submits a disclosure of interested parties to the district at the time the business entity submits the signed contract to the district.

The requirement above applies only to a contract of a district that:

1. Requires an action or vote by the board before the contract may be signed;
2. Has a value of at least \$1 million; or
3. Is for services that would require a person to register as a lobbyist under Government Code Chapter 305.

Gov't Code 2252.908

A contract does not require an action or vote by the board if the board has legal authority to delegate to its staff the authority to execute the contract, the board has delegated this authority, and the board does not participate in the selection of the business entity with which the contract is entered into. *1 TAC 46.1(c)*

Exclusions

The disclosure requirement does not apply to a contract with:

1. A publicly traded business entity, including a wholly owned subsidiary of the entity;
2. An electric utility, as defined by Utilities Code 31.002; or
3. A gas utility, as defined by Utilities Code 121.001.

Gov't Code 2252.908(c)(4)–(6)

Required Form

The disclosure of interested parties must be submitted on a form prescribed by the Texas Ethics Commission (TEC) that includes a list of each interested party for the contract of which the contracting business entity is aware; and a written, unsworn declaration subscribed by the authorized agent of the contracting business entity as true under penalty of perjury that is in substantially the form set out in Government Code 2252.908(e)(2). *Gov't Code 2252.908(e); 1 TAC 46.5(a)*

The certification of filing and the completed disclosure of interested parties form generated by TEC's electronic filing application must be printed, signed by an authorized agent of the contracting business entity, and submitted to the district that is the party to the contract for which the form is being filed. *1 TAC 46.5(b)*

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<i>Deadline</i>	A district that receives a completed disclosure of interested parties form and certification of filing shall notify TEC, in an electronic format prescribed by TEC, of the receipt of those documents not later than the 30th day after the date the board receives the disclosure. <i>1 TAC 46.5(c); Gov't Code 2252.908(f)</i>
<i>Contract Changes</i>	The disclosure requirements do not apply to a change made to an existing contract, including an amendment, change order, or extension of a contract except as set out below. The disclosure requirements apply to a change made to an existing contract, including an amendment, change order, or extension of a contract if: 1. A disclosure of interested parties form was not filed for the existing contract; and either the changed contract requires an action or vote by the board or the value of the changed contract is at least \$1 million; or 2. The business entity submitted a disclosure of interested parties form to the district that is a party to the existing contract; and either there is a change to the disclosure; or the changed contract requires an action or vote by the board; or the value of the changed contract is at least \$1 million greater than the value of the existing contract. <i>1 TAC 46.4</i>
<i>Definitions</i>	“Contract” means a contract between a board and a business entity at the time it is voted on by the board or at the time it binds the board, whichever is earlier, and includes an amended, extended, or renewed contract. <i>1 TAC 46.3(a)</i> “Business entity” means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation. The term includes an entity through which business is conducted with a district, regardless of whether the entity is a for-profit or nonprofit entity, and does not include a governmental entity or state agency. <i>Gov't Code 2252.908(a)(1); 1 TAC 46.3(b)</i> “Interested party” means a person who has a controlling interest in a business entity with whom a district contracts or who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity. <i>Gov't Code 2252.908(a)(3); 1 TAC 46.3(d), (e)</i> “Controlling interest” means:

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1. An ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds ten percent;
2. Membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than ten members; or
3. Service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers. This provision does not apply to an officer of a publicly held business entity or its wholly owned subsidiaries.

1 TAC 46.3(c)

“Signed” includes any symbol executed or adopted by a person with present intention to authenticate a writing, including an electronic signature. *1 TAC 46.3(f)*

“Value” of a contract is based on the amount of consideration received or to be received by the business entity from the district under the contract. *1 TAC 46.3(g)*

Conflict of Interest
Questionnaire

Note: See BBFA for additional information applicable to disclosures under Local Government Code Chapter 176, including:

- Definitions;
- Conflicts disclosure statements required to be filed by certain local government officers, including vendors who are also local government officers; and
- Internet posting requirements for conflicts disclosure statements and questionnaires.

A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with the district and:

1. Has an employment or other business relationship with a local government officer of the district, or a family member of the officer, described by Local Government Code 176.003(a)(2)(A);
2. Has given a local government officer of the district, or a family member of the officer, one or more gifts with the aggregate value specified by Local Government Code 176.003(a)(2)(B), excluding any gift described by Local Government Code 176.003(a-1); or

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3. Has a family relationship with a local government officer of the district.

Local Gov't Code 176.006(a)

The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

1. The date that the vendor:
 - a. Begins discussions or negotiations to enter into a contract with a district;
 - b. Submits to the district an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the district; or
2. The date the vendor becomes aware:
 - a. Of an employment or other business relationship with a local government officer, or a family member of the officer described by Local Government Code 176.006(a);
 - b. That the person has given one or more gifts described by Local Government Code 176.006(a); or
 - c. Of a family relationship with a local government officer.

Local Gov't Code 176.006(a-1)

*Updating
Incomplete or
Inaccurate
Questionnaires*

A vendor shall file an updated completed questionnaire with the appropriate records administrator not later than the seventh business day after the date on which the vendor becomes aware of an event that would make a statement in the questionnaire incomplete or inaccurate. *Local Gov't Code 176.006(d)*

*Validity of
Contract*

The validity of a contract between a vendor and the district is not affected solely because the vendor fails to comply with these requirements. *Local Gov't Code 176.006(i)*

**Required Contract
Provisions**

No Israel Boycott

A district may not enter into a contract with a company for goods and services unless the contract contains a written verification from the company that it does not boycott Israel and will not during the term of the contract.

The requirement above applies only to a contract that:

1. Is between a district and a company with ten or more full-time employees; and

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2. Has a value of \$100,000 or more that is to be paid wholly or partly from public funds of the district.

Gov't Code 2271.002

"Company" has the meaning assigned by Government Code 808.001, except that the term does not include a sole proprietorship. *Gov't Code 2271.001(2)*

Retention of
Contracting
Information

Application

These provisions apply to a contract that:

1. Has a stated expenditure of at least \$1 million in public funds for the purchase of goods or services by the district; or
2. Results in the expenditure of at least \$1 million in public funds for the purchase of goods or services by the district in a fiscal year of the district.

A board may not accept a bid for a contract described above or award the contract to an entity that the board has determined has knowingly or intentionally failed to comply with Government Code Chapter 552, Subchapter J (Additional Provisions Relating to Contracting Information) in a previous bid or contract described above unless the board determines and documents that the entity has taken adequate steps to ensure future compliance with the requirements of that subchapter. [For additional information and requirements, see GBA and GBAA.]

Requirements

A contract described above must require a contracting entity to:

1. Preserve all contracting information related to the contract as provided by the records retention requirements applicable to the district for the duration of the contract;
2. Promptly provide to the district any contracting information related to the contract that is in the custody or possession of the entity on request of the district; and
3. On completion of the contract, either:
 - a. Provide at no cost to the district all contracting information related to the contract that is in the custody or possession of the entity; or
 - b. Preserve the contracting information related to the contract as provided by the records retention requirements applicable to the district.

*Bid and Contract
Language*

Except as described at Exception, below, a bid for a contract described above and the contract must include the following statement: "The requirements of Subchapter J, Chapter 552, Government Code, may apply to this (include "bid" or "contract" as

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applicable) and the contractor or vendor agrees that the contract can be terminated if the contractor or vendor knowingly or intentionally fails to comply with a requirement of that subchapter.”

*Notice of
Noncompliance*

A board that is the party to a contract described above shall provide notice to the entity that is a party to the contract if the entity fails to comply with a requirement of Government Code Chapter 552, Subchapter J applicable to the entity. The notice must:

1. Be in writing;
2. State the requirement that the entity has violated; and
3. Unless the exception described below applies, advise the entity that the board may terminate the contract without further obligation to the entity if the entity does not cure the violation on or before the tenth business day after the date the board provides the notice.

*Contract
Termination*

Except as provided below, a governmental body may terminate a contract described above if:

1. The board provides the required notice to the entity that is party to the contract;
2. The contracting entity does not cure the violation in the prescribed period;
3. The board determines that the contracting entity has intentionally or knowingly failed to comply with a requirement of Government Code Chapter 552, Subchapter J; and
4. The board determines that the entity has not taken adequate steps to ensure future compliance with the requirements of that subchapter.

An entity has taken adequate steps to ensure future compliance with Government Code Chapter 552, Subchapter J if:

1. The entity produces contracting information requested by the board that is in the custody or possession of the entity not later than the tenth business day after the date the board makes the request; and
2. The entity establishes a records management program to enable the entity to comply with Government Code Chapter 552, Subchapter J.

Exception

A board may not terminate a contract under these provisions if the contract is related to the purchase or underwriting of a public security, the contract is or may be used as collateral on a loan, or the

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contract's proceeds are used to pay debt service of a public security or loan.

Gov't Code 552.371(a), .372–.374 [See GBA]

Prohibitions

Entertainment
Event Contracts

A person, including a board, may not include a provision in a contract related to a parade, concert, or other entertainment event paid for in whole or in part with public funds that prohibits or would otherwise prevent the disclosure of information relating to the receipt or expenditure of public or other funds by a board for the event. A contract provision that violates Government Code 552.104(c) is void. *Gov't Code 552.104(c)* [See GBA for information related to competition or bidding.]

Taxpayer Resource
Transactions

A district may not enter into a taxpayer resource transaction with an abortion provider or an affiliate of an abortion provider. *Gov't Code 2272.003(a)*

“Taxpayer resource transaction” means a sale, purchase, lease, donation of money, goods, services, or real property, or any other transaction between a governmental entity and a private entity that provides to the private entity something of value derived from state or local tax revenue, regardless of whether the governmental entity receives something of value in return.

“Affiliate” means a person or entity who enters into with another person or entity a legal relationship created or governed by at least one written instrument, including a certificate of formation, a franchise agreement, standards of affiliation, bylaws, or a license, that demonstrates:

1. Common ownership, management, or control between the parties to the relationship;
2. A franchise granted by the person or entity to the affiliate; or
3. The granting or extension of a license or other agreement authorizing the affiliate to use the other person's or entity's brand name, trademark, service mark, or other registered identification mark.

Gov't Code 2272.001(3), (5)

Lobbying
Restriction—
Tobacco Education
Grant Funds

A district receiving funds or grants from the Permanent Fund for Health and Tobacco Education and Enforcement may not use the funds to pay:

1. Lobbying expenses incurred by the district;

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2. A person or entity that is required to register with the Texas Ethics Commission under Government Code Chapter 305 (Registration of Lobbyists);
3. Any partner, employee, employer, relative, contractor, consultant, or related entity of a person or entity described by item 2; or
4. A person or entity who has been hired to represent associations or other entities for the purpose of affecting the outcome of legislation, agency rules, ordinances, or other government policies.

Gov't Code 403.1067(a)

Prohibited
Contracts

A district may not enter into a governmental contract with a company identified on a list prepared and maintained under Government Code 806.051 (now Government Code 2270.0201) (companies with business operations in Sudan), 807.051 (now Government Code 2270.0102) (companies with business operations in Iran), and 2252.153 (companies known to have contracts with or provide supplies or services to foreign terrorist organization). *Gov't Code 2252.152*

"Governmental contract" means a contract awarded by a governmental entity for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment. The term includes a contract to obtain professional services subject to Government Code 2254. *Gov't Code 2252.151(3)*

Reduction of Energy Consumption

The board shall establish a long-range energy plan to reduce the district's annual electric consumption by five percent beginning with the 2008 state fiscal year and consume electricity in subsequent fiscal years in accordance with the district's energy plan. The plan must include:

1. Strategies for achieving energy efficiency that:
 - a. Result in net savings for the district; or
 - b. Can be achieved without financial cost to the district; and
2. For each strategy identified above, the initial, short-term capital costs and lifetime costs and savings that may result from implementation of the strategy.

A strategy for achieving energy efficiency includes facility design and construction.

In determining whether a strategy may result in financial cost to the district, the board shall consider the total net costs and savings that may occur over the seven-year period following implementation of the strategy.

The board may submit the plan to the State Energy Conservation Office for the purposes of determining whether funds available through loan programs administered by the office or tax incentives administered by the state or federal government are available to the district. The board may not disallow any proper allocation of incentives.

Education Code 44.902

Energy Savings Performance Contracts

"Energy savings performance contract" has the meaning assigned by Local Government Code 302.001.

Each energy or water conservation measure must comply with current local, state, and federal construction, plumbing, and environmental codes and regulations. An energy savings performance contract may not include improvements or equipment that allow or cause water from any condensing, cooling, or industrial process or any system of nonpotable usage over which the public water supply system officials do not have sanitary control, to be returned to the potable water supply.

The board may enter into energy savings performance contracts only with persons who are experienced in the design, implementation, and installation of the energy or water conservation measures addressed by the contract.

Government Code Chapter 2269 (Contracting and Delivery Procedures for Construction Projects) does not apply to energy savings performance contracts.

Performance Bond Before entering an energy savings performance contract, the board shall require the provider of the energy or water conservation measures to file with the board a payment and performance bond relating to the installation of the measures in accordance with Government Code Chapter 2253 (Public Work Performance and Payment Bonds). The board may also require a separate bond to cover the value of the guaranteed savings on the contract.

Financing An energy savings performance contract may be financed:

1. Under a lease/purchase contract that has a term not to exceed 20 years from the final date of installation and that meets federal tax requirements for tax-free municipal leasing or long-term financing.
2. With the proceeds of bonds.
3. Under a contract with the provider of the energy or water conservation measures that has a term not to exceed the lesser of 20 years from the final date of installation or the average useful life of the energy or water conservation or usage measures.

Notwithstanding other law, the board may use any available money to pay the provider of the energy or water conservation measures under these provisions, and the board is not required to pay for such costs solely out of the savings realized by the district under an energy savings performance contract. The board may contract with the provider to perform work that is related to, connected with, or otherwise ancillary to the measures identified in the scope of an energy savings performance contract.

An energy savings performance contract shall contain provisions requiring the provider of the energy or water conservation measures to guarantee the amount of the savings to be realized by the district under the contract. If the term of an energy savings performance contract exceeds one year, the district's contractual obligations in any one year during the term of the contract beginning after the final date of installation may not exceed the total energy, water, wastewater, and operating cost savings, including electrical, gas, water, wastewater, or other utility cost savings and operating cost savings resulting from the measures as determined by the district, divided by the number of years in the contract term.

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Contract Procurement	An energy savings performance contract shall be let according to the procedures established for professional services by Government Code 2254.004 (the Professional Services Procurement Act). [See CH] Notice of the request for qualifications shall be published in the manner provided for competitive bidding.
Cost Savings Review	Before entering into an energy savings performance contract, the board must require that the cost savings projected by an offeror be reviewed by a licensed professional engineer who has a minimum of three years of experience in energy calculation and review, is not an officer or employee of an offeror for the contract under review, and is not otherwise associated with the contract. In conducting the review, the engineer shall focus primarily on the proposed improvements from an engineering perspective, the methodology and calculations related to cost savings, increases in revenue, and, if applicable, efficiency or accuracy of metering equipment. An engineer who reviews a contract shall maintain the confidentiality of any proprietary information the engineer acquires while reviewing the contract. Occupations Code 1001.053 and 1001.407 (Texas Engineering Practice Act) apply to work performed under the contract. <i>Education Code 44.901</i>
Recycling Program	A district shall: 1. Establish a program for the separation and collection of all recyclable materials generated by the district's operations. 2. Provide procedures for collecting and storing recyclable materials, containers for recyclable materials, and procedures for making contractual or other arrangements with buyers of recyclable materials. 3. Evaluate the amount of recyclable material recycled and modify the recycling program as necessary to ensure that all recyclable materials are effectively and practicably recycled. 4. Establish educational and incentive programs to encourage maximum employee participation. <i>Health and Safety Code 361.425; 30 TAC 328.202</i>
Exemptions	These provisions do not apply to a school district with a student enrollment of less than 10,000 students. A district may exclude one or more recyclable materials from their program if the Texas Commission on Environmental Quality (TCEQ) finds that:

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1. A recycling program for a recyclable material is not available through their solid waste provider; or
2. The inclusion of a recyclable material would create a hardship.

A district may request additional consideration from TCEQ if compliance with these provisions would create a hardship.

30 TAC 328.204

Definitions

“Hardship” means a circumstance that causes unreasonable burden on the governmental entity.

“Recyclable material” means a material generated by the entity's operations, including aluminum, steel containers, aseptic packaging and polycoated paperboard cartons, high-grade office paper, and corrugated cardboard.

30 TAC 328.201(2), (3)

Pools

Generally

For required public pool sanitation and safety standards, see Health and Safety Code 341.064 and .0645 and 25 Administrative Code 265.181–.211.

Drains

Each public pool and spa shall comply with the drain cover standards found at 15 U.S.C. Section 8003. “Public pool and spa” means a swimming pool or spa that is open to the public generally, whether for a fee or free of charge. *15 U.S.C. 8003*

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Note: For information on the new instructional facilities allotment, see CBA.

For additional legal requirements applicable to purchases with federal funds, see CBB.

For information on procuring goods and services under Education Code Chapter 44, see CH.

For required vendor disclosures and contract provisions, including prohibitions, see CHE.

For provisions pertaining to criminal history record information on contractors, see CJA(LEGAL).

For legal requirements related to energy savings performance contracts, see CL.

Definition

“Public work contract” means a contract for constructing, altering, or repairing a public building or carrying out or completing any public work. *Gov’t Code 2253.001(4)*

Board Authority

A district may adopt rules as necessary to implement Government Code Chapter 2269. *Gov’t Code 2269.051*

Delegation of
Authority

The board may delegate its authority under Government Code Chapter 2269 regarding an action authorized or required by Chapter 2269 to a designated representative, committee, or other person.

The district shall provide notice of the delegation, the limits of the delegation, and the name or title of each designated person by rule or in the request for bids, proposals, or qualifications or in an addendum to the request.

Gov’t Code 2269.053

[For information regarding delegation in the event of a catastrophe, emergency, or natural disaster, see CH.]

**Contracts Valued at
or Above \$50,000**

Except as provided by Education Code Chapter 44, Subchapter B, all district contracts for the purchase of goods and services valued at \$50,000 or more in the aggregate for each 12-month period shall be made by the method, of the following methods, that provides the best value for a district [see also CH]:

1. An interlocal contract. *Education Code 44.031(a)(4)* [See CH]
2. A method provided by Government Code Chapter 2269 for construction services. *Education Code 44.031(a)(5)*

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CV
(LEGAL)

- a. Competitive bidding. *Gov't Code 2269 Subch. C* [See CVA]
 - b. Competitive sealed proposals. *Gov't Code 2269 Subch. D* [See CVB]
 - c. Construction manager-agent method. *Gov't Code 2269 Subch. E* [See CVC]
 - d. Construction manager-at-risk method. *Gov't Code 2269 Subch. F* [See CVD]
 - e. Design-build method. *Gov't Code 2269 Subch. G* [See CVE]
 - f. Job order contracting. *Gov't Code 2269 Subch. I* [See CVF]
3. The reverse auction procedure as defined by Government Code 2155.062(d). *Education Code 44.031(a)(6)* [See CH]

Education Code 44.031(a); Gov't Code Ch. 2269

Exceptions

*Emergency
Damage or
Destruction*

For information on procurement options when school equipment, a facility, or personal property is destroyed or severely damaged as a result of an unforeseen catastrophe or emergency, under Education Code 44.031, see CH.

*Contracts
Requiring a Bond*

A reverse auction procedure may not be used to obtain services related to a public work contract for which a bond is required under Government Code 2253.021 [see Payment and Performance Bonds, below]. "Reverse auction procedure" has the meaning assigned by Government Code 2155.062 or a procedure similar to that described by Section 2155.062. *Gov't Code 2253.021(h)*

Notice Publication

A board shall advertise or publish notice of requests for bids, proposals, or qualifications in a manner prescribed by law.

For a contract entered into by a board under a method provided by Government Code 2269, the board shall publish notice of the time and place the bid or proposal or request for qualifications will be received and opened in a manner prescribed by law.

Gov't Code 2269.052(a)–(b)

[See CH for additional notice publication requirements.]

**Contract Selection
Criteria**

In determining the award of a contract under Government Code Chapter 2269, the district shall consider and apply:

1. Any existing laws, including any criteria, related to historically underutilized businesses; and

2. Any existing laws, rules, or applicable municipal charters, including laws applicable to local governments, related to the use of women, minority, small, or disadvantaged businesses.

In determining the award of a contract, the district may consider:

1. The price.
2. The offeror's experience and reputation.
3. The quality of the offeror's goods or services.
4. The impact on the ability of the district to comply with rules relating to historically underutilized businesses.
5. The offeror's safety record.
6. The offeror's proposed personnel.
7. Whether the offeror's financial capability is appropriate to the size and scope of the project.
8. Any other relevant factor specifically listed in the request for bids, proposals, or qualifications.

Gov't Code 2269.055

Using Method Other Than Competitive Bidding

Determine Best Value

The board that considers a construction contract using a method authorized by Government Code Chapter 2269 other than competitive bidding must, before advertising, determine which method provides the best value for the district.

Publish Criteria

The district shall base its selection among offerors on applicable criteria listed for the particular method used. The district shall publish in the request for proposals or qualifications the criteria that will be used to evaluate the offerors and the applicable weighted value for each criterion.

Make Evaluations Public

The district shall document the basis of its selection and shall make the evaluations public not later than the seventh day after the date the contract is awarded.

Gov't Code 2269.056

Submission

A person who submits a bid, proposal, or qualification to a governmental entity shall seal it before delivery. *Gov't Code 2269.059*

Right to Work

While engaged in procuring goods or services, awarding a contract, or overseeing procurement or construction for a public work or public improvement under Government Code Chapter 2269, a district:

1. May not consider whether a person is a member of or has another relationship with any organization; and
2. Shall ensure that its bid specifications and any subsequent contract or other agreement do not deny or diminish the right of a person to work because of the person's membership or other relationship status with respect to an organization.

Gov't Code 2269.054

**Collective
Bargaining**

A district awarding a public work contract funded with state money, including the issuance of debt guaranteed by the state, may not:

1. Prohibit, require, discourage, or encourage a person bidding on the public work contract, including a contractor or subcontractor, from entering into or adhering to an agreement with a collective bargaining organization relating to the project; or
2. Discriminate against a person described by item 1 based on the person's involvement in the agreement, including the person's status or lack of status as a party to the agreement or willingness or refusal to enter into the agreement.

Gov't Code 2269.0541(a)

Out-of-State Bidders

For legal requirements regarding out-of-state bidders, see CH.

Change Orders

If a change in plans or specifications is necessary after the performance of a contract is begun or if it is necessary to decrease or increase the quantity of work to be performed or of materials, equipment, or supplies to be furnished, the district may approve change orders making the changes. The district may grant general authority to an administrative official to approve the change orders.

The total contract price may not be increased because of the changes unless additional money for increased costs is approved for that purpose from available money or is provided for by the authorization of the issuance of time warrants.

A contract with an original contract price of \$1 million or more may not be increased by more than 25 percent. If a change order for a contract with an original contract price of less than \$1 million increases the contract amount to \$1 million or more, the total of the subsequent change orders may not increase the revised contract amount by more than 25 percent of the original contract price.

Education Code 44.0411

**Inspection,
Verification, and
Testing**

Independently of the contractor, construction manager-at-risk, or design-build firm, a district shall provide or contract for the construction materials engineering, testing, and inspection services

and the verification testing services necessary for acceptance of the facility by the district. The district shall select the services for which it contracts in accordance with Government Code 2254.004.
Gov't Code 2269.058

Impact Fees

A district is not required to pay impact fees imposed under Local Government Code Chapter 395 unless the board consents to the payment of the fees by entering a contract with the political subdivision that imposes the fees. The contract may contain terms the board considers advisable to provide for the payment of the fees.
Local Gov't Code 395.022

**Professional
Services**

Architects and
Engineers

An architect or engineer required to be selected or designated under Government Code Chapter 2269 has full responsibility for complying with Occupations Code Chapter 1051 or 1001, as applicable.

If the selected or designated architect or engineer is not a full-time employee of the district, the district shall select the architect or engineer on the basis of demonstrated competence and qualifications as provided by Government Code 2254.004 [see Procuring Professional Services, below].

Gov't Code 2269.057

*Registered
Architect*

An architectural plan or specification for any of the following may be prepared only by an architect:

1. A new building having construction costs exceeding \$100,000 that is to be:
 - a. Constructed and owned by a district; and
 - b. Used for education, assembly, or office occupancy; or
2. An alteration or addition having construction costs exceeding \$50,000 that:
 - a. Is to be made to an existing building that:
 - (1) Is owned by a district; and
 - (2) Is or will be used for education, assembly, or office occupancy; and
 - b. Requires the removal, relocation, or addition of a wall or partition or the alteration or addition of an exit.

This provision does not prohibit an owner of a building from contracting with an architect or engineer as the prime design professional for a building construction, alteration, or addition project. Designation as the prime design professional does not expand the

scope of practice of an architect or engineer beyond the scope of practice that the architect or engineer is authorized to practice under Occupations Code Chapter 1001 or 1051.

Occupations Code 1051.703; 22 TAC 1.212

*Registered
Engineer*

A district may not construct a public work involving engineering in which the public health, welfare, or safety is involved, unless:

1. The engineering plans, specifications, and estimates have been prepared by an engineer; and
2. The engineering construction is to be performed under the direct supervision of an engineer.

Occupations Code 1001.407

The following work is exempt from Occupations Code Chapter 1001 (Texas Engineering Practice Act):

1. A public work that involves electrical or mechanical engineering, if the contemplated expense for the completed project is \$8,000 or less; or
2. A public work that does not involve electrical or mechanical engineering, if the contemplated expense for the completed project is \$20,000 or less.

Occupations Code 1001.053

*Certification for
Purchases
Through
Purchasing
Cooperatives*

A district may not enter into a contract to purchase construction-related goods or services through a purchasing cooperative under Government Code Chapter 791 in an amount greater than \$50,000 unless a person designated by the district certifies in writing that:

1. The project for which the construction-related goods or services are being procured does not require the preparation of plans and specifications under Occupation Code Chapter 1001 or 1051; or
2. The plans and specifications required under Occupation Code Chapters 1001 and 1051 have been prepared.

“Purchasing cooperative” means a group purchasing organization that governmental entities join as members and the managing entity of which receives fees from members or vendors.

Gov’t Code 791.011(j) [See CH for more information on interlocal contracts and purchasing cooperatives.]

FACILITIES CONSTRUCTION

CV
(LEGAL)

Procuring
Architectural or
Engineering
Services

Education Code 44.031 does not apply to a contract for professional services rendered, including the services of an architect. *Education Code 44.031(f)* [See CH for information on the Professional Services Procurement Act generally.]

In procuring architectural, engineering, or land-surveying services, a district shall:

1. First select the most highly qualified provider on the basis of demonstrated competence and qualifications; and
2. Then attempt to negotiate with that provider a contract at a fair and reasonable price.

If a satisfactory contract cannot be negotiated with the most highly qualified provider of architectural, engineering, or land-surveying services, a district shall formally end negotiations with that provider, select the next most highly qualified provider, and attempt to negotiate a contract with that provider at a fair and reasonable price. The district shall continue this process to select and negotiate with providers until a contract is entered into.

Gov't Code 2254.004

An interlocal contract between a district and a purchasing cooperative may not be used to purchase engineering or architectural services. *Gov't Code 791.011(h)*

Contracts for
Engineering or
Architectural
Services

Indemnification

A covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services to which a district is a party is void and unenforceable if the covenant or promise provides that a licensed engineer or registered architect whose work product is the subject of the contract must indemnify or hold harmless the district against liability for damage, other than liability for damage to the extent that the damage is caused by or results from an act of negligence, intentional tort, intellectual property infringement, or failure to pay a subcontractor or supplier committed by the indemnitor or the indemnitor's agent, consultant under contract, or another entity over which the indemnitor exercises control.

Duty to Defend

Except as provided below, a covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services to which a district is a party is void and unenforceable if the covenant or promise provides that a licensed engineer or registered architect whose work product is the subject of the contract must defend a party, including a third party, against a claim based wholly or partly on the negligence of, fault of, or breach of contract by the district, the district's agent, the district's employee, or other entity, excluding the engineer or architect or that person's agent,

employee, or subconsultant, over which the district exercises control. A covenant or promise may provide for the reimbursement of a district's reasonable attorney's fees in proportion to the engineer's or architect's liability.

*District as
Additional
Insured*

A district may require in a contract for engineering or architectural services to which the district is a party that the engineer or architect name the district as an additional insured under the engineer's or architect's general liability insurance policy and provide any defense provided by the policy.

Standard of Care

A contract for engineering or architectural services to which a district is a party must require a licensed engineer or registered architect to perform services:

1. With the professional skill and care ordinarily provided by competent engineers or architects practicing under the same or similar circumstances and professional license; and
2. As expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer or architect.

In a contract for engineering or architectural services to which a district is a party, a provision establishing a different standard of care than a standard described above is void and unenforceable. If a contract contains a void and unenforceable provision, the standard of care described above applies.

Nothing in these provisions prohibits a district in a contract for engineering or architectural services to which the district is a party from including and enforcing conditions that relate to the scope, fees, and schedule of a project in the contract.

Local Gov't Code 271.904

**Payment and
Performance Bonds**

A district that makes a public work contract with a prime contractor shall require the contractor, before beginning the work, to execute to the district:

1. A performance bond if the contract is in excess of \$100,000; and
2. A payment bond if the contract is in excess of \$25,000.

A bond required by this provision must be executed by a corporate surety in accordance with Insurance Code Article 7.19-1 (now Insurance Code 3503.001–.005). A bond for a public work contract with a district must be payable to and its form must be approved by the awarding board.

Gov't Code 2253.021(a), (d)–(e)

The performance bond is solely for the protection of the district awarding the public work contract, in the amount of the contract, and conditioned on the faithful performance of the work in accordance with the plans, specifications, and contract documents. *Gov't Code 2253.021(b)*

The payment bond is solely for the protection and use of payment bond beneficiaries who have a direct contractual relationship with the prime contractor or a subcontractor to supply public work labor or material, and in the amount of the contract. *Gov't Code 2253.021(c)*

Failure to Obtain
Payment Bond

If a district fails to obtain from a prime contractor a payment bond as required above:

1. The district is subject to the same liability that a surety would have if the surety had issued a payment bond and if the district had obtained the bond; and
2. A payment bond beneficiary is entitled to a lien on money due to the prime contractor in the same manner and to the same extent as if the public work contract were subject to Property Code Chapter 53, Subchapter J (Lien on Money Due Public Works Contractor).

Gov't Code 2253.027(a)

Bond for Insured
Loss

A district shall ensure that an insurance company that is fulfilling its obligation under a contract of insurance by arranging for the replacement of a loss, rather than by making a cash payment directly to the district, furnishes or has furnished by a contractor:

1. A performance bond as described above for the benefit of a district; and
2. A payment bond, as described above for the benefit of the beneficiaries described above.

If the payment bond is not furnished, the district is subject to the same liability that a surety would have if the surety had issued the payment bond and the district had required the bond to be provided.

The bonds required to be furnished by the provisions above shall be furnished before the contractor begins work. It is an implied obligation under a contract of insurance for the insurance company to furnish these bonds.

*Exception to
Bond
Requirement*

These provisions do not apply to a district when a surety company is complying with an obligation under a bond that had been issued for the benefit of the district.

Gov't Code 2253.022

**Prevailing Wage on
Public Works**

"Worker" includes a laborer or mechanic. *Gov't Code 2258.001(3)*

A worker employed on a public work by or on behalf of a district shall be paid:

1. Not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed; and
2. Not less than the general prevailing rate of per diem wages for legal holiday and overtime work.

The requirements above do not apply to maintenance work. A worker is employed on a public work for purposes of this provision if the worker is employed by a contractor or subcontractor in the execution of a contract for public work with a district.

Gov't Code 2258.021

For a contract for a public work awarded by a district, the board shall determine the general prevailing rate of per diem wages in the district for each craft or type of worker needed to execute the contract and the prevailing rate for legal holiday and overtime work by:

1. Conducting a survey of the wages received by classes of workers employed on projects of a character similar to the contract work in the district in which the public work is to be performed; or
2. Using the prevailing wage rate as determined by the U.S. Department of Labor in accordance with the Davis-Bacon Act (40 U.S.C. Section 276a et seq.), and its subsequent amendments.

The board shall determine the general prevailing rate of per diem wages as a sum certain, expressed in dollars and cents. A board shall specify in the call for bids for the contract and in the contract itself the wage rates determined under these provisions. The board's determination of the general prevailing rates of per diem wages is final.

Gov't Code 2258.022(a), (c)–(e)

Government Code 2258.022(b) applies to a public work located in a county bordering the United Mexican States or in a county adjacent to a county bordering the United Mexican States. *Gov't Code 2258.022(b)*

Enforcement

A board awarding a contract, and an agent or officer of the board, shall:

1. Take cognizance of complaints of all violations of Government Code Chapter 2258 committed in the execution of the contract; and
2. Withhold money forfeited or required to be withheld under Government Code Chapter 2258 from the payments to the contractor under the contract, except that the board may not withhold money from other than the final payment without a determination by the board that there is good cause to believe that the contractor has violated Government Code Chapter 2258.

On receipt of information, including a complaint by a worker, concerning an alleged violation of Government Code 2258.023 [see Penalty for Noncompliance, below] by a contractor or subcontractor, a board shall make an initial determination as to whether good cause exists to believe that the violation occurred. A board must make its determination before the 31st day after the date the board receives the information. A board shall notify in writing the contractor or subcontractor and any affected worker of its initial determination.

Gov't Code 2258.051–.052(a)–(c)

Retainage and
Reimbursement

A board shall retain any amount due under the contract pending a final determination of the violation. *Gov't Code 2258.052(d)*

Note: Arbitration of unresolved issues is governed by Government Code 2258.053–.055.

A board shall use any amounts retained under Government Code Chapter 2258 to pay the worker the difference between the amount the worker received in wages for labor on the public work at the rate paid by the contractor or subcontractor and the amount the worker would have received at the general prevailing rate as provided in the arbitrator's award. The board may adopt rules, orders, or ordinances relating to the manner in which the reimbursement is made. *Gov't Code 2258.056(a)–(b)*

Penalty for Noncompliance	The contractor who is awarded a contract by a district or a subcontractor of the contractor shall pay not less than the rates determined under these provisions to a worker employed by it in the execution of the contract. A contractor or subcontractor who violates this provision shall pay to the district on whose behalf the contract is made, \$60 for each worker employed for each calendar day or part of the day that the worker is paid less than the wage rates stipulated in the contract. A board awarding a contract shall specify this penalty in the contract. A contractor or subcontractor does not violate this section if a board awarding a contract does not determine the prevailing wage rates and specify the rates in the contract as required by these provisions. The board shall use any money collected under this provision to offset the costs incurred in the administration of Government Code Chapter 2258. <i>Gov't Code 2258.023</i>
Criminal Offense	An officer, agent, or representative of a district commits an offense if the person willfully violates or does not comply with a provision of Government Code 2258. <i>Gov't Code 2258.058(a)</i>
Required Workers' Compensation Coverage	A district that enters into a building or construction contract shall require the contractor to certify in writing that the contractor provides workers' compensation insurance coverage for each employee of the contractor employed on the public project. Each subcontractor shall provide such a certificate relating to coverage of the subcontractor's employees to the general contractor, who shall provide the subcontractor's certificate to the district. <i>Labor Code 406.096(a)–(b)</i> A district that enters into a building or construction contract on a project shall: 1. Include in the bid specifications all the duties and responsibilities of contractors pertaining to required workers' compensation coverage, using the language required by 28 Administrative Code 110.110(c)(7). 2. As part of the contract, using the language required by 28 Administrative Code 110.110(c)(7), require the contractor to perform the duties and responsibilities pertaining to required workers' compensation coverage as set out in 28 Administrative Code 110.110(d). 3. Obtain from the contractor a certificate of coverage for each person providing services on the project, prior to that person beginning work on the project. 4. Obtain from the contractor a new certificate of coverage showing extension of coverage:

- a. Before the end of the current coverage period, if the contractor's current certificate shows that the coverage period ends during the duration of the project; and
 - b. No later than seven days after the expiration of the coverage for each other person providing services on the project whose current certificate shows that the coverage period ends during the duration of the project.
5. Retain certificates of coverage on file for the duration of the project and for three years thereafter.
6. Provide a copy of the certificate of coverage to the Texas Department of Insurance, Division of Workers' Compensation upon request and to any person entitled to a copy by law.
7. Use the language contained in 28 Administrative Code 110.110(c)(7) for bid specifications and contracts, without any additional words or changes, except those required to accommodate the specific document in which they are contained or to impose stricter standards of documentation.

28 TAC 110.110(c)

Exception

This coverage requirement does not apply to sole proprietors, partners, and corporate officers who meet the requirements of Labor Code 406.097(c), and who are explicitly excluded from coverage in accordance with Labor Code 406.097(a). *28 TAC 110.110(i)*

Definitions

"Persons providing services on the project" includes all persons or entities performing all or part of the services the contractor has undertaken to perform on the project, regardless of whether that person contracted directly with the contractor and regardless of whether that person has employees. This includes but is not limited to independent contractors, subcontractors, leasing companies, motor carriers, owner-operators, employees of any such entity, or employees of any entity furnishing persons to perform services on the project. "Services" includes but is not limited to providing, hauling, or delivering equipment or materials, or providing labor, transportation, or other service related to a project. "Services" does not include activities unrelated to the project, such as food/beverage vendors, office supply deliveries, and delivery of portable toilets. *28 TAC 110.110(a)(7)*

"Project" includes the provision of all services related to a building or construction contract for a district. *28 TAC 110.110(a)(8)*

Criminal Offenses

For information on criminal offenses for violations of Education Code 44.031, see CH.

Enforcement Actions

Government Code Chapter 2269 may be enforced through an action for declaratory or injunctive relief filed not later than the tenth day after the date on which the contract is awarded. *Gov't Code 2269.452*

Defects in Facilities

A district that brings an action for recovery of damages for the defective design, construction, renovation, or improvement of a district facility financed by bonds shall provide the commissioner with written notice of the action by registered or certified mail, return receipt requested, not later than the 30th day after the date the action is filed. If the district fails to comply with this provision, the court or an arbitrator or other adjudicating authority shall dismiss the action without prejudice. The dismissal of an action under this provision extends the statute of limitations on the action for a period of 90 days.

The notice must include a copy of the petition and an itemized list of the defects in the design, construction, renovation, or improvement for which the district is seeking damages under the action.

In an action involving an instructional facility financed by bonds for which the district receives state assistance under Education Code Chapter 46, Subchapter A (Instructional Facilities Allotment), the commissioner may join in the action on behalf of the state to protect the state's share in the action.

A district that brings an action under these provisions shall use the net proceeds from the action for:

1. The repair of the defective design, construction, renovation, or improvement of the facility on which the action is brought, including the repair of any ancillary damage to furniture and fixtures;
2. The replacement of the facility on which the action is brought;
3. The reimbursement of the district for a repair or replacement; or
4. Any other purpose with written approval from the commissioner.

Education Code 46.008 applies to the repair. A district shall provide to the commissioner an itemized accounting of any repairs made.

The state's share resulting from an action brought under these provisions involving an instructional facility financed by bonds for which the school district receives state assistance under Education Code Chapter 46, Subchapter A is state property. The district shall send to the comptroller any portion of the state's share not used by the district to repair the defective design, construction, renovation,

or improvement of the instructional facility on which the action is brought or to replace the facility. Education Code 48.272 applies to the state's share.

Definitions

“Net proceeds” means the difference between the amount recovered by or on behalf of a school district in an action, by settlement or otherwise, and the legal fees and litigation costs incurred by the district in prosecuting the action.

“State’s share” means an amount equal to the district's net proceeds from the recovery multiplied by a percentage determined by dividing the amount of state assistance under Education Code Chapter 46, Subchapter A used to pay the principal of and interest on bonds issued in connection with the instructional facility that is the subject of the action by the total amount of principal and interest paid on the bonds as of the date of the judgment or settlement.

Education Code 44.151

*Attorney General
Enforcement*

If the attorney general believes that a district has violated or is violating Education Code 44.151(d), (e), or (f) (use of proceeds, accounting, and the state’s share), the attorney general may, after providing at least two weeks' notice to the district, bring an action on behalf of the state to enjoin the district from violating those sections.

In such an action, the attorney general may request and the court may order any other appropriate relief that is in the public interest, including payment of:

1. A civil penalty in an amount not to exceed \$20,000 for each violation;
2. The attorney general's reasonable costs for investigating and prosecuting the violation; or
3. If applicable, the amount of the state's share.

Education Code 44.152(a)–(b)

Attorney Fees

A governmental contract may not provide for the award of attorney’s fees to a district in a dispute in which the district prevails unless the contract provides for the award of attorney’s fees to each other party to the contract if that party prevails in the dispute.

“Governmental contract” means a contract awarded by a governmental entity for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment.

Gov’t Code 2252.904

FACILITIES CONSTRUCTION

CV
(LEGAL)

Construction Liability Claims	To assert a claim against a contractor, subcontractor, supplier, or design professional for damages arising from damage to or loss of real or personal property caused by an alleged construction defect in an improvement to real property that is a public building or public work in which the district has an interest, the district must comply with Government Code Chapter 2272. <i>Gov't Code 2272.002(a)</i>
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FACILITIES CONSTRUCTION

CV
(LOCAL)

Compliance with Law

The Superintendent shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.

Construction Contracts

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above \$50,000. To assist the Board, the Superintendent shall recommend the project delivery/contract award method that he or she determines provides the best value to the District. [See CV series generally and CBB(LEGAL) for requirements if federal funds are involved.]

For construction contracts valued at or above \$50,000, the Superintendent shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the Superintendent and consistent with law and policy. [See also CH and CBB(LEGAL)]

Note: For provisions regarding delegation of authority for construction contracts in the event of a catastrophe, emergency, or natural disaster affecting the District, see CH(LOCAL).

Change Orders

Change orders permitted by law shall be approved by the Board or its designee prior to any changes being made in the approved plans or the actual construction of the facility.

Project Administration

All construction projects shall be administered by the Superintendent or designee.

The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.

Final Payment

The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Board has accepted the work.

FACILITIES CONSTRUCTION
COMPETITIVE BIDDING

CVA
(LEGAL)

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

“Competitive bidding” is a procurement method by which a district contracts with a contractor for the construction, alteration, rehabilitation, or repair of a facility by awarding the contract to the lowest responsible bidder.

Except as otherwise provided by Government Code Chapter 2269 or other law, a district may contract for the construction, alteration, rehabilitation, or repair of a facility only after the district advertises for bids for the contract in a manner prescribed by law, receives competitive bids, and awards the contract to the lowest responsible bidder.

Gov’t Code 2269.101

Preparation of Request

The district shall prepare a request for competitive bids that includes construction documents, estimated budget, project scope, estimated project completion date, and other information that a contractor may require to submit a bid. *Gov’t Code 2269.103*

Architect/Engineer

The district shall select or designate an architect or engineer in accordance with Occupations Code Chapter 1051 or 1001, as applicable, to prepare the construction documents required for a project to be awarded by competitive bidding. *Gov’t Code 2269.102* [See CV]

Opening Bids

The district shall receive, publicly open, and read aloud the names of the offerors and their bids. *Gov’t Code 2269.104*

Bids may be opened only by the board at a public meeting or by an officer or employee of the district at or in an office of the district. A bid that has been opened may not be changed for the purpose of correcting an error in the bid price. Local Government Code Chapter 271, Subchapter B does not change the common law right of a bidder to withdraw a bid due to a material mistake in the bid. *Local Gov’t Code 271.026*

The board is entitled to reject any and all bids. *Local Gov’t Code 271.027(a)*

Safety Record

In determining who is a responsible bidder, the district may take into account the safety record of the bidder; of the firm, corporation, partnership, or institution represented by the bidder; or of anyone acting for such firm, corporation, partnership, or institution if:

FACILITIES CONSTRUCTION
COMPETITIVE BIDDING

CVA
(LEGAL)

1. The board has adopted a written definition and criteria for accurately determining the safety record of a bidder.
2. The board has given notice to prospective bidders in the bid specifications that the safety record of a bidder may be considered in determining the responsibility of the bidder.
3. The determinations are not arbitrary and capricious.

Local Gov't Code 271.0275

Identical Bids

If a district is required to accept bids on a contract and receives two or more bids from responsible bidders that are identical, in nature and amount, as the lowest and best bids, the board shall enter into a contract with only one of those bidders and must reject all other bids.

If only one of the bidders submitting identical bids is a resident of the district, the district must select that bidder. If two or more of the bidders submitting identical bids are residents of the district, the district must select one of those bidders by the casting of lots. In all other cases, the district must select from the identical bids by the casting of lots.

The casting of lots must be in a manner prescribed by the board and must be conducted in the presence of the board. All qualified bidders or their legal representatives may be present at the casting of lots.

These provisions do not prohibit a district from rejecting all bids. These provisions apply to all districts required by general or special law to accept bids and award contracts on the basis of the lowest and best bid, but do not apply to bidding for contracts to act as a depository for school funds under Education Code Chapter 45, Subchapter G [see BDAE].

Local Gov't Code 271.901

**Make Evaluations
Public**

Not later than the seventh day after the date the contract is awarded, the district shall document the basis of its selection and shall make the evaluations public. *Gov't Code 2269.105*

**Applicability of Other
Competitive Bidding
Laws**

Except as otherwise specifically provided in this policy, Local Government Code Chapter 271, Subchapter B (Competitive Bidding on Certain Public Works Contracts), does not apply to the competitive bidding process conducted under this policy. *Gov't Code 2269.106*

FACILITIES CONSTRUCTION
COMPETITIVE SEALED PROPOSALS

CVB
(LEGAL)

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

“Competitive sealed proposals” is a procurement method by which a district requests proposals, ranks the offerors, negotiates as prescribed, and then contracts with a general contractor for the construction, rehabilitation, alteration, or repair of a facility. In selecting a contractor through competitive sealed proposals, a district shall follow the procedures provided by Government Code 2269, Subchapter D. *Gov’t Code 2269.151*

**Request for
Proposals**

The district shall prepare a request for competitive sealed proposals that includes construction documents, selection criteria and the weighted value for each criterion, estimated budget, project scope, estimated project completion date, and other information that a contractor may require to respond to the request. *Gov’t Code 2269.153*

Architect/Engineer

The district shall select or designate an architect or engineer to prepare construction documents for the project. *Gov’t Code 2269.152* [See CV]

Opening Proposals

The district shall receive, publicly open, and read aloud the names of the offerors and any monetary proposals made by the offerors. Not later than the 45th day after the date on which the proposals are opened, the district shall evaluate and rank each proposal submitted in relation to the published selection criteria. *Gov’t Code 2269.154*

Selection

The district shall select the offeror that submits the proposal that offers the best value for the district based on:

1. The selection criteria in the request for proposal and the weighted value for those criteria in the request for proposal; and
2. Its ranking evaluation.

The district shall first attempt to negotiate a contract with the selected offeror. The district and its architect or engineer may discuss with the selected offeror options for a scope or time modification and any price change associated with the modification. If the district is unable to negotiate a satisfactory contract with the selected offeror, the district shall, formally and in writing, end negotiations with that offeror and proceed to the next offeror in the order of the

FACILITIES CONSTRUCTION
COMPETITIVE SEALED PROPOSALS

CVB
(LEGAL)

selection ranking until a contract is reached or all proposals are rejected.

Gov't Code 2269.155

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

The “construction manager-agent method” is a delivery method by which a district contracts with a construction manager-agent to provide consultation or administrative services during the design and construction phase and to manage multiple contracts with various construction prime contractors.

A construction manager-agent is a sole proprietorship, partnership, corporation, or other legal entity that serves as the agent for the district by providing construction administration and management services described above for the construction, rehabilitation, alteration, or repair of a facility. A district may retain a construction manager-agent only as provided by Government Code Chapter 2269, Subchapter E.

Gov’t Code 2269.201

The contract between the district and the construction manager-agent may require the construction manager-agent to provide administrative personnel, equipment necessary to perform duties under this policy, on-site management, and other services specified in the contract. *Gov’t Code 2269.201–.202*

A construction manager-agent may not:

1. Self-perform any aspect of the construction, rehabilitation, alteration, or repair of the facility.
2. Be a party to a construction subcontract for the construction, rehabilitation, alteration, or repair of the facility.
3. Provide or be required to provide performance and payment bonds for the construction, rehabilitation, alteration, or repair of the facility.

Gov’t Code 2269.203

A construction manager-agent represents the district in a fiduciary capacity. *Gov’t Code 2269.204*

Architect/Engineer

On or before the selection of a construction manager-agent, the district shall select or designate an architect or engineer in accordance with Occupations Code Chapter 1051 or 1001, as applicable, to prepare the construction documents for the project. [See CV]

FACILITIES CONSTRUCTION
CONSTRUCTION MANAGER-AGENT

CVC
(LEGAL)

The district's architect or engineer may not serve, alone or in combination with another person, as the construction manager-agent unless the architect or engineer is hired to serve as the construction manager-agent under a separate or concurrent selection process conducted in accordance with this policy. This provision does not prohibit the district's architect or engineer from providing customary construction-phase services under the architect's or engineer's original professional service agreement in accordance with applicable licensing laws.

To the extent that the construction manager-agent's services are defined as part of the practice of architecture or engineering under Occupations Code Chapter 1051 or 1001 those services must be conducted by a person licensed under the applicable chapter.

Gov't Code 2269.205

**Selection of
Construction
Manager-Agent**

A district shall select a construction manager-agent on the basis of demonstrated competence and qualifications in the same manner that an architect or engineer is selected under Government Code 2254.004. *Gov't Code 2269.207* [See CV]

Insurance

A construction manager-agent selected under this policy shall maintain professional liability or errors and omissions insurance in the amount of at least \$1 million for each occurrence. *Gov't Code 2269.208*

**Selection of
Contractors**

A district using the construction manager-agent method shall procure, in accordance with applicable law and in any manner authorized by Government Code Chapter 2269, a general contractor or trade contractors who will serve as the prime contractor for their specific portion of the work and provide performance and payment bonds to the district in accordance with applicable laws. *Gov't Code 2269.206*

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

The “construction manager-at-risk method” is a delivery method by which a district contracts with an architect or engineer for design and construction phase services and contracts separately with a construction manager-at-risk to serve as the general contractor and to provide consultation during the design and construction, rehabilitation, alteration, or repair of a facility.

A construction manager-at-risk is a sole proprietorship, partnership, corporation, or other legal entity that assumes the risk for construction, rehabilitation, alteration, or repair of a facility at the contracted price as a general contractor and provides consultation to the district regarding construction during and after the design of the facility. The contracted price may be a guaranteed maximum price. A district may use the construction manager-at-risk method in selecting a general contractor for the construction, rehabilitation, alteration, or repair of a facility only as provided by Government Code Chapter 2269, Subchapter F.

Gov’t Code 2269.251

Architect/Engineer

On or before the selection of a construction manager-at-risk, the district shall select or designate an architect or engineer or architect to prepare the construction documents for the project. [See CV]

The district’s architect or engineer for a project, or an entity related to the district’s architect or engineer, may not serve, alone or in combination with another, as the construction manager-at-risk. This provision does not prohibit the district’s engineer or architect from providing customary construction phase services under the architect’s or engineer’s original professional service agreement in accordance with applicable licensing laws.

An entity is related to the district’s architect or engineer if the entity is a sole proprietorship, corporation, partnership, limited liability company, or other entity that is a subsidiary, parent corporation, or partner or has any other relationship in which the district’s architect or engineer has an ownership interest, or is subject to common ownership or control, or is party to an agreement by which it will receive any proceeds of the construction manager-at-risk’s payments from the district.

Gov’t Code 2269.252

Selection Process

The district shall select the construction manager-at-risk in a one-step or two-step process. A district shall prepare a single request for proposals, in the case of a one-step process, and an initial request for qualifications, in the case of a two-step process, that includes:

1. A statement as to whether the selection process is a one-step or two-step process;
2. General information on the project site, project scope, schedule, selection criteria and the weighted value for each criterion, and estimated budget and the time and place for receipt of the proposals or qualifications; and
3. Other information that may assist a district in its selection of a construction manager-at-risk.

The district shall state the selection criteria in the request for proposals or qualifications.

If a one-step process is used, the district may request, as part of the offeror's proposal, proposed fees and prices for fulfilling the general conditions. If a two-step process is used, the district may not request fees or prices in step one. In step two, the district may request that five or fewer offerors, selected solely on the basis of qualifications, provide additional information, including the construction manager-at-risk's proposed fee and prices for fulfilling the general conditions.

Gov't Code 2269.253(a)–(e)

**Opening and
Evaluating
Proposals**

At each step, the district shall receive, publicly open, and read aloud the names of the offerors. At the appropriate step, the district shall also read aloud the fees and prices, if any, stated in each proposal as the proposal is opened. Not later than the 45th day after the date on which the final proposals are opened, the district shall evaluate and rank each proposal submitted in relation to the criteria set forth in the request for proposals. *Gov't Code 2269.253(f)–(g)*

Selection

The district shall select the offeror that submits the proposal that offers the best value for the district based on the published selection criteria and on its ranking evaluation. The district shall first attempt to negotiate a contract with the selected offeror. If the district is unable to negotiate a satisfactory contract with the selected offeror, the district shall, formally and in writing, end negotiations with that offeror and proceed to negotiate with the next offeror in the order of the selection ranking until a contract is reached or negotiations with all ranked offerors end. *Gov't Code 2269.254(a)–(c)*

FACILITIES CONSTRUCTION
CONSTRUCTION MANAGER-AT-RISK

CVD
(LEGAL)

**Make Rankings
Public**

Not later than the seventh day after the date the contract is awarded, the district shall make the proposal rankings public. *Gov't Code 2269.254(d)*

**Trade Contractors/
Subcontractors**

A construction manager-at-risk shall publicly advertise for bids or proposals and receive bids or proposals from trade contractors or subcontractors for the performance of all major elements of the work other than the minor work that may be included in the general conditions. A construction manager-at-risk may seek to perform portions of the work itself if:

1. The construction manager-at-risk submits its bid or proposal for those portions of the work in the same manner as all other trade contractors or subcontractors; and
2. The district determines that the construction manager-at-risk's bid or proposal provides the best value for the district.

Gov't Code 2269.255

Bids or Proposals

The construction manager-at-risk shall review all trade contractor or subcontractor bids or proposals in a manner that does not disclose the contents of the bid or proposal during the selection process to a person not employed by the construction manager-at-risk, architect, engineer, or district. All bids or proposals shall be made available to the district on request and to the public after the later of the award of the contract or the seventh day after the date of final selection of bids or proposals. *Gov't Code 2269.256(a)*

If the construction manager-at-risk reviews, evaluates, and recommends to the district a bid or proposal from a trade contractor or subcontractor but the district requires another bid or proposal to be accepted, the district shall compensate the construction manager-at-risk by a change in price, time, or guaranteed maximum cost for any additional cost and risk that the construction manager-at-risk incurs because of the district's requirement that another bid or proposal be accepted. *Gov't Code 2269.256(b)*

Default

If a selected trade contractor or subcontractor defaults in the performance of its work or fails to execute a subcontract after being selected in accordance with this policy, the construction manager-at-risk may itself fulfill, without advertising, the contract requirements or select a replacement trade contractor or subcontractor to fulfill the contract requirements. *Gov't Code 2269.257*

**Payment and
Performance Bond**

If a fixed contract amount or guaranteed maximum price has not been determined at the time the contract is awarded, the penal sums of the performance and payment bonds delivered to the district must each be in an amount equal to the construction budget,

as specified in the request for proposals or qualifications. The construction manager-at-risk shall deliver the bonds not later than the tenth day after the date the construction manager-at-risk executes the contract unless the construction manager-at-risk furnishes a bid bond or other financial security acceptable to the district to ensure that the construction manager will furnish the required performance and payment bonds when a guaranteed maximum price is established. *Gov't Code 2269.258* [See CV for more information on payment and performance bonds.]

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

“Design-build” is a project delivery method by which a district contracts with a single entity to provide both design and construction services for the construction, rehabilitation, alteration, or repair of a facility. *Gov’t Code 2269.301*

This policy applies only to a facility that is a building or an associated structure, including an electric utility structure. This policy does not apply to:

1. A highway, road, street, bridge, underground utility, water supply project, water plant, wastewater plant, water and wastewater distribution or conveyance facility, wharf, dock, airport runway or taxiway, drainage project, or related type of project associated with civil engineering construction; or
2. A building or structure that is incidental to a project that is primarily a civil engineering construction project.

Gov’t Code 2269.302

A district may use the design-build method for the construction, rehabilitation, alteration, or repair of a building or associated structure only as provided by Government Code Chapter 2269, Subchapter G. In using that method, the district shall enter into a single contract with a design-build firm for the design and construction of the building or associated structure. *Gov’t Code 2269.303*

Design-Build Firm

A design-build firm under this policy must be a sole proprietorship, partnership, corporation, or other legal entity or team that includes an architect or engineer and a construction contractor. *Gov’t Code 2269.304*

Architect/Engineer

The district shall select or designate an architect or engineer independent of the design-build firm to act as the district’s representative for the duration of the project. *Gov’t Code 2269.305* [See CV]

**Request for
Qualifications**

The district shall prepare a request for qualifications that includes general information on the project site, project scope, budget, special systems, selection criteria and the weighted value for each criterion, and other information that may assist potential design-build firms in submitting proposals for the project. *Gov’t Code 2269.306(a)*

FACILITIES CONSTRUCTION
DESIGN-BUILD

CVE
(LEGAL)

	The district may not require offerors to submit architectural or engineering designs as part of a proposal or a response to a request for qualifications. <i>Gov't Code 2269.306(d)</i>
Design Criteria Package	The district shall also prepare the design criteria package that includes more detailed information on the project. If the preparation of the design criteria package requires architectural or engineering services that constitute the practice of architecture within the meaning of Occupations Code Chapter 1051 or the practice of engineering within the meaning of Occupations Code Chapter 1001, those services shall be provided in accordance with the applicable law. <i>Gov't Code 2269.306(b)</i> The design criteria package must include a set of documents that provides sufficient information, including criteria for selection, to permit a design-build firm to prepare a response to the district's request for qualifications and to provide any additional information requested. The design criteria package must specify criteria the district considers necessary to describe the project and may include, as appropriate, the legal description of the site, survey information concerning the site, interior space requirements, special material requirements, material quality standards, conceptual criteria for the project, special equipment requirements, cost or budget estimates, time schedules, quality assurance and quality control requirements, site development requirements, applicable codes and ordinances, provisions for utilities, parking requirements, and any other requirement. <i>Gov't Code 2269.306(c)</i>
Evaluation <i>Qualification</i>	For each design-build firm that responded to the request for qualifications, the district shall evaluate the firm's experience, technical competence, and capability to perform, the past performance of the firm and members of the firm, and other appropriate factors submitted by the firm in response to the request for qualifications, except that cost-related or price-related evaluation factors are not permitted. Each firm must certify to the district that each architect or engineer that is a member of the firm was selected based on demonstrated competence and qualifications, in the manner provided by Government Code 2254.004. A district shall qualify a maximum of five responders to submit proposals that contain additional information and, if the district chooses, to interview for final selection. <i>Gov't Code 2269.307(a)–(c)</i>
<i>Proposals</i>	The district shall evaluate the additional information submitted by the offerors on the basis of the selection criteria stated in the request for qualifications and the results of any interview. The district may request additional information regarding demonstrated competence and qualifications, considerations of the safety and long-

term durability of the project, the feasibility of implementing the project as proposed, the ability of the offeror to meet schedules, or costing methodology.

“Costing methodology” means an offeror’s policies on subcontractor markup, definition of general conditions, range of cost for general conditions, policies on retainage, policies on contingencies, discount for prompt payment, and expected staffing for administrative duties. The term does not include a guaranteed maximum price or bid for overall design or construction.

Gov’t Code 2269.307(d)–(e)

The district shall rank each proposal submitted on the basis of the criteria set forth in the request for qualifications. *Gov’t Code 2269.307(f)*

Selection

The district shall select the design-build firm that submits the proposal offering the best value for the district on the basis of the published selection criteria and on its ranking evaluations.

The district shall first attempt to negotiate a contract with the selected firm. If the district is unable to negotiate a satisfactory contract with the selected firm, the district shall, formally and in writing, end all negotiations with that firm and proceed to negotiate with the next firm in the order of the selection ranking until a contract is reached or negotiations with all ranked firms end.

Gov’t Code 2269.308(a)–(c)

**Make Rankings
Public**

Not later than the seventh day after the date the contract is awarded, the district shall make the proposal rankings public. *Gov’t Code 2269.308(d)*

Design

After selection of the design-build firm, that firm’s architects or engineers shall submit all design elements for review and determination of scope compliance to the district or the district’s architect or engineer before or concurrently with construction. *Gov’t Code 2269.309*

**Final Construction
Documents**

The design-build firm shall supply a set of construction documents for the completed project to the district at the conclusion of construction. The documents must note any changes made during construction. *Gov’t Code 2269.310*

**Payment or
Performance Bond**

A payment or performance bond is not required and may not provide coverage for the design portion of the design-build contract with the design-build firm under this policy.

Amount

If a fixed contract amount or guaranteed maximum price has not been determined at the time the design-build contract is awarded,

the penal sums of the performance and payment bonds delivered to the district must each be in an amount equal to the construction budget, as specified in the design criteria package. The design-build firm shall deliver the bonds not later than the tenth day after the date the design-build firm executes the contract, unless the design-build firm furnishes a bid bond or other financial security acceptable to the district to ensure that the design-build firm will furnish the required performance and payment bonds before construction begins.

Gov't Code 2269.311 [See CV for more information on payment and performance bonds]

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

“Job order contracting” is a procurement method used for maintenance, repair, alteration, renovation, remediation, or minor construction of a facility when the work is of a recurring nature but the delivery times, type, and quantities of work required are indefinite. *Gov’t Code 2269.401*

This policy applies only to a facility that is a building, the design and construction of which is governed by accepted building codes, or a structure or land, whether improved or unimproved, that is associated with a building. This policy does not apply to:

1. A highway, road, street, bridge, utility, water supply project, water plant, wastewater plant, water and wastewater distribution or conveyance facility, wharf, dock, airport runway or taxiway, drainage project, or related type of project associated with civil engineering construction; or
2. A building or structure that is incidental to a project that is primarily a civil engineering construction project.

Gov’t Code 2269.402

A district may award job order contracts for the maintenance, repair, alteration, renovation, remediation, or minor construction of a facility if the work is of a recurring nature but the delivery times are indefinite, and indefinite quantities and orders are awarded substantially on the basis of predescribed and prepriced tasks. The district shall establish the maximum aggregate contract price when it advertises the proposal. The board shall approve each job, task, or purchase order that exceeds \$500,000. *Gov’t Code 2269.403*

Establishing Unit Prices

The district may establish contractual unit prices for a job order contract by:

1. Specifying one or more published construction unit price books and the applicable divisions or line items; or
2. Providing a list of work items and requiring the offerors to propose one or more coefficients or multipliers to be applied to the price book or prepriced work items as the price proposal.

Gov’t Code 2269.404

FACILITIES CONSTRUCTION
JOB ORDER CONTRACTS

CVF
(LEGAL)

**Competitive Sealed
Proposal Method**

A district may use the competitive sealed proposal method under Government Code Chapter 2269, Subchapter D for job order contracts. [See CVB] The district shall advertise for, receive, and publicly open sealed proposals for job order contracts. The district may require offerors to submit information in addition to rates, including experience, past performance, and proposed personnel and methodology. *Gov't Code 2269.405*

Architect or
Engineer

If a job order contract or an order issued under the contract requires architectural or engineering services that constitute the practice of architecture within the meaning of Occupations Code Chapter 1051 or the practice of engineering within the meaning of Occupations Code Chapter 1001, a district shall select or designate an architect or engineer to prepare the construction documents for the project. [See CV]

This provision does not apply to a job order contract or an order issued under the contract for industrialized housing, industrialized buildings, or relocatable educational facilities subject to and approved under Occupations Code Chapter 1202 if the contractor employs the services of an architect or engineer who approves the documents for the project.

Gov't Code 2269.408

Awarding Contracts

The district may award job order contracts to one or more job order contractors in connection with each solicitation of proposals. *Gov't Code 2269.406*

Contract Term

The base term for a job order contract may not exceed two years. The district may renew the contract annually for not more than three additional years. *Gov't Code 2269.409*

Use of Contract

A job order contract may be used to accomplish work only for the district that awards the contract unless:

1. The solicitation for the job order contract and the contract specifically provide for use by other persons; or
2. The district enters into an interlocal agreement that provides otherwise.

Gov't Code 2269.407

Job Orders

An order for a job or project under a job order contract must be signed by the district's representative and the contractor. The order may be:

1. A fixed-price, lump-sum contract based substantially on contractual unit pricing applied to estimated quantities; or

2. A unit price order based on the quantities and line items delivered.

Gov't Code 2269.410

Bonds

The contractor shall provide payment and performance bonds, if required by law, based on the amount or estimated amount of any order. *Gov't Code 2269.411* [See CV for more information on payment and performance bonds.]

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

**Leave
Administration**

The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

Definitions

The term "immediate family" is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Leave Day

A "leave day" for purposes of earning, using, or recording leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

School Year

A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.

Catastrophic Illness
or Injury

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Note: For District contribution to employee insurance during leave, see CRD(LOCAL).

Availability

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

**State Leave
Proration**

If an employee separates from employment with the District before his or her last duty day of the school year or begins employment after the first duty day of the school year, state personal leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond his or her pro rata entitlement for the school year.

Medical Certification

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than three consecutive work-days because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; or
3. The employee requests FMLA leave for the employee's serious health condition; a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

State Personal Leave

The Board requires employees to differentiate the manner in which state personal leave is used.

**Nondiscretionary
Use**

Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

Discretionary Use

Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

<i>Request for Leave</i>	In deciding whether to approve or deny a request for discretionary use of state personal leave, the supervisor shall not seek or consider the reasons for which an employee requests to use leave. The supervisor shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes. Discretionary use of state personal leave shall not exceed three consecutive workdays.
Local Leave	Each full-time employee shall earn five paid local leave days per school year in accordance with administrative regulations. Local leave shall accumulate without limit. Local leave shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]
Sick Leave Bank	The District shall establish a sick leave bank that employees may join through contribution of local leave. Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee experiences a catastrophic illness or injury and has exhausted all paid leave and any applicable compensatory time. The Superintendent shall develop regulations for the operation of the sick leave bank that address the following: 1. Membership in the sick leave bank, including the number of days an employee must contribute to become a member; 2. Procedures to request leave from the sick leave bank; 3. The maximum number of days per school year a member employee may receive from the sick leave bank; 4. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; and 5. Other procedures deemed necessary for the operation of the sick leave bank.
Appeal	An employee may appeal a decision regarding the sick leave bank in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Sick Leave Pool

An employee who has exhausted all paid leave as well as any applicable compensatory time and who is absent due to the catastrophic illness or injury of a member of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate local leave for use by the eligible employee.

The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.

The Superintendent shall develop regulations for the implementation of the sick leave pool that address the following:

1. Procedures to request the establishment of a sick leave pool;
2. The maximum number of days an employee may donate to a sick leave pool;
3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and
4. The return of unused days to donors.

Appeal

An employee may appeal a decision regarding the establishment or implementation of the District's sick leave pool in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator.

Family and Medical Leave

FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable.

Note: See DECA(LEGAL) for provisions addressing FMLA.

Twelve-Month Period

For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be measured backward from the date an employee uses FMLA leave.

Combined Leave for Spouses

When both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks.

Intermittent or Reduced Schedule Leave

The District shall not permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Certification of Leave	When an employee requests leave, the employee shall provide certification, in accordance with FMLA regulations, of the need for leave.
Fitness-for-Duty Certification	In accordance with administrative regulations, when an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification.
Leave at the End of Semester	When a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester.
Temporary Disability Leave	Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.] An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent as a request for temporary disability leave. The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.
Workers' Compensation	Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.
No Paid Leave Offset	The District shall not permit the option for paid leave offset in conjunction with workers' compensation income benefits. [See CRE]
Court Appearances	Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.
Payment for Accumulated Leave Upon Retirement	The following leave provisions shall apply to local leave accumulated beginning on July 1, 2010. An employee who retires from the District shall be eligible for payment for accumulated local leave under the following conditions:

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

1. The employee is retiring through the Teacher Retirement System of Texas (TRS).
2. The employee provides advance written notice of intent to retire. Contract employees must provide written notice at least 90 days before the last day of employment. Noncontract employees must provide written notice at least two weeks before the last day of employment.

The employee shall receive payment for each day of accumulated local leave at the daily substitute rate established by the Board. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

**Neutral Absence
Control**

An employee who has excessive absences equal to four workdays during the school year may be recommended for termination in accordance with this policy, other applicable policies, and applicable law. [See DF series]

Definitions

Definitions used in these provisions shall be as follows:

1. Excessive absence shall mean a failure to appear for work when no leave applies to the absence and the absence is not excused on any other basis in policy or law. Elective leaves, if any, apply to and excuse an absence only when the leave has been duly elected by the employee and approved by the District, and the absence qualifies for and falls within the leave period.
2. Workdays shall be those days on which the employee is required to perform services for the District in compliance with policy and the employment agreement between the parties.

Use of Leave

Prior to termination or recommendation for termination under these provisions, an employee shall be provided with notice of the employee's rights to apply for leave.

Due Process

An employee shall receive any process to which he or she is entitled in law or in policy prior to termination. [See DF series]

Reasonable
Accommodation,
Restoration, and
Reemployment

When required by law, reasonable accommodation and/or restoration to the same, an equivalent, or another position shall be afforded. [See DEC(LEGAL) and DAA(LEGAL)] Employees not qualifying for reasonable accommodations who are terminated may apply for and be considered on an equal basis with other applicants for other open employment positions.

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Purpose

A primary purpose of the public school curriculum is to prepare thoughtful, active citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the basic democratic values of our state and national heritage. A district shall foster the continuation of the tradition of teaching United States and Texas history and the free enterprise system in regular subject matter, in reading courses, and in the adoption of textbooks. *Education Code 28.002(h)*

As a condition of accreditation, a district shall provide instruction in the essential knowledge and skills at appropriate grade levels in the foundation and enrichment curriculum. *Education Code 28.002(c); 19 TAC 74.1(b)*

A district shall ensure that all children in the district participate actively in a balanced curriculum designed to meet individual needs. *Education Code 28.002(g)*

Instruction may be provided in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade-level standards. *19 TAC 74.2*

Required Curriculum

Foundation
Curriculum

A district that offers kindergarten through grade 12 shall offer a foundation curriculum that includes:

1. English language arts and reading;
2. Mathematics;
3. Science; and
4. Social studies, consisting of Texas, United States, and world history; government; geography; and economics with emphasis on the free enterprise system and its benefits.

Education Code 28.002(a)(1); 19 TAC 74.1(a)(1)

Enrichment
Curriculum

A district that offers kindergarten through grade 12 shall offer an enrichment curriculum that includes:

1. Languages other than English, to the extent possible. American Sign Language is a language for these purposes and the district may offer an elective course in the language;
2. Health, with emphasis on:
 - a. Physical health, including the importance of proper nutrition and exercise;

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- b. Mental health, including instruction about mental health conditions, substance abuse, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making; and
- c. Suicide prevention, including recognizing suicide-related risk factors and warning signs;
- 3. Physical education;
- 4. Fine Arts;
- 5. Career and technical education;
- 6. Technology applications;
- 7. Religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and
- 8. Personal financial literacy.

Education Code 28.002(a)(2), (e); 19 TAC 74.1(a)(2)

Digital Citizenship

The State Board of Education by rule shall require each district to incorporate instruction in digital citizenship into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying.

"Cyberbullying" has the meaning assigned by Education Code 37.0832. [See FFI]

"Digital citizenship" means the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication.

Education Code 28.002(z)

Positive Character
Traits

Beginning with the 2021–22 school year, districts are required to provide instruction in the essential knowledge and skills for positive character traits outlined in 19 Administrative Code Chapter 120, Subchapter A at least once in the following grade bands: kindergarten–grade 2, grades 3–5, grades 6–8, and grades 9–12.

Districts may provide the required instruction in a variety of arrangements, including through a stand-alone course or by integrating the positive character traits standards in the essential knowledge and skills for one or more courses or subject areas at the appropriate grade levels.

19 TAC 120.1

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Local Credit	A district may offer courses for local credit, at its discretion, in addition to those in the required curriculum, but it may not delete or omit instruction in the foundation and enrichment curricula specified above. <i>Education Code 28.002(f); 19 TAC 74.1(b)</i>
Local Instructional Plan	A district's local instructional plan may draw on state curriculum frameworks and program standards as appropriate. A district is encouraged to exceed minimum requirements of law and State Board rule.
Major Curriculum Initiatives	Before the adoption of a major curriculum initiative, including the use of a curriculum management system, a district must use a process that: 1. Includes teacher input; 2. Provides district employees with the opportunity to express opinions regarding the initiative; and 3. Includes a meeting of the board at which information regarding the initiative is presented, including the cost of the initiative and any alternatives that were considered; and members of the public and district employees are given the opportunity to comment regarding the initiative. <i>Education Code 28.002(g)</i>
Common Core State Standards	A district may not use common core state standards to comply with the requirement to provide instruction in the essential knowledge and skills at appropriate grade levels. A district may not be required to offer any aspect of a common core state standards curriculum. "Common core state standards" means the national curriculum standards developed by the Common Core State Standards Initiative. <i>Education Code 28.002(b-1), (b-3), (b-4)</i>
Scope and Sequence	In adopting a recommended or designated scope and sequence for a subject in the required curriculum under Education Code 28.002(a) in a particular grade level, a district shall ensure sufficient time is provided for teachers to teach and students to learn the essential knowledge and skills for that subject and grade level [see DG]. <i>Education Code 28.0027(a)</i>
Coordinated Health Programs	TEA shall make available to each district one or more coordinated health programs in elementary, middle, and junior high school. Each program must provide for coordinating education and services related to: 1. Physical health education, including programs designed to prevent obesity, cardiovascular disease, oral diseases, and

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Type 2 diabetes and programs designed to promote the role of proper nutrition;

2. Mental health education, including education about mental health conditions, mental health well-being, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making;
3. Substance abuse education, including education about alcohol abuse, prescription drug abuse, and abuse of other controlled substances;
4. Physical education and physical activity; and
5. Parental involvement.

Education Code 38.013; 19 TAC 102.1031(a)

A district shall participate in appropriate training to implement TEA's coordinated health program and shall implement the program in each elementary, middle, and junior high school in the district. *Education Code 38.014*

Coordinated school health programs that are developed by districts and that meet TEA criteria may be approved and made available as approved programs. Districts must use materials that are proven effective, such as TEA-approved textbooks or materials developed by nationally recognized and/or government-approved entities. *19 TAC 102.1031(c)*

Physical Education

Each district shall establish specific objectives and goals the district intends to accomplish through the physical education curriculum. The physical education curriculum must be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor, self-management, and other skills, knowledge, attitudes, and confidence necessary to participate in physical activity throughout life.

A physical education course shall:

1. Offer students an opportunity to choose among many types of physical activity in which to participate;
2. Offer students both cooperative and competitive games; and
3. Be an enjoyable experience for students.

On a weekly basis, at least 50 percent of a physical education class shall be used for actual student physical activity and the activity shall be, to the extent practicable, at a moderate or vigorous level.

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Student/Teacher Ratio	The objectives and goals shall include, to the extent practicable, student/teacher ratios [see EEB] that are small enough to enable the district to: 1. Carry out the purposes of and requirements for the physical education curriculum; and 2. Ensure the safety of students participating in physical education. If a district establishes a student to teacher ratio greater than 45 to 1 in a physical education class, the district shall specifically identify the manner in which the safety of the students will be maintained. <i>Education Code 25.114, 28.002(d); 19 TAC 74.37</i>
Classification for Physical Education	A district shall classify students for physical education on the basis of health into one of the following categories: 1. Unrestricted—not limited in activities. 2. Restricted—excludes the more vigorous activities. Restricted classification is of two types: a. Permanent—A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the impairment and the expectations for physical activity for the student. b. Temporary—Students may be restricted from physical activity of the physical education class. A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the temporary impairment and the expected amount of time for recovery. During recovery time, the student shall continue to learn the concepts of the lessons but shall not actively participate in the skill demonstration. 3. Adapted and remedial—specific activities prescribed or prohibited for students as directed by a member of the healing arts licensed to practice in Texas. <i>19 TAC 74.31</i>
School Health Advisory Council	A board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction. <i>Education Code 28.004(a)</i> [See BDF regarding composition of the SHAC and FFA regarding federal wellness requirements]
Duties	The SHAC's duties include recommending:

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1. The number of hours of instruction to be provided in:
 - a. Health education in kindergarten through grade 8; and
 - b. If the district requires health education for high school graduation, health education, including physical health education and mental health education, in grades 9 through 12.
2. Policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent physical health concerns, including obesity, cardiovascular disease, Type 2 diabetes, and mental health concerns, including suicide, through coordination of:
 - a. Health education, which must address physical health concerns and mental health concerns to ensure the integration of physical health education and mental health education;
 - b. Physical education and physical activity;
 - c. Nutrition services;
 - d. Parental involvement;
 - e. Instruction on substance abuse prevention;
 - f. School health services, including mental health services;
 - g. A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - h. A safe and healthy school environment; and
 - i. School employee wellness;
3. Appropriate grade levels and methods of instruction for human sexuality instruction;
4. Strategies for integrating the curriculum components specified by item 2, above, with the following elements in a coordinated school health program:
 - a. School health services, including physical health services and mental health services, if provided at a campus by the district or by a third party under a contract with the district;
 - b. A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - c. A safe and healthy school environment; and

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- d. School employee wellness;
- 5. If feasible, joint use agreements or strategies for collaboration between the district and community organizations or agencies. Any agreement entered into based on a recommendation of the SHAC must address liability for the district and community organization;
- 6. Appropriate grade levels and curriculum for instruction regarding opioid addiction and abuse and methods for administering an opioid antagonist; and
- 7. Strategies to increase parental awareness regarding:
 - a. Risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health disorders and substance use disorders; and
 - b. Available community programs and services that address risky behaviors, suicide risks, and behavioral health concerns.

Education Code 28.004(c), (n)

Policy
Recommendations

The SHAC shall consider and make policy recommendations to the district concerning the importance of daily recess for elementary school students. The SHAC must consider research regarding unstructured and undirected play, academic and social development, and the health benefits of daily recess in making the recommendations. The SHAC shall ensure that local community values are reflected in any policy recommendation made to the district concerning the importance of daily recess for elementary school students.
Education Code 28.004(l)

The SHAC shall make policy recommendations to the district to increase parental awareness of suicide-related risk factors and warning signs and available community suicide prevention services. *Education Code 28.004(o)*

**Content of Human
Sexuality Instruction**

The board shall determine the specific content of a district's instruction in human sexuality. *Education Code 28.004(h)*

The board shall select any instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) with the advice of the SHAC. The instruction must:

- 1. Present abstinence as the preferred choice of behavior for unmarried persons of school age;

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2. Devote more attention to abstinence than to any other behavior;
3. Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with HIV or AIDS, and the emotional trauma associated with adolescent sexual activity;
4. Direct adolescents to a standard of behavior in which abstinence before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, and infection with HIV or AIDS; and
5. Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in the curriculum.

Education Code 28.004(e)

Condoms

A district may not distribute condoms in connection with instruction relating to human sexuality. *Education Code 28.004(f)*

Separate Classes

If a district provides human sexuality instruction, it may separate students according to sex for instructional purposes. *Education Code 28.004(g)* [See FB regarding single-sex classes under Title IX]

Notice to Parents

Before each school year, a district shall provide written notice to a parent of each student enrolled in the district of the board's decision regarding whether the district will provide human sexuality instruction to district students. If instruction will be provided, the notice must include:

1. A summary of the basic content of the district's human sexuality instruction to be provided to the student, including a statement informing the parent of the instructional requirements under state law;
2. A statement of the parent's right to:
 - a. Review curriculum materials as provided by Education Code 28.004(j); and
 - b. Remove the student from any part of that instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and

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3. Information describing the opportunities for parental involvement in the development of the curriculum to be used in human sexuality instruction, including information regarding the SHAC.

A parent may use the grievance procedure at FNG concerning a complaint of a violation of notice requirements.

Education Code 28.004(i)–(i-1)

Availability of
Materials

A district shall make all curriculum materials used in human sexuality instruction available for reasonable public inspection. *Education Code 28.004(j)* [See EFA regarding selection of curriculum materials for human sexuality instruction]

Character Education

A district must adopt a character education program that includes the following positive character education traits:

1. Courage;
2. Trustworthiness, including honesty, reliability, punctuality, and loyalty;
3. Integrity;
4. Respect and courtesy;
5. Responsibility, including accountability, diligence, perseverance, and self-control;
6. Fairness, including justice and freedom from prejudice;
7. Caring, including kindness, empathy, compassion, consideration, patience, generosity, and charity;
8. Good citizenship, including patriotism, concern for the common good and the community, and respect for authority and the law;
9. School pride; and
10. Gratitude.

In developing or selecting a character education program under Education Code 29.906, a district shall consult with a committee selected by the district that consists of parents of district students, educators, and other members of the community, including community leaders.

The provisions above do not require or authorize proselytizing or indoctrinating concerning any specific religious or political belief.

Education Code 29.906

Note: The policies in the EHBA series are statements of principles governing special education programs for Texas school districts. In no way are these policies intended to cover the entire scope and detail involved in administering any special education program.

Nondiscrimination

No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district service, program, or activity. *42 U.S.C. 12132; 29 U.S.C. 794(a); 34 C.F.R. 104.4(a)* [See also FB]

**Free Appropriate
Public Education
(FAPE)**

Eligible students with disabilities shall enjoy the right to a free appropriate public education, which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction shall be supplemented by the provision of related services when appropriate. *Education Code 29.003(a)*

“Free appropriate public education” (FAPE) means special education and related services that:

1. Have been provided at public expense, under public supervision and direction, and without charge;
2. Meet standards set out by the Texas Education Agency (TEA);
3. Include an appropriate preschool, elementary school, or secondary school education; and
4. Are provided in conformity with the student’s individualized education program (IEP).

20 U.S.C. 1401(9); 34 C.F.R. 300.13, .17, .36

**Least Restrictive
Environment**

A district shall ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. *20 U.S.C. 1412(a)(5); 34 C.F.R. 300.114(a)(2)*

Discipline

All disciplinary actions regarding students with disabilities shall be in accordance with federal requirements, Education Code Chapter 37, and 19 Administrative Code 89.1053. *19 TAC 89.1050(k)* [See FOF]

**Instructional
Arrangements and
Settings**

Mainstream

Instructional arrangements/settings shall be based on the individual needs and IEPs of eligible students receiving special education services and shall include the following:

The mainstream instructional arrangement/setting is for providing special education and related services to a student in the regular classroom in accordance with the student's IEP. Qualified special education personnel must be involved in the implementation of the student's IEP through the provision of direct, indirect, and/or support services to the student and/or the student's regular classroom teacher(s) necessary to enrich the regular classroom and enable student success. The student's IEP must specify the services that will be provided by qualified special education personnel to enable the student to appropriately progress in the general education curriculum and/or appropriately advance in achieving the goals set out in the student's IEP.

Examples of services provided in this instructional arrangement include, but are not limited to, direct instruction, helping teacher, team teaching, co-teaching, interpreter, educational aides, curricular or instructional modifications/accommodations, special materials/equipment, positive classroom behavioral interventions and supports, consultation with the student and his/her regular classroom teacher(s) regarding the student's progress in regular education classes, staff development, and reduction of ratio of students to instructional staff.

Homebound

The homebound instructional arrangement/setting is for providing special education and related services to students who are served at home or hospital bedside.

Students served on a homebound or hospital bedside basis are expected to be confined for a minimum of four consecutive weeks as documented by a physician licensed to practice in the United States. Homebound or hospital bedside instruction may, as provided by local district policy [see EEH(LOCAL)], also be provided to chronically ill students who are expected to be confined for any period of time totaling at least four weeks throughout the school year as documented by a physician licensed to practice in the United States. The student's ARD committee shall determine the amount of services to be provided to the student in this instructional arrangement/setting in accordance with federal and state laws, rules, and regulations, including the provisions specified in 19 Administrative Code 1005(b).

Home instruction may also be used for services to infants and toddlers (birth through age 2) and young children (ages 3–5) when determined appropriate by the child's individualized family services plan (IFSP) committee or ARD committee.

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Hospital Class	The hospital class instructional arrangement/setting is for providing special education instruction in a classroom, a hospital facility, or a residential care and treatment facility not operated by the district. If the students residing in the facility are provided special education services outside the facility, they are considered to be served in the instructional arrangement in which they are placed and are not to be considered as in a hospital class.
Speech Therapy	The speech therapy instructional arrangement/setting is for providing speech therapy services whether in a regular education classroom or in a setting other than a regular education classroom. When the only special education or related service provided to a student is speech therapy, then this instructional arrangement may not be combined with any other instructional arrangement.
Resource Room/Services	The resource room/services instructional arrangement/setting is for providing special education and related services to a student in a setting other than regular education for less than 50 percent of the regular school day.
Self-Contained (Mild, Moderate, or Severe) Regular Campus	The self-contained (mild, moderate, or severe) regular campus instructional arrangement/setting is for providing special education and related services to a student who is in a self-contained program for 50 percent or more of the regular school day on a regular school campus.
Off-Home Campus	The off-home campus instructional arrangement/setting is for providing special education and related services to the following, including, but not limited to, students at South Texas Independent School District and Windham School District: 1. A student who is one of a group of students from more than one district served in a single location when a free appropriate public education is not available in the respective sending district; 2. A student in a community setting or environment (not operated by a school district) that prepares the student for post-secondary education/training, integrated employment, and/or independent living in coordination with the student's individual transition goals and objectives, including a student with regularly scheduled instruction or direct involvement provided by district personnel or a student in a facility not operated by a school district (other than a nonpublic day school) with instruction provided by district personnel; or 3. A student in a self-contained program at a separate campus operated by the district that provides only special education and related services.

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Nonpublic Day School	The nonpublic day school instructional arrangement/setting is for providing special education and related services to students through a contractual agreement with a nonpublic school for special education.
Vocational Adjustment Class/Program	The vocational adjustment class/program instructional arrangement/setting is for providing special education and related services to a student who is placed on a job (paid or unpaid unless otherwise prohibited by law) with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP. This instructional arrangement/setting shall be used in conjunction with the student's individual transition goals and only after the district's career and technical education classes have been considered and determined inappropriate for the student.
Residential Care and Treatment Facility (Not District Resident)	The residential care and treatment facility (not district resident) instructional arrangement/setting is for providing special education instruction and related services to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of the district providing educational services to the students. In order to be considered in this arrangement, the services must be provided on a district campus. If the instruction is provided at the facility, rather than on a district campus, the instructional arrangement is considered to be the hospital class arrangement/setting rather than this instructional arrangement. Students with disabilities who reside in these facilities may be included in the average daily attendance of the district in the same way as all other students receiving special education.
State-Supported Living Center	The state-supported living center instructional arrangement/setting is for providing special education and related services to a student who resides at a state-supported living center when the services are provided at the state-supported living center location. If services are provided on a local district campus, the student is considered to be served in the residential care and treatment facility arrangement/setting. <i>19 TAC 89.63(c), .1005(b)</i>
Other Program Options	Other program options that may be considered for the delivery of special education and related services to a student include contracts with other districts and programs approved by TEA. <i>19 TAC 89.63(f), .1005(f)</i>
Regular School Day	Subject to 19 Administrative Code 89.1075(e) (General Program Requirements and Local District Procedures) [see EHBAB], for the purpose of determining the student's instructional arrangement/set-

ting, the regular school day is defined as the period of time determined appropriate by the admission, review, and dismissal (ARD) committee. *19 TAC 89.1005(b)*

**Nonpublic Day
School Placements**

For nonpublic day school placements [see Nonpublic Day School, above], the district or shared service arrangement shall submit information to TEA indicating the students' identification numbers, initial dates of placement, and the names of the facilities with which the district or shared service arrangement is contracting. The district or shared service arrangement shall not count contract students' average daily attendance as eligible. TEA shall determine the number of contract students reported in full-time equivalents and pay state funds to the district according to the formula prescribed in law. *19 TAC 89.1005(e)*

Related Services

"Related services" means transportation, and such developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education, including the early identification and assessment of disabling conditions in children.

The term includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive FAPE as described in the child's IEP, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that medical services shall be for diagnostic and evaluation purposes only.

The term does not include a medical device that is surgically implanted, the optimization of the device's functioning, or the replacement of such device.

20 U.S.C. 1401(26); 34 C.F.R. 300.34

**Extended School
Year Services**

Extended school year (ESY) services are defined as individualized instructional programs beyond the regular school year for eligible students with disabilities.

A district shall ensure that ESY services are available as necessary to provide a student with a disability with FAPE.

ESY services must be provided only if the ARD committee determines, on an individual basis, that the services are necessary for FAPE. A district may not limit ESY services to particular categories

of disability or unilaterally limit the type, amount, or duration of ESY services.

34 C.F.R. 300.106; 19 TAC 89.1065

Off-Campus Program

An off-campus program includes special education and related services provided during school hours in a facility other than a school district campus.

Program Provider

An off-campus program provider is an entity that provides the services identified above and includes:

1. A county system operating under application of former law as provided in Education Code 11.301;
2. A regional education service center established under Education Code, Chapter 8;
3. A nonpublic day school; or
4. Any other public or private entity with which a school district enters into a contract under Education Code 11.157(a), for the provision of special education services in a facility other than a district campus operated by a district.

19 TAC 89.1094(a)(2)–(3)

Program Placement

A district may contract with an off-campus program provider to provide some or all of the special education and related services to a student in accordance with the requirements in 19 Administrative Code 89.1094.

Before the district places a student with a disability in, or refers a student to, an off-campus program, the district shall initiate and conduct:

1. An onsite review to ensure that the off-campus program is appropriate for meeting the student's educational needs; and
2. A meeting of the student's ARD committee to develop an IEP for the student in accordance with 34 C.F.R. 300.320–.325, state statutes, and commissioner of education rules in 19 Administrative Code Chapter 89 (Commissioner's Rules Concerning Special Education Services).

The appropriateness of the off-campus program for each student placed shall be documented in the IEP annually. The student's ARD committee may only recommend an off-campus program placement for a student if the committee determines that the nature and severity of the student's disability and special education needs are such that the student cannot be satisfactorily educated in the

district. The district must follow the requirements of 19 Administrative Code 89.1094(b)(3)(A)–(C), regarding the review of the placement of the off-campus program for each student.

The placement of more than one student in the same off-campus program facility may be considered in the same on-site visit to a facility. However, the IEP of each student must be individually reviewed, and a determination of appropriateness of placement and services must be made for each student.

19 TAC 89.1094(b)

Notification and
Review

Within 30 calendar days from an ARD committee's decision to place or continue the placement of a student in an off-campus program, a district must electronically submit to TEA notice of, and information regarding, the placement in accordance with submission procedures specified by TEA.

If the off-campus program is on the commissioner's list of approved off-campus programs, TEA will review the student's IEP and placement as required by 34 C.F.R. 300.120, and, in the case of a placement in or referral to a private school or facility, 34 C.F.R. 300.146. After review, TEA will notify the district whether federal or state funds for the off-campus program placement are approved. If TEA does not approve the use of funds, it will notify the district of the basis for the non-approval.

If the off-campus program is not on the commissioner's list of approved off-campus programs, TEA will begin the approval procedures described below. Districts must ensure there is no delay in implementing a child's IEP in accordance with 34 C.F.R. 300.103(c).

If an off-campus program placement is ordered by a special education hearing officer or court of competent jurisdiction, the district must notify TEA of the order within 30 calendar days. The off-campus program serving the student is not required to go through the approval procedures described in 19 Administrative Code 89.1094 for the ordered placement. If, however, the district or other districts intend to place other students in the off-campus program, the off-campus program will be required to go through the approval procedures to be included on the commissioner's list of approved off-campus programs.

19 TAC 89.1094(c)

Approval

Off-campus programs must have their educational programs approved for contracting purposes by the commissioner in accordance with 19 Administrative Code 89.1094(d).

Funding Procedures	The cost of off-campus program placements will be funded according to Education Code 48.102 and 19 Administrative Code 89.1005(e).
Contracts	Contracts between districts and approved off-campus programs must not exceed a district's fiscal year and shall not begin prior to July 1 of the contracted fiscal year. Amendments to a contract must be electronically submitted to TEA in accordance with submission procedures specified by TEA no later than 30 calendar days from the change in placement or services within the school district's fiscal year. <i>19 TAC 89.1094(e)(1)–(2)</i>
Change of Residence	If a student who is placed in an off-campus program by a district changes his or her residence to another Texas district during the school year, the district must notify TEA within ten calendar days of the date on which the district ceased contracting with the off-campus program for the student's placement. The student's new district must meet the requirements of 34 C.F.R. 300.323(e), by providing comparable services to those described in the student's IEP from the previous district until the new district either adopts the student's IEP from the previous district or develops, adopts, and implements a new IEP. The new district must comply with all procedures described in 19 Administrative Code 89.1094 for continued or new off-campus program placement. <i>19 TAC 89.1094(e)(3)</i>

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Identification

Child Find

A district shall ensure that all children residing within the district who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to:

1. Homeless children;
2. Children who are wards of the state;
3. Children attending private schools;
4. Highly mobile children (including migrant children); and
5. Children who are suspected of being in need of special education but who are advancing from grade to grade.

20 U.S.C. 1412(a)(3)(A); 34 C.F.R. 300.111(a)(1)(i), (c)

*Private School
Students*

A district shall conduct a timely and meaningful consultation with private school representatives regarding the child find process and the provision of special education and related services to children enrolled in private schools in the district.

A district shall undertake activities similar to those undertaken for public school children and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending public schools in the district.

20 U.S.C. 1412(a)(10)(A)(ii)–(iv) [See EHBAC regarding students in nondistrict placement.]

*Preschool
Students*

A district shall develop a system to notify district residents with children who are at least three and younger than six and who are eligible for enrollment in a special education program of the availability of the program. *Education Code 29.009*

**Requests and
Referrals for
Evaluation**

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. *20 U.S.C. 1414(a)(1)(E)*

Referral of students for a full individual and initial evaluation for possible special education services shall be a part of a district's overall general education referral or screening system. Either a parent, TEA, another state agency, or the district may initiate a request for an initial evaluation.

District Obligation to
Refer

Students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as tutorial; remedial; compensatory; response to evidence-based intervention; and other academic or behavior support services. A student is not required to be provided with interventions for any

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specific length of time prior to a referral being made or a full individual and initial evaluation being conducted. If the student continues to experience difficulty in the general classroom with the provision of interventions, district personnel must refer the student for a full individual and initial evaluation. A referral for a full individual and initial evaluation may be initiated at any time by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student. *19 TAC 89.1011(a)*

Parental Request

If a parent submits a written request to a district's director of special education services or to a district administrative employee for a full individual and initial evaluation of a student, the district shall, not later than the 15th school day after the date the district receives the request:

1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the procedural safeguards notice required by 34 C.F.R. 300.504, and an opportunity to give written consent for the evaluation; or
2. Provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 C.F.R. 300.503, and a copy of the procedural safeguards notice required by 34 C.F.R. 300.504.

19 TAC 89.1011(b); Education Code 29.004(c); 20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301

Notice of Rights

A reasonable time before a district proposes or refuses to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education (FAPE) to a student, the district shall provide written notice to the student's parent or guardian. *20 U.S.C. 1415(b)(3); 34 C.F.R. 300.503(a)* [See EHBAE]

Initial Evaluation
Required

A district shall conduct a full individual and initial evaluation before the initial provision of special education and related services. *20 U.S.C. 1414(a)(1)(A)*

*Consent for Initial
Evaluation*

Before a district conducts an initial evaluation, it shall make reasonable efforts to obtain informed parental consent.

If the parent does not provide consent for an initial evaluation, or if the parent fails to respond to a request to provide consent, a district may, but is not required to, pursue the initial evaluation by utilizing due process procedures [see EHBAE], except to the extent inconsistent with state law relating to such parental consent.

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Parental consent to initial evaluation shall not be construed as consent for placement for special education and related services.

20 U.S.C. 1414(a)(1)(D)(i)(I); 34 C.F.R. 300.300(b)

Wards of the
State

If the child is a ward of the state and is not residing with the child's parent, a district shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation, unless:

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent;
2. The rights of the parent have been terminated; or
3. The rights of the parent to make educational decisions have been subrogated and an individual appointed by a judge to represent the student has given consent for an initial evaluation.

20 U.S.C. 1414(a)(1)(D)(iii); 34 C.F.R. 300.300(a)(2)

*Time Frame for
Completion of
Written Report*

A district must complete the written report of a full individual and initial evaluation:

1. Not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent. If a student has been absent from school during that period on three or more school days, the period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or
2. For students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or homeschool setting, not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent.

If a district receives written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the written report of a full individual and initial evaluation of a student must be provided to the student's parent not later than June 30 of that year.

If a district receives written consent signed by a student's parent less than 35 school days before the last instructional day of the school year or if the district receives the written consent at least 35 but less than 45 school days before the last instructional day of the school year but the student is absent from school during that period on three or more days, the report must be completed not later

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than the 45th school day following the date the district received written consent, except that the period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent.

A student is considered absent for the school day if the student is not in attendance at the school's official attendance taking time or at the alternate attendance taking time set for that student. A student is considered in attendance if the student is off campus participating in an activity that is approved by the school board and is under the direction of a professional staff member of the school district or an adjunct staff member who has a minimum of a bachelor's degree and is eligible for participation in the Teacher Retirement System of Texas.

"School day" does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the subsequent fall school term.

These time frames shall not apply if the parent repeatedly fails or refuses to produce the child for the evaluation.

Transfer
Students

A district shall ensure that evaluations of children who transfer from one district to another in the same academic year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations.

If a student was in the process of being evaluated for special education eligibility by a district and enrolls in another school district before the previous district completed the full individual and initial evaluation, the new district must coordinate with the previous district as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation in accordance with 34 C.F.R., 300.301(d)(2) and (e) and 300.304(c)(5).

The timelines above do not apply in such a situation if:

1. The new school district is making sufficient progress to ensure a prompt completion of the evaluation; and
2. The parent and the new school district agree to a specific time when the evaluation will be completed.

20 U.S.C. 1414(a)(1)(C), (b)(3)(D); 34 C.F.R. 300.301(c)–(e); Education Code 29.004; 19 TAC 89.1011

*Psychological
Examinations*

If a district determines that an additional examination or test is required for the initial and individual evaluation, the district shall provide the information required by Education Code 29.0041(a) and

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shall obtain additional parental consent. If a parent does not give consent within 20 calendar days after the district provided the information, the parent's consent is considered denied.

The time required for a district to provide information and seek consent may not be counted toward the time frame for completion of an evaluation. [See Time Frame for Completion of Written Report, above]

Education Code 29.0041

**Eligibility and
Reevaluations**

A student is eligible to participate in a district's special education program if:

1. The student is between the ages of 3 and 21, inclusive;
2. The student has one or more of the disabilities listed in federal regulations, state law, or both; and
3. The student's disability(ies) prevents the student from being adequately or safely educated in the public schools without the provision of special services.

20 U.S.C. 1401(3); Education Code 29.003(b); 19 TAC 89.1035

Disability Definitions

To be eligible to receive special education services, a student must be a "child with a disability," as defined in 34 C.F.R. 300.8(a), subject to the provisions of 34 C.F.R. 300.8(c), Education Code 29.003, and 19 Administrative Code 89.1040. The provisions in 19 Administrative Code 89.1040 specify criteria to be used in determining whether a student's condition meets one or more of the definitions in federal regulations or in state law. *19 TAC 89.1040*

**Visual and Auditory
Impairments**

A student with a visual or auditory impairment shall be eligible to participate in a district's special education program from birth. *19 TAC 89.1035(b); Education Code 30.002(e), .081*

**Determination of
Initial Eligibility**

Upon completion of the administration of assessments and other evaluation measures, a team of qualified professionals and the parent shall make the determination of whether the child has a disability and of the educational needs of the child.

A district shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

20 U.S.C. 1414(b)(4); 34 C.F.R. 300.306(a)

The admission, review, and dismissal (ARD) committee must make its decisions regarding a student's initial eligibility determination and, if appropriate, individualized education program (IEP) and placement within 30 calendar days from the date of the completion of the written full individual and initial evaluation report. If the 30th

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day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, IEP, and placement, unless the full individual and initial evaluation indicates that the student will need extended school year (ESY) services during that summer.

When a report is provided to a parent not later than June 30 as described at Time Frame for Completion of Written Report, above, the ARD committee must meet not later than the 15th school day of the following school year to consider the evaluation. If, however, an evaluation indicates that a student will need ESY services, the ARD committee must meet as expeditiously as possible.

19 TAC 89.1011(d), (e)

Consent for
Services

*Initial Provision of
Services*

A district must obtain informed consent from the parent for the initial provision of special education and related services. If the parent of a child fails to respond to a request for, or refuses to consent to, the initial provision of services, the district:

1. May not use the procedures in 34 C.F.R. part 300 subpart E (including the mediation and due process procedures) in order to obtain agreement or a ruling that the services may be provided to the child;
2. Will not be considered to be in violation of the requirement to make FAPE available to the child for the failure to provide the services for which the district requests consent; and
3. Is not required to convene an ARD meeting or develop an IEP for the child for the services.

*Revoking
Consent*

If, at any time after the provision of initial services, the parent of a child revokes consent in writing for the continued provision of services, the district:

1. May not continue to provide services to the child, but must provide prior written notice before ceasing services;
2. May not use the procedures in 34 C.F.R. part 300 subpart E in order to obtain agreement or a ruling that the services may be provided to the child;
3. Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further services; and

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4. Is not required to convene an ARD meeting or develop an IEP for further provision of services.

34 C.F.R. 300.300(b)

Reevaluations

A district shall ensure that each child with a disability is reevaluated if the district determines that the educational or related services needs of the child, including improved academic achievement and functional performance, warrant a reevaluation, or if the child's parent or teacher requests a reevaluation.

Reevaluation shall occur:

1. No more than once a year, unless the parent and the district agree otherwise; and
2. At least once every three years, unless the parent and district agree that a reevaluation is unnecessary.

A district shall obtain informed parental consent before conducting a reevaluation, except that informed parental consent is not needed if the district can demonstrate that it has taken reasonable measures to obtain consent and the child's parent has failed to respond.

20 U.S.C. 1414(a)(2), (c)(3); 34 C.F.R. 300.303

Evaluation for
Change in Eligibility

A district must evaluate a child with a disability before determining that the child is no longer a child with a disability. However, an evaluation is not required before the termination of eligibility due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for FAPE under state law. If a child's eligibility terminates under the aforementioned circumstances, a district must provide a summary of academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals. *34 C.F.R. 300.305(e); 20 U.S.C. 1414(c)(5)*

All students graduating under 19 Administrative Code 89.170 [see EIF] must be provided with a summary of academic achievement and functional performance as described above. This summary must consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. An evaluation as required by 34 C.F.R. 300.305(e)(1), must be included as part of the summary for a student graduating under 19 Administrative Code 89.1070(b)(3)(A), (B), or (C) or (f)(4)(A), (B), or (C). *19 TAC 89.1070(g)*

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Independent
Evaluation

The parents have a right to obtain an independent educational evaluation of their child. If a parent requests an independent evaluation, a district shall provide the parents with information regarding where one can be obtained and the district's criteria for independent evaluations.

The results of a parent-initiated independent educational evaluation, whether at public or private expense, must be considered by the district if it meets the district's criteria, in any decision made with respect to providing FAPE to the child.

*At Public
Expense*

If a parent requests an independent evaluation at public expense, the district shall, without unnecessary delay, either:

1. File a due process complaint to request a hearing to show that its evaluation is appropriate; or
2. Ensure that an independent evaluation is provided at public expense, unless the district demonstrates that the evaluation obtained by the parent did not meet district criteria.

*At Private
Expense*

If a district initiates a hearing, and the final decision is that the district's evaluation is appropriate, the parent still has a right to an independent evaluation, but not at public expense.

34 C.F.R. 300.502

**Prescription
Medication**

An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

20 U.S.C. 1412(a)(25)

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**Admission, Review,
and Dismissal
Committee**

Each district must establish an admission, review, and dismissal (ARD) committee for each eligible student with a disability and for each student for whom a full individual and initial evaluation is conducted. The ARD committee is the individualized education program (IEP) team defined in federal law and regulations, including 34 C.F.R. 300.321.

The district is responsible for all of the functions for which the IEP team is responsible under federal law and regulations and for which the ARD committee is responsible under state law, including the responsibilities listed at 19 Administrative Code 89.1050.

19 TAC 89.1050(a); 34 C.F.R. 300.116(a), .321(a)

**Committee
Members**

A district shall ensure that each ARD committee meeting includes all of the following:

1. The parents of a student with a disability;
2. At least one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);
3. At least one special education teacher or, if appropriate, at least one special education provider of the student;
4. A representative of the district who:
 - a. Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities;
 - b. Is knowledgeable about the general education curriculum; and
 - c. Is knowledgeable about the availability of resources of the district;
5. Other individuals who have knowledge or special expertise regarding the student at the discretion of the district or the parent;
6. An individual who can interpret the instructional implications of evaluation results, who may be a member of the ARD committee described in items 2–5;
7. The student, if appropriate;
8. For a student with an auditory impairment, including deaf-blindness, a teacher who is certified in the education of students with auditory impairments;

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9. For a student with a visual impairment, including deaf-blindness, a teacher who is certified in the education of students with visual impairments;
10. For a student with limited English proficiency, a member of the language-proficiency assessment committee (LPAC), who may also be a member as described at items 2 or 3;
11. A representative of any participating agency likely to be responsible for providing transition services for a student, as appropriate, and with the consent of the student's parents or a student who has reached the age of majority; and
12. When considering initial or continued placement of a student in a career and technical education program, a representative from career and technical education, preferably the teacher.

20 U.S.C. 1414(d)(1)(B); 34 C.F.R. 300.321; 19 TAC 75.1023(d)(1), 89.1050(c)

A district member of the ARD committee shall not be required to attend an IEP meeting, in whole or in part, if the parent and the district agree in writing that the attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed during the meeting.

A district member of the ARD committee may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of curriculum or related services if the parent, in writing, and the district consent to the excusal and the member submits, in writing, to the parent and the ARD committee, input into the development of the IEP before the meeting.

20 U.S.C. 1414(d)(1)(C); 34 C.F.R. 300.321(e)

*Regular
Education
Teacher*

If an ARD committee is required to include a regular education teacher, the regular education teacher must, to the extent practicable, be a teacher who is responsible for implementing a portion of the child's IEP. *Education Code 29.005(a)*

*Parent
Involvement*

A district shall take steps to ensure that one or both parents of a student with a disability are present at each ARD committee meeting or are afforded an opportunity to participate, including:

1. Notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend (the notice shall include the purpose, time, and location of the meeting, who will be in attendance, that persons with knowledge or special expertise may be invited by either the parent or the district, and

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that the Part C service coordinator or other representatives of the Part C system may be invited to the initial meeting for a child previously served under a Part C early childhood intervention program); and

2. Scheduling the meeting at a mutually agreed on time and place.

If the purpose of the meeting is to consider transition services, the notice must also indicate this purpose, indicate that the district will invite the student, and identify any other agency that will be invited to send a representative.

34 C.F.R. 300.322(a)–(b); 19 TAC 89.1050(d)

*Alternative
Means of
Meeting
Participation*

If neither parent can attend an ARD meeting, the district must allow other methods of participation, such as through telephone calls or video conferencing. *20 U.S.C. 1414(f); 34 C.F.R. 300.322(c); 19 TAC 89.1050(d)*

An ARD meeting may be conducted without a parent in attendance if a district is unable to convince the parents that they should attend, but the district shall have a record of its attempts to arrange a mutually agreed on time and place, such as detailed records of telephone calls, correspondence, or visits made or attempted and the results of any of those actions. *34 C.F.R. 300.322(d)*

Meetings

A district shall initiate and conduct ARD committee meetings for the purpose of developing, reviewing, and revising the IEP of a child with a disability. The committee shall review each child's IEP periodically, and, if appropriate, revise the IEP. A meeting must be held for this purpose at least once a year. The ARD committee must also determine the child's placement once a year.

A "meeting" does not include informal or unscheduled conversations involving district personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provisions if those issues are not addressed in the child's IEP. A "meeting" also does not include preparatory activities that district personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

20 U.S.C. 1414(d)(4); 34 C.F.R. 300.116(b)(1), .324(b), (c)(1), .501(b)(3)

*Meeting at
Parent's Request*

Upon receipt of a written request for an ARD committee meeting from a parent, the school district must schedule and convene a meeting in accordance with the procedures in 19 Administrative Code 89.1050(d) or within five school days, provide the parent with

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written notice explaining why the district refuses to convene a meeting. *19 TAC 89.1050(e)*

Written Notice

If a parent is unable to speak English, a district must provide the parent with a written notice regarding the ARD committee meeting required under 19 Administrative Code 89.1050(d) (notice for purposes of scheduling) or (e)(2) (notice explaining why the district refuses to convene a meeting) in the parent's native language, unless it is clearly not feasible to do so. If the parent's native language is not a written language, the school district must take steps to ensure that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication so that the parent understands the content of the notice. *19 TAC 89.1050(f)*

Transfer Students

In-State Transfers

When a student transfers to a new district within the state in the same school year and the parents verify that the student was receiving special education services in the previous district or the previous district verifies in writing or by telephone that the student was receiving special education services, the new school district must meet the requirements of 34 C.F.R. 300.323(e) regarding the provision of special education services. The time line for completing the requirements outlined in 34 C.F.R. 300.323(e)(1) or (2) is 30 school days from the date the student is verified as being a student eligible for special education services.

Transfers from
Another State

When a student transfers from a district in another state in the same school year and the parents verify that the student was receiving special education services in the previous district or the previous district verifies in writing or by telephone that the student was receiving special education services, the new district must meet the requirements of 34 C.F.R. 300.323(f) regarding the provision of special education services. If the new district determines that an evaluation is necessary, the evaluation is considered a full individual and initial evaluation and must be completed within the time lines established by 19 Administrative Code 89.1011(c) and (e). The time line for completing the requirements in 34 C.F.R. 300.323(f)(2), if appropriate, is 30 calendar days from the date of the completion of the evaluation report. If the school district determines that an evaluation is not necessary, the time line for completing the requirements outlined in 34 C.F.R. 300.323(f)(2) is 30 school days from the date the student is verified as being a student eligible for special education services.

19 TAC 89.1050(j)

Transfer of Records

The district in which the child enrolls shall take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of

special education or related services to the child, from the previous district.

The previous district shall take reasonable steps to promptly respond to the request from the new district and must furnish the new school district with a copy of the student's records, including the student's special education records, not later than the tenth working day after the date a request for the information is received by the previous school district.

20 U.S.C. 1414(d)(2)(C)(ii); 34 C.F.R. 300.323(g); 19 TAC 89.1050(j)(3)

Students Who Are Homeless or in Substitute Care

When a student who is homeless or in substitute care transfers into a district after being referred by a previous district for a special education evaluation, the receiving district must accept the referral and ensure that any written report of a full individual and initial evaluation must be completed in accordance with the timelines established in 19 Administrative Code 89.1011 (relating to Full Individual and Initial Evaluation).

When a student who is already eligible for special education and is homeless or in substitute care transfers into a district during the school year, the receiving district must ensure that it meets the student transfer requirements of 19 Administrative Code 89.1050(j) (relating to the Admission, Review, and Dismissal Committee).

19 TAC 89.1615

Military Dependents

A district shall initially provide comparable services to a military student with disabilities based on his or her current IEP. This does not preclude the district from performing subsequent evaluations to ensure appropriate placement of the student. *Education Code 162.002 art. V, C [See FDD]*

Individualized Education Program

A district shall develop, review, and revise an IEP for each child with a disability. *20 U.S.C. 1412(a)(4); 34 C.F.R. 300.320(a)*

At the beginning of each school year, a district shall have in effect, for each child with a disability in its jurisdiction, an IEP. *20 U.S.C. 1414(d)(2)(A); 34 C.F.R. 300.323(a)*

The term "individualized education program" means a written statement for each student with a disability that documents the decisions of the ARD committee with respect to issues discussed at each committee meeting and includes:

1. A statement of the student's present levels of academic achievement and functional performance;

2. A statement of measurable annual goals, including academic and functional goals;
3. A description of how the student's progress toward the annual goals will be measured and when periodic reports on the progress of the student will be provided;
4. A statement of the specific special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student;
5. A statement of the program modifications or supports for school personnel that will be provided for the student;
6. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and nonacademic activities;
7. The projected dates for initiation of services and modifications and the anticipated frequency, location, and duration of these services and modifications;
8. A statement of any individual appropriate and allowable accommodations that are necessary to measure the academic achievement and functional performance of the student on state or district-wide assessments;
9. If the ARD committee determines that the student must take an alternative assessment instead of a particular regular state or district-wide assessment, a statement of why the student cannot participate in the regular assessment and why the particular assessment selected is appropriate for the student;
10. If the ARD committee determines that a student is in need of extended school year (ESY) services, identification of the goals and objectives that will be addressed during ESY services;
11. Beginning not later than when a student reaches 14 years of age and updated annually thereafter, the ARD committee's consideration and decisions regarding the transition issues under 19 Administrative Code 89.1055(h) [see EHBAD];
12. Beginning not later than the first IEP to be in effect when the student is 16, or younger if determined appropriate by the ARD committee, and updated annually thereafter, a statement of appropriate measurable postsecondary goals and transition services needed to assist the student in reaching those goals [see EHBAD];

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13. Beginning not later than one year before the student reaches the age of 17, a statement that the student has been informed of the rights that will transfer to the student upon reaching the age of majority;
14. The date of the meeting;
15. The name, position, and signature of each member participating in the meeting; and
16. An indication of whether the child's parents, the adult student, if applicable, and the administrator agreed or disagreed with the decisions of the ARD committee.

20 U.S.C. 1414(d); 34 C.F.R. 300.320; Education Code 29.005(b-1), .011; 19 TAC 89.1055

The written statement of a student's IEP may be required to include only information included in the model form developed by TEA under Education Code 29.0051(a) and posted on the TEA website. A district may use the model form to comply with the requirements for an IEP under 20 U.S.C. 1414(d). *Education Code 29.005(f), .0051*

Behavioral
Intervention Plan

The ARD committee may determine that a behavior improvement plan or a behavioral intervention plan (BIP) is appropriate for a student for whom the committee has developed an IEP. If the committee makes that determination, the BIP shall be included as part of the student's IEP and provided to each teacher with responsibility for educating the student. *Education Code 29.005(g); 19 TAC 89.1055(g)*

Translation of IEP
into Native
Language

If the parent is unable to speak English and Spanish is the parent's native language, a district shall provide a written or audiotaped copy of the student's IEP translated into Spanish. If the parent's native language is other than Spanish or English, a district shall make a good faith effort to provide a written or audiotaped copy of the student's IEP translated into the parent's native language. *Education Code 29.005(d)*

A written copy of the student's IEP translated into Spanish or the parent's native language means that all of the text in the student's IEP in English is accurately translated into the target language in written form. The IEP translated into the target language must be a comparable rendition of the IEP in English and not a partial translation or summary of the IEP in English.

An audio recording of the student's IEP translated into Spanish or the parent's native language means that all of the content in the student's IEP in English is orally translated into the target language and recorded with an audio device. A district is not prohibited from

providing the parent with an audio recording of an ARD committee meeting at which the parent was assisted by an interpreter as long as the audio recording provided to the parent contains an oral translation into the target language of all of the content in the student's IEP in English.

If a parent's native language is not a written language, the district must take steps to ensure that the student's IEP is translated orally or by other means to the parent in his or her native language or other mode of communication.

Under 34 C.F.R. 300.322(f), a district must give a parent a written copy of the student's IEP at no cost to the parent. A school district meets this requirement by providing a parent with a written copy of the student's IEP in English or by providing a parent with a written translation of the student's IEP in the parent's native language as provided above.

19 TAC 89.1050(i)

Autism/Pervasive
Developmental
Disorder

For students with autism/pervasive developmental disorders, the following strategies shall be considered by the ARD committee, based on peer-reviewed, research-based educational programming practices to the extent practicable and, when needed, addressed in the IEP:

1. Extended educational programming;
2. Daily schedules reflecting minimal unstructured time and active engagement in learning activities;
3. In-home training and community-based training or viable alternatives that assist the student with the acquisition of social/behavioral skills;
4. Positive behavior support strategies based on relevant information;
5. Beginning at any age, futures planning for integrated living, work, community, and educational environments that considers skills necessary to function in current and postsecondary environments;
6. Parent/family training and support, provided by qualified personnel with experience in Autism Spectrum Disorders (ASD);
7. Suitable staff-to-student ratio appropriate to identified activities and as needed to achieve social/behavioral progress based on the student's developmental and learning level (acquisition, fluency, maintenance, generalization) that encourages work towards individual independence;

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8. Communication interventions, including language forms and functions that enhance effective communication across settings;
9. Social skills supports and strategies based on social skills assessment/curriculum and provided across settings;
10. Professional educator/staff support; and
11. Teaching strategies based on peer-reviewed, research-based practices for students with ASD.

If the ARD committee determines that services are not needed in one or more of the areas in 1–11 above, the IEP shall include a statement reflecting that decision and the basis upon which the determination was made.

19 TAC 89.1055(e)–(f)

*Visual
Impairment*

If a district provides special education services to students with visual impairments, it shall have written procedures as required in Education Code 30.002(c)(10) (staff access to resources). *19 TAC 89.1075(b)*

*Collaborative
Process*

All members of the ARD committee shall have the opportunity to participate in a collaborative manner in developing the IEP. Decisions of the ARD committee concerning the required elements of the IEP shall be made by mutual agreement, if possible. The ARD committee may agree to an annual IEP or an IEP of shorter duration.

Ten-Day Recess

When mutual agreement about all required elements of the IEP is not achieved, the parent who disagrees must be offered a single opportunity to recess and reconvene the ARD committee meeting. The period of time for reconvening the ARD committee meeting must not exceed ten school days, unless the parties mutually agree otherwise. The ARD committee must schedule the reconvened meeting at a mutually agreed upon time and place. The opportunity to recess and reconvene is not required when:

1. The student's presence on campus represents a danger of physical harm to the student or others;
2. The student has committed an expellable offense; or
3. The student has committed an offense that may lead to placement in a disciplinary alternative education program. [See FOF]

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These requirements do not prohibit the ARD committee from re-cessing an ARD committee meeting for reasons other than the fail-ure to reach mutual agreement about all required elements of an IEP.

During the recess, the ARD committee members must consider al-ternatives, gather additional data, prepare further documentation, and/or obtain additional resource persons who may assist in ena-bling the ARD committee to reach mutual agreement.

*Failure to Reach
Agreement*

If a recess is implemented and the ARD committee still cannot reach mutual agreement, a district shall implement the IEP it has determined to be appropriate for the student. Each member of the ARD committee who disagrees with the IEP developed by the ARD committee is entitled to include a statement of disagreement in the IEP.

If the IEP is not developed by agreement, the written statement of the program must include the basis of the disagreement. Each member of the ARD committee who disagrees with the IEP devel-oped by the committee is entitled to include a statement of disa-greement in the written statement of the program.

Education Code 29.005(c); 19 TAC 89.1050(g)

Modification of
Existing IEP

Changes to the IEP may be made either by the entire ARD commit-tee or by amending the IEP by agreement, rather than redrafting the entire IEP.

After the annual IEP meeting for a school year, the parent and dis-trict may agree not to convene an IEP meeting for the purposes of making changes to the IEP and instead may develop a written doc-ument to amend or modify the child's current IEP.

Upon request, a parent shall be provided with a revised copy of the IEP with amendments incorporated.

To the extent possible, a district shall encourage the consolidation of reevaluation meetings for the child and other ARD meetings for the child.

20 U.S.C. 1414(d)(3)(D)–(F); 34 C.F.R. 300.324(a)(4)–(6)

**Teacher Access to
IEP**

Each district must ensure that each teacher who provides instruc-tion to a student with a disability has access to relevant sections of the student's current IEP, is informed of the teacher's specific re-sponsibilities related to implementation of the IEP, and has an op-portunity to request assistance regarding implementation of the student's IEP. *19 TAC 89.1075(c)*

**Teacher Request to
Review IEP**

Each district shall develop a process to be used by a teacher who instructs a student with a disability in a regular classroom setting:

1. To request a review of the student's IEP;
2. To provide input in the development of the student's IEP;
3. That provides for a timely district response to the teacher's request; and
4. That provides for notification to the student's parent or legal guardian of that response.

Education Code 29.001(11); 19 TAC 89.1075(d)

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**Private School—
District Placed**

Student Receives
IEP

If a district places a child with a disability in a private school or facility, or refers the child to a private school or facility, as a means of carrying out the requirements of the special education laws, the district shall ensure that the child is provided special education and related services, in accordance with an individualized education program (IEP), at no cost to the parents. *20 U.S.C. 1412(a)(10)(B)(i)*

**Private School—
Parent Placed**

When a parentally placed child with a disability is referred to a district, the district shall convene an admission, review, and dismissal (ARD) committee to determine whether the district can offer the child a free appropriate public education (FAPE). If the district determines that it can offer FAPE, it is not responsible for providing educational services to the child, except that the district must develop and implement an individualized services plan (ISP). *19 TAC 89.1096(b)*

Offer of FAPE
Rejected

*Student Receives
ISP*

If a district made FAPE available to a child with a disability and the parents elected to place the child in a private school or facility, the district is not required to pay for the cost of education, including special education and related services. However, the district must develop and implement an ISP. *20 U.S.C. 1412(a)(10)(C)(i); 34 C.F.R. 300.148(a)*

FAPE Offered but
Not Provided

Reimbursement

If the parents of a child with a disability, who previously received special education and related services under the authority of a district, enroll the child in a private school without the consent or referral by the district, a court or a hearing officer may require the district to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the district had not made FAPE available to the child in a timely manner before the enrollment. This right of reimbursement is subject to the notice and other requirements set forth at *34 C.F.R. 300.148(d)*. *20 U.S.C. 1412(a)(10)(C)(ii); 34 C.F.R. 300.148(c)*

**Home School
Students**

A home school student is considered a private school student, for purposes of a district's obligations under IDEA, if the home school provides elementary or secondary education that incorporates an adopted curriculum designed to meet basic educational goals, including scope and sequence of courses, and formal review and documentation of student progress. *19 TAC 89.1096(a)(2)*

**Individualized
Services Plan (ISP)**

Each parentally placed private school child with a disability who has been designated to receive services shall have an ISP that describes the specific special education and related services that a district will provide the child.

Parentally placed private school children with disabilities may receive a different amount of services than children with disabilities in

public schools. No parentally placed private school child has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.

Decisions about the services that will be provided must be made in accordance with 34 C.F.R. 300.134(c) (consultation process) and 300.137(c) (attendance of private school representatives at services plan committee meetings). A district must make the final decisions with respect to the services to be provided.

34 C.F.R. 300.137, .138

Dual Enrollment

Parents shall have the right to “dual enroll” an eligible student age three or four in both the public school and a private school beginning on the student’s third birthday and continuing until the end of the school year in which the student turns five, or until the student is eligible to attend a district’s kindergarten program, whichever comes first, subject to the following:

1. The student’s ARD committee shall develop an IEP designed to provide the student with FAPE in the least restrictive environment (LRE).
2. From the IEP, the parent and the district shall determine which special education and/or related services will be provided to the student and the location where those services will be provided, based on the requirements concerning placement in the LRE and the policies and procedures of the district.
3. The district shall be responsible for employing and supervising the personnel providing the service, providing the needed instructional materials, and maintaining pupil accounting records. Materials and services provided shall be consistent with those provided for students enrolled only in the public school and shall remain the property of the district.

19 TAC 89.1096(c)

Responsible District

The district where a student resides is responsible for providing special education and related services to a student whose parents choose dual enrollment.

If the parents decline dual enrollment, but request an ISP, the district where the private school is located is responsible for development of the ISP for a student designated to receive services.

19 TAC 89.1096(c), (d)

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Transportation

If a student has been placed by his or her parents in a private school or facility, a district shall provide special transportation with federal funds only when the ARD committee determines that the condition of the student warrants the service in order for the student to receive the special education and related services (if any) set forth in the IEP. *19 TAC 89.1096(e)*

District Charter Schools

A district shall serve children with disabilities attending district charter schools in the same manner as it serves children with disabilities in its other schools and shall provide federal special education funds to those schools in the same manner as it provides those funds to its other schools. *20 U.S.C. 1413(a)(5); 34 C.F.R. 300.209(b)*

Residential Facilities

Identification of
Students

If a residential facility that is licensed by appropriate state agencies is located within the district's boundaries, the district must provide special education and related services to eligible students residing in the facility.

If, after contacting the facility to offer services to eligible students with disabilities, a district determines that educational services are provided through a charter school, approved non-public school, or a facility operated private school, the district is not required to provide services. However, a district shall annually contact the facility to offer services to eligible students with disabilities.

19 TAC 89.1001(c)

District Placements

A district may contract with a public or private facility, institution, or agency inside or outside of Texas for residential placement for a student with a disability when the ARD committee determines that a residential placement is necessary for the student to receive FAPE. Contracts for residential placement must be approved by the commissioner. *Education Code 29.008(a); 19 TAC 89.61(a), .1092*

If placement in a public or private residential program is necessary to provide special education and related services, the program, including non-medical care and room and board, must be at no cost to the parents. *34 C.F.R. 300.104*

If a district contracts for education services, rather than providing the services itself, it shall oversee the implementation of the student's IEP and shall annually reevaluate the appropriateness of the arrangement. *Education Code 29.008(d)*

Further, a district shall have the responsibilities set forth at 19 Administrative Code 89.61 and 89.1092(a)(4) regarding students in residential placements. A district must contract with residential placements in accordance with 19 Administrative Code 89.1092.

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Notification	Within 30 calendar days from an ARD committee's decision to place a student in a residential education program, a district must electronically submit to TEA notice of and information regarding the placement in accordance with submission procedures specified by TEA. <i>19 TAC 89.1092(b)</i>
Out-of-State Placements	If a district contracts for an out-of-state residential placement, it shall do so in accordance with the rules for in-state residential placement, except that the facility shall be approved by the appropriate agency in the state in which the facility is located rather than by the Texas commissioner of education. <i>19 TAC 89.61(c)(3)</i>
School for the Blind and Visually Impaired and School for the Deaf	A district shall share the cost of education (excluding the summer program) for each of its students enrolled in the Texas School for the Blind and Visually Impaired or Texas School for the Deaf. Before considering the student's educational placement for special education services, a district shall provide each parent of a student with visual or auditory impairments the following written information regarding the Texas School for the Deaf or Texas School for the Blind and Visually Impaired: 1. The availability of programs offered. 2. The eligibility and admissions requirements. 3. The student's rights to admission and to appeal admission decisions. <i>Education Code 30.003(a), .004(a); 19 TAC 89.62</i> A district may request services through the Texas School for the Blind and Visually Impaired or the Texas School for the Deaf in accordance with 19 Administrative Code 89.1085. <i>19 TAC 89.1085</i>
Adult Prisons	If a child with a disability is convicted as an adult under state law and incarcerated in an adult prison, the child's ARD committee may modify the child's IEP or placement, notwithstanding the LRE requirements, if the state has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated. The following requirements do not apply to children with disabilities who are convicted as adults under state law and incarcerated in adult prisons: 1. Federal requirements pertaining to participation of students with disabilities in general assessments;

2. Requirements concerning transition planning and transition services, if the children's eligibility will end, because of their age, before they will be released from prison.

20 U.S.C. 1414(d)(7)

**Transition Services
Defined**

“Transition services” means a coordinated set of activities for a child with a disability that:

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child to facilitate the child’s movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests.
3. Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills and functional vocational evaluation.

20 U.S.C. 1401(34); 34 C.F.R. 300.43

**Individual Transition
Planning**

Not later than when a student reaches 14 years of age, the admission, review, and dismissal (ARD) committee must consider, and if appropriate, address the following issues in the individualized education program (IEP):

1. Appropriate student involvement in the student's transition to life outside the public school system;
2. If the student is younger than 18 years of age, appropriate involvement in the student's transition by the student's parents and other persons invited to participate by the student's parents or the school district in which the student is enrolled;
3. If the student is at least 18 years of age, involvement in the student's transition and future by the student's parents and other persons, if the parent or other person is invited to participate by the student or the school district in which the student is enrolled or has the student's consent to participate pursuant to a supported decision-making agreement under Estates Code, Chapter 1357;
4. Appropriate postsecondary education options, including preparation for postsecondary-level coursework;
5. An appropriate functional vocational evaluation;
6. Appropriate employment goals and objectives;

7. If the student is at least 18 years of age, the availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student's transition goals and objectives;
8. Appropriate independent living goals and objectives;
9. Appropriate circumstances for facilitating a referral of a student or the student's parents to a governmental agency for services or public benefits, including a referral to a governmental agency to place the student on a waiting list for public benefits available to the student, such as a waiver program established under Section 1915(c), Social Security Act [42 U.S.C. Section 1396n(c)]; and
10. The use and availability of appropriate supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills; and supports and services to foster the student's independence and self-determination, including a supported decision-making agreement under Estates Code Chapter 1357.

In accordance with 34 C.F.R. 300.320(b), beginning not later than the first IEP to be in effect when the student turns 16 years of age, or younger if determined appropriate by the ARD committee, and updated annually thereafter, the IEP must include the following:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals developed under item 1.

A student's ARD committee shall annually review the issues described above and, if necessary, update the portions of the student's IEP that address those issues.

[See EHBAB regarding membership of ARD committee for transition services meetings]

20 U.S.C. 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. 300.320(b); Education Code 29.011, .0111; 19 TAC 89.1055(h)–(j)

Transition and
Employment Guide

TEA is required to develop a transition and employment guide for students enrolled in special education programs and their parents

to provide information on statewide services and programs that assist in the transition to life outside the public school system. A school district shall:

1. Post the transition and employment guide on the district's website if the district maintains a website;
2. Provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at:
 - a. The first meeting of the student's ARD committee at which transition is discussed; and
 - b. The first committee meeting at which transition is discussed that occurs after the date on which the guide is updated; and
3. On request, provide a printed copy of the guide to a student or parent.

Education Code 29.0112(a), (e)

Graduation

Graduation with a regular high school diploma under 19 Administrative Code 89.1070(b)(1), (b)(3)(D), (f)(1), (f)(2), (f)(3) or (f)(4)(D) terminates a student's eligibility for special education services. For students who receive a diploma according to 19 Administrative Code 89.1070(b)(2), (b)(3)(A), (B), or (C) or (f)(4)(A), (B), or (C), the ARD committee must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age requirements. *19 TAC 89.1070(a), (j)* [See EHBAA]

Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.

A district is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for a FAPE under state law.

A district shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

[See EIF]

20 U.S.C. 1414(c)(5); 34 C.F.R. 300.102(a)(3), .305(e)(2)

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**Compensatory
Education Allotment**

Census Block

On a schedule determined by the commissioner of education and in accordance with Education Code 48.104, each district shall report to the agency the census block group in which each student enrolled in the district who is educationally disadvantaged resides.
Education Code 48.104(i)

Use

At least 55 percent of the district's compensatory education funds must be used to:

1. Fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Education Code Chapter 39, Subchapter B or disparity in the rates of high school completion between:
 - a. Students who are educationally disadvantaged and students who are not educationally disadvantaged; and
 - b. Students at risk of dropping out of school, as defined below, and all other students; or
2. Support a program eligible under Title I of the Elementary and Secondary Education Act of 1965 [see AID], and its subsequent amendments, and by federal regulations implementing that Act.

Education Code 48.104(k)

Dropout Prevention
Strategies

A district with a high dropout rate, as determined by the commissioner, shall submit a plan to the commissioner describing the manner in which the district intends to use its compensatory education allotment for developing and implementing research-based strategies for dropout prevention.

A district shall submit the plan not later than December 1 of each school year preceding the school year in which the district will receive the compensatory education allotment to which the plan applies.

A district may not spend or obligate more than 25 percent of the district's compensatory education allotment unless the commissioner approves the plan.

A district's plan shall:

1. Design a dropout recovery plan that includes career and technology education courses or technology applications courses that lead to industry or career certification;
2. Integrate into the dropout recovery plan research-based strategies to assist students in becoming able academically to pursue postsecondary education, including:

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- a. High-quality, college readiness instruction with strong academic and social supports;
 - b. Secondary to postsecondary bridging that builds college readiness skills, provides a plan for college completion, and ensures transition counseling; and
 - c. Information concerning appropriate supports available in the first year of postsecondary enrollment to ensure postsecondary persistence and success, to the extent funds are available for the purpose; and
3. Plan to offer advanced academic and transition opportunities, including dual credit courses and college preparatory courses, such as advanced placement courses.

A district may enter into a partnership with a public junior college in accordance with Education Code 29.402 [see GNC] in order to fulfill a plan.

Any program designed to fulfill a plan must comply with the requirements of Education Code 29.081(e) and (f).

Education Code 29.918

**Educationally
Disadvantaged
Students**

Student Eligibility

To be considered educationally disadvantaged in order to be counted to generate the compensatory education allotment pursuant to Education Code 48.104, a student must meet the income requirements for eligibility under the National School Lunch Program (NSLP), authorized by 42 U.S.C. 1751, et seq.

Districts may use the following approved methods for the purpose of receiving the compensatory education allotment pursuant to Education Code 48.104:

1. Parent certification, where the parent or guardian asserts meeting the income requirements for eligibility;
2. Direct certification, where the process by which eligible children are certified for free meals without the need for a household application based on household participation in one or more federal assistance programs; or
3. Direct verification, where public records are used to verify a student's eligibility for free or reduced-price meals when verification of student eligibility is required.

19 TAC 61.1027(a)

Virtual School
Network

Districts must request prior approval from the commissioner to claim students receiving a full-time virtual education through the

state virtual school network in their counts of educationally disadvantaged students. The request must include a plan detailing the enhanced services to be delivered to full-time state virtual school network students and submitted in a manner and with a deadline specified by the commissioner. *19 TAC 61.1027(b)(3)(B)*

Definition of At-Risk Student

“Student at risk of dropping out of school” includes each student who is under 26 years of age and who:

1. Was not advanced from one grade level to the next for one or more school years, unless the student did not advance from prekindergarten or kindergarten to the next grade level only as a result of the request of the student’s parent;
2. If the student is in grades 7–12, did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year, or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;
3. Did not perform satisfactorily on a state assessment instrument and who has not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument;
4. If the student is in prekindergarten, kindergarten, or grades 1–3, did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;
5. Is pregnant or is a parent;
6. Has been placed in a DAEP in accordance with Education Code 37.006 during the preceding or current school year;
7. Has been expelled in accordance with Education Code 37.007 during the preceding or current school year;
8. Is currently on parole, probation, deferred prosecution, or other conditional release;
9. Was previously reported through the Public Education Information Management System (PEIMS) to have dropped out of school;
10. Is a student of limited English proficiency, as defined by Section 29.052;

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11. Is in the custody or care of the Department of Family and Protective Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;
12. Is homeless [see FD];
13. Resided in the preceding school year or resides in the current school year in a residential placement facility in a district, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, cottage home operation, specialized child-care home, or general residential operation; or
14. Has been incarcerated, or has a parent or guardian who has been incarcerated, within the lifetime of the student, in a penal institution as defined by Penal Code 1.07.

Education Code 29.081(d)(1)

Regardless of the student's age, a student who participates in an adult education program provided under a high school diploma and industry certification charter school program is considered a "student at risk of dropping out of high school." *Education Code 29.081(d)(2)*

Local Eligibility
Criteria

In addition to students described above, a student who satisfies local eligibility criteria adopted by a board may receive compensatory education services. The number of students receiving services under local eligibility criteria during a school year may not exceed ten percent of the number of students described above who received services from the district during the preceding school year. *Education Code 29.081(g)*

**Compensatory,
Intensive, and
Accelerated
Instruction**

A district shall use student performance data from state basic skills assessment instruments and achievement tests to design and implement appropriate compensatory, intensive, or accelerated instructional services for students in the district's schools that enable the students to perform at grade level at the conclusion of the next regular school term. *Education Code 29.081(a)*

Accelerated
Instruction

A district shall provide accelerated instruction to an enrolled student who has taken an end-of-course assessment instrument and has not performed satisfactorily or who is at risk of dropping out of school.

A district shall offer before the next scheduled administration of the assessment instrument, without cost to the student, additional accelerated instruction to each student in any subject in which the

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student failed to perform satisfactorily on an end-of-course assessment instrument required for graduation.

A district that is required to provide accelerated instruction must separately budget sufficient funds for that purpose. [See CE]

A district shall evaluate the effectiveness of accelerated instruction programs and annually hold a public hearing to consider the results.

Education Code 29.081(b), (b-1), (b-2), (b-3), 39.025(b-1)

Each time a student fails to perform satisfactorily on an assessment instrument administered under Education Code 39.023(c), the district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area, using funds appropriated for accelerated instruction under Education Code 28.0211. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations.
Education Code 28.0217

Effectiveness

A district shall evaluate and document the effectiveness of the accelerated instruction in reducing any disparity in performance on state assessment instruments or disparity in the rates of high school completion between students at risk of dropping out of school and all other district students. *Education Code 29.081(c)*

**Dropout Recovery
Education Programs**

A district may use a private or public community-based dropout recovery education program to provide alternative education programs for students at risk of dropping out of school. The program may be offered at a campus or through the use of an online program that leads to a high school diploma and prepares the student to enter the workforce. A campus-based dropout recovery education program must meet the criteria set forth at Education Code 29.081(e-1)(1)–(5). An online dropout recovery education program must meet the criteria set forth at Education Code 29.081(e-2)(1)–(8).

Students in attendance at a dropout recovery education program shall be included in a district's average daily attendance for funding purposes.

Education Code 29.081(e)–(f)

Communities in
Schools

An elementary or secondary school receiving funding under Education Code 33.156 shall participate in the Communities in Schools (CIS) program if the number of students enrolled in the school who are at risk of dropping out of school is equal to at least ten percent

of the number of students in average daily attendance at the school, as determined by TEA. *Education Code 33.157*

**Optional Extended
Year Program**

A district may set aside an amount from the district's compensatory education allotment or may apply to the agency for funding of an extended year program. *Education Code 29.082(a); 19 TAC 105.1001*

**Optional Flexible
Year Program**

A district may provide an optional flexible year program (OFYP) for students who did not or are not likely to perform successfully on state assessment instruments or who would not otherwise be promoted to the next grade level. *Education Code 29.0821; 19 TAC 129.1029*

**Optional Flexible
School Day Program**

Notwithstanding Education Code 25.081 or 25.082, a district may apply to the commissioner to provide a flexible school day program (OFSDP) for students who:

1. Have dropped out of school or are at risk of dropping out of school as defined by Education Code 29.081;
2. Attend a campus that is implementing an innovative redesign of the campus or an early college high school under a plan approved by the commissioner; or
3. As a result of attendance requirements under Education Code 25.092, will be denied credit for one or more classes in which the students have been enrolled.

Education Code 29.0822

A district may apply to the commissioner to provide an OFSDP for students, in accordance with 19 Administrative Code 129.1027.

A board must approve the application. The board must include the OFSDP as an item on the regular agenda for a board meeting in compliance with 19 Administrative Code 129.1027(h)(2) before applying to operate an OFSDP. The application shall include the information described in 19 Administrative Code 129.1027.

19 TAC 129.1027(c)

Tutorial Services

A district may provide tutorial services at district schools. If a district provides tutorial services, it shall require a student whose grade in a subject for a reporting period is lower than the equivalent of 70 on a scale of 100 to attend tutorials. [See EC for provisions on loss of class time.]

A district may provide transportation services to accommodate students who are required to attend tutorials and who are eligible for regular transportation.

Education Code 29.084

**Basic Skills
Programs**

A district may apply to the commissioner for funding of basic skills programs for students in grade 9 who are at risk of not earning sufficient credit or who have not earned sufficient credit to advance to grade 10 and who fail to meet minimum skills levels established by the commissioner.

With the consent of a student's parent or guardian, a district may assign a student to the basic skills program.

A basic skills program may not exceed 210 instructional days and must meet the requirements set forth at Education Code 29.086.

Education Code 29.086(a)

**After-School and
Summer Intensive
Mathematics and
Science Programs**

A district may provide an intensive after-school program or an intensive program during the period that school is recessed for the summer to provide mathematics and science instruction to:

1. Students who are not performing at grade level in mathematics or science to assist those students in performing at grade level;
2. Students who are not performing successfully in a mathematics course or science course to assist those students in successfully completing the course; or
3. Other students as determined by the district.

Before providing a program, a board must adopt a policy for:

1. Determining student eligibility for participating in the program that:
 - a. Prescribes the grade level or course a student must be enrolled in to be eligible; and
 - b. Provides for considering teacher recommendations in determining eligibility;
2. Ensuring that parents of or persons standing in parental relation to eligible students are provided notice of the program;
3. Ensuring that eligible students are encouraged to attend the program;

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4. Ensuring that the program is offered at one or more locations in the district that are easily accessible to eligible students; and
5. Measuring student progress on completion of the program.

Education Code 29.088, .090; 19 TAC 102.1041

**Mentoring Services
Program**

A district may provide a mentoring services program to students at risk of dropping out of school. A board may arrange for any public or nonprofit community-based organization to come to the district's schools and implement the program.

A board shall obtain the consent of a student's parent or guardian before allowing the student to participate in the program.

Education Code 29.089

**Accelerated Reading
Instruction Program**

A district shall implement an accelerated reading instruction program that provides reading instruction that addresses reading deficiencies to each student in kindergarten, first grade, or second grade who is determined, on the basis of reading instrument results [see EKC], to be at risk for dyslexia or other reading difficulties. The district shall determine the form, content, and timing of the program.

A district shall provide additional reading instruction and intervention to each student given the seventh grade reading assessment [see EKC], as appropriate to improve the student's reading skills in the relevant areas identified through the assessment instrument.

Education Code 28.006(g), (g-1), (k)

**Intensive Program of
Instruction**

State Assessments

A district shall offer an intensive program of instruction to a student who does not perform satisfactorily on a state assessment instrument or is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade 9, as determined by the district.

The program shall be designed to:

1. Enable the student to:
 - a. To the extent practicable, perform at the student's grade level at the conclusion of the next regular school term; or
 - b. Attain a standard of annual growth specified by a district and reported by the district to TEA; and
2. If applicable, carry out the purposes of Education Code 28.0211. [See EIE]

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Students Receiving Special Education Services	For a student in a special education program who does not perform satisfactorily on an assessment instrument administered under Education Code 39.023(a), (b), or (c), the student's admission, review, and dismissal committee shall design the program to: 1. Enable the student to attain a standard of annual growth on the basis of the student's individualized education program (IEP); and 2. If applicable, carry out the purposes of Education Code 28.0211. [See EIE]
Graduation Requirements	A district shall use funds appropriated by the legislature for an intensive program of instruction to plan and implement intensive instruction and other activities aimed at helping a student satisfy state and local high school graduation requirements.
No Cause of Action	A district's determination of the appropriateness of an intensive program of instruction for a student is final and does not create a cause of action. <i>Education Code 28.0213</i>
College Preparatory Courses	Each district shall partner with at least one institution of higher education to develop and provide courses in college preparatory mathematics and English language arts. The courses must be designed: 1. For students at the 12th grade level whose performance on: a. An end-of-course assessment instrument required under Education Code 39.023(c) does not meet college readiness standards; or b. Coursework, a college entrance examination, or an assessment instrument designated under Education Code 51.334 [Texas Success Initiative (TSI) assessment] indicates that the student is not ready to perform entry-level college coursework; and 2. To prepare students for success in entry-level college courses. A course must be provided on the campus of the high school offering the course or through distance learning or as an online course provided through an institution of higher education with which the district partners.
Faculty	Appropriate faculty of each high school offering courses and appropriate faculty of each institution of higher education with which the district partners shall meet regularly as necessary to ensure that each course is aligned with college readiness expectations.

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Notice	Each district shall provide a notice to each eligible student and the student's parent or guardian regarding the benefits of enrolling in a course.
Credit Earned	A student who successfully completes an English language arts course may use the credit earned toward satisfying the advanced English language arts curriculum requirement for the foundation high school program under Education Code 28.025(b-1)(1). A student who successfully completes a mathematics course may use the credit earned in the course toward satisfying an advanced mathematics curriculum requirement under Education Code 28.025 after completion of the mathematics curriculum requirements for the foundation high school program under Education Code 28.025(b-1)(2).
Dual Credit	A course may be offered for dual credit at the discretion of the institution of higher education with which a district partners.
Instructional Materials	Each district, in consultation with each institution of higher education with which the district partners, shall develop or purchase instructional materials for a course consistent with Education Code Chapter 31. The instructional materials must include technology resources that enhance the effectiveness of the course and draw on established best practices. <i>Education Code 28.014</i>
End-of-Course Exam	A student enrolled in a college preparatory mathematics or English language arts course under Education Code 28.014 who satisfies the TSI college readiness benchmarks on an assessment instrument administered at the end of the course satisfies the requirements concerning and is exempt from the administration of the Algebra I or the English I and English II end-of-course assessment instruments, as applicable, as prescribed by Education Code 39.023(c) [see EKB], even if the student did not perform satisfactorily on a previous administration of the applicable end-of-course assessment instrument. A student who fails to perform satisfactorily on the assessment instrument may retake that assessment instrument or may take the appropriate end-of-course assessment instrument. <i>Education Code 39.025(a-1)</i>

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- High School Diploma** A student may graduate and receive a diploma only if the student:
1. Successfully completes the curriculum requirements identified by the State Board of Education (SBOE) [see State Graduation Requirements, below], has performed satisfactorily on applicable state assessments [see EKB], and complies with the financial aid application requirements in Education Code 28.0256 [see below]; or
 2. Successfully completes an individualized education program (IEP) developed under Education Code 29.005. [See EHBAB]
- Education Code 28.025(c)*

Note: Education Code 28.0256 applies beginning with students enrolled at the 12th grade level during the 2021–22 school year.

- FAFSA Required** Before graduating from high school, each student must complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA).
- A student is not required to comply with the above provision if:
1. The student's parent or other person standing in parental relation submits a signed form indicating that the parent or other person authorizes the student to decline to complete and submit the financial aid application;
 2. The student signs and submits the form described above on the student's own behalf if the student is 18 years of age or older or the student's disabilities of minority have been removed for general purposes under Family Code Chapter 31; or
 3. A school counselor authorizes the student to decline to complete and submit the financial aid application for good cause, as determined by the school counselor.

A district shall adopt a form to be used for purposes of this provision. The form must be approved by the Texas Education Agency (TEA) and made available in English, Spanish, and any other language spoken by a majority of the students enrolled in a bilingual education or special language program under Education Code Subchapter B, Chapter 29, in the district.

If a school counselor notifies a district whether a student has complied with this section for purposes of determining whether the student meets high school graduation requirements under Education Code 28.025, the school counselor may only indicate whether the

student has complied with this section and may not indicate the manner in which the student complied.

Education Code 28.0256

Note: Education Code 28.0258 and 19 Administrative Code 74.1025 related to individual graduation committees expire September 1, 2023.

Individual
Graduation
Committee

Without complying with the requirements above, a student may receive a diploma if the person is eligible for a diploma as determined by an individual graduation committee (IGC) established under Education Code 28.0258. *Education Code 28.025(c-6)*

A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258 or 19 Administrative Code 74.1025. A student's admission, review, and dismissal (ARD) committee determines whether a student is required to achieve satisfactory performance on an end-of-course (EOC) assessment to graduate. *19 TAC 74.1025(n)* [See EHBAB]

For each 11th or 12th grade student who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses, the district shall establish an IGC at the end of or after the student's 11th grade year to determine whether the student may qualify to graduate. A student may not qualify to graduate as a result of an IGC decision before the student's 12th grade year.

The IGC shall be composed of:

1. The principal or principal's designee;
2. For each EOC assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;
3. The department chair or lead teacher supervising the teacher(s) above; and
4. As applicable:
 - a. The student's parent or person standing in parental relation to the student;
 - b. A designated advocate if the parent is unable to serve; or
 - c. The student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

The superintendent shall establish procedures for convening the committee.

The district shall provide an appropriate translator, if available, for a parent, advocate, or student who is unable to speak English.

Education Code 28.0258(a)–(c), (c-2); 19 TAC 74.1025(b)

A district may not establish an initial IGC for eligible students after June 10 or before the start of the next school year. Once the IGC has been established, it is the original IGC for that student.

If a student leaves a district after an original IGC has been established and before that original IGC awards a high school diploma to the student, any other district that later enrolls the student shall request information from the student's original IGC of record and shall implement the original IGC recommendations to the extent possible.

*Alternate
Members*

In the event that the teacher identified in item 2 above is unavailable, the principal shall designate as an alternate member of the committee a teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is most familiar with the student's performance in that subject area.

In the event that the individual identified above in item 3 above is unavailable, the principal shall designate as an alternate member of the committee an experienced teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is familiar with the content of and instructional practices for the applicable course.

In the event that the student's parent or person standing in parental relation to the student is unavailable to participate in the IGC, the principal shall designate an advocate with knowledge of the student to serve as an alternate member of the committee.

19 TAC 74.1025(c), (e), (g)–(i)

Notice

A district shall ensure a good faith effort is made to timely notify the appropriate person described under item 4 above of the time and place for convening the IGC and the purpose of the committee. The notice must be provided in person or by regular mail or email; clear and easy to understand; and written in English, in Spanish, or, to the extent practicable, in the native language of the appropriate person. *Education Code 28.0258(d)*

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*Curriculum
Requirements*

To be eligible to graduate and receive a high school diploma from the IGC, a student must successfully complete the curriculum requirements required for high school graduation. [See State Graduation Requirements, below] *Education Code 28.0258(e)*

*Additional
Requirements to
Graduate*

A student's IGC shall recommend additional requirements by which the student may qualify to graduate, including additional remediation; and for each EOC assessment instrument on which the student failed to perform satisfactorily:

1. The completion of a project related to the subject area of the course that demonstrates proficiency in the subject area; or
2. The preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area.

A student may submit to the IGC coursework previously completed to satisfy a recommended additional requirement.

Education Code 28.0258(f), (g)

In determining whether a student is qualified to graduate, the committee shall consider the criteria at Education Code 28.0258(h) and any other academic information designated for consideration by the board. After considering the criteria, the committee may determine that the student is qualified to graduate. A student may graduate and receive a high school diploma on the basis of the committee's decision only if the student successfully completes all additional requirements recommended by the committee, the student meets applicable curriculum requirements, and the committee's vote is unanimous. The decision of a committee is final and may not be appealed. *Education Code 28.0258(i)*

*English
Language
Learners*

For provisions related to an IGC and English language learners (ELL), see EKB.

*Students Who
Entered Grade 9
Before the 2011–12
School Year*

In accordance with Education Code 28.02541, a district may award a high school diploma to an individual who:

1. Entered grade 9 before the 2011–12 school year;
2. Successfully completed the curriculum requirements for high school graduation applicable when the individual entered grade 9;
3. Has not performed satisfactorily on the exit-level assessment instrument or part of an assessment instrument required for high school graduation, including an alternative assessment instrument offered under Education Code 39.025(c-2);

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4. Has been administered at least three times the required subject-area test(s) for which the individual has not performed satisfactorily on the exit-level assessment instrument applicable to the individual when the individual entered grade 9; and
5. Meets the alternative requirements for graduation in accordance with 19 Administrative Code 74.1027(c) or the local alternative requirements approved by the board in accordance with 19 Administrative Code 74.1027(d).

19 TAC 74.1027(a); Education Code 28.02541

<i>District Determination</i>	The district in which the individual is enrolled or was last enrolled shall determine whether the individual may qualify to graduate and receive a high school diploma on the basis of the alternative requirements for graduation. <i>19 TAC 74.1027(b)</i>
<i>Alternative Requirements</i>	The alternative requirements for graduation are listed at 19 Administrative Code 74.1027(c).
<i>Local Alternative Requirements</i>	With approval by the board, a district may develop recommendations for local alternative requirements if the requirements would allow an individual to demonstrate proficiency in the content related to an examination for which the individual has not performed satisfactorily. <i>19 TAC 74.1027(d)</i>
<i>Appeals</i>	A decision regarding whether the individual qualifies to graduate and receive a high school diploma is final and may not be appealed. <i>19 TAC 74.1027(e); Education Code 28.02541</i>
<i>Documentation</i>	The district shall maintain documentation to support the decision to award or not award an individual a high school diploma. <i>19 TAC 74.1027(f)</i>
Special Education	A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation. <i>19 TAC 101.3023(a)</i> [See Graduation of Students Receiving Special Education Services, below, and EKB]
Posthumous Diploma	Beginning with students who would have graduated at the end of the 2019–20 school year, and on request of the student's parent, a district shall issue a high school diploma posthumously to each student who died while enrolled in the district at the end of the school year in which the student was expected to graduate under the regular schedule of school attendance. The high school diploma may

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not be issued before the graduation date of the class in which the student was enrolled at the time of death.

Exception

A district is not required to issue a posthumous diploma if the student was convicted of a felony offense under Title 5 or 6, Penal Code, or adjudicated as having engaged in conduct constituting a felony offense under Title 5 or 6, Penal Code.

Education Code 28.0254

Diplomas for
Veterans

Notwithstanding any other provision of this policy, a district may issue a high school diploma to a person who is an honorably discharged member of the armed forces of the United States; was scheduled to graduate from high school after 1940 and before 1975 or after 1989; and left school after completing the sixth or a higher grade, before graduating from high school, to serve in:

1. World War II, the Korean War, the Vietnam War, the Persian Gulf War, the Iraq War, or the war in Afghanistan; or
2. Any other war formally declared by the United States, military engagement authorized by the United States Congress, military engagement authorized by a United Nations Security Council resolution and funded by the United States Congress, or conflict authorized by the president of the United States under the War Powers Resolution of 1973, 50 U.S.C. 1541, et seq.

Education Code 28.0251

**Personal Graduation
Plan**

Junior High or
Middle School PGP

A principal of a junior high or middle school shall designate a school counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan (PGP) for each student enrolled in the junior high or middle school who:

1. Does not perform satisfactorily on a state assessment instrument; or
2. Is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level 9, as determined by a district.

A PGP must:

1. Identify educational goals for the student;
2. Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
3. Include an intensive instruction program described in Education Code 28.0213 [see EHBC];

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4. Address participation of the student's parent or guardian, including consideration of the parent's or guardian's educational expectations for the student; and
5. Provide innovative methods to promote the student's advancement, including flexible scheduling, alternative learning environments, online instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability.

Education Code 28.0212

*Students
Receiving
Special
Education
Services*

For a student receiving special education services, the student's ARD committee and the district are responsible for developing the student's PGP.

A student's IEP developed under Education Code 29.005 may be used as the student's PGP.

Education Code 28.0212(c); 19 TAC 89.1050(a) [See EHBAB]

High School PGP

A principal of a high school shall designate a school counselor or school administrator to review PGP options with each student entering grade 9 together with that student's parent or guardian. The PGP options reviewed must include the distinguished level of achievement and endorsements.

Before the conclusion of the school year, the student and the student's parent or guardian must confirm and sign a PGP for the student that identifies a course of study that:

1. Promotes college and workforce readiness and career placement and advancement; and
2. Facilitates the student's transition from secondary to postsecondary education.

A district may not prevent a student and the student's parent or guardian from confirming a PGP that includes pursuit of a distinguished level of achievement or an endorsement.

A student may amend the student's PGP after the initial confirmation of the plan. If a student amends the student's PGP, the school must send written notice to the student's parents regarding the change.

TEA must make available to a district information that explains the advantages of the distinguished level of achievement described by Education Code 28.025(b-15) and each endorsement described by

Education Code 28.025(c-1). A district, in turn, shall publish the information from TEA on the internet website of the district and ensure that the information is available to students in grades nine and above and the parents or legal guardians of those students in the language in which the parents or legal guardians are most proficient.

A district is required to provide this information in the language in which the parents or legal guardians are most proficient only if at least 20 students in a grade level primarily speak that language.

Education Code 28.02121

Early Graduation

A parent is entitled to request, with the expectation that the request will not be unreasonably denied, that the parent's child be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation. The decision of a board concerning the request is final and may not be appealed. *Education Code 26.003(a)(3)(C), (b)* [See FMH, FNG]

State Graduation Requirements

Note: For current state graduation requirements, including those for students who entered grade 9 before the 2007–08 school year but that are not otherwise referenced in this policy, see Education Code 28.025 and 19 Administrative Code Chapter 74.

Students Entering Grade 9

To receive a high school diploma, a student entering grade 9 in the 2014–15 school year and thereafter must complete:

1. Requirements of the foundation high school program under 19 Administrative Code 74.12 [see Foundation High School Program, below];
2. Testing requirements for graduation under 19 Administrative Code Chapter 101 [see EKB]; and
3. Demonstrated proficiency, as determined by the district, in delivering clear verbal messages; choosing effective nonverbal behaviors; listening for desired results; applying valid critical-thinking and problem-solving processes; and identifying, analyzing, developing, and evaluating communication skills needed for professional and social success in interpersonal situations, group interactions, and personal and professional presentations.

A student shall enroll in the courses necessary to complete the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement.

Education Code 28.025(c); 19 TAC 74.11(a), (c)

*Foundation High
School Program*

A student must earn at least 22 credits to complete the foundation high school program and must demonstrate proficiency in the following core courses:

1. English language arts—4 credits;
2. Mathematics—3 credits;
3. Science—3 credits;
4. Social Studies—3 credits;
5. Languages other than English—2 credits;
6. Physical Education—1 credit;
7. Fine Arts—1 credit; and
8. Elective courses—5 credits.

19 TAC 74.12

Endorsements

A student shall specify in writing an endorsement the student intends to earn upon entering grade 9. *19 TAC 74.13(a)*

A student may earn any of the following endorsements:

1. Science, technology, engineering, and mathematics (STEM);
2. Business and industry;
3. Public services;
4. Arts and humanities; and
5. Multidisciplinary studies.

A district must make at least one endorsement available to students. A district that offers only one endorsement curriculum must offer multidisciplinary studies.

To earn an endorsement a student must demonstrate proficiency in the curriculum requirements for the foundation high school program and, in accordance with 19 Administrative Code 74.13(e), earn:

1. A fourth credit in mathematics;
2. An additional credit in science; and

3. Two additional elective credits.

A course completed as part of the four courses needed to satisfy an endorsement requirement may also satisfy a requirement under the foundation high school program, including an elective requirement. The same course may count as part of the set of four courses for more than one endorsement.

A district shall permit a student to enroll in courses under more than one endorsement before the student's junior year and to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated.

A student must earn at least 26 credits to earn an endorsement, but a student is not entitled to remain enrolled to earn more than 26 credits.

A district may define advanced courses and determine a coherent sequence of courses for an endorsement area, provided that prerequisites in 19 Administrative Code Chapters 110–118, 126, 127, and 130 are followed.

Education Code 28.025; 19 TAC 74.13

Exception

A student may graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year:

1. The student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and
2. The student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by TEA, allowing the student to graduate under the foundation high school program without earning an endorsement.

19 TAC 74.11(d)

*Distinguished
Level of
Achievement*

A student may earn a distinguished level of achievement by successfully completing the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement, including four credits in science and four credits in mathematics, including Algebra II. *19 TAC 74.11(e)*

*Algebra II
Notification*

Not later than September 1 of each school year, a district shall notify by regular mail or email the parent of or other person standing in parental relation to each student enrolled in grade 9 or above that the student is not required to complete an Algebra II course to

graduate under the foundation high school program. The notification must include information regarding the potential consequences to a student of not completing an Algebra II course, including the impact on eligibility for:

1. Automatic college admission under Education Code 51.803; and
2. Certain financial aid authorized under Title 3 of the Education Code.

Education Code 28.02123

Prerequisites

A student may not be enrolled in a course that has a required prerequisite unless:

1. The student has completed the prerequisite course(s);
2. The student has demonstrated equivalent knowledge as determined by the district; or
3. The student was already enrolled in the course in an out-of-state, an out-of-country, or a Texas nonpublic school and transferred to a Texas public school prior to successfully completing the course.

A district may award credit for a course a student completed without having met the prerequisites if the student completed the course in an out-of-state, an out-of-country, or a Texas nonpublic school where there was not a prerequisite.

19 TAC 74.11(i)–(j)

*Dual Credit
Courses*

Courses offered for dual credit at or in conjunction with an institution of higher education (IHE) that provide advanced academic instruction beyond, or in greater depth than, the essential knowledge and skills for the equivalent high school course required for graduation may satisfy graduation requirements, including requirements for required courses, advanced courses, and courses for elective credit as well as requirements for endorsements. *19 TAC 74.11(h)*

*Core Curriculum
College Courses*

A district shall permit a student to comply with the curriculum requirements under the foundation high school program by successfully completing appropriate courses in the core curriculum of an IHE. A student who has completed the core curriculum of an IHE in accordance with Education Code 61.822, as certified by the IHE in accordance with Education Code 4.28:

1. Is considered to have earned an endorsement by successfully completing the appropriate courses for that endorsement;

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2. Is considered to have earned a distinguished level of achievement under the foundation high school program; and
3. Is entitled to receive a high school diploma.

19 TAC 74.11(n)

*Languages Other
Than English*

Students may earn credit for languages other than English in accordance with 19 Administrative Code 74.12(b)(5).

A student who successfully completes a dual language immersion program may satisfy one credit of the two credits required in a language other than English in accordance with 19 Administrative Code 74.12(b)(5)(F).

19 TAC 74.12(b)(5)

A student who successfully completes a course in American Sign Language while in elementary school may satisfy one credit of the two credits required in a language other than English. *19 TAC 74.12(b)(5)(G)*

*Physical
Education
Substitutions*

*Other Physical
Activity*

In accordance with local district policy, the required physical education credit may be earned through completion of any TEKS-based course that is not being used to satisfy another specific graduation requirement. [See Restrictions, below]

In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

1. Athletics;
2. JROTC; and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner of education for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
 - a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.

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- b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the physical education courses listed in 19 Administrative Code Chapter 74 [see EHAC] may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions

All substitution activities permitted by local district policy must include at least 100 minutes of moderate to vigorous physical activity per five-day school week.

No more than four substitution credits may be earned through any combination of substitutions listed above.

Student with
Disability or
Illness

A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, social studies or a course that is offered for credit as provided by Education Code 28.002(g-1) for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:

1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A;
2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or
3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must

follow the same procedures required of an ARD or a Section 504 committee.

Education Code 28.025(b-10)–(b-11); 19 TAC 74.12(b)(6)

*Community-
Based Fine Arts
Programs*

In accordance with local district policy, the required fine arts credit may be earned through participation in a community-based fine arts program not provided by the school district in which the student is enrolled.

In accordance with local policy, credit may be earned through participation in the community-based fine arts program only if the program meets each of the following requirements:

1. The district must apply to the commissioner for approval of the community-based fine arts program;
2. The board must certify that the program provides instruction in the essential knowledge and skills for fine arts as defined by 19 Administrative Code, Chapter 117, Subchapter C;
3. The district must document student completion of the approved activity;
4. The program must be organized and monitored by appropriately trained instructors;
5. The fine arts program may be provided on or off a school campus and outside the regular school day; and
6. Students may not be dismissed from any part of the regular school day to participate in the community-based fine arts program.

The district shall require that instructors of the community-based fine arts program provide the district, at its request, the information necessary to obtain the criminal history record information required for school personnel in accordance with 19 Administrative Code, Chapter 153, Subchapter DD, if the community-based program is offered on campus.

Education Code 28.025(b-9); 19 TAC 74.12(b)(7)(B), .1030

*Performance
Acknowledgments*

In accordance with the requirements of 19 Administrative Code 74.14, a student may earn a performance acknowledgment on the student's transcript for:

1. Outstanding performance:
 - a. In a dual credit course;
 - b. In bilingualism and biliteracy;

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- c. On a College Board advanced placement test or international baccalaureate examination;
 - d. On an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or
 - e. On an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or
2. Earning a state-recognized or nationally or internationally recognized business or industry certification or license.

Education Code 28.025(c-5); 19 TAC 74.14

Students Who
Entered Grade 9
Before the 2014–15
School Year

*Minimum High
School Program*

All credit for graduation must be earned no later than grade 12. *19 TAC 74.61(b), .71(b)*

A student entering grade 9 prior to the 2014–15 school year who does not choose to complete the curriculum requirements for high school graduation under the foundation high school program must enroll in the courses necessary to complete the curriculum requirements for the Recommended High School Program or the Advanced/Distinguished Achievement High School Program, unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the Minimum High School Program, and the student:

1. Is at least 16 years of age;
2. Has completed two credits required for graduation in each subject of the foundation curriculum under Education Code 28.002(a)(1); or
3. Has failed to be promoted to the tenth grade one or more times as determined by the school district.

Students with
Disabilities

If an ARD committee makes decisions that place a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum High School Program.

Applicability

A student who was permitted to take courses under the Minimum High School Program prior to the 2009–10 school year may remain in the Minimum High School Program.

19 TAC 74.61(c), (d), .71(c), (d)

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Requirements	A student must earn at least 22 credits to complete the Minimum High School Program. A student who entered grade 9 in the 2012–13 or 2013–14 school year must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.72. A student who enters grade 9 before the 2012–13 school year must meet the applicable program requirements in 19 Administrative Code Chapter 74, Subchapters D–F. <i>Education Code 28.025; 19 TAC 74.62, .72</i>
<i>Recommended High School Program</i>	A student who entered grade 9 in the 2012–13 or 2013–14 school year must earn at least 26 credits to complete the Recommended High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.73. <i>Education Code 28.025; 19 TAC 74.63, .73</i>
<i>Advanced / Distinguished Achievement High School Program</i>	A student who entered grade 9 in the 2012–13 or 2013–14 school year must earn at least 26 credits to complete the Advanced/Distinguished Achievement High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.74. <i>Education Code 28.025; 19 TAC 74.64, .74</i>
<i>Substitutions</i>	No substitutions are allowed for high school graduation requirements in the Recommended and Advanced/Distinguished Achievement High School Programs, except as provided by State Board rule. <i>19 TAC 74.63(d), .64(e), .73(d), .74(e)</i>
<i>AP or IB Courses</i>	College Board advanced placement and international baccalaureate courses may be substituted for required courses in appropriate areas. These courses may be used as electives in all three high school graduation programs. <i>19 TAC 74.61(k), .71(i)</i>
<i>Reading</i>	A district may offer a maximum of 3 credits of reading for state graduation elective credit for identified students if the district: 1. Adopts policies to identify students in need of additional reading instruction; 2. Has procedures that include assessment of individual student needs and ongoing evaluation of each student's progress; and 3. Monitors instructional activities to ensure that student needs are addressed. Reading credits may be selected from Reading I, II, or III. <i>19 TAC 74.61(h), .71(f)</i>

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College Courses A student may comply with the curriculum requirements under the Minimum, Recommended, or Advanced/Distinguished Achievement High School Program for each subject of the foundation curriculum and for languages other than English by successfully completing appropriate courses in the core curriculum of an IHE. 19 TAC 74.61(l), .71(j)

Physical Education Substitutions In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

Other Physical Activity

1. Athletics;
2. JROTC; and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
 - a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
 - b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the physical education courses listed in 19 Administrative Code Chapter 74 [see EHAC] may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

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Restrictions	All substitution activities must include at least 100 minutes per five-day school week of moderate to vigorous physical activity. No more than four substitution credits may be earned through any combination of substitutions listed above.
<i>Student with Disability or Illness</i>	A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, or social studies for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by: 1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A; 2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or 3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.
<i>Student with Physical Limitations</i>	If a student entering grade 9 during the 2007–08 school year or thereafter is unable to comply with all of the requirements for a physical education course due to a physical limitation certified by a licensed medical practitioner, a modification to a physical education course does not prohibit the student from earning a Recommended or Advanced/Distinguished High School Program diploma. A student with a physical limitation must still demonstrate proficiency in the relevant knowledge and skills in a physical education course that do not require physical activity. <i>Education Code 28.025(b-10)–(b-11); 19 TAC 74.62(b)(7), .63(b)(7), .64(b)(7), .72(b)(6), .73(b)(6), .74(b)(6)</i>
Transfers from Out-of-State or Nonpublic Schools	Out-of-state or out-of-country transfer students (including foreign exchange students) and transfer students from Texas nonpublic schools are eligible to receive Texas diplomas but shall complete all applicable high school graduation requirements. Any course credits required for graduation that are not completed before enroll-

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	ment may be satisfied through credit by examination, correspondence courses, distance learning, or completing the course, according to the provisions of 19 Administrative Code 74.26. <i>19 TAC 74.11(f)</i> [See EHDB, EHDC, EHDE, and EI]
Graduation of Students Receiving Special Education Services	Modified curriculum and modified content refer to any reduction of the amount or complexity of the required knowledge and skills in 19 Administrative Code Chapters 110–117, 126–128, and 130. Substitutions that are specifically authorized in statute or rule must not be considered modified curriculum or modified content. <i>19 TAC 89.1070(k)</i>
Modified Curriculum and Content	
Employability and Self-Help Skills	Employability and self-help skills are those skills directly related to the preparation of students for employment, including general skills necessary to obtain or retain employment. <i>19 TAC 89.1070(i)</i>
Summary of Academic Achievement and Evaluation	All students graduating must be provided with a summary of academic achievement and functional performance as described in 34 C.F.R. 300.305(e)(3). This summary must consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. An evaluation as required by 34 C.F.R. 300.305(e)(1) (evaluation to determine that the child is no longer a child with a disability), must be included as part of the summary for a student graduating under 19 Administrative Code 89.1070 (b)(3)(A), (B), or (C) or (f)(4)(A), (B), or (C). Students who participate in graduation ceremonies but who are not graduating under subsections (b)(3)(A), (B), or (C) or (f)(4)(A), (B), or (C) and who will remain in school to complete their education do not have to be evaluated. <i>19 TAC 89.1070(g)–(h)</i>
<i>Students Entering Grade 9 in or After the 2014–15 School Year</i>	A student entering grade 9 in the 2014–15 school year and thereafter who receives special education services may graduate and be awarded a regular high school diploma if the student meets one of the following conditions: 1. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110–117, 126–128, and 130 and satisfactorily completed credit requirements for graduation under the foundation high school program applicable to students in general education as well as satisfactory performance as established in Education Code Chapter 39, on the required EOC assessment instruments. 2. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110–117, 126–128, and 130 and satisfactorily

completed credit requirements for graduation under the foundation high school program specified in 19 Administrative Code 74.12 applicable to students in general education but the student's ARD committee has determined that satisfactory performance on the required EOC assessment instruments is not necessary for graduation.

3. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110–117, 126–128, and 130 and satisfactorily completed credit requirements for graduation under the foundation high school program through courses, one or more of which contain modified curriculum that is aligned to the standards applicable to students in general education, as well as satisfactory performance as established in Education Code Chapter 39, on the required EOC assessment instruments, unless the student's ARD committee has determined that satisfactory performance on the required EOC assessment instruments is not necessary for graduation. The student must also successfully complete the student's IEP and meet one of the following conditions:
 - a. Consistent with the IEP, the student has obtained full-time employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district.
 - b. Consistent with the IEP, the student has demonstrated mastery of specific employability skills and self-help skills that do not require direct ongoing educational support of the local school district.
 - c. The student has access to services that are not within the legal responsibility of public education or employment or educational options for which the student has been prepared by the academic program.
 - d. The student no longer meets age eligibility requirements.

When a student receives a diploma under item 2 or 3(a), (b), or (c), above, the ARD committee must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.

19 TAC 89.1070(b), (j)

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Endorsements

A student who is enrolled in a special education program may earn an endorsement on the student's transcript by:

1. Successfully completing, with or without modification of the curriculum:
 - a. The curriculum requirements identified by the SBOE for the foundation high school program; and
 - b. The additional endorsement curriculum requirements prescribed by the SBOE; and
2. Successfully completing all curriculum requirements for that endorsement adopted by the SBOE:
 - a. Without modification of the curriculum; or
 - b. With modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's ARD committee.

The ARD committee of a student in a special education program shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn an endorsement on the student's transcript.

Education Code 28.025(c-7)–(c-8), 19 TAC 89.1070(c)

*Students
Entering Grade 9
Before the 2014–
15 School Year*

A student receiving special education services who entered grade 9 before the 2014–15 school year may graduate and be awarded a high school diploma under the foundation high school program in accordance with 19 Administrative Code 89.1070.

**Graduation of
Military Dependents**

Course Waiver

District officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed by a military student in another district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the district shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

Transfers During
Senior Year

Should a military student transferring at the beginning or during the student's senior year be ineligible to graduate from the district after all alternatives have been considered, the sending and receiving districts shall ensure the receipt of a diploma from the sending district, if the student meets the graduation requirements of the sending district. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

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Substitute Passing
Standard

The commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for completing a specific course otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the tenth grade level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.

Education Code 162.002 art. VII, A, C [See FDD]

**Graduation of
Student Who Is
Homeless or in
Conservatorship of
DFPS**

If an 11th or 12th grade student who is homeless or in the conservatorship of the Department of Family and Protective Services transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers, the district from which the student transferred shall award a diploma at the student's request, if the student meets the graduation requirements of the district from which the student transferred. *Education Code 28.025(i)*

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**State Assessment of
Academic Skills**

Every student receiving instruction in the essential knowledge and skills shall take the appropriate criterion-referenced assessments, as required by Education Code Chapter 39, Subchapter B [see Testing in Grades 3–8, below]. *Education Code 39.023(a), (c), (f); 19 TAC 101.5*

A student may not receive a high school diploma until the student has performed satisfactorily on end-of-course (EOC) assessment instruments [see End-of-Course Assessments, below]. *Education Code 39.025(a); 19 TAC 101.4001*

Limited English
Proficient Students

In grades 3–12, a limited English proficient (LEP) student, as defined by Education Code Chapter 29, Subchapter B, shall participate in the state assessment in accordance with commissioner rules at 19 Administrative Code Chapter 101, Subchapter AA. *Education Code 39.023(l), (m)* [See EKBA]

Special Education

The Texas Education Agency (TEA) shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program for whom a state assessment instrument adopted under Education Code 39.023(a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal (ARD) committee, including assessment instruments approved by the commissioner of education that measure growth. The assessment instruments developed or adopted, including the assessment instruments approved by the commissioner, must, to the extent allowed under federal law, provide a district with options for the assessment of students.

TEA may not adopt a performance standard that indicates that a student's performance on the alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student's developmental level as determined by the student's ARD committee.

The student's ARD committee shall determine whether any allowable modification is necessary in administering to the student a required EOC assessment instrument under Education Code 39.023(c), and whether the student is required to achieve satisfactory performance on an EOC assessment instrument to receive a high school diploma.

Education Code 39.023(b)–(c), .025(a-4)

Military Dependents

If the student is a military dependent, the district shall incorporate procedures to accept:

1. Exit or EOC exams required for graduation from the sending state;
2. National norm-referenced achievement tests; or
3. Alternative testing, in lieu of testing requirements for graduation in the receiving state.

In the event the above alternatives cannot be accommodated by the receiving state for a military dependent transferring in his or her senior year, then Education Code 162.002 article VII, section C, shall apply.

*Substitute
Passing Standard*

The commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for achieving a score on an assessment instrument otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the grade 10 level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.

Education Code 162.002 art. VII [See EIF]

Administration

A district shall follow the test administration procedures established by TEA in the applicable test administration materials. A superintendent shall be responsible for administering tests. *19 TAC 101.25, .27*

Schedule

The commissioner shall specify the schedule for testing that is in compliance with Education Code 39.023(c-3) and supports reliable and valid assessments. Participation in University Interscholastic League (UIL) area, regional, or state competitions is prohibited on any days on which testing is scheduled between Monday and Thursday of the school week in which the primary administration of assessment instruments occurs.

The commissioner may provide alternate dates for the administration of tests required for a high school diploma to students who are migratory children and who are out of the state.

19 TAC 101.25

*Alternate Test
Dates*

The commissioner shall consider requests from districts or campuses for alternate test dates on a case-by-case basis. Alternate

test dates will only be allowed if the campus or district is closed on the day on which testing is scheduled or if there is an exceptional circumstance, defined below, that may affect a district's or campus's ability to administer an assessment or the students' performance on the assessment.

"Exceptional circumstances" include:

1. Inclement weather or natural disasters that would cause a district or campus to be closed or that would cause a small percentage of students to be in attendance on the day testing is scheduled;
2. Health epidemics that result in a large number of students being absent on the day of testing;
3. Death of a student or school official that may impact student performance; and
4. Sudden emergencies that occur on the day of testing or shortly before testing that may inhibit students from completing the assessments, such as a fire on campus, a bomb threat, an extended power outage, or a water main break.

If an alternate test date for primary test administration is approved, the commissioner may prohibit a district or campus from participating in UIL competition on the new test date if that is determined to be in the best interest of the district, campus, and students.

19 TAC 101.5003

**Notice to Parents
and Students**

A superintendent shall be responsible for providing written notice to each student and the student's parent or guardian of:

1. The testing requirements for grade advancement [see EIE] and the dates, times, and locations of testing. Notice of testing requirements shall be provided no later than the beginning of the student's kindergarten year, for students attending kindergarten in the district, and no later than the beginning of the student's first-grade year for all other students. The superintendent shall also provide such notice for students in grades 1–8 who are new to the district.
2. The testing requirements for graduation and the dates, times, and locations of testing. Notice of testing requirements shall be provided no later than the beginning of the student's seventh-grade year. The superintendent shall also provide such notice for students in grades 7–12 who are new to the district. Notice of the dates, times, and locations of testing shall be

provided to each student who will take the tests and to out-of-school individuals.

19 TAC 101.3012

**Testing in
Grades 3–8**

Except as provided below, all students, other than students who are assessed under Education Code 39.023(b) (alternative assessment instrument) or 39.023(l) (LEP students) or exempted under Education Code 39.027, shall be assessed in:

1. Mathematics, annually in grades 3–8;
2. Reading, annually in grades 3–8;
3. Social studies in grade 8;
4. Science in grades 5 and 8; and
5. Any other subject and grade required by federal law.

Education Code 39.023(a)

Exception

For purposes of federal accountability, a student shall not be administered a grade-level assessment if the student:

1. Is enrolled in a course or subject intended for students above the student's enrolled grade level and will be administered a grade-level assessment instrument developed under the list above that aligns with the curriculum for that course or subject within the same content area; or
2. Is enrolled in a course for high school credit in a subject intended for students above the student's enrolled grade level and will be administered an EOC assessment instrument that aligns with the curriculum for that course or subject within the same content area.

For purposes of federal accountability, a grade 3–8 student who is accelerated in mathematics, reading/language arts, or science and on schedule to complete the high school end-of-course assessments in that same content area prior to high school shall be assessed at least once in high school with the ACT or the SAT.

A student is only eligible to take an assessment instrument intended for use above the student's enrolled grade if the student is on schedule to complete instruction in the entire curriculum for that subject during the semester the assessment is administered.

A student in grade 5 or 8 described above may not be denied promotion on the basis of failure to perform satisfactorily on an assessment instrument above the student's grade level.

Education Code 28.0211(o)–(p), 39.023(a-2); 19 TAC 101.3011(a)(1)–(4)

Kindergarten
Assessment

An assessment instrument under Education Code 39.023 may not be administered to a kindergarten student except for the purpose of determining whether the student is entitled to the benefit of the Foundation School Program [see FD]. *Education Code 39.023(a-16)*

Prekindergarten
Assessment

Performance on an assessment instrument administered to students in prekindergarten may not be considered for any purpose related to Education Code Chapters 39 and 39A. *Education Code 39.0237*

Accommodations

Testing accommodations are permitted for any student unless they would make a particular test invalid. Decisions regarding testing accommodations shall take into consideration the needs of the student and the accommodations the student routinely receives in classroom instruction. Permissible testing accommodations shall be described in the appropriate test administration materials.

The committee established by a board to determine the placement of students with dyslexia or related disorders shall determine whether any allowable modification is necessary in administering an assessment to such a student.

A student's ARD committee shall determine the allowable accommodations and shall document them in the student's individualized education program (IEP). [See Special Education, above]

19 TAC 101.3013; Education Code 39.023(a)–(c), (n); 34 C.F.R. 300.320(a)(6)

**End-of-Course
Assessments**

Beginning with students first enrolled in grade 9 in the 2011–12 school year, a student enrolled in a course for which an EOC assessment exists as required by Education 39.023(c) shall take the appropriate assessment. *19 TAC 101.3021(a)*

TEA shall adopt EOC assessment instruments for secondary-level courses in Algebra I, biology, English I, English II, and United States history. The Algebra I EOC assessment instrument must be administered with the aid of technology, but may include one or more parts that prohibit the use of technology. The English I and English II EOC assessment instruments must each assess essential knowledge and skills in both reading and writing and must pro-

vide a single score. A district shall comply with State Board of Education rules regarding administration of the assessment instruments listed in this provision.

If a student is in a special education program, the student's ARD committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this provision.

Education Code 39.023(c)

Students Enrolled
Below High School
Level

Beginning in the 2011–12 school year, a student in grade 8 or lower who takes a high school course for credit is required to take the applicable EOC assessment. The EOC assessment result shall be applied toward the student's assessment graduation requirements, as specified in 19 Administrative Code 101.3022. *19 TAC 101.3021(d)*

Assessment
Requirements for
Graduation

A student must meet satisfactory performance on an EOC assessment listed in Education Code 39.023(c) only for a course in which the student is enrolled and for which an EOC assessment instrument is administered in order to be eligible to receive a Texas diploma.

Exceptions

English I or
English II

A student who was administered separate reading and writing EOC assessments under Education Code 39.023(c), for the English I or English II course has met that course's assessment graduation requirement if the student has:

1. Achieved satisfactory performance on either the reading or writing EOC assessment for that course;
2. Met at least the minimum score on the other EOC assessment for that course; and
3. Achieved an overall scale score of 3750 or greater when the scale scores for reading and writing are combined for that course.

Exceptions related to English I also apply to English language learners who meet the criteria in 19 Administrative Code 101.1007. [See EKBA]

Credits Earned
Prior to
Enrollment

If a student earned high school credit for a course with an EOC assessment prior to enrollment in a Texas public school district and the credit has been accepted by a Texas public school district, or a student completed a course for Texas high school credit in a

course with an EOC assessment prior to the 2011–12 spring administration, the student is not required to take the corresponding EOC assessment.

19 TAC 101.3021(e), .3022

Substitute
Assessments

The commissioner adopts certain assessments as substitute assessments that a student may use in place of a corresponding EOC assessment to meet the student's assessment graduation requirements. A satisfactory score on an approved assessment may be used in place of only one specific EOC assessment, except as provided by 19 Administrative Code 101.4002(d)(1) (student who qualifies for use of the Texas Success Initiative (TSI) as a substitute assessment and is enrolled in certain college preparatory courses).

A student at any grade level is eligible to use a substitute assessment as provided in the commissioner's chart at 19 Administrative Code 101.4002(b) if the student:

1. Was administered an approved substitute assessment for an equivalent course in which the student was enrolled;
2. Received a satisfactory score on the substitute assessment as determined by the commissioner and provided in the chart at 19 Administrative Code 101.4002(b); and
3. Using a TSI assessment also meets the additional criteria of 19 Administrative Code 101.4002(d).

*TSI Additional
Criteria*

A student must meet the criteria established in 19 Administrative Code 101.4002(d) in order to qualify to use TSI as a substitute assessment.

Accountability
Testing

A student electing to substitute an assessment for graduation purposes must still take the corresponding EOC assessment required under Education Code 39.023(c) at least once for accountability purposes. If a student sits for an EOC assessment, a district may not void or invalidate the test in lieu of a substitute assessment.

A student who fails to perform satisfactorily on a PSAT, PLAN, or Aspire test (or any versions of these tests) as indicated in the chart in 19 Administrative Code 101.4003(b) must take the appropriate EOC assessment required under Education Code 39.023(c). However, a student who does not receive a passing score on the EOC assessment and retakes a PSAT, PLAN, or Aspire test (or any versions of these tests) is eligible to meet the requirements specified in 19 Administrative Code 101.4002(c).

19 TAC 101.4002

*Verification of
Results*

An eligible student is responsible for providing a district an official copy of the student's scores from the substitute assessment.

Upon receipt of official results of an approved substitute assessment, a district must:

1. Verify the student's score on the substitute assessment; and
2. Determine whether the student met the performance standard required to qualify for a public high school diploma in Texas as established by the commissioner.

19 TAC 101.4005

Satisfactory
Performance

A student is required to achieve a scale score that indicates satisfactory performance, as determined by the commissioner on each EOC assessment instrument administered to the student. *Education Code 39.025(a)*

Individual
Graduation
Committee

A student in grade 11 or 12 who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses may qualify to graduate on the basis of a review by an individual graduation committee (IGC). [See EIF] *Education Code 28.0258, 39.025(a-5)*

Special Education

A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258. As provided in 19 Administrative Code 89.1070 (Graduation Requirements) and 19 Administrative Code 101.3023 (Participation and Graduation Assessment Requirements for Students Receiving Special Education Services), a student's ARD committee determines whether a student is required to achieve satisfactory performance on an EOC assessment to graduate.

A student dismissed from a special education program who achieved satisfactory performance on an alternate EOC assessment while enrolled in a special education program is not required to take and achieve satisfactory performance on the general EOC assessment to graduate. A student who took an EOC assessment while enrolled in a special education program is not required to re-take and achieve satisfactory performance on the EOC assessment if the student's ARD committee determined that the student was not required to achieve satisfactory performance on the EOC assessment to graduate. A student dismissed from a special education program must achieve satisfactory performance on any remaining EOC assessments that the student is required to take. If the student fails to achieve satisfactory performance on no more than two of the remaining EOC assessments, the student is eligible for IGC review under Education Code 28.0258 and is subject to the

IGC provisions above. [See Individual Graduation Committee, above]

19 TAC 101.3022(f)

A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a Texas high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation.

Beginning with the 2011–12 school year, all grades 9–12 students with significant cognitive disabilities who are assessed with an alternate assessment as specified in the student's IEP will be assessed using alternate versions of EOC assessments as listed in 19 Administrative Code 101.3011(b)(2).

19 TAC 101.3023(a), (b)

Credit by
Examination

An EOC assessment administered under Education Code 39.023(c) cannot be used for purposes of credit by examination under 19 Administrative Code 74.24. [See EHDB, EHDC] *19 TAC 101.3021(c)*

Additional State
Assessments

TEA may adopt EOC assessment instruments for courses not listed in statute, as described above. A student's performance on these EOC assessment instruments is not subject to the performance requirements established for the statutory assessments. *Education Code 39.023(c-2)*

Retakes

Each time an EOC assessment instrument is administered, a student who failed to achieve a score requirement may retake the assessment instrument. [See Satisfactory Performance, above]

A student is not required to retake a course as a condition of retaking an EOC assessment instrument.

If a student failed a course but achieved satisfactory performance on the applicable EOC assessment, that student is not required to retake the assessment if the student is required to retake the course.

Education Code 39.025(b); 19 TAC 101.3021(f), .3022(d)

Reporting Results
To the Public

Overall student performance data, aggregated by ethnicity, sex, grade level, subject area, campus, and district, shall be made available to the public, with appropriate interpretations, at regularly scheduled meetings of a board, after receipt from TEA. The information shall not contain the names of individual students or teachers. *Education Code 39.030(b)*

TESTING PROGRAMS
STATE ASSESSMENT

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To the Board	A superintendent shall accurately report all test results with appropriate interpretations to a board according to the schedule in the applicable test administration materials.
To Parents, Students, and Teachers	A district shall notify each of its students, his or her parent or guardian, and his or her teacher for that subject of test results, observing confidentiality requirements stated at Confidentiality of Results, below. All test results shall be included in each student's academic achievement record and shall be furnished for each student transferring to another district or school. Upon receipt of the assessment results from the test contractor, a district shall disclose a student's assessment results to a student's teacher in the same subject area as the assessment for that school year. [See BQ series, FD, and FL] <i>19 TAC 101.3014</i> TEA shall adopt a series of questions to be included in an EOC assessment instrument administered under Education Code 39.023(c) to be used for purposes of identifying students who are likely to succeed in an advanced high school course. A district shall notify a student who performs at a high level on the questions and the student's parent or guardian of the student's performance and potential to succeed in an advanced high school course. A district may not require a student to perform at a particular level on the questions to be eligible to enroll in an advanced high school course. <i>Education Code 39.0233(b)</i>
Parents Right-to-Know Under ESEA	As a condition of receiving assistance under Title I, Part A of the Elementary and Secondary Education Act (ESEA) (20 U.S.C. 6301 et seq.), a district shall provide to each individual parent of a child who is a student in such school, with respect to such student information on the level of achievement and academic growth of the student, if applicable and available, on each of the state academic assessments required under Part A. <i>20 U.S.C. 6312(e)(1)(B)(i)</i>
Parental Access	A parent is entitled to access to a copy of each state assessment instrument administered to the parent's child. This right of access does not apply, however, to those instruments or particular questions that are being field-tested by TEA. <i>Education Code 26.005, .006(a)(2)</i>
Out-of-State Transfers	A district shall accurately report to TEA whether that student transferred into the district from out of state during the current school year.

Procedures for the reporting of out-of-state-transfer students to TEA shall be established in the applicable test administration materials. A district shall follow procedures specified in those test administration materials.

The assessment results of the out-of-state transfer students shall be reported separately to districts from the results of the district's other students in addition to the current reporting of assessment results for all students and other student subsets.

19 TAC 101.3014

**Accelerated
Instruction**

Each time a student fails to perform satisfactorily on an assessment instrument administered under Education Code 39.023(a) in the third, fourth, fifth, sixth, seventh, or eighth grade, the district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations. *Education Code 28.0211(a-1)*

A district shall provide each student who fails to perform satisfactorily on an EOC assessment instrument with accelerated instruction in the subject assessed by the assessment instrument. *Education Code 39.025(b-1)* [See EHBC]

College Readiness

Each district shall partner with at least one institution of higher education to develop and provide courses in college preparatory mathematics and English language arts. The courses must be designed:

1. For students at the grade 12 level whose performance on:
 - a. An EOC assessment instrument required under Education Code 39.023(c) does not meet college readiness standards; or
 - b. Coursework, a college entrance examination, or an assessment instrument designated under Education Code 51.334(a) indicates that the student is not ready to perform entry-level college coursework; and
2. To prepare students for success in entry-level college courses.

A course must be provided on the campus of the high school offering the course or through distance learning or as an online course provided through the institution of higher education with which the district partners.

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<i>Faculty</i>	Appropriate faculty of each high school offering courses and appropriate faculty of each institution of higher education with which the district partners shall meet regularly as necessary to ensure that each course is aligned with college readiness expectations.
<i>Notice</i>	Each district shall provide a notice to each eligible student and the student's parent or guardian regarding the benefits of enrolling in a course.
<i>Credit Earned</i>	A student who successfully completes an English language arts course may use the credit earned toward satisfying the advanced English language arts curriculum requirement for the foundation high school program under Education Code 28.025(b-1)(1). A student who successfully completes a mathematics course may use the credit earned in the course toward satisfying an advanced mathematics curriculum requirement under Education Code 28.025 after completion of the mathematics curriculum requirements for the foundation high school program under Education Code 28.025(b-1)(2).
<i>Dual Credit</i>	A course may be offered for dual credit at the discretion of the institution of higher education with which a district partners.
<i>Instructional Materials</i>	Each district, in consultation with the institution of higher education with which the district partners, shall develop or purchase instructional materials for a course consistent with Education Code Chapter 31. The instructional materials must include technology resources that enhance the effectiveness of the course and draw on established best practices. <i>Education Code 28.014</i>
Security and Confidentiality	All assessment instruments included in the student assessment program are considered secure, and the contents of these tests, including student information used or obtained in their administration, are confidential. Districts and campuses and the superintendent and campus principals in each district and campus shall: 1. Implement and ensure compliance with state test administration procedures and training activities; 2. Notify TEA as soon as the district becomes aware of any alleged or suspected violation of the security or confidential integrity of a test [see Violations, below];

3. Report all confirmed testing violations to TEA within ten working days of the district becoming aware of the violation in accordance with the reporting process stipulated in the test administration materials;
4. Ensure that the only individuals with access to secure test materials are district employees who have:
 - a. Met the requirements to participate in the student assessment program;
 - b. Received annual training in test security and test administration procedures; and
 - c. Signed an oath affirming they understand their obligation to maintain and preserve the security and confidentiality of all state assessments and student information, acknowledge their responsibility to report any suspected testing violation, and are aware of the range of penalties that may result from a violation of test security and confidentiality or a departure from test administration procedures; and
5. Ensure the security of the test materials as required by 19 Administrative Code 101.3031(a)(2)(E).

19 TAC 101.3031(a)(1)–(a)(2)

Violations

Violations of the security and confidential integrity of a test include:

1. Directly or indirectly assisting students with responses to test questions;
2. Tampering with student responses;
3. Falsifying holistic ratings or student responses;
4. Viewing secure test content before, during, or after an administration unless specifically authorized by TEA or by the procedures outlined in the test administration materials;
5. Discussing or disclosing secure test content or student responses;
6. Scoring students' tests, either formally or informally;
7. Duplicating, recording, or electronically capturing confidential test content unless specifically authorized by TEA or by the procedures outlined in the test administration materials;
8. Responding to secure test questions;

9. Fraudulently exempting or preventing a student from participating in the administration of a required state assessment;
10. Receiving or providing unallowable assistance during calibration activities (e.g., taking notes, providing answer sheets, or sharing answers);
11. Encouraging or assisting an individual to engage in the conduct described above or in any other serious violation of security and confidentiality;
12. Failing to report to an appropriate authority that an individual has engaged or is suspected of engaging in the above conduct or in any other serious violation of security and confidentiality under this provision;
13. Failing to implement sufficient procedures to prevent student cheating; and
14. Failing to implement sufficient procedures to prevent alteration of test documents by anyone other than the student.

Consequences

If a district determines that a student has cheated or attempted to cheat on a state assessment either by providing or receiving direct assistance, the district shall invalidate the student's test results.

Any violation of test security or confidential integrity may result in TEA:

1. Invalidating student test results;
2. Referring certified educators to the State Board for Educator Certification (SBEC) for sanctions in accordance with 19 Administrative Code Chapter 247 (Educators' Code of Ethics) and Chapter 249 (Disciplinary Proceedings, Sanctions, and Contested Cases); and
3. Lowering the district's accreditation status or a district's or campus's accountability rating in accordance with Education Code 39.057(d), or appointment of a monitor, conservator, or management team to the district in accordance with Education Code Chapter 39A.

Test Administration
Procedures

Test administration procedures shall be delineated in the test administration materials provided to districts annually. Districts must comply with all of the applicable requirements specified in the test administration materials.

Districts shall ensure that test coordinators and administrators receive training to ensure that testing personnel have the necessary

	skills and knowledge required to administer assessment instruments in a valid, standardized, and secure manner.
Records Retention	As part of test administration procedures, the commissioner shall require districts to maintain records related to the security of assessment instruments for five years. <i>19 TAC 101.3031(a-3)–(d)</i>
Disciplinary Action and Penalties	SBEC may take disciplinary action against a person who has violated the security or integrity of any assessment required by Education Code Chapter 39, Subchapter B or has committed an act that is a departure from the test administration procedures established by the commissioner under 19 Administrative Code Chapter 101. The superintendent and campus principal must develop procedures to ensure the security and confidentiality of the tests and will be responsible for notifying TEA in writing of conduct that violates the security or confidentiality of a test. Failure to report can subject the person responsible to the applicable penalties. <i>19 TAC 249.15(a)–(b), (g)</i>
Minimize Disruptions	In implementing the commissioner’s procedures for the administration of assessment instruments adopted or developed under Education Code 39.023, including procedures designed to ensure the security of the assessment, a district shall minimize disruptions to school operations and the classroom environment. <i>Education Code 39.0301(a-1)</i>
Confidentiality of Results	Individual student performance results are confidential and may be released only in accordance with the Family Educational Rights and Privacy Act of 1974. <i>Education Code 39.030(b)</i> [See FL and GBA]

CAMPUS OR PROGRAM CHARTERS

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Definition	For the purpose of this policy, “parent” is the person who is indicated on the student registration form at the campus. The signature of only one parent of a student is required for a charter created by petition or a cooperative program charter. <i>Education Code 12.051(1), .052(b), .053(b)</i>
Policy	A district shall adopt a campus charter and program charter policy, which shall specify the: 1. Process for approval of a campus charter or program charter; 2. Statutory requirements with which a campus charter or program charter must comply; and 3. Items that must be included in a charter application. <i>Education Code 12.058</i>
Campus or Program Charter	A board may grant a charter to parents and teachers for a campus or a program on a campus. A board shall grant or deny the charter, through a public vote, if the board is presented with a petition signed by: 1. The parents of a majority of the students at that campus; and 2. A majority of the classroom teachers at that campus. A board may not arbitrarily deny a charter. <i>Education Code 12.052</i>
New Campus or Contract Charter	A board may grant a charter for: 1. A new district campus; or 2. A program that is operated: a. By an entity that has entered into a contract with the district under Education Code 11.157 [see EEL] to provide educational services to the district through the campus or program; and b. At a facility located in the boundaries of the district.
Voluntary Enrollment	A student’s parent or guardian may choose to enroll the student at a campus or in a program charter. A district may not assign a student to the campus or program unless the student’s parent or guardian has voluntarily enrolled the student.
Parental Removal	A student’s parent or guardian may, at any time, remove the student from the campus or program and enroll the student at the campus to which the student would ordinarily be assigned.

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Teacher Assignment	A district may not assign to the campus or program a teacher who has signed a written statement that the teacher does not agree to that assignment. <i>Education Code 12.0521</i>
Contract Charter Funding	A district under contract with an open-enrollment charter school to jointly operate a campus or campus program during the 2017–18 school year and under any renewal of that contract is eligible to receive funding under Education Code 42.2511 for each student or the portion of each student’s school day under the direction of the open-enrollment charter school. <i>Education Code 11.157(b); 19 TAC 61.1010</i>
District Charter	A board may grant a district charter to a campus.
Enrollment Limit	A district charter may be granted only to one or more campuses serving in total a percentage of the district's student enrollment equal to not more than 15 percent of the district's student enrollment for the preceding school year.
<i>Exception</i>	The percentage limit may not prevent a district from granting a district charter to at least one feeder pattern of schools, including an elementary, middle or junior high, and high school. A district charter may be granted to any campus that has received the lowest performance rating under Subchapter C, Chapter 39, Education Code.
Open-Enrollment Charter School	Subchapter D, Chapter 39, Education Code (open-enrollment charter schools) applies to a campus granted a district charter as though the campus were granted a charter under that subchapter, and the campus is considered an open-enrollment charter school. A district charter is not considered for purposes of the limit on the number of charters for open-enrollment charter schools imposed by Education Code 12.101. <i>Education Code 12.0522</i>
Cooperative Campus Charter	A board may grant a charter to parents and teachers at two or more campuses in the district for a cooperative charter program if the board is presented with a petition signed by: 1. The parents of a majority of the students at each school; and 2. A majority of the classroom teachers at each school. <i>Education Code 12.053</i>
Performance Contract	A board that grants a charter shall enter into a performance contract with the principal or equivalent chief operating officer of the

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campus or program. The performance contract must specify enhanced authority granted to the principal or equivalent officer in order to achieve the academic goals that must be met by campus or program students.

Duration of Charter

A charter granted by the board expires ten years from the date the charter is granted unless the specified goals are substantially met, as determined by the board.

Education Code 12.0531

Neighborhood School

A board may determine that a campus granted a charter will be a neighborhood school.

The principal or equivalent chief operating officer of a neighborhood school shall manage the funding provided for the school under the Education Code and any other funding provided for the school in the manner the principal or other officer determines best meets the needs of the school's students. The district in which the school is located may retain that portion of funding that the district generally withholds from a campus for costs associated with the salary of the superintendent or other district governance.

The principal or equivalent chief operating officer of a neighborhood school may use school funding to purchase from the school district in which the school is located services for the school, including bus service, facilities maintenance services, and other services generally provided by a school district to district campuses. The school shall pay for each service an amount that reflects the actual cost to the district of providing the service for the number of the school's students for which the service is provided.

Education Code 12.0532

Student Eligibility

Eligibility criteria for admission of students to the charter campus or program must give priority on the basis of geographic and residency considerations. After priority is given on those bases, secondary consideration may be given to a student's age, grade level, or academic credentials, in general or in a specific area, as necessary for the type of program offered.

The campus or program may require an applicant to submit an application not later than a reasonable deadline the campus or program establishes.

Education Code 12.065

Exemption

A campus or program for which a charter is granted is exempt from the instructional and academic rules and policies of the board from

which the campus or program is specifically exempted in the charter and retains the authority to operate under the charter only if students at the campus or in the program perform satisfactorily as provided by the charter. *Education Code 12.054*

Charter Contract

A charter shall be in the form and substance of a written contract signed by a board president and the chief operating officer of the campus or program for which the charter is granted. *Education Code 12.060*

Each charter shall:

1. Satisfy the requirements governing charter campuses and programs; and
2. Include all information required to be in the content of the charter consistent with the information provided in the application and any modification a board requires.

Education Code 12.061

Content of Charter

Each charter granted must:

1. Describe the educational program to be offered, which may be a general or specialized program;
2. Provide that continuation of the charter is contingent on satisfactory student performance on state-required assessment instruments, satisfactory financial performance under state financial accountability provisions, and on compliance with other applicable accountability provisions;
3. Specify any basis, in addition to a basis specified in Education Code Chapter 12, Subchapter C, on which the charter may be revoked;
4. Prohibit discrimination in admission on the basis of national origin, ethnicity, race, religion, or disability;
5. Describe the governing structure of the campus or program;
6. Specify any procedure or requirement, in addition to those under Education Code Chapter 38, that the campus or program will follow to ensure the health and safety of students and employees; and
7. Describe the manner in which an annual audit of financial and programmatic operations of the campus or program is to be

conducted, including the manner in which the campus or program will provide information necessary for the district in which it is located to participate in PEIMS.

Education Code 12.059

Revision

A charter created by petition or a cooperative charter program may be revised with board approval and on a petition signed by a majority of the parents and a majority of the classroom teachers at the campus or in the program, as applicable.

A charter created without a petition may be revised with the approval of the board of trustees that granted the charter. The charter may be revised only before the first day of instruction or after the final day of instruction of a school year.

Education Code 12.062

**Failure to Discharge
or Refuse to Hire**

A charter campus or program commits a material violation of its charter if the campus or program fails to comply with the duty to discharge or refuse to hire certain employees or applicants for employment under Education Codes 12.1059, 22.085, or 22.092. *Education Code 12.0631*

Applicability of Laws

A charter campus or program is subject to federal and state laws and rules governing public schools, except that the charter campus or program is subject to the Education Code and rules adopted thereunder only to the extent that the code or rule specifically provides. *Education Code 12.055(a)*

Education Code

A charter campus or program has the powers granted to schools under the Education Code.

A charter campus or program is subject to:

1. Provisions of the Education Code establishing criminal offenses;
2. Prohibitions, restrictions, or requirements of the Education Code, or a rule adopted under the Education Code, relating to:
 - a. PEIMS, to the extent necessary to monitor compliance, as determined by the commissioner;
 - b. Criminal history records under Subchapter C, Chapter 22;
 - c. High school graduation under Section 28.025;
 - d. Special education programs under Subchapter A, Chapter 29;

- e. Bilingual education under Subchapter B, Chapter 29;
- f. Prekindergarten programs under Subchapter E, Chapter 29;
- g. Extracurricular activities under Section 33.081 (i.e., “no pass-no play”);
- h. Health and safety under Chapter 38 (including immunizations, dyslexia and related disorders, child abuse reporting, protective eye devices, tobacco and alcohol use, steroid use, access to medical records, and referrals to outside counselors);
- i. Public school accountability under Subchapter B, C, D, F, and J, Chapter 39, and Chapter 39A; and
- j. The duty to discharge or refuse to hire certain employees or applicants for employment under Education Code 12.1059.

Education Code 12.056

Open Meetings and
Public Information
Acts

With respect to the operation of a campus or program charter, the governing body of the charter campus or program is considered a governmental body for purposes of Government Code Chapters 551 (Open Meetings Act) and 552 (Public Information Act). *Education Code 12.057(a)*

Teacher Retirement
System

A district may contract with another district or an open-enrollment charter holder for services at a campus charter. An employee of the district or open-enrollment charter holder providing contracted services to a campus charter is eligible for membership in and benefits from the Teacher Retirement System of Texas (TRS) if the employee would be eligible for membership and benefits if holding the same position at the employing district or open-enrollment charter school operated by the charter holder. *Education Code 12.055(b)*

An employee of an independent school district who is employed on a charter campus or program who qualifies for membership in TRS shall be covered under the system in the same manner and to the same extent as a qualified employee of the independent school district who is employed on a regularly operating campus or in a regularly operating program.

An employee of a charter holder who is employed on a campus or in a program granted a charter and who qualifies for membership in TRS shall be covered under the system in the same manner and to the same extent as a qualified employee of an independent

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school district who is employed on a regularly operating campus or in a regularly operating program.

Education Code 12.057(b), (b-1)

Liability

A charter campus or program, and its employees and volunteers, are immune from liability to the same extent as a district, its employees, and volunteers, respectively. *Education Code 12.057(c)*

**Placement on
Probation or
Revocation**

A board may place on probation or revoke a charter it grants if the board determines that the campus or program:

1. Committed a material violation of the charter, including by failure to comply with the duty to discharge or refuse to hire certain employees or applicants for employment, as provided by Education Code 12.0631;
2. Failed to satisfy generally accepted accounting standards of fiscal management; or
3. Failed to comply with law governing a charter campus or program, another law, or a state agency rule.

The action a board takes under any item above shall be based on the best interest of campus or program students, the severity of the violation, and any previous violation the campus or program has committed.

Education Code 12.063

Procedure

Each board that grants a charter shall adopt a procedure to be used for placing on probation or revoking a charter it grants.

This procedure must provide an opportunity for a hearing to the campus or program for which the charter is granted and to parents and guardians of students at the campus or in the program. A hearing must be held on the campus or on one of the campuses in the case of a cooperative charter program.

Education Code 12.064

WELLNESS AND HEALTH SERVICES
MEDICAL TREATMENT

FFAC
(LEGAL)

Consent to Medical Treatment

The school in which a minor student is enrolled may consent to medical, dental, psychological, and surgical treatment of that student, provided all of the following conditions are met:

1. The person having the power to consent as otherwise provided by law cannot be contacted.
2. Actual notice to the contrary has not been given by that person.
3. Written authorization to consent has been received from that person.

Family Code 32.001(a)(4)

Form of Consent

Consent to medical treatment under this policy shall be in writing, signed by the school official giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment. The consent must contain:

1. The name of the student.
2. The name of one or both parents, if known, and the name of the managing conservator or guardian of the student, if either has been appointed.
3. The name of the person giving consent and the person's relation to the student.
4. A statement of the nature of the medical treatment to be given.
5. The date on which the treatment is to begin.

Family Code 32.002

Minor's Consent to Treatment

A minor may consent to medical, dental, psychological, and surgical treatment furnished by a licensed physician or dentist if the minor:

1. Is 16 years of age and residing separate and apart from the minor's parents, managing conservator, or guardian, with or without the consent of the parents, conservator, or guardian and regardless of the duration of the residence, and is managing his or her own financial affairs, regardless of the source of the income;
2. Consents to the diagnosis and treatment of any infectious, contagious, or communicable disease required to be reported to the Texas Department of State Health Services (DSHS), including all reportable diseases under Health and Safety Code 81.041;

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3. Is unmarried and pregnant, and consents to hospital, medical, or surgical treatment, other than abortion, related to her pregnancy; or
4. Consents to examination and treatment for drug or chemical addiction, drug or chemical dependency, or any other condition directly related to drug or chemical use.

Family Code 32.003; Planned Parenthood of Cent. Mo. v. Danforth, 428 U.S. 52 (1976); Bellotti v. Baird, 443 U.S. 622 (1979)

**Administering
Medication**

Upon adoption of policies concerning the administration of medication to students by district employees, the district, its board, and its employees are immune as described below, provided:

1. The district has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student.
2. When administering prescription medication, the medication is administered either:
 - a. From a container that appears to be the original container and to be properly labeled; or
 - b. From a properly labeled unit dosage container filled by a registered nurse or another qualified district employee, as determined by district policy, from a container that appears to be the original container and to be properly labeled.

**By Volunteer
Professionals**

If a district provides liability insurance for a licensed physician or registered nurse who provides volunteer services to the district, a board may allow the physician or nurse to administer to any student nonprescription medication or medication currently prescribed for the student by the student's personal physician.

**Immunity from Civil
Liability**

A district, a board, and its employees shall be immune from civil liability for damages or injuries resulting from the administration of medication to a student in accordance with this policy.

Education Code 22.052(a), (b)

[See DG regarding protection of nurses for refusal to perform acts.]

**Self-Administration
of Asthma or
Anaphylaxis
Medicine**

A student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine while on school property or at a school-related event or activity if:

1. The medicine has been prescribed for that student as indicated by the prescription label on the medicine;

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2. The student has demonstrated to the student's physician or other licensed health-care provider and the school nurse, if available, the skill level necessary to self-administer the prescription medication, including the use of any device required to administer the medication;
3. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health-care provider; and
4. A parent of the student provides to the school:
 - a. Written authorization, signed by the parent, for the student to self-administer the prescription medicine while on school property or at a school-related event or activity; and
 - b. A written statement, signed by the student's physician or other licensed health-care provider, that states:
 - (1) That the student has asthma or anaphylaxis and is capable of self-administering the medicine;
 - (2) The name and purpose of the medicine;
 - (3) The prescribed dosage for the medicine;
 - (4) The times at which or circumstances under which the medicine may be administered; and
 - (5) The period for which the medicine is prescribed.

The physician's statement must be kept on file in the school nurse's office, or, if there is no school nurse, in the office of the principal of the school the student attends.

[See FFAC for care of students with diagnosed food allergies at risk for anaphylaxis.]

No Waiver of
Immunity

The provisions above neither waive any liability or immunity nor create any liability for or a cause of action against a district, a board, or its employees.

Education Code 38.015

Sunscreen Products

A student may possess and use a topical sunscreen product while on school property or at a school-related event or activity to avoid overexposure to the sun and not for the medical treatment of an injury or illness if the product is approved by the federal Food and Drug Administration for over-the-counter use. This provision does not waive any immunity from liability of a district, its board, or its

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employees; or create any liability for or a cause of action against a district, its board, or its employees. *Education Code 38.021*

Dietary Supplements

A district employee commits a Class C misdemeanor offense if the employee:

1. Knowingly sells, markets, or distributes a dietary supplement that contains performance enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's school district duties; or
2. Knowingly endorses or suggests the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance enhancing compounds by a primary or secondary education student with whom the employee has contact as part of the employee's school district duties.

Education Code 38.011(a), (c)

**Prescription
Medication and
Special Education
Students**

An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

20 U.S.C. 1412(a)(25)

[See FFEB for information regarding psychotropic drugs and psychiatric evaluations]

**Opioid Antagonist
Medication**

A person or organization acting under a standing order issued by a prescriber may store an opioid antagonist and may distribute an opioid antagonist, provided the person or organization does not request or receive compensation for storage or distribution. *Health and Safety Code 483.104*

A prescriber may, directly or by standing order, prescribe an opioid antagonist to a person in a position to assist a person experiencing an opioid-related drug overdose. *Health and Safety Code 483.102; 22 TAC 170.6*

Immunity

A person who, acting in good faith and with reasonable care, administers or does not administer an opioid antagonist to another person whom the person believes is suffering an opioid-related

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drug overdose is not subject to criminal prosecution, sanction under any professional licensing statute, or civil liability, for an act or omission resulting from the administration of or failure to administer the opioid antagonist. *Health and Safety Code 483.106*

Low-THC Cannabis

A district may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by the Texas Compassionate-Use Act. *Health and Safety Code 487.201*

**Dextromethorphan
(Certain Cold
Medication)**

A district may not adopt or enforce an ordinance, order, rule, regulation, or policy that governs the sale, distribution, or possession of dextromethorphan. *Health and Safety Code 488.005*

Note: The following provisions apply only to a district that will adopt an unassigned epinephrine auto-injector policy or an unassigned asthma medication policy.

**Maintenance and
Administration of
Epinephrine Auto-
Injectors**

A district may adopt and implement a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors at each campus in the district.

If a policy is adopted, the policy:

1. Must provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis on a school campus; and
2. May provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis at an off-campus school event or while in transit to or from a school event.

A district that adopts a policy must require that each campus have one or more school personnel members or school volunteers authorized and trained to administer an epinephrine auto-injector present during all hours the campus is open.

The supply of epinephrine auto-injectors at each campus must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an epinephrine auto-injector.

Education Code 38.208

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Definitions	"All hours the campus is open" is defined as, at a minimum, during regular on-campus school hours, and when school personnel are physically on site for school-sponsored activities.
<i>All Hours the Campus Is Open</i>	
<i>Campus</i>	A "campus" is defined as a unit of a school district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.
<i>Unassigned Epinephrine Auto-Injector</i>	An "unassigned epinephrine auto-injector" is an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the school issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector, issued by a physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157. <i>25 TAC 37.603</i>
Prompt Notification	Local emergency medical services must be promptly notified by the school when an individual is suspected of experiencing anaphylaxis and when an epinephrine auto-injector is administered. If the trained school personnel or school volunteer is the only individual available to notify emergency medical services, the trained individual should administer the unassigned epinephrine auto-injector before notifying emergency medical services. The parent, legal guardian, or emergency contact must be promptly notified by the school when an unassigned epinephrine auto-injector is utilized on their child as soon as is feasible during the emergency response to suspected anaphylaxis. <i>25 TAC 37.605(e)–(f)</i>
Records	School records of the administration of the unassigned epinephrine auto-injector and suspected anaphylaxis must be provided to the parent or guardian of the recipient upon request. <i>25 TAC 37.605(f)</i>
Reports	Not later than the tenth business day after the date a school personnel member or school volunteer administers an epinephrine auto-injector in accordance with district policy, the school shall send a report to the school district; the physician who prescribed the epinephrine auto-injector; and the commissioner of state health services. The report must include the following information: 1. The age of the person who received the administration of the epinephrine auto-injector;

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2. Whether the person who received the administration of the epinephrine auto-injector was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the epinephrine auto-injector was administered;
4. The number of doses of epinephrine auto-injector administered;
5. The title of the person who administered the epinephrine auto-injector; and
6. Any other information required by the commissioner of education.

Education Code 38.209

Notifications to the commissioner of DSHS shall be submitted on the designated electronic form available on the DSHS School Health Program website. *25 TAC 37.608*

Personnel or
Volunteers

At each campus in which a school adopts an unassigned epinephrine auto-injector policy, the principal may assign school personnel or school volunteers to be trained to administer unassigned epinephrine auto-injectors or seek school personnel or school volunteers who volunteer to be trained to administer unassigned epinephrine auto-injectors.

In order to increase the number of trained individuals in the administration of unassigned epinephrine auto-injectors, schools may distribute to school personnel or school volunteers in the district, at least once per school year, a notice that includes a description of the request seeking volunteers to be trained to administer an epinephrine auto-injector to a person believed to be experiencing anaphylaxis and a description of the training that the school personnel or school volunteers will receive in the administration of epinephrine with an auto-injector.

25 TAC 37.606(a)–(b)

Signed Statement

Trained school personnel or school volunteers who administer the unassigned epinephrine auto-injector must submit a signed statement indicating that they agree to perform the service of administering an unassigned epinephrine auto-injector to a student or individual that may be experiencing anaphylaxis. *25 TAC 37.606(c)*

Training

A district that adopts an unassigned epinephrine auto-injector written policy is responsible for training school personnel and school volunteers in the recognizing of anaphylaxis signs and symptoms and administration of an unassigned epinephrine auto-injector.

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Each assigned school personnel or school volunteer shall receive initial training and an annual refresher training. Training shall be consistent with the most recent [Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs](#)¹ published by the federal Centers for Disease Control and Prevention.

25 TAC 37.607

Training may be provided in a formal training session or through an online education course. Training must include information on properly inspecting unassigned epinephrine auto-injectors for usage and expiration. *25 TAC 37.607(1)–(2)*

Training must include information on implementing emergency procedures, if necessary, after administering an epinephrine auto-injector, and properly disposing of used or expired epinephrine auto-injectors. A district shall maintain records on the required training. *Education Code 38.210*

The initial training must include hands-on training with an epinephrine auto-injector trainer. The annual refresher training must include a hands-on demonstration of administration skills. The training must also include information about promptly notifying local emergency medical services.

Each school campus shall maintain training records and make available upon request a list of those school personnel or school volunteers trained and authorized to administer the unassigned epinephrine auto-injector on the campus.

25 TAC 37.607(3)–(6)

Standing Orders

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe epinephrine auto-injectors in the name of a district in accordance with law. *Education Code 38.211*

A district shall obtain a prescription from an authorized health-care provider each year, to stock, possess, and maintain at least one unassigned adult epinephrine auto-injector pack (two doses) on each school campus.

A school may choose to stock unassigned pediatric epinephrine auto-injector packs, based on the need of the school's population.

25 TAC 37.605(a)

Epinephrine
Coordinator

The superintendent will designate appropriate school personnel to coordinate and manage policy implementation, including training of

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school personnel, and the acquisition or purchase, usage, expiration, and disposal of unassigned epinephrine auto-injectors. Throughout the school calendar year, the designated school personnel shall coordinate with each campus to ensure that the unassigned epinephrine auto-injectors are checked monthly for expiration and usage and the findings are documented. *19 TAC 37.605(b)*

Notice to Parents

If a district implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors, the district shall provide written notice to a parent or guardian of each student enrolled in the district or school. Notice must be provided before the policy is implemented by the district or school and before the start of each school year. *Education Code 38.212*

A district shall provide electronic or written notice to the parent or guardian of each student.

If a district changes or discontinues the policy under this subchapter, written or electronic notice detailing the change or discontinuation must be provided to the parent or guardian of each student within 15 calendar days.

25 TAC 37.609

Storage

Unassigned epinephrine auto-injectors shall be stored in a secure, easily accessible area for an emergency, in accordance with manufacturer's guidelines. It is recommended that the school administrator develop a map to be placed in high traffic areas that indicates the location of the unassigned epinephrine auto-injectors on each school campus. It is recommended that the map also indicates the locations of the automated external defibrillator (AED). *25 TAC 37.605(h)*

Replacement

The district shall develop a plan to replace, as soon as reasonably possible, any unassigned epinephrine auto-injector that is used or close to expiration. *25 TAC 37.605(i)*

Disposal

Used unassigned epinephrine auto-injectors shall be considered infectious waste and shall be disposed of according to the school's bloodborne pathogen control policy.

Expired unassigned epinephrine auto-injectors shall be disposed of according to the school's medication disposal policy.

25 TAC 37.605(j)–(k) [See DBB]

Gifts, Grants, and
Donations

A district may accept gifts, grants, donations, and federal and local funds to implement its policy. *Education Code 38.213*

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**Maintenance and
Administration of
Asthma Medicine**

A district may voluntarily adopt and implement a written policy regarding the maintenance, administration, and disposal of asthma medication at each campus. If a written policy is adopted, the unassigned asthma medication policy must comply with Education Code 38.208. *25 TAC 40.44(a)*

The policy must provide that the school nurse may administer prescription asthma medicine to a student only if the school nurse has written notification from a parent or guardian of the student stating that the student has been diagnosed as having asthma and stating that the school nurse may administer prescription asthma medicine to the student. A school nurse may administer the prescription asthma medicine only at a school campus. *Education Code 38.208(b-1)*

Definitions

*Authorized
Health-care
Provider*

“Authorized health-care provider” means a physician, as defined in Education Code 38.201, or person who has been delegated prescriptive authority by a physician under Occupations Code Chapter 157.

Campus

“Campus” means a geographic unit of a school district that:

1. Has an assigned administrator;
2. Has enrolled students who are counted for average daily attendance;
3. Has assigned instructional staff;
4. Provides instructional services to students;
5. Has one or more grades in the range from early childhood education through grade 12 or is ungraded; and
6. Is subject to Texas laws.

School Nurse

“School nurse” means a registered nurse, as defined in 19 Administrative Code 153.1022, authorized to administer asthma medication, or licensed vocational nurse working under supervision as described in Occupations Code 301.353. [See DP]

*Unassigned
Asthma
Medication*

“Unassigned asthma medication” means a fast acting bronchodilator delivered by metered dose inhaler with single use spacer or by nebulizer as a rescue medication, prescribed by an authorized health-care provider in the name of the district with a non-patient-specific standing delegation order for the administration of an asthma medication, and issued by an authorized health-care provider.

25 TAC 40.42

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Minimum Dosage Requirement	Subject to the availability of funding, a district that adopts such a policy must secure or obtain the suggested minimum dosage of unassigned asthma medication. <i>25 TAC 40.44 (a)(2)</i> Once a district voluntarily adopts an unassigned asthma medication policy, a campus that implements an unassigned asthma medication policy must stock unassigned asthma medication, subject to available funding, as defined by 25 Administrative Code 40.44. <i>25 TAC 40.45(a)</i>
Optional Review	In development of an unassigned asthma medication policy, a district may consider performing a review to include consultation with school nurses, the local school health advisory committee, local health-care providers, or any department or organization involved with student well-being; campus geography; and student population size.
Policy Requirements	If a district voluntarily adopts an unassigned asthma medication policy, the policy must include: 1. A process to obtain written authorization from a parent or guardian of the student that the student has been diagnosed as having asthma and stating that the school nurse may administer unassigned asthma medication to the student; 2. A designated campus administrator to coordinate and manage policy implementation that includes: a. Whether to conduct a review at the campus to determine the need for additional doses; b. Training of school nurses; c. Acquiring or purchasing, maintaining, storing, and using unassigned asthma medication, subject to available campus funding; and d. Disposing of expired unassigned asthma medication; 3. A list of school nurses who will be assigned to administer unassigned asthma medication; 4. Locations of unassigned asthma medication; 5. Procedures for notifying a parent, prescribing authorized health-care provider, and the student's primary health-care provider when unassigned asthma medication is administered; and 6. A plan to replace, as soon as reasonably possible, any unassigned asthma medication that is used or close to expiration.

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An adopted unassigned asthma medication policy must be publicly available.

25 TAC 40.44(b)–(d)

No Negative Fiscal
Impact

The policy may not require a district to purchase prescription asthma medicine or require any other expenditure related to the maintenance or administration of asthma medicine that would result in a negative fiscal impact on the district or school. *Education Code 38.208(f)*

Asthma Medicine
Standing Order

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157, may prescribe asthma medicine in the name of a school district. *Education Code 38.211(a)*

An authorized health-care provider who prescribes unassigned asthma medication under 25 Administrative Code 40.45(b), below, must provide the campus with a standing order for the administration of unassigned asthma medication to a person who:

1. Is reasonably believed to be experiencing a symptom of asthma; and
2. Has provided written notification and permission as required by the unassigned asthma medication policy.

25 TAC 40.45(c)

Prescription of
Unassigned Asthma
Medicine

A campus must obtain a prescription from an authorized health-care provider each year to stock, possess, and maintain at least two doses of unassigned asthma medication on each campus as described in Education Code 38.208 and any equipment necessary to administer the medication.

The campus must renew this prescription or obtain a new prescription annually.

The number of additional doses may be determined by an individual campus review led by an authorized health-care provider.

25 TAC 40.45(b)

School Nurse
Training

A district that chooses to adopt a written unassigned asthma medication policy is responsible for training school nurses about:

1. The adopted unassigned asthma medication policy;
2. The authorized health-care provider's standing order;
3. Follow-up with the prescribing authorized health-care provider and the student's primary health-care provider; and

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4. The report required after administering an unassigned asthma medication under 25 Administrative Code 40.47 (see Reports and Records, below).

Each campus must maintain training records and must make available upon request a list of school nurses trained and authorized to administer the unassigned asthma medication on the campus.

25 TAC 40.46

Notice to Parents

If a district implements an unassigned asthma medication policy, the campus shall provide written or electronic notice to a parent or guardian of each student in accordance with Education Code 38.212.

If a district changes or discontinues the unassigned asthma medication policy, written or electronic notice detailing the change or discontinuation must be provided to a parent or guardian of each student within 15 calendar days after the change or discontinuation.

25 TAC 40.48

The district shall provide written notice to a parent or guardian of each student enrolled in the district or school. Notice required under Education Code 38.212 must be provided before a policy is implemented by the district and before the start of each school year. *Education Code 38.212*

Records and
Reporting

Records relating to implementing and administering the school district unassigned asthma medication policy must be retained per the campus record retention schedule.

The campus must submit a report no later than the tenth business day after the date a school nurse administers asthma medication in accordance with the unassigned asthma medication policy. The report must be included in the student's permanent record and submitted to the school administrator, prescribing authorized health-care provider, the student's primary health-care provider, and to the Department of State Health Services (DSHS) commissioner.

Notifications to the DSHS commissioner must be submitted on the designated [electronic form](#)² available on DSHS's School Health Program website found at dshs.texas.gov.

25 TAC 40.47

Asthma Medicine
Storage and
Disposal

The supply of asthma medicine at each campus must be stored in a secure location and be easily accessible to the school nurse. *Education Code 38.208(e)*

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The unassigned asthma medication must be stored in accordance with the manufacturer's guidelines and local policy of the school district.

Expired unassigned asthma medication and other used or expired supplies must be disposed of in accordance with the manufacturer's guidelines and local policy of the district.

25 TAC 40.45(d)–(e)

**Immunity from
Liability**

A person who in good faith takes, or fails to take, any action related to Education Code Chapter 38, Subchapter E, related to the maintenance and administration of epinephrine auto-injectors and asthma medicine, is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act, including:

1. Issuing an order for epinephrine auto-injectors or asthma medicine;
2. Supervising or delegating the administration of an epinephrine auto-injector or asthma medicine;
3. Possessing, maintaining, storing, or disposing of an epinephrine auto-injector or asthma medicine;
4. Prescribing an epinephrine auto-injector or asthma medicine;
5. Dispensing an epinephrine auto-injector or asthma medicine, provided that permission has been granted as provided by Education Code 38.208(b-1) [see Maintenance and Administration of Asthma Medicine, above];
6. Administering, or assisting in administering, an epinephrine auto-injector, provided that permission has been granted as provided by Education Code 38.208(b-1) [see Maintenance and Administration of Epinephrine Auto-Injectors, above];
7. Providing, or assisting in providing, training, consultation, or advice in the development, adoption, or implementation of policies, guidelines, rules, or plans; or
8. Undertaking any other act permitted or required under Education Code Chapter 38, Subchapter E.

A district and school personnel and school volunteers are immune from suit resulting from an act, or failure to act, under Education Code Chapter 38, Subchapter E, including an act or failure to act under related policies and procedures.

An act or failure to act by school personnel or a school volunteer, including an act or failure to act under related policies and procedures, is the exercise of judgment or discretion on the part of the

school personnel or school volunteer and is not considered to be a ministerial act for purposes of liability of the school district.

Education Code 38.215; 25 TAC 40.49

¹ CDC Voluntary Guidelines for Managing Food Allergies:

<https://www.cdc.gov/healthyschools/foodallergies/index.htm>

² Required Reporting of Administered Unassigned Asthma Medication to DSHS: <https://www.dshs.texas.gov/schoolhealth/forms/ReportingForm-Asthma.aspx>

Splendora ISD

2021–2022 Employee Handbook

If you have difficulty accessing the information in this document because of a disability, please email bkroeger@splendoraisd.org.



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Employee Handbook Receipt

Name

Campus/Department

I hereby acknowledge receipt of a copy of the Splendora ISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy.

Electronic version can be found at www.splendoraisd.org.

Please indicate your choice by checking the appropriate box below:

- ☐ I choose to receive the employee handbook in electronic format and accept responsibility for accessing it according to the instructions provided.
- ☐ I choose to receive a hard copy of the employee handbook and understand I am required to contact _____ to obtain a hard copy.

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or render obsolete the information summarized in this document. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand that no modifications to contractual relationships or alterations of at-will employment relationships are intended by this handbook.

I understand that I have an obligation to inform my supervisor or department head of any changes in personal information such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the Human Resources Department if I have questions or concerns or need further explanation.

Signature

Date

Please sign and date this receipt and forward it to the Human Resources Department.

Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Human Resources Department.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of non contract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed online at www.splendoraisd.org.

District Information

Description of the District

Splendora ISD encompasses an area of 79 square miles and has a student population of 4,200. While we are the smallest school district in Montgomery County, we offer big opportunities for our students. Our high school is a designated Early College High School where students can become core complete or earn an Associate of Arts or Science degree and our career-minded students have 23 career pathways to choose from. Our elementary schools offer bilingual and dual language to our youngest students and Pre-AP classes to sixth graders. Junior high students have Pre AP, career and technical education classes, and numerous extracurricular classes. Splendora ISD has embraced the Capturing Kids' Hearts processes and in 2020, earned the distinction of being 1 out of 6 districts across the nation to be named a CKH "National Showcase District." All of our staff and students are using the CKH processes to build better relationships, schools, and communities. We are #CultivatingExceptionalPeople

Mission Statement, Goals, and Objectives

Policy AE

District Mission, Vision, Core Principles, and Learner Profile

Mission:

Cultivating Exceptional People

Vision:

- Right People
- Right Things
- Right Way
- Right Resources
- Right Relationships

Core Principles:

- Create a Dynamic Learning Environment
- Ensure a Safe, Physical, Emotional, and Social Environment
- Be Accountable
- Value Each Other
- Live with Integrity
- Develop Servant Leaders
- Focus on Student Needs

Learner Profile:

- Self-motivated
- confident
- an adaptable learner
- a critical thinker
- productive citizen

Board of Trustees

Policies BA, BB series, BD series, and BE series

Texas law grants the board of trustees the power to govern and oversee the management of the district's schools. The board is the policy-making body within the district and has overall responsibility for the curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, and facilities. The board has complete and final control over school matters within limits established by state and federal laws and regulations.

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Board members are elected annually and serve 3-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

Current board members include:

- Suzanne Soto, President
- Allen Wells, Vice-President
- Jackie Knott, Secretary
- Dan Muirhead, Ast. Secretary
- Jason Sessum
- Barry Welch
- Adam Dietrich

The board usually meets the third Monday of the month at 6:30pm. In the event that large attendance is anticipated, the board may meet at Splendora Junior High. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and the Splendora ISD Administration Building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a one-hour notice.

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur

for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending litigation.

Board Meeting Schedule

- August 16, 2021
- September 20, 2021
- October 18, 2021
- November 15, 2021
- December 13, 2021
- January 18, 2022
- February 21, 2022
- March 21, 2022
- April 18, 2022
- May 16, 2022
- June 20, 2022
- July 18, 2022

Administration

- Dr. Jeff Burke, Superintendent
- Dr. Glenn Barnes, Assistant Superintendent of Leadership and Culture
- Mr. Kevin Lynch, C.F.O.
- Dr. Tami Greggerson, Assistant Superintendent of Teaching and Learning
- Mr. Brian Kroeger, Executive Director of Human Resources
- Mr. Troy Reynolds, Director of Federal Programs and Compliance
- Mr. Randy Rowe, Athletic Director
- Mr. Adam Lira, Director of Career and Technology
- Mrs. Jennifer Stewart, Director of Special Services

- Dr. Susan Hoisington, Director of Advanced Academics and College Readiness
- Ms. Deitra Johnson, Director of Communications
- Ms. Dianna Archer, Director of Student Services
- Mr. John DeBrock, Director of At Risk Populations
- Ms. Laura Wildman, Director of Professional Learning
- Colin Weatherly, Chief of Police

School Calendar

<https://docs.google.com/viewerng/viewer?url=https://www.splendoraisd.org//cms/lib/TX02203815/Centricity/Domain/62/SISD+2021-2022+Academic+Calendar.pdf>

Helpful Contacts

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed below.

Payroll –	Susan Broussard - 4000
Custodial –	Veronica Castille – 4302
Child Nutrition –	Nancy Montalbo – 4451
Community Education and Communications –	Lisa Foster – 4358
Maintenance –	Erich Reimer – 4446
Personnel –	Brian Kroeger - 4462
Police –	Colin Weatherly – 4340
Technology –	Buddy Denman – 4356
Transportation –	Darcas Moody – 4335
Warehouse –	Darla Baker - 4351

School Directory

Greenleaf Elementary School - 281-689-8020

Peach Creek Elementary School - 281-689-3114

Piney Woods Elementary School - 281-689-3073

Timber Lakes Elementary School - 281-689-4375

Splendora Junior High - 281-689-6343

Splendora High School - 281-689-8008

Employment

Equal Employment Opportunity

Policies DAA, DIA

In its efforts to promote nondiscrimination and as required by law, Splendora ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

In accordance with Title IX, the district does not discriminate on the basis of sex and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: **[Dianna Archer, Director of Student Services, 23419 FM 2090, Splendora, TX 77372, darcher@splendoraisd.org, 281-689-]**. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Brian Kroeger, Executive Director of Human Resources, 23419 FM 2090, Splendora, TX 77372, bkroeger@splendoraisd.org, 281-689-4462.

Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis to the district's website.

Employment after Retirement

Policy DC

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed under certain circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment after Retirement*. Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Website (www.trs.texas.gov).

Contract and Non Contract Employment

Policy DC series

State law requires the district to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification (SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at-will or by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

Probationary Contracts. Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in district employment or employees who move to a position requiring a new class of certification may also be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one school year.

For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is doubtful whether a term or continuing contract should be given.

Term Contracts. Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed online or copies will be provided upon request.

Noncertified Professional and Administrative Employees. Employees in professional and administrative positions that do not require SBEC certification (such as non instructional administrators) are employed by a Chapter 21 probationary or term contract.

Paraprofessional and Auxiliary Employees. All paraprofessional and auxiliary employees, regardless of certification, are employed at will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

Certification and Licenses

Policies DBA, DF

Professional employees whose positions require SBEC certification or a professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Human Resources Department in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify the Human Resource Department when there is action against, or revocation of, their license.

A certified employee's contract may be voided without Chapter 21 due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Human Resources Department if you have any questions regarding certification or licensure requirements.

Recertification of Employment Authorization

Policy DC

At the time of hire all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization.

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Human Resources Department if you have any questions regarding reverification of employment authorization.

Searches and Alcohol and Drug Testing

Policy CQ, DHE

Non Investigatory searches in the workplace including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to

conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, and work areas including district-owned technology resources, lockers, and private vehicles parked on district premises or work sites or used in district business.

Employees Required to Have a Commercial Driver's License. Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact the Human Resources Department.

Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Human Resources Department by September 1, 2021.

School nurses and employees with regular contact with students must complete a Texas Education Agency approved, online training regarding seizure disorder aware-ness, recognition, and related first aid.

Reassignments and Transfers

Policy DK

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent or designee determines that the assignment or reassignment is in the best interest of the district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by writing a written request and submitting it to the Human Resources Department. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources office and must be approved by the receiving supervisor.

Workload and Work Schedules

Policies DEAB, DK, DL

Professional Employees. Professional employees and academic administrators are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including start and end dates and scheduled holidays will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation including conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes within the instructional day. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The district may require teachers to supervise students during lunch one day a week when no other personnel are available.

Paraprofessional and Auxiliary Employees. Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See Overtime Compensation on page 19 for additional information.

Breaks for Expression of Breast Milk

Policies DEAB, DG

The district supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with their supervisor to discuss their needs and arrange break times.

Notification to Parents Regarding Qualifications

Policies DK, DBA

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements.

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notice under ESSA is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call the Human Resources Department.

Outside Employment and Tutoring

Policy DBD

Employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest.

Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Upon receiving a report, a nursing review committee may review a nurse's nursing services, qualifications, and quality of patient care, as well as the merits of a complaint concerning a nurse, and a determination or recommendation regarding a complaint. A nurse may request, orally or in writing, a determination by the committee regarding conduct requested of the nurse believed to violate the nurse's duty to a patient.

Employee Involvement

Policies BQA, BQB

At both the campus and district levels, Splendora ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from the Human Resources Department.

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for non instructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 19.)

All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact the Business Office for more information about the district's pay schedules or their own pay.

Paychecks

All professional and salaried employees are paid monthly. Hourly employees are paid every two weeks. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization.

The schedule of pay dates for the 2021–2022 school year follows:

SEPTEMBER	09/10/21
	09/24/21
OCTOBER	10/12/21
	10/26/21
NOVEMBER	11/12/21
	11/26/21
DECEMBER	12/10/21
	12/23/21
JANUARY	01/12/22

	01/26/22
FEBRUARY	02/11/22
	02/25/22
MARCH	03/11/22
	03/25/22
APRIL	04/12/22
	04/26/22
MAY	05/12/22
	05/26/22
JUNE	06/10/22
	06/24/22
JULY	07/12/22
	07/26/22
AUGUST	08/12/22
	08/26/22

Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. A notification period of two weeks is necessary to activate this service. Contact the Business Department for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

The district is required to make the following automatic payroll deductions:

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and certain charitable contributions approved by the Board. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime Compensation

Policies DEAB, DEC

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. A nonexempt employee who works overtime without prior approval will be subject to disciplinary action.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:01am Sunday and ends at 12pm Saturday.

Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours.

Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at time-and-a-half rate with direct pay. The following applies to all nonexempt employees:

- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

Travel Expense Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor and the C.F.O. must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for allowable expenses other than mileage.

Health, Dental, and Life Insurance

Policy CRD

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school employee health insurance program. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are employed for 10 or more regularly scheduled hours per week

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the Benefits and Leave Specialist for more information.

Group health insurance coverage is also available to all employees. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Detailed descriptions of insurance coverage, prices, and eligibility requirements are provided to all employees in a separate booklet at <http://www.mybenefitshub.com/splendoraisd>.

The health insurance plan year is from September 1 through August 31. New employees must complete enrollment forms within the first 30 days of employment. Current employees can make changes in their insurance coverage at <http://www.mybenefitshub.com/splendoraisd>. Employees should contact the Benefits and Leave Specialist for more information.

Splendora ISD offers an additional Medical plan **Texas School Health Benefits Program (TSHBP)**.

Group health insurance coverage is provided through **Texas School Health Benefit Program (TSHBP)**. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are employed for 10 or more regularly scheduled hours per week

Retirees who are enrolled in TRS-Care (retiree health insurance program) are not eligible to participate in Texas School Health Benefit Program TSHBP.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage,

employee cost, and eligibility requirements are provided to all employees in a separate booklet at www.mybenefitshub.com/splendoraisd. Employees should contact the Benefits and Leave Specialist for more information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs for Group Long Term Care. Premiums for these programs can be paid by payroll deduction. Employees should contact the Benefits Specialist for more information.

Cafeteria Plan Benefits (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., disability, accidental death and dismemberment, cancer and dread disease, dental, and additional term life insurance). A third-party administrator handles employee claims made on these accounts.

New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified time period.

Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from the Texas Association of School Boards, effective upon employment.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to an employee's immediate supervisor. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 30 for information on use of paid leave for such absences.

Unemployment Compensation Insurance

Policy CRF

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Benefits and Leave Specialist.

Teacher Retirement

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are eligible to purchase a year of creditable service in TRS. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify the Human Resources Department as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web (www.trs.texas.gov). See page 11 for information on restrictions of employment of retirees in Texas public schools.

Leaves and Absences

Policies DEC, DECA, DECB

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call the Human Resources Department for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Paid leave must be used in ½ day increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local leave earned prior to July 1, 2010.
- Local leave earned after July 1, 2010, and thereafter.

- State sick leave accumulated before the 1995-96 school year.
- State personal leave.

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification. Any unapproved absences or absences beyond accumulated or available paid leave shall result in deduction from the employee's pay.

Immediate Family. For purposes of leave other than family and medical leave, immediate family is defined as the following:

- Spouse
- Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis.
- Parent, stepparent, parent-in-law, or other individual who stands in loco parentis to the employee.
- Sibling, stepsibling, and sibling-in-law
- Grandparent and grandchild
- Any person residing in the employee's household at the time of illness or death

For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin. The definition of these are found in Policy DECA (LEGAL).

Medical Certification. Any employee, who is absent more than 3 days because of a personal or family illness, must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member, or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Continuation of Health Insurance. Employees, on an approved leave of absence other than family and medical leave, may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee's unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

Personal Leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: non discretionary and discretionary.

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered non discretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary may be used in the same manner as state sick leave.

Discretionary. Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor 5 days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

Leave Proration. If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave may be used for the following reasons only:

- Employee illness
- Illness in the employee's immediate family
- Family emergency (i.e., natural disasters or life-threatening situations)
- Death in the immediate family
- Active military service

Local Leave

Splendora ISD provides 5 days of Local Leave per school year to all full time employees.

Vacation

Policy DED

Non Contractual, full-time employees in positions that normally require 240 days or more of service shall be eligible for paid vacation. Vacation time shall be calculated annually from June 1 to May 31 and must be used by September 1. Any vacation time not used before this deadline shall be forfeited. When an employee retires, resigns, or is released, the employee shall be eligible to receive reimbursement for unused vacation time accrued prior to termination. The Superintendent shall develop specific procedures for implementing this policy

Sick Leave Bank (or Pool)

See Policy at <http://pol.tasb.org/Home/Index/913>

Family and Medical Leave Act (FMLA)—General Provisions

The following text is from the federal notice, *Employee Rights and Responsibilities Under the Family and Medical Leave Act*. Specific information that the district has adopted to implement the FMLA follows this general notice.

Leave Entitlements

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;

- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered service member's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

Benefits and Protections

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Eligibility Requirements

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave*; and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special hours of service eligibility requirements apply to airline flight crew employees.

Requesting Leave

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection.

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Employer Responsibilities

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Enforcement

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
www.wagehour.dol.gov

Local Procedures for Implementing Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period .

- measured backward from the date an employee uses FML

Use of Paid Leave. FML runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The district will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently.

Combined Leave for Spouses. Spouses who are employed by the district are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

Intermittent Leave. When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

Fitness for Duty. An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job function is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

Reinstatement. An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according to the procedures outlined in policy (see DECA (LEGAL)).

Failure to Return. If, at the expiration of FML, the employee is able to return to work but chooses not to do so, the district may require the employee to reimburse the district's share of insurance premiums paid during any portion of FML when the employee was on unpaid leave. If the employee fails to return to work for a reason beyond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly

transferred more than 75 miles from the district, the district may not require the employee to reimburse the district's share of premiums paid.

District Contact. Employees that require FML or have questions should contact the Human Resources Department for details on eligibility, requirements, and limitations.

Temporary Disability Leave

Certified Employees. Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

If an employee is placed on temporary disability leave involuntarily, he or she has the right to request a hearing before the board of trustees. The employee may protest the action and present additional evidence of fitness to work.

When an employee is ready to return to work, the Human Resources Department should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

Workers' Compensation Benefits

An employee absent from duty because of a job-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds seven calendar days.

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use available, partial-day increments of sick leave or any other paid leave benefits to make up the difference between wage benefits and pre-injury or -illness wages. While an employee is receiving workers' compensation wage benefits, the district will charge available leave proportionately so that the employee receives an amount equal to the employee's regular salary.

Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving an assault is a work-related injury and should be immediately reported to the employee's immediate supervisor.

An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

Jury Duty

Policies DEC, DG

The district provides paid leave to employees who are summoned to jury duty including service on a grand jury. The district will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon

as it is received and may be required to provide the district a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. A copy of the release from jury duty or documentation of time spent at the court may be required.

Compliance with a Subpoena

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Employees may be required to submit documentation of their need for leave for court appearances.

Truancy Court Appearances

An employee who is a parent, guardian of a child, or a court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing may use personal leave or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

Religious Observance

The district will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the district. The employee may use any accumulated personal leave for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

Military Leave

Paid Leave for Military Service. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave when engaged in authorized training or duty orders by proper authority. Paid military leave is limited

to 15 days each fiscal year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Reemployment after Military Leave. Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact the Human Resources Department. In most cases, the length of federal military service cannot exceed five years.

Continuation of Health Insurance. Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the Benefits Specialist for details on eligibility, requirements, and limitations.

Employee Relations and Communications

Employee Recognition and Appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities. Recognition and appreciation activities also include the Employee of the Year Banquet.

District Communications

Throughout the school year, the Communications Department publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. They include the following:

District Academic Calendar

Wildcat Quarterly

Annual Report

Complaints and Grievances

Policy DGBA

In an effort to hear and resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly grievance process. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time.

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, the district's policy concerning the process of bringing concerns and complaints is reprinted as follows:

[https://pol.tasb.org/Policy/Download/913?filename=DGBA\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/913?filename=DGBA(LOCAL).pdf)

Employee Conduct and Welfare

Standards of Conduct

Policy DH

All employees are expected to work together in a cooperative spirit to serve the best interests of the district and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC no later than the seventh day after the superintendent knew of the incident. See *Reports to the Texas Education Agency*, page 58 for additional information.

The *Educators' Code of Ethics*, adopted by the State Board for Educator Certification, which all district employees must adhere to, is reprinted below:

Texas Educators' Code of Ethics

Purpose and Scope

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. This chapter shall apply to educators and candidates for certification. (19 TAC 247.1(b))

Enforceable Standards

1. Professional Ethical Conduct, Practices, and Performance

Standard 1.1 The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

Standard 1.2 The educator shall not intentionally, knowingly, or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

Standard 1.3 The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

Standard 1.4 The educator shall not use institutional or professional privileges for personal or partisan advantage.

Standard 1.5 The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

Standard 1.6 The educator shall not falsify records, or direct or coerce others to do so.

Standard 1.7 The educator shall comply with state regulations, written local school board policies, and other state and federal laws.

Standard 1.8 The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

Standard 1.9 The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.

Standard 1.10 The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

Standard 1.11 The educator shall not intentionally, knowingly, or recklessly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12 The educator shall refrain from the illegal use, abuse, or distribution of controlled substances, prescription drugs and toxic inhalants.

Standard 1.13 The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

2. Ethical Conduct toward Professional Colleagues

Standard 2.1 The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

Standard 2.2 The educator shall not harm others by knowingly making false statements about a colleague or the school system.

Standard 2.3 The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

Standard 2.4 The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

Standard 2.5 The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

Standard 2.6 The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.

Standard 2.8 The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

3. Ethical Conduct toward Students

Standard 3.1 The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

Standard 3.2 The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

Standard 3.3 The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

Standard 3.4 The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

Standard 3.5 The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

Standard 3.6 The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

Standard 3.8 The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

Standard 3.9 The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;

- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

Discrimination, Harassment, and Retaliation

Policies DH, DIA

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action.

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal, supervisor, or district official is the subject of a complaint, the complaint should be made directly to the superintendent. A complaint against the superintendent may be made directly to the board.

Any district employee who believes that he or she has experienced prohibited conduct based on sex, including sexual harassment, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor, the campus principal, the Title IX coordinator, or the superintendent. The district's Title IX coordinator's name and contact information is listed in the Equal Employment Opportunity section of this handbook.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is reprinted below:

[https://pol.tasb.org/Policy/Download/913?filename=DIA\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/913?filename=DIA(LOCAL).pdf)

[https://pol.tasb.org/Policy/Download/913?filename=DIA\(XHIBIT\).pdf](https://pol.tasb.org/Policy/Download/913?filename=DIA(XHIBIT).pdf)

Harassment of Students

Policies DH, DHB, FFG, FFH, FFI

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited.

Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. Any

district employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the district's Title IX coordinator, the ADA/Section 504 coordinator, or superintendent and take any other steps required by district policy.

All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 40 and *Bullying*, page 62 for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below:

[https://pol.tasb.org/Policy/Download/913?filename=DHB\(LEGAL\).pdf](https://pol.tasb.org/Policy/Download/913?filename=DHB(LEGAL).pdf)

[https://pol.tasb.org/Policy/Download/913?filename=FFH\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/913?filename=FFH(LOCAL).pdf)

[https://pol.tasb.org/Policy/Download/913?filename=FFH\(XHIBIT\).pdf](https://pol.tasb.org/Policy/Download/913?filename=FFH(XHIBIT).pdf)

Reporting Suspected Child Abuse

Policies DG, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §261.001, to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

Employees are also required to make a report if they have cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child, elderly person, or person with a disability.

Reports to Child Protective Services can be made online at <https://www.txabusehotline.org/Login/Default.aspx> or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from taking an adverse employment action against a

certified or licensed professional who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency.

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed at [https://pol.tasb.org/Policy/Download/913?filename=FFG\(XHIBIT\).pdf](https://pol.tasb.org/Policy/Download/913?filename=FFG(XHIBIT).pdf) . As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect following the procedures described above in *Reporting Suspected Child Abuse*.

Reporting Crime

Policy DG

The Texas Whistleblower Act protects district employees who make good faith reports of violations of law by the district to an appropriate law enforcement authority. The district is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. State law also provides employees with the right to report a crime witnessed at the school to any peace officer with authority to investigate the crime.

Scope and Sequence

Policy DG

If a teacher determines that students need more or less time in a specific area to demonstrate proficiency in the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district's scope and sequence.

The district may take appropriate action if a teacher does not follow the district's scope and sequence based on documented evidence of a deficiency in classroom instruction. This documentation can be obtained through observation or substantiated and documented third-party information.

Technology Resources

Policy CQ

The district's technology resources, including its networks, computer systems, email accounts, devices connected to its networks, and all district-owned devices used on or off school property, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

- Imposes no tangible cost to the district.
- Does not unduly burden the district's technology resources.
- Has no adverse effect on job performance or on a student's academic performance.

Electronic mail transmissions and other use of the technology resources are not confidential and can be monitored at any time to ensure appropriate use.

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact the Technology Director.

Personal Use of Electronic Communications

Policy CQ, DH

Electronic communications include all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic communications also include all forms of telecommunication such as landlines, cell phones, and web-based applications.

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic communications as they are for any other public conduct. If an employee's use of electronic communications interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic communications for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the district's logo or other copyrighted material of the district without express written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - Confidentiality of student records. [See Policy FL]
 - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See DH (EXHIBIT)]

- Confidentiality of district records, including educator evaluations and private email addresses. [See Policy GBA]
- Copyright law [See Policy CY]
- Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See DH (EXHIBIT)]

See *Electronic Communications between Employees, Students, and Parents*, below, for regulations on employee communication with students through electronic media.

Electronic Communications between Employees, Students, and Parents

Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited. Employees are not required to provide students with their personal phone number or email address.

An employee is not subject to the provisions regarding electronic communications with a student to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

- The employee has provided the parent with a copy of this protocol;
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from district regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

The following definitions apply for the use of electronic media with students:

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages,

instant messages, and any communication made through an Internet website, including a social media website or a social networking website.

- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not communication.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who communicates electronically with students shall observe the following:

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
 - The employee shall include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
 - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
 - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee's district email address.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).

- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 10 p.m. and 6 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
 - Copyright law [Policy CY]
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district’s record retention policy.
- An employee shall notify his or supervisor in writing within one business day if a student engages in improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

Public Information on Private Devices

Policy DH

Employees should not maintain district information on privately owned devices. Any district information must be forwarded or transferred to the district to be preserved. The district will take reasonable efforts to obtain public information in compliance with the Public Information Act. Reasonable efforts may include:

- Verbal or written directive
- Remote access to district-owned devices and services

Criminal History Background Checks

Policy DBAA

Employees may be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the district and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

Employee Arrests and Convictions

Policy DH

An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

- Crimes involving school property or funds
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator
- Crimes that occur wholly or in part on school property or at a school-sponsored activity
- Crimes involving moral turpitude

Moral turpitude includes the following:

- Dishonesty
- Fraud

- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance
- Felonies involving driving while intoxicated (DWI)
- Acts constituting abuse or neglect under the Texas Family Code.

If an educator is arrested or criminally charged, the superintendent is also required to report the educator's criminal history to the Division of Investigations at TEA.

Alcohol and Drug-Abuse Prevention

Policy DH

Splendora ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use follows:

[https://pol.tasb.org/Policy/Download/913?filename=DH\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/913?filename=DH(LOCAL).pdf)

Tobacco Products and E-Cigarette Use

Policies DH, FNCD, GKA

State law prohibits smoking, using tobacco products, or e-cigarettes on all district-owned property and at school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking, using tobacco products, or e-cigarettes while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

Fraud and Financial Impropriety

Policy CAA

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or district policy
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state, or local entities
- Failure to disclose conflicts of interest as required by law or district policy
- Any other dishonest act regarding the finances of the district
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

Conflict of Interest

Policy CB, DBD

Employees are required to disclose in writing to the district any situation that creates a potential conflict of interest with proper discharge of assigned duties and responsibilities or

creates a potential conflict of interest with the best interests of the district. This includes the following:

- A personal financial interest
- A business interest
- Any other obligation or relationship
- Non-school employment

Employees should contact their supervisor for additional information.

Gifts and Favors

Policy DBD

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materials or technological equipment may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials such as maps or worksheets that convey information to students or contribute to the learning process.

Copyrighted Materials

Policy CY

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

Associations and Political Activities

Policy DGA

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers

concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. Use of district resources including work time for political activities is prohibited.

The district encourages personal participation in the political process, including voting. Employees who need to be absent from work to vote during the early voting period or on election day must communicate with their immediate supervisor prior to the absence.

Charitable Contributions

Policy DG

The Board or any employee may not directly or indirectly require or coerce an employee to make a contribution to a charitable organization or in response to a fundraiser. Employees cannot be required to attend a meeting called for the purpose of soliciting charitable contributions. In addition, the Board or any employee may not directly or indirectly require or coerce an employee to refrain from making a contribution to a charitable organization or in response to a fundraiser or attending a meeting called for the purpose of soliciting charitable contributions.

Safety

Policy CK series

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See Emergencies on page 54 for additional information.

To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve district equipment, employees must comply with the following requirements:

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents to their supervisor.
- Operate only equipment or machines for which they have training and authorization.

While driving on district business, employees are required to abide by all state and local traffic laws. Employees driving on district business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgment on whether to use hands-free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact the Human Resources Department.

Possession of Firearms and Weapons

Policies DH, FNCG, GKA

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district-provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call the Splendora ISD Police Department immediately.

Visitors in the Workplace

Policy GKC

All visitors are expected to enter any district facility through the main entrance and sign in or report to the building's main office. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on the district premises should immediately direct him or her to the building office or contact the administrator in charge.

Asbestos Management Plan

Policy CKA

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each school. A copy of the district's management plan is kept in the Maintenance office and is available for inspection during normal business hours.

Pest Control Treatment

Policies CLB, DI

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district's integrated pest management program.

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in the front entrance of a building. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written, or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

General Procedures

Emergency School Closing

The district may close or delay the opening of schools due to severe weather or emergencies. Weather related decisions are usually made shortly before 6 am since conditions that make roads hazardous may occur overnight. If weather conditions worsen after buses have begun their scheduled runs, schools will operate on a regular schedule unless utility or weather conditions make the building unsafe.

The district uses the following methods to communicate closings and delays:

- the SISD website
- Twitter @SplendoralSD
- Facebook /SplendoralSD
- [SplendoralSD app](#)
- Blackboard phone and email messaging system
- Local Television and Radio Stations

Emergencies

Policies CKC, CKD

All employees should be familiar with the safety procedures for responding to emergencies, including a medical emergency. Employees should locate evacuation diagrams posted in their work areas and be familiar with the [five emergency terms](#) (hold, secure, lockdown, evacuate, shelter). Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and procedures for their use.

Purchasing Procedures

Policy CH

All requests for purchases must be submitted to the Business department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the CFO for additional information on purchasing procedures.

Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the Human Resources office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from the Human Resources Department.

Personnel Records

Policy DBA, GBA

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal email address is confidential and may not be released without the employee's permission.

Employees may choose to have the following personal information withheld:

- Address
- Phone number, including personal cell phone number
- Emergency contact information
- Information that reveals whether they have family members

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to the Human Resources Department. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information may be released to the public until a request to withhold the information is submitted or another exception for release of information under law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

Facility Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. The CFO is responsible for scheduling the use of facilities after school hours. Contact the CFO to request to use school facilities and to obtain information on the fees charged.

Termination of Employment

Resignations

Policy DFE, DHB

Contract Employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the building principal. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to Texas Education Agency* on page 58. The superintendent will notify SBEC when an employee resigns and there is evidence to indicate that the employee has engaged in such misconduct.

Noncontract Employees. Non Contract employees may resign their position at any time. A written notice of resignation should be submitted to the employee's immediate supervisor at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

The principal is required to notify the superintendent of a non certified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or of knowing about an employee's resignation or termination following an alleged incident of misconduct described above.

Dismissal or Nonrenewal of Contract Employees

Policies DF Series, DHB

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee.

The principal is required to notify the superintendent of an educator's termination within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to*

Texas Education Agency on page _____. The superintendent will notify SBEC when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are provided to employees or are available online.

Dismissal of Noncontract Employees

Policies DCD, DP

Non Contract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, sex, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Non Contract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 34.)

The principal is required to notify the superintendent of a non certified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

Discharge of Convicted Employees

Policy DF

The district shall discharge any employee who has been convicted of or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or convicted of a felony under Title 5 Penal Code if the victim was a minor.

If the offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply.

Exit Interviews and Procedures

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

Reports to Texas Education Agency

Policies DF, DHB, DHC

Certified Employees. The resignation or termination of a certified employee must be reported to the Division of Investigations at TEA if there is evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor, or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on district property or at a school-sponsored event.

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee or an applicant for certification has a reported criminal history or engaged in conduct violating the assessment security procedures established under TEC §39.0301. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

Non Certified Employees. The voluntary or involuntary separation of a non certified employee from the District must be reported to the Division of Investigations at TEA by the superintendent if there is evidence the employee abused or otherwise committed an unlawful act with a student or minor, was involved in a romantic relationship with a student or minor, or solicited or engaged in sexual contact with a student or minor.

Reports Concerning Court-Ordered Withholding

The district is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance. Notice of the following must be sent to the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

- Termination of employment not later than the seventh day after the date of termination
- Employee's last known address
- Name and address of the employee's new employer, if known

Student Issues

Equal Educational Opportunities

Policies FB, FFH

In an effort to promote nondiscrimination and as required by law, Splendora ISD does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability in providing education services, activities, and programs, including Career and Technical Education (CTE) programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination of students based on any of the reasons listed above should be directed to [\[Dianna Archer, Director of Student Services, 23419 FM 2090, Splendora, TX 77372, darcher@splendoraisd.org, 281-689-\]](mailto:darcher@splendoraisd.org).

Student Records

Policy FL

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student's records before this time.
- School officials with legitimate educational interests

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal for assistance.

Parent and Student Complaints

Policy FNG

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the board has adopted orderly processes for handling

complaints on different issues. Any campus office or the superintendent's office can provide parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the teacher or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

Administering Medication to Students

Policy FFAC

Only designated employees may administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exceptions apply to the self-administration of asthma medication, medication for anaphylaxis (e.g., EpiPen®), and medication for diabetes management, if the medication is self-administered in accordance with district policy and procedures. A student who must take any other medication during the school day must bring a written request from his or her parent and the medicine in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

Dietary Supplements

Policies DH, FFAC

District employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her school district duties. In addition, employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

Psychotropic Drugs

Policy FFAC

A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

District employees are prohibited by state law from doing the following:

- Recommending that a student use a psychotropic drug

- Suggesting a particular diagnosis
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student

Student Conduct and Discipline

Policies in the FN series and FO series

Students are expected to follow the classroom rules, campus rules, and rules listed in the Student Handbook and Student Code of Conduct. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the district. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal.

Student Attendance

Policy FEB

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student upon returning to school, must bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to a school administrator. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

[https://pol.tasb.org/Policy/Download/913?filename=FFI\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/913?filename=FFI(LOCAL).pdf)

Hazing

Policy FNCC

Students must have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization. While most initiation rites are permissible, engaging in or permitting "hazing" is a criminal offense. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student

intends to engage in hazing, or has engaged in hazing must report that fact or suspicion to the designated campus administrator.

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HR Services Model Employee Handbook—2021 Update

Guide to Changes

Update Highlights

2021 Update. This version of the *Model Employee Handbook* includes editorial changes to ensure text accurately reflects policy or legal provisions. The Leaves and Absences section has been updated to reflect changes to Policy DEC (LOCAL) in Update 117, which districts will receive beginning in early June. In Update 117, administrative provisions are being removed, requiring districts to develop written regulations or procedures for leave administration. Detailed descriptions of all changes included in this update are listed in the chart below.

Accessibility. The editable version of the *Model Employee Handbook* is formatted to support accessibility for individuals with disabilities. This version of the handbook is a simple, linear, clearly structured document that will be easy to read in its original state and is most likely to remain accessible across a wide range of assistive devices. It is recommended that districts take the time to transfer local information into the most recent editable version and refresh the format of their employee handbook. It will be easier to add material to the current editable format than to retrofit an existing handbook for accessibility. Refer to [“Help for Editors”](#) for additional information.

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Editing Features

Text changes made in this update of the *Model Employee Handbook* (PDF version) have been marked to ease the district update process. Additions appear as blue, underlined text (e.g., [additions](#)) and deletions appear as red, strike through text (e.g., ~~deletions~~).

All changes identified in the text column of the *Model Employee Handbook* have been incorporated into the Editable Model Employee Handbook in Microsoft Word® (2021_meh_editable.docx).

The formatting included in the editable Microsoft Word® version of the employee handbook includes a table of contents and index that are built automatically in Word. Instructions for using these features are provided in the online document, [“Help for Editors”](#).

Topic	Page Number (MEH)	Page Number (Editable Version)	Description of Change
Cover Page			Updated dates
Table of Contents	1–2	1–3	Added or modified entries for new and revised topics (Extended Leave and Local Procedures for Implementing Family and Medical Leave)
Equal Employment Opportunity	12–13	n/a	In the “Local considerations” deleted references to effective date of revisions to Title IX
Certification and Licenses	15–16	10	Added “Chapter 21” to the first sentence of the second paragraph to align with Texas Education Code
Health Safety Training	18	11–12	Deleted “University Interscholastic League” in the first paragraph
Breaks for Expression of Breast Milk	20	13	Added an option for Texas Mother-Friendly Worksite districts
Performance Evaluation	22	14–15	Added text describing the nursing peer review process
Overtime Compensation	25–26	17–18	- Changed wording of the fourth bullet from “may be” to “is” - In “Local considerations” changed the reference for determining if district has a requirement to use comp time before paid leave from policy to local regulations or procedures
Leaves and Absences	31–33	21–22	- Added the last sentence to the third paragraph describing when an employee may be subject to a deduction in pay for taking unapproved absences - In “Local considerations” added notes to reference local regulations or procedures and a note to reference the new HR Library Framework for Developing Leaves and Absence procedures
Personal Leave	33–34	n/a	In “Local considerations” added a reminder to reference local regulations or procedures

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Topic	Page Number (MEH)	Page Number (Editable Version)	Description of Change
State Sick Leave	34	23	Deleted reference to use of state leave in specific increments
Extended Leave	35	23	Added new topic for districts providing extended leave
Vacation Leave	36	n/a	In “Local considerations” added a reminder to reference local regulations or procedures
Local Procedures for Implementing Family and Medical Leave Provisions	40–42	26–27	- Updated the topic title (formerly Local Family and Medical Leave) to more accurately reflect the district’s role in implementing family and medical leave as opposed to offering a locally defined benefit - In “Local considerations” added a reminder to reference local regulations or procedures in the first section and the subsection Fitness for Duty - Edited the Fitness for Duty paragraph to reflect updates to Policy DEC (LOCAL)
Jury Duty	45	n/a	In “Local considerations” edited directions and added a reminder to reference local regulations or procedures
Reporting Suspected Child Abuse	57–58	39–40	Added reference to Policy FFG
Employee Arrests and Convictions	66–67	46–47	In bulleted list following paragraph two, replaced “SBEC rule” with “the Texas Family Code”
Resignations	78	55	- Added reference to Policy DHB - Edited the second sentence in paragraph two to match provisions in Texas Education Code

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Topic	Page Number (MEH)	Page Number (Editable Version)	Description of Change
Dismissal or Nonrenewal of Contract Employees	79	55–56	- Added reference to Policy DHB - Added the second paragraph describing principal and superintendent notification requirements - In the “Local considerations” added a reference to code
Index	90–92	63–65	Updated page numbers and added entries for Texas Mother-Friendly Worksite and Extended Leave



**Splendora ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: June 29, 2021

Agenda Business Items:

- ☒ ~~Consent Agenda Item~~
☐ New Action

Information Only Items:

- ☐ Presentation
☐ Recognition
☐ Information

Name of Person Responsible:

Brian Kroeger

Department or Campus:

Human Resources

Topic:

2021-22 Employee Handbook

Background Information:

Attachments:

https://docs.google.com/document/d/1W1WgB_qE5_Puq8-tPtNKkgaopdZMjiGDGF-fkEFLAUU/edit?usp=sharing

Superintendent's Resolutions: Recommend



**Splendora ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: 07/19/2021

Submitted Date: 06/28/2021

Agenda Business Items:

- Consent Agenda Item
- ☐ New Action

Information Only Items:

- ☐ Presentation
- ☐ Recognition
- ☐ Information

Name of Person Responsible:

Brian Kroeger

Department or Campus: Human Resources

Topic: Risk Management Fund Renewal 21-22

Background Information:

Attachments: CCS

Superintendent's Resolutions: Recommended



June 10, 2021

Brian Kroeger

Splendora ISD

Dear Brian Kroeger,

Strong risk management resources and reliable coverage partners are critical to managing operations at your organization. Thank you for trusting the TASB Risk Management Fund to support your efforts.

When you choose the Fund, you get more than a coverage provider. You get a stable ally that has served members for nearly five decades and is the choice of more than 1,000 Texas school districts and other educational entities for their risk management and coverage needs.

- **Financial Security:** The Fund's financial strength, with over \$200 million in Members' Equity, means we have the financial resources to handle your claims.
- **Responsive and Adaptable:** A risk pool, like the Fund, offers flexibility to customize coverage agreements to meet Texas public schools' unique needs. We pair a broad array of coverage options with comprehensive risk solutions so you can work compliantly, train and educate staff, and prevent and mitigate losses. We meet you where you are and deliver the services you need to navigate the ever-evolving risk landscape.
- **Trusted:** The Fund is administered by the Texas Association of School Boards (TASB), an organization founded on understanding the uniqueness of each school community in Texas. Led by a board of Texas public school board members and administrators, the Fund is focused on your needs.

We are pleased to provide you with a renewal proposal for the 2021–22 coverage term. As an added convenience, **you may accept your renewal proposal online**. There are no changes in the coverage agreements this year. Coverage agreements may be accessed on the Fund's website. Please carefully review all terms and when ready, complete your electronic acceptance on the page where you accessed these documents. Enter your first and last name and then click "Accept and Sign." You may also sign these documents and return them by email to your Risk Management Marketing Consultant or to TASBRMF@tasbrmf.org.

Please note that coverage will automatically renew under the terms of this renewal proposal unless we receive written notice of termination at least 30 days prior to your renewal date. If you are unsure of your plans to renew or have any questions about the renewal proposal or any aspect of your Fund membership, please contact Rosa Brown or any member of TASB's Underwriting and Marketing Division at 800.482.7276.

Thank you for your membership in the Fund. We look forward to our continued partnership in the coming year.

Sincerely,
Rosa Brown
Senior Risk Management Consultant
Division of Underwriting & Marketing
Texas Association of Schools Boards, Inc.

TASB Risk Management Fund
12007 Research Blvd., Austin, Texas 78759-2439
P.O. Box 301, Austin, Texas 78767-0301
Toll-Free: 800.482.7276 | Austin area: 512.467.3699

CC:

Splendora ISD

Contribution & Coverage Summary (CCS) Participation Period: 9/1/2021 through 8/31/2022

The following is a summary of coverages, limits, deductibles, and contribution amounts. More information about coverage, limits, deductibles, terms, and conditions are found on following pages and are part of this CCS. Please review all pages of this CCS document.

Coverage	Limit	Deductible	Contribution
Violent Acts	\$250,000	\$0	No Cost
Workers' Comp Fully Funded	Statutory	Statutory	\$175,480
Total Contribution			\$175,480

THIS IS NOT AN INVOICE. The TASB Risk Management Fund will issue an invoice when coverage is accepted by the Member. Total Contribution is an estimate and is subject to exposure audit.

Splendora ISD

Workers' Compensation – Fully Funded

Participation Period: 9/1/2021 through 8/31/2022

Total Workers' Compensation – Fully Funded Contribution: \$175,480

The following is a summary of estimated payrolls and contribution for Workers' Compensation coverage. The amounts shown are subject to audit at the end of the Participation Period.

Classification	Estimated Payroll	Net Annual Rate	Estimated Contribution
7380 - BUS DRIVERS	\$989,495	0.01792935	\$17,741
7720 - POLICE OFFICER	\$445,303	0.02233985	\$9,948
8810 - CLERICAL OFFICE EMPLOYEES	\$1,829,391	0.00117525	\$2,150
8868 - PROFESSIONAL/ADMINISTRATON	\$27,600,303	0.00317439	\$87,614
9101 - ALL OTHERS	\$2,467,799	0.02351367	\$58,027
Total	\$33,332,291		\$175,480

Estimated Contribution	\$175,480
-------------------------------	------------------

Workers' Compensation – Fully Funded Conditions

Benefit Limits: Workers' Compensation benefits paid to Fund Member's employees under this Agreement will be as defined in the Texas Workers' Compensation Act (the Act). The Fund is responsible for claims payments as reflected in this CCS. This Agreement does not cover the defense of any suit or claim against a Fund Member except a workers' compensation claim by an eligible employee or former employee of Fund Member for the payment of statutory workers' compensation benefits.

Cooperation: The Fund Member designates the TASB Risk Management Fund as the Workers' Compensation claim administrator of record for all purposes. Fund Member agrees to use the Fund's contractors for services related to the administration of claims and to follow the Fund's election under Section 504.053 of the Labor Code to direct care through the Political Subdivision Workers' Compensation Alliance.

Claims Reporting: For Workers' Compensation claims arising during the CCS Participation Period, the Fund Member agrees that it will timely report those claims solely to the Fund. The report of Workers' Compensation claims to any other entity, regardless of reporting sequence, will waive all Fund liability under this agreement for those claims. Any fines levied against the Fund for Fund Member's failure to comply with the rules and regulations of the Act will be the sole responsibility of the Fund Member.

Program Coordinators

The Fund Member is required to designate a Program Coordinator (Coordinator) with express authority to represent and bind the Fund Member in all program matters. Below are the current Coordinators associated with the Fund Member. If a Coordinator's name and e-mail address are not listed or the Coordinator identified needs to be updated, please provide updated information to the Fund as soon as possible or include updates on this document.

Current Program Coordinators

Program	Name	Title	E-mail
TASB Risk Management Fund-Workers' Compensation	Brian Kroeger	Director of Human Resources	bkroeger@splendoraisd.org
TASB Risk Management Fund-Unemployment Compensation	Brian Kroeger	Director of Human Resources	bkroeger@splendoraisd.org

Program Coordinator Updates

Program	Name	Title	E-mail

If accepting this proposal electronically, you may scan and email this page to tasbrmf@tasbrmf.org to provide Program Coordinator updates.



Contribution & Coverage Summary General Conditions

Coverage: Coverage terms and limits provided are as set out in this CCS and the Fund's corresponding Coverage Agreements for this Participation Period.

Claims Reporting: Fund Member will provide to the Fund timely notice of all claims as required in the Interlocal Participation Agreement, the applicable Fund Coverage Agreement, or this CCS.

Definitions: Any terms not defined in this CCS will use the definition for that term from the corresponding Fund Coverage Agreement.

Payment: The Fund Member agrees to pay contributions based on a plan developed by the Fund. All contributions are payable upon receipt of an invoice from the Fund. The Fund shall determine the contribution for each program and how each contribution is applied. Termination under this Agreement of any program shall not affect the remaining programs.

Termination: This CCS may be terminated by either party with termination to be effective on any successive renewal date by giving written notice to the other party no later than 30 days prior to automatic renewal in accordance with Termination provisions in the Interlocal Participation Agreement. If this CCS is not terminated, the renewal of the CCS becomes effective on the automatic renewal date and the member shall be bound by the terms of the renewal CCS.

Fund Member Authorization:

I approve this Contribution and Coverage Summary (CCS) and certify that this information is correct. I affirm that I am duly authorized to approve this CCS and that I have read and agree to this CCS and the Interlocal Participation Agreement.

Authorized Signature

Date

Printed Name

Title



**Splendor ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: 07.19.2021

Submitted Date: 07.01.2021

Agenda Business Items:

- ☒ Consent Agenda Item
(Board has acted on items such as this previously)
- ☐ New Action
(Board has not seen information previously and allows for more time to discuss)

Information Only Items:

- ☐ Presentation
☐ Recognition
☐ Information

Name of Person Responsible: Kevin Lynch

Department or Campus: Finance

Topic: Set Date for Public Hearing to discuss the 2021 Ad Valorem Tax Rate.

Background Information: As mandated by education code, we must set a date for a Public Hearing in order to Discuss the 2021 Ad Valorem Tax Rate. The hearing will be held on Aug. 16, 2021 at 6:30pm in the SISD Board Room.

Attachments: N/A

Superintendent's Resolutions: Recommended



**Splendor ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: 07/19/2021

Submitted Date: 07/08/2021

Agenda Business Items:

- X Consent Agenda Item
(Board has acted on items such as this previously)
New Action
(Board has not seen information previously and allows for more time to discuss)

Information Only Items:

- ☐ Presentation
- ☐ Recognition
- ☐ Information

Name of Person Responsible: Kevin Lynch

Department or Campus: Administration Office

Topic: Approval of Authorized Activity Fund Signatures to include Kevin Lynch, Dr. Tami Greggerson, T&L Secretary, Campus Principals, Campus Assistant Principals, Campus Secretary/Bookkeeper, Athletic Director, Assistant Athletic Director, and Athletic Director Secretary.

Background Information: Our Bank requires board minutes authorizing signers for student activity account checks.

Attachments: N/A

Superintendent's Resolutions: Recommended

Splendora ISD Superintendent Strategic Priorities & Operational Goals 2021-2022

Strategic Priority 1: Focus on Student Success

Performance Goals:

- 1.1 Increase Student Engagement**
- 1.2 Ensure Social/Emotional Wellness for Students**
- 1.3 Create Future Ready Students: College-Career-Military-Life**
- 1.4 Increase Focus on Student Learning and Progress**
- 1.5 Ensure Student Safety**

Strategic Priority 2: Focus on Staff Well-Being, Engagement and Growth

Performance Goals:

- 2.1 Design intentional Professional Learning aligned to the Strategic Direction**
- 2.2 Build Capacity to support increased Staff Engagement**
- 2.3 Measure and Provide Action Steps to Increase Staff Satisfaction and Trust**
- 2.4 Increase focus on Staff Well-Being**

Strategic Priority 3: Focus on Community Engagement, Transparency and Trust

Performance Goals:

- 3.1 Measure Perceptions of Increased Transparency**
- 3.2 Augment Community Partnerships**
- 3.3 Measure Community Satisfaction: Non-Parents**
- 3.4 Measure Community Satisfaction: Parents**
- 3.5 Improve Customer Satisfaction Systems and Processes**

Strategic Priority 4: Focus on Strategic Financial Stewardship

Performance Goals:

- 4.1 Develop Clear Plan for Growth**
- 4.2 Ensure Coherent and Transparent Budget Development, Adoption and Management**
- 4.3 Ensure Efficiency, Cost Avoidance and Strategic Alignment of Resources**
- 4.4 Focus on Well-Maintained Facilities**

*** For each operational goal, each indicator (ex. 1.1 Student Engagement) will include specific strategic actions (inputs), Progress measures (outputs) and Long-Term Desired outcomes (what we expect to see by the end of the year, unless the board decides to extend the goal beyond one year). These goals will be reviewed at each board meeting and will be communicated to the board by the board bulletin and the tracking sheet, which will both be sent monthly.**



**Splendoria ISD Board of Trustees
Agenda Item Information Form**

Board Meeting Date: July 19, 2021

Submitted Date: July 15, 2021

- ☐ Consent Agenda Item
- ☒ ~~Action Needed~~ _____
- ☐ Information Only
- ☐ Recognition / Presentation

Name of Person Responsible:

Dr Jeff Burke

Department or Campus:

Superintendent

Topic:

Board Superintendent Operational Goals

Background Information:

Attachments:

Board Superintendent Operational Goals

Superintendent's Resolutions:

POSSIBLE AGENDA ITEMS FOR NEXT REGULAR MEETING:

- A. Curriculum Management Plan Presentation -
- B. Monthly Police Report
- C. Public Hearing to Adopt Budget/
Tax Rate
- D. CBAS Signaling
- E. Adopt Budget/Tax Rate
- F. Call for Election/Election Items
- G. Review Property and Vehicle Insurance Policies
- H. Certification of Appraisal Roll, Excess Collections, and Debt Service Collection
Rate
- I. PDAS Calendar and Appraisers
- J. JJAEP Memorandum of Understanding
- K. 4H Memorandum of Understanding