

**Agenda of Work Session
Board of Trustees
Cleburne Independent School District
Monday, February 8, 2021**

A Work Session of the Board of Trustees of the Cleburne Independent School District will be held on Monday, February 8, 2021 beginning at 6:00 PM in the Cleburne ISD Boardroom
505 N. Ridgeway Dr., suite 100
Cleburne, TX 76033

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

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

1. **CALL TO ORDER**
2. Pledge of Allegiance
3. Invocation
4. **PUBLIC COMMENT**
 - A. Per Executive Order GA-32 from Gov. Greg Abbott, most every business establishment in North Texas is now required to reduce capacity from 75% to 50%. Limited seating will be available in order to comply with social distancing guidelines.
 - B. Due to the Governor's July 2, 2020 executive order, all visitors will be required to wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public.
 - C. Addressing the School Board: A public speaker must sign up by 5:55pm. A speaker will be limited to three (3) minutes to make comments regarding items on the agenda. Speakers must address the Board from the podium and state their name before speaking. The Board shall not answer questions and shall not deliberate or decide regarding any subject. Board policy prohibits the discussion of complaints against district employees and/or students during public comment.
5. **PRESENTATIONS**
 - A. PBK Architects
6. **ACTION ITEMS**
 - A. Bond Referendum
 1. Consider Calling for a Bond Referendum 3
 - B. Human Resources
 1. Chapter 21 - Deliberate and take appropriate action on Teacher contracts for the 2020-2021 school year 7
 - a. No Action - Information Only Personnel Report 8
 2. Update 116 - First Reading 10
7. **CLOSED MEETING (TEXAS GOVERNMENT CODE 551)**

- A. Pursuant to Texas Government Code Section 551.071, to consult with the District's attorney, in person or by phone, on a matter in which the duty of the attorney to the District under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.
 - B. Pursuant to Texas Government Code Section 551.072 Consider Purchase, Exchange, Lease or Value of Real Property.
 - C. Pursuant to Texas Government Code Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
8. **RECONVENE**
A. Action, if any, from closed session
9. **ADJOURNMENT**

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 or Government Code section 418.183(f). 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. [See BEC (LEGAL)]

This notice was posted in compliance with the Texas Open Meetings Act on .

Kyle Heath
Superintendent of Schools

ORDER CALLING A SPECIAL ELECTION FOR CLEBURNE INDEPENDENT SCHOOL DISTRICT

THE STATE OF TEXAS §
COUNTY OF JOHNSON §
CLEBURNE INDEPENDENT SCHOOL DISTRICT §

WHEREAS, the Board of Trustees (the “Board”) of the Cleburne Independent School District (the “District”) deems it advisable to call the bond election hereinafter ordered (the “Election”); and

WHEREAS, the Board hereby finds and determines that the existing auditorium at Cleburne High School is predominantly utilized for classroom instruction and essential administrative operations and is an integral part of the school building; and

WHEREAS, the Board hereby finds and determines that the anticipated capital improvements identified in Proposition A may be submitted to the qualified voters of the District as a single proposition pursuant to Section 45.003(g) of the Code because these capital improvements will be predominantly used for educational and administrative purposes, none of which are the type of facilities described in Section 45.003(g)(1 6); and

WHEREAS, the Election is subject to the provisions of Section 45.003, Texas Education Code, and the District is contracting with Johnson County, Texas (the “County”) for the administration of the Election pursuant to an interlocal agreement with the County (the “Election Contract”); and

WHEREAS, the County, acting through its Elections Administrator (the “Elections Administrator”) in accordance with the Election Contract will provide for the administration of the Election; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Order was adopted was open to the public, and public notice of the time, place, and purpose of the meeting was given, all as required by the Texas Government Code, Chapter 551.

THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE CLEBURNE INDEPENDENT SCHOOL DISTRICT:

Section 1. Findings. The statements contained in the preamble of this Order are true and correct and adopted as findings of fact and operative provisions hereof.

Section 2. Election Ordered; Polling Places. The Election shall be held in the District between the hours of 7:00 a.m. and 7:00 p.m. on May 1, 2021 (“Election Day”). The Election is to be conducted by the County, as provided by Chapter 271, Texas Election Code (the “Code”) and the Election Contract. Voting for the Election on Election Day shall occur at the following locations, or at such other location(s) as may be designated by the Elections Administrator:

Cleburne ISD Administration. Building	Cooke Elementary	Gerard Elementary
505 N. Ridgeway Dr., Suite 100	902 Phillips	1212 S. Hyde Park Blvd
Cleburne, TX 76033	Cleburne, TX 76033	Cleburne, TX 76033

Section 3. Early Voting. Early voting shall be administered by the County. Early voting by personal appearance shall be conducted between the hours of 8:00 a.m. and 5:00 p.m. from April 19, 2021 through April 23, 2021, and between the hours of 7:00 a.m. and 7:00 p.m. on April 26, 2021 and April 27,

2021. Early voting by personal appearance will be conducted at the Johnson County Elections Office, 103 S Walnut St., Cleburne, Texas 76033, or at such other location(s) as may be designated by the Elections Administrator.

Section 4. Election Officials. The appointment of the Presiding Election Judge, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and other election officials for the Election shall be made by the Elections Administrator in accordance with the Election Contract and the Code. The Elections Administrator may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station. The Board of Trustees hereby authorizes the Superintendent, President, Vice President or the Secretary of the Board of Trustees to execute or attest on behalf of the District the Election Contract with the County.

Section 5. Voting by Mail. Applications for voting by mail for all residents of the District shall submitted by personal delivery not later than April 16, 2021, or shall be mailed to the address below and received (not postmarked) by April 20, 2021:

Johnson County Elections Office
103 S. Walnut Street
Cleburne, TX 76033

Section 6. Early Voting Ballots. An Early Voting Ballot Board shall be created to process early voting results of the Election and the Presiding Judge of the Early Voting Ballot Board shall be designated by the Elections Administrator. The Presiding Judge of the Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

Section 7. Qualified Voters. All qualified electors of and residing in the District, shall be entitled to vote at the election.

Section 8. Propositions. At the Election the following PROPOSITIONS shall be submitted in accordance with law:

CLEBURNE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION
CLEBURNE INDEPENDENT SCHOOL DISTRICT PROPOSITION A

Shall the Board of Trustees of the Cleburne Independent School District be authorized to issue the bonds of the District, in one or more series, in the aggregate principal amount of \$66,884,249 for the purpose of acquiring, constructing, renovating and equipping school facilities, the purchase of necessary sites for school facilities, and the purchase of school buses and vehicles, with the bonds to mature, bear interest, and be issued and sold in accordance with law at the time of issuance; and shall the Board of Trustees be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, on all taxable property in the District, sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?

CLEBURNE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION
CLEBURNE INDEPENDENT SCHOOL DISTRICT PROPOSITION C

FOR _____) THE ISSUANCE OF \$1,390,000 OF BONDS BY THE CLEBURNE
INDEPENDENT SCHOOL DISTRICT FOR INSTRUCTIONAL
TECHNOLOGY AND LEVYING THE TAX IN PAYMENT THEREOF.
AGAINST _____) THIS IS A PROPERTY TAX INCREASE.

Section 10. Compliance with Federal Law. In all respects, the Election shall be conducted in accordance with the Code. Pursuant to the federal Help America Vote Act (“HAVA”) and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The District hereby finds that the voting systems to be used by the Elections Administrator in administering the Election is such a system, and orders that such voting equipment or other equipment certified by the Texas Secretary of State shall be used by the District in its elections.

Section 11. Debt Obligations. The following information is provided in accordance with the provisions of Section 3.009(b), Texas Election Code.

- (a) The proposition language that will appear on the ballot is set forth in Section 9 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Section 8 hereof.
- (c) The principal amount of the debt obligations to be authorized is \$66,884,249 for Proposition A, \$22,456,685 for Proposition B, and \$1,390,000 for Proposition C.
- (d) If the bonds are approved by the voters, the Board of Trustees will be authorized to levy annual ad valorem taxes, on all taxable property in the District, sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds.
- (e) Based upon the bond market conditions at the date of adoption of this Order, the maximum interest rate for any series of the bonds is estimated to be 3.00%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds and notes. Such estimated maximum interest rate is provided as a matter of information, but is not a limitation on the interest rate at which the bonds or notes, or any series thereof, may be sold.
- (f) If the bonds are approved, they may be issued in one or more series, to mature serially, over a period not to exceed 40 years from the date of issuance of each series of bonds.
- (g) The aggregate amount of the outstanding principal of the District’s debt obligations as of the date of this Order is \$123,822,082.50.
- (h) The aggregate amount of the outstanding interest of the District’s debt obligations as of the date of this Order is \$75,266,729.70.
- (i) The ad valorem debt service tax rate for the District as of the date of this Order is \$0.46 per \$100 of taxable assessed valuation.



505 North Ridgeway Drive, Suite 100
Cleburne, TX 76033
817.202.1100 Office • 817.202.1460 Fax

To: Dr. Kyle Heath, Superintendent

From: Dr. Andrea Hensley, Assistant Superintendent of Human Resources

Date: February 8, 2021

Subject: Personnel Action - Contracted Personnel - New Hires for Board Approval

New Hires:

Name:	Erick Silva
Assignment:	Science Teacher / Wheat Middle School
Experience:*	0 Years' Experience
Degree:	Bachelor's Degree / University of North Texas
Start Date:	February 3, 2021

* Years of experience are self-reported and verified upon receipt of service records.



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To: Dr. Kyle Heath, Superintendent

From: Dr. Andrea Hensley, Assistant Superintendent of Human Resources

Date: February 8, 2021

Subject: Personnel Report - Resignations/Retirements and Paraprofessional Hires for Board Information

Resignations/Retirements:

Name:	Marla Barkman
Assignment:	Math Teacher / Smith Middle School
Effective:	June 4, 2021
Name:	Amelia Easter
Assignment:	ESL Specialist Teacher / Santa Fe Elementary School
Effective:	June 4, 2021
Name:	Misti Ellis
Assignment:	AP Administrative Assistant
Effective:	March 12, 2021
Name:	Shannon Sanders
Assignment:	Inclusion Aide / Wheat Middle School
Effective:	December 12, 2021

Paraprofessional Hires:

Name:	Nicole Bock-Kinnerk
Assignment:	Assistant Principal Secretary / Cleburne High School
Effective:	February 15, 2021
Name:	Linda Chaplin
Assignment:	Inclusion Aide / Santa Fe Elementary
Effective:	February 8, 2021



Board of Trustees

TITLE: CISD Policy Update - TASB Update 116

DATE: February 8, 2021

BOARD ACTION ITEM

BACKGROUND:

Cleburne Independent School District (CISD) is a member of the Texas Association of School Boards (TASB). The TASB Policy service periodically provides Legal and Local policy updates, which reflect changes in education law and rule. As part of CISD’s service agreement, the District receives TASB policy recommendations. Additionally, the District may send its own policy recommendations to TASB for evaluation.

CONSIDERATION:

CISD Recommended (LOCAL) Policy Changes: TASB Update 116

(LEGAL) Policies for Review

(LOCAL) Policies for Adoption Consideration

Update 116 includes policy revisions in response to revised state rules and provisions from the 86th Legislative Session that were effective January 1, 2021.

The following CISD (LOCAL) Policy Action List contains (LOCAL) policy that is recommended for addition, revision, or deletion by TASB Policy Service.

CQB(LOCAL): TECHNOLOGY RESOURCES - CYBERSECURITY

DCD(LOCAL): EMPLOYMENT PRACTICES - AT-WILL EMPLOYMENT

DCE(LOCAL): EMPLOYMENT PRACTICES - OTHER TYPES OF CONTRACTS

FFAC(LOCAL): WELLNESS AND HEALTH SERVICES - MEDICAL TREATMENT

GKA(LOCAL): COMMUNITY RELATIONS - CONDUCT ON SCHOOL PREMISES

RECOMMENDATION:

CISD administration recommends moving to a second reading of the recommended policy updates, or moving to add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 116 on this, the first reading.

Explanatory Notes

TASB Localized Policy Manual Update 116

Cleburne ISD

ATTN(NOTE)

GENERAL INFORMATION ABOUT THIS UPDATE

New! Local Policy Overview for Update 116: The newly redesigned publication *Local Policy Overview* is available in the myTASB Policy Service Resource Library. *Local Policy Overview* is presented in both video and written document formats and replaces *Vantage Points*, previously provided on yellow paper in mailed update packets and available online.

Like *Vantage Points*, the *Local Policy Overview* provides a general, high-level overview of the changes to the (LOCAL) policies included in TASB updates. This resource has been redesigned to better present the information and to meet accessibility standards for individuals with visual impairments. Both the video and written formats of the *Local Policy Overview* are available on myTASB in [Policy Manual Update Resources](#). From there, you may forward them electronically or print the written document for distribution to staff and board members.

(LEGAL) policies provide the legal framework for key areas of district operations; they are not adopted by the board.

A25(INDEX)

CROSS-INDEX

The cross-index has been updated to reflect new terms and revisions to content and coding in the policy manual.

AIA(LEGAL)

ACCOUNTABILITY: ACCREDITATION AND PERFORMANCE INDICATORS

Revisions from Administrative Code rules incorporate details previously included in the [Local Accountability Systems Guide](#). The *Guide* is no longer adopted by reference in the Administrative Code but is available online.

AIB(LEGAL)

ACCOUNTABILITY: PERFORMANCE REPORTING

We have added revised Administrative Code rules addressing Results Driven Accountability, a framework to evaluate district performance in regard to certain populations of students in select program areas.

AIC(LEGAL)

ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Provisions regarding Monitoring Reviews and On-Site Investigations have been revised to better reflect statute.

BE(LEGAL)

BOARD MEETINGS

Provisions at Persons with Hearing Impairments have been revised to better reflect statute.

BJCB(LEGAL)

SUPERINTENDENT: PROFESSIONAL DEVELOPMENT

Details from revised Administrative Code rules have been added to the provision requiring superintendents to receive training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children.

C(LEGAL)

BUSINESS AND SUPPORT SERVICES

The title of CX has been revised to Contracts for Facilities to better reflect the content.

CBB(LEGAL)

STATE AND FEDERAL REVENUE SOURCES: FEDERAL

Extensive revisions to this legally referenced policy are based on Office of Management and Budget (OMB) amendments to federal regulations addressing awards and grants.

Explanatory Notes

TASB Localized Policy Manual Update 116

Cleburne ISD

CCG(LLEGAL)

LOCAL REVENUE SOURCES: AD VALOREM TAXES

Provisions, effective January 1, 2021, from Senate Bill 2, 86th Legislative Session, have been added and address:

- Use and submission of the comptroller's tax rate calculation forms to calculate the no-new-revenue and voter-approval tax rates; and
- Taxpayer injunctions restraining the collection of taxes and prohibiting a district from adopting a tax rate if certain requirements are not met.

Guidance from the Texas Tax Code on calculating the voter approval tax rate has also been added.

CE(LLEGAL)

ANNUAL OPERATING BUDGET

We have added a provision requiring the board to attach the forms used to calculate the no-new-revenue and voter-approval tax rates as an appendix to the district's budget. The provision is effective January 1, 2021, and is from Senate Bill 2, 86th Legislative Session.

CFC(LLEGAL)

ACCOUNTING: AUDITS

Revised Administrative Code rules clarify that the district's independent auditor must be associated with a certified public accountancy firm licensed by the Texas State Board of Public Accountancy or a state licensing agency from another state.

CKB(LLEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: ACCIDENT PREVENTION AND REPORTS

New Administrative Code rules on mandatory school drills have been added.

CO(LLEGAL)

FOOD AND NUTRITION MANAGEMENT

We have updated web links in this legally referenced policy.

COA(LLEGAL)

FOOD AND NUTRITION MANAGEMENT: PROCUREMENT

We have updated web links in this legally referenced policy.

COB(LLEGAL)

FOOD AND NUTRITION MANAGEMENT: FREE AND REDUCED-PRICE MEALS

We have updated web links in this legally referenced policy.

CQA(LLEGAL)

TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

A new required internet posting has been added from revised Administrative Code rules. A district with a local accountability system must post on the district's website an explanation of the methodology used to assign local campus accountability performance ratings.

CQB(LOCAL)

TECHNOLOGY RESOURCES: CYBERSECURITY

To ease compliance with state law provisions requiring the board to select a cybersecurity training program and verify and report cybersecurity training by district employees, recommended revisions to this policy provide for the board to delegate these responsibilities to the superintendent.

Explanatory Notes

TASB Localized Policy Manual Update 116

Cleburne ISD

CX(LEGAL) CONTRACTS FOR FACILITIES

The title to this legally referenced policy has been changed to Contracts for Facilities, and the text has been revised to better reflect statute.

DAA(LEGAL) EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY

This legally referenced policy has been significantly reorganized to focus on discrimination in hiring and discharging employees. Some details on disability discrimination have been moved to DIA, addressing discrimination, harassment, and retaliation in other aspects of employment.

For clarification a Note has been added to indicate that Title VII, the Americans with Disabilities Act, and the Genetic Information Nondiscrimination Act only apply to employers with 15 or more employees as described in the Note.

DBA(LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: CREDENTIALS AND RECORDS

This legally referenced policy has been updated to clarify that holders of intern or probationary certificates may be employed on an emergency permit under certain circumstances.

DCD(LOCAL) EMPLOYMENT PRACTICES: AT-WILL EMPLOYMENT

Recommended revisions clarify that an at-will employee's appeal of dismissal would follow the district's employee grievance policy and not begin with the board.

The *Legal Issues in Update 116* memo describes common legal concerns and best practices specific to [this policy topic](#).

DCE(LOCAL) EMPLOYMENT PRACTICES: OTHER TYPES OF CONTRACTS

Recommended revisions clarify that an appeal by an employee whose non-Chapter 21 contract is not re-issued at the end of the contract period would follow the district's employee grievance policy and not begin with the board.

Please contact the district's policy consultant if you have revisions to the list of positions for which the district issues a non-Chapter 21 contract.

The *Legal Issues in Update 116* memo describes common legal concerns and best practices specific to [this policy topic](#).

DEAA(LEGAL) COMPENSATION PLAN: INCENTIVES AND STIPENDS

References have been added to new Administrative Code rules on optional local teacher designation systems and mentor teacher training programs.

DH(EXHIBIT) EMPLOYEE STANDARDS OF CONDUCT

The Educators' Code of Ethics has been updated to reflect current Administrative Code rules.

DIA(LEGAL) EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

This legally referenced policy has been significantly reorganized to focus on the prohibition against discrimination, harassment, and retaliation with respect to compensation, terms, conditions, or privileges of employment.

Explanatory Notes

TASB Localized Policy Manual Update 116

Cleburne ISD

For clarification a Note has been added to indicate that Title VII, the Americans with Disabilities Act, and the Genetic Information Nondiscrimination Act only apply to employers with 15 or more employees as described in the Note.

DP(LEGAL) PERSONNEL POSITIONS

Revised Administrative Code rules implement House Bill 1501 from the 86th Legislative Session, which created the Texas Behavioral Health Executive Council to regulate psychological services in public schools, including services provided by a licensed specialist in school psychology.

EHAC(LEGAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (SECONDARY)

Revisions from amended Administrative Code rules align the required secondary curriculum with changes to the technology applications and CTE TEKS and legislation from the 86th Legislative Session.

In addition, provisions on personal financial literacy were moved within the policy for clarity.

EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES

From amended Administrative Code rules, we have added provisions explaining:

- How educationally disadvantaged students are defined for the compensatory education allotment and the methods a district may use to verify eligibility; and
- The approval process a district must use to claim students receiving a full-time virtual education through TXVSN in their counts of educationally disadvantaged students.

EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

We have added a new Administrative Code rule addressing the option for an elementary school student to complete a course in American Sign Language to satisfy one of the required graduation credits for languages other than English.

EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT

Amended Administrative Code rules require a student in grades 3 through 8 who is enrolled in an accelerated course and who will complete the high school end-of-course assessment for the content area prior to high school to take the ACT or SAT in high school.

Revisions at Accountability Testing are to better match statutory wording.

EKBA(LEGAL) STATE ASSESSMENT: ENGLISH LANGUAGE LEARNERS/LEP STUDENTS

Revised Administrative Code rules address the administration of the alternate English language proficiency assessment for students with the most significant cognitive disabilities and amend terminology in some places from *English language learner* to *English learner*.

FDD(LEGAL) ADMISSIONS: MILITARY DEPENDENTS

Under new Administrative Code rules, a campus may qualify to earn a Purple Star Designation if the campus meets criteria demonstrating supports and resources for its military-connected students.

Explanatory Notes

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FFAC(LOCAL)

WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

Policy Service recommends several revisions to this local policy on student medical treatment to reflect current guidance from the Texas Department of State Health Services (DSHS) and common district practices.

- Administrative details on student illness and accidents are recommended for removal.
- Provisions on administering medication provided by parents direct the superintendent to designate the employees authorized to administer medication and refer to administrative regulations for detailed requirements.
- In accordance with DSHS guidance, the policy now reflects that the district shall not purchase non-prescription medication to administer to students. **Contact the district's policy consultant if the district purchases or provides any medication for students, including providing nonprescription medication in the district's athletic program, unassigned epinephrine auto-injectors, or unassigned prescription asthma medication.**
- Medical treatment provisions have been updated to clarify who may complete medical treatment authorization forms and reflect that the district shall seek appropriate emergency care for a student as required or deemed necessary. This new text is recommended to replace previous text that covered emergency treatment forms.

See FFAC in the [TASB Regulations Resource Manual](#) for updated procedures and forms.

The *Legal Issues in Update 116* memo describes common legal concerns and best practices specific to [this policy topic](#).

FFEB(LEGAL)

COUNSELING AND MENTAL HEALTH: MENTAL HEALTH

Revised Administrative Code rules adopted by the Texas Behavioral Health Executive Council address consent regarding school psychological services provided by a licensed specialist in school psychology.

FFG(LEGAL)

STUDENT WELFARE: CHILD ABUSE AND NEGLECT

Revisions at SBEC Disciplinary Action are from amended Administrative Code rules. We have also added a Note connecting the general child abuse and neglect investigation provisions in this legally referenced policy with the more specific provisions at GRA(LEGAL) addressing investigations of abuse and neglect at school.

FFH(LEGAL)

STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

A revision clarifies that the notification of nondiscrimination required by Title IX does not need to state that it extends to admission.

FL(LEGAL)

STUDENT RECORDS

Revisions have been made to reorganize the provisions for better flow and to better match statutory text. Provisions on flagging records of missing children and notifying law enforcement of subsequent requests for those records have been moved to GRAA(LEGAL). Provisions regarding student information a district receives from law enforcement have been removed, as these provisions are duplicated at GRAA(LEGAL).

Explanatory Notes
TASB Localized Policy Manual Update 116

Cleburne ISD

GKA(LOCAL) COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES

A recommended revision specifies that a person filing a complaint regarding refusal of entry to or ejection from property based on Education Code 37.105 shall be permitted to address the board within 90 "calendar" days. This change aligns with changes made at Update 115 to the grievance policies at FNG and GF.

The *Legal Issues in Update 116* memo describes common legal concerns and best practices specific to [this policy topic](#).

GNC(LEGAL) RELATIONS WITH EDUCATIONAL ENTITIES: COLLEGES AND UNIVERSITIES

Details on contracting with an institution of higher education for design or construction of instructional or athletic facilities have been removed, as this information is located in CX(LEGAL).

GRA(LEGAL) RELATIONS WITH GOVERNMENTAL ENTITIES: STATE AND LOCAL GOVERNMENTAL AUTHORITIES

New Administrative Code rules implement the Child Abuse and Treatment Act, resulting in extensive revisions to this legally referenced policy addressing Department of Family and Protective Services investigations of abuse and neglect at school.

GRAA(LEGAL) STATE AND LOCAL GOVERNMENTAL AUTHORITIES: LAW ENFORCEMENT AGENCIES

Provisions on flagging records of missing children and notifying law enforcement of subsequent requests for those records have been moved to this code from FL(LEGAL).

Instruction Sheet

TASB Localized Policy Manual Update 116

Cleburne ISD

Code	Type	Action To Be Taken	Note
ATTN	(NOTE)	No policy enclosed	See explanatory note
A25	(INDEX)	Replace cross-index	Revised cross-index
AIA	(LEGAL)	Replace policy	Revised policy
AIB	(LEGAL)	Replace policy	Revised policy
AIC	(LEGAL)	Replace policy	Revised policy
BE	(LEGAL)	Replace policy	Revised policy
BJCB	(LEGAL)	Replace policy	Revised policy
C	(LEGAL)	Replace table of contents	Revised table of contents
CBB	(LEGAL)	Replace policy	Revised policy
CCG	(LEGAL)	Replace policy	Revised policy
CE	(LEGAL)	Replace policy	Revised policy
CFC	(LEGAL)	Replace policy	Revised policy
CKB	(LEGAL)	Replace policy	Revised policy
CO	(LEGAL)	Replace policy	Revised policy
COA	(LEGAL)	Replace policy	Revised policy
COB	(LEGAL)	Replace policy	Revised policy
CQA	(LEGAL)	Replace policy	Revised policy
CQB	(LOCAL)	Replace policy	Revised policy
CX	(LEGAL)	Replace policy	Revised policy
DAA	(LEGAL)	Replace policy	Revised policy
DBA	(LEGAL)	Replace policy	Revised policy
DCD	(LOCAL)	Replace policy	Revised policy
DCE	(LOCAL)	Replace policy	Revised policy
DEAA	(LEGAL)	Replace policy	Revised policy
DH	(EXHIBIT)	Replace exhibit	Revised exhibit
DIA	(LEGAL)	Replace policy	Revised policy
DP	(LEGAL)	Replace policy	Revised policy
EHAC	(LEGAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EKBA	(LEGAL)	Replace policy	Revised policy
FDD	(LEGAL)	Replace policy	Revised policy
FFAC	(LOCAL)	Replace policy	Revised policy

Instruction Sheet
TASB Localized Policy Manual Update 116

Cleburne ISD

Code	Type	Action To Be Taken	Note
FFEB	(LEGAL)	Replace policy	Revised policy
FFG	(LEGAL)	Replace policy	Revised policy
FFH	(LEGAL)	Replace policy	Revised policy
FL	(LEGAL)	Replace policy	Revised policy
GKA	(LOCAL)	Replace policy	Revised policy
GNC	(LEGAL)	Replace policy	Revised policy
GRA	(LEGAL)	Replace policy	Revised policy
GRAA	(LEGAL)	Replace policy	Revised policy



(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

Plan The District shall develop a cybersecurity plan to secure the District's cyberinfrastructure against a cyberattack or any other cybersecurity incidents, determine cybersecurity risk, and implement appropriate mitigation planning.

Coordinator The Superintendent shall designate a cybersecurity coordinator. The cybersecurity coordinator shall serve as the liaison between the District and the Texas Education Agency (TEA) in cybersecurity matters and as required by law report to TEA breaches of system security.

Training The Board delegates to the Superintendent the authority to:

1. Determine ~~Each District employee and Board member shall annually complete~~ the cybersecurity training program ~~to be annually completed~~ ~~designated~~ by each employee and Board member; and
2. Verify ~~the District. The District shall verify~~ and report compliance with staff training requirements ~~in accordance with guidance from~~ the Department of Information Resources.

~~The~~ ~~Additionally, the~~ District shall complete periodic audits to ensure compliance with the cybersecurity training requirements.

Security Breach Notifications Upon discovering or receiving notification of a breach of system security, the District shall disclose the breach to affected persons or entities in accordance with the time frames established by law. The District shall give notice by using one or more of the following methods:

1. Written notice.
2. Email, if the District has email addresses for the affected persons.
3. Conspicuous posting on the District's websites.
4. Publication through broadcast media.

The District's cybersecurity coordinator shall disclose a breach involving sensitive, protected, or confidential student information to TEA and parents in accordance with law.

Personnel not hired under a contract shall be employed on an at-will basis.

[For information regarding contractual employment, see DCA, DCB, DCC, and DCE, as appropriate]

Dismissal

At-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the District. At-will employees who are dismissed shall receive pay through the end of the last day worked.

Appeal of
Employment
Actions to Board

A dismissed employee may ~~appeal request to be heard by the dismissal~~ ~~Board~~ in accordance with DGBA(LOCAL).

EMPLOYMENT PRACTICES
OTHER TYPES OF CONTRACTS

DCE
(LOCAL)

**Non-Chapter 21
Contracts**

The District shall employ on non-Chapter 21 contracts, not to be governed by Chapter 21 of the Education Code, the following positions: ~~director of technology, senior director of maintenance and operations, director of federal and state funding, director of food service, and director of maintenance~~ ~~director of technology, senior director of maintenance and operations, director of federal and state funding, director of food service, and director of maintenance.~~

**Appeal of
Employment Actions**

An employee may appeal discharge during the contract period in accordance with DCE(LEGAL).

An employee whose contract is not reissued at the end of the contract period may appeal ~~to the Board~~ in accordance with DGBA(LOCAL).

Student Illness Procedures shall be established by the administration to ensure that proper attention is given to any student who becomes ill during the course of a school day.

Accidents Involving Students Emergency procedures shall be established by the administration to ensure proper attention for any student injured at school. Records shall be maintained on all accidents that require the attention of a medical doctor.

Emergency Treatment Forms Each year, students and parents shall complete and sign a form that provides emergency information and authorizes school officials to obtain emergency medical treatment, as provided by law.

Administering Medication No employee shall give any student prescription medication, non-prescription medication, herbal substances, anabolic steroids, or dietary supplements of any type, except as authorized by this or other District policy provided below.

Medication Exceptions

~~Employees authorized by the~~
Provided by
Parent

~~Provided by~~
~~Parent~~

No Medication
Provided by
District

The Superintendent shall designate the employees who are authorized to administer medication that has been provided by a student's parent. An authorized employee is permitted to administer the following medication in accordance with administrative regulations:

~~Superintendent or designee may administer to students:~~

1. Prescription medication in accordance with legal requirements. ~~{See FFAC(LEGAL)}~~
2. Nonprescription medication, upon a parent's ~~and a physician's or other health care professional's~~ written request, when properly labeled and in the original container.
3. Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan ~~for~~ a student with disabilities.
4. ~~The District shall not purchase~~ Nonprescription medication ~~provided only on an emergency basis by the District and consistent with:~~
 - a. ~~Protocols established by the District's medical advisor who must be licensed to administer to a student, practice medicine in the state of Texas; and~~
 - b.a. ~~Parental consent given on the emergency treatment form.~~

Psychotropics Except as permitted by ~~law~~ Education Code 38.016, an employee shall not:

WELLNESS AND HEALTH SERVICES
MEDICAL TREATMENT

FFAC
(LOCAL)

1. Recommend to a student or a parent that the student use a psychotropic drug;
2. Suggest a particular diagnosis; or
1. Exclude the student from a class or a school-related activity because of the parent's refusal to consent to psychiatric evaluation or examination or treatment of the student.

Medical Treatment

A student's parent, legal guardian, or other person having lawful control shall annually complete and sign a form that provides emergency information and addresses authorization regarding medical treatment. A student who has reached age 18 shall be permitted to complete this form.

3. The District shall seek appropriate emergency care for a student as required or deemed necessary.

Access to District Property

Authorized District officials, including school resource officers and District police officers if applicable, may refuse to allow a person access to property under the District's control in accordance with law.

District officials may request assistance from law enforcement in an emergency or when a person is engaging in behavior rising to the level of criminal conduct.

Ejection or Exclusion under Education Code 37.105

In accordance with Education Code 37.105, a District official shall provide a person refused entry to or ejected from property under the District's control written information explaining the right to appeal such refusal of entry or ejection under the District's grievance process.

A person appealing under the District's grievance process shall be permitted to address the Board in person within 90 [calendar](#) days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See FNG and GF]

Off-Campus Activities

Employees shall be designated to ensure appropriate conduct of participants and others attending a school-related activity at non-District or out-of-District facilities. Those so designated shall coordinate their efforts with persons in charge of the facilities.

Prohibitions

Tobacco and E-Cigarettes

The District prohibits smoking and the use of tobacco products and e-cigarettes on District property, in District vehicles, or at school-related activities.

Weapons

The District prohibits the unlawful use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on all District property at all times.

Exceptions

No violation of this policy occurs when:

1. A Texas handgun license holder stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, as long as the handgun or other firearm is not in plain view; or
2. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

School Property

To protect the safety of students, employees, parents, and other authorized visitors to the schools, the Board has prohibited use of skateboards, roller blades, scooters, and the like on all school property, including parking lots, until 5:00 p.m. on school days and during any school activity conducted in the evening. Violators shall be considered trespassing and shall be referred to law enforcement authorities.

Update 116 Local Policy Overview

December 11, 2020

Introduction

Update 116 includes recommended (LOCAL) policy revisions concerning the dismissal appeal process for employees, cybersecurity training, student medical treatment, and community conduct on school premises.

While not covered in this publication, many of the (LEGAL) policies included in this update were affected by recent changes to Administrative Code rules or legislation from the 86th Legislative Session that will be effective as of January 1, 2021.

TASB Numbered Update Reminders

You should also review your own district's customized Update 116 materials for your specific policy recommendations. Please remember that (LEGAL) policies provide the legal framework for key areas of district operations; they are not adopted by the board.

CQB: Technology Resources, Cybersecurity

Current state law requires the board to select a cybersecurity training program and to verify and report cybersecurity training completed by employees. To ease compliance with this law, the recommend revision delegates these responsibilities to the superintendent.

DCD: Employment Practices, At-Will Employment

DCE: Employment Practices, Other Types of Contracts

Most districts have adopted an employee complaint policy that can be found at DGBA(LOCAL). It establishes a process that an employee would follow before a complaint is heard by the board.

Both DCD(LOCAL) and DCE(LOCAL) reference DGBA under the sections that address appeals. The recommended revisions are intended to clarify that an at-will employee who is dismissed or a non-Chapter 21 contract employee whose contract is not reissued would follow the grievance process as outlined in policy DGBA, including proceeding through the relevant hearing levels before a complaint goes to the board.

FFAC: Wellness and Health Services, Medical Treatment

Substantial revisions at policy FFAC(LOCAL) are recommended:

- To align the policy with current Texas Department of State Health Services (DSHS) guidance;
- To include only those board-level decisions that should be reflected in policy; and
- To remove provisions that are more appropriate in the district's administrative regulations.

Recommended for removal from this policy and inclusion in the district's regulations are administrative details concerning:

- How the district responds when a student becomes ill;
- What steps to take when a student is involved in an accident; and
- Requirements for administering medication provided by parents.

Some districts have policies that would permit the district to purchase nonprescription medication for use in the district athletic program. Special provisions are included in those districts' policies to address this practice.

In accordance with DSHS guidance, however, in most districts' policies the text now reflects that the district shall not otherwise purchase nonprescription medication to administer to students.

Districts also have the option to purchase unassigned, prescription epinephrine auto-injectors and unassigned, prescription asthma medications. If your district purchases epinephrine auto-injectors or asthma medication, state law requires board-adopted policy. Please contact your policy consultant if your district currently purchases these specific prescription medications or if your district purchases nonprescription medications not currently reflected in policy.

The provisions covering medical treatment have also been updated to clarify who may complete the medical treatment authorization form and to reflect that the district will seek appropriate emergency care for a student as required or deemed necessary.

GKA: Community Relations, Conduct on School Premises

The recommended revision in this policy specifies that a person filing a complaint regarding refusal of entry to or ejection from property based on Education Code 37.105 shall be permitted to address the board within 90 "calendar" days unless the complaint is resolved before coming to the board.

Thank You!

That covers the local policies in Update 116 for most districts. We hope you find this overview helpful. Should you have any questions or want further

clarification, please feel free to contact your assigned policy consultant at the [TASB Policy Service website](#).¹

¹ TASB Policy Service: <https://policy.tasb.org>