



# North East Independent School District

8961 Tesoro Drive, San Antonio, Texas 78217

## NOTICE OF MEETING OF THE BOARD OF TRUSTEES

Notice is hereby given that a meeting of the Board of Trustees of the North East Independent School District will be held on August 8, 2022. The Board will convene in Open Session at 5:30 PM, then move into Executive Session and resume the public portion of the meeting no earlier than 6:15 PM. The Board will meet on the first floor of the Richard A. Middleton Education Center, 8961 Tesoro Drive, San Antonio, Texas 78217. Such meeting is a regular meeting.

The open session portion of the meeting is livestreamed, and members of the public may view the meeting by going to the North East Independent School District's YouTube channel. Click the link below or type it into your browser.

<https://www.youtube.com/c/NEISDtv>

Items will not necessarily be discussed or considered in the order they are printed. Anyone wishing exhibit information in accordance with Local Board Policy GBA, must contact the Public Information Officer.

### MISSION STATEMENT

We challenge and encourage each student to achieve and demonstrate academic excellence, technical skills, and responsible citizenship.

#### I. ESTABLISHMENT OF QUORUM AND CALL TO ORDER

#### II. EXECUTIVE SESSION

A. Personnel, including but not limited to Administrative Appointments pursuant to Government Code Section 551.074

1. Routine Personnel including but not limited to Administrative Appointments

- a. Assistant Principal of Huebner Elementary School
- b. Assistant Principal of Wood Middle School
- c. Director of Budgets and Financial Analysis

B. Consultation with Board's Attorney pursuant to Government Code Section 551.071

1. Pending and/or Possible Litigation
2. Title IX Regulations

#### III. RECONVENE INTO OPEN SESSION

#### IV. WELCOME FROM THE BOARD PRESIDENT

#### V. INVOCATION AND PLEDGE OF ALLEGIANCE

A. Castle Hills Elementary School

**Presenter:** Betsy Asheim, Principal

#### VI. RECOGNITIONS

A. President's Remarks on Acknowledgement of Special Calendar Events

#### VII. MATTERS FROM THE FLOOR

#### VIII. MATTERS FROM EXECUTIVE SESSION

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<b>XIII. ADJOURNMENT</b>	

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*If, during the course of the meeting, discussion of any item on the agenda should be held in an Executive or Closed Session, the Board will convene in such Executive or Closed Session in accordance with the Open Meetings Act, Texas Government Code, Section 551.071, 551.072, and 551.074.*

**CERTIFICATE AS TO POSTING OR GIVING OF NOTICE**

On this 5th day of August, no later than 5:30 PM, this notice was posted on a bulletin board located at a place readily accessible and convenient to the public at the Richard A. Middleton Education Center, 8961 Tesoro Drive, San Antonio, Texas.

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The North East Independent School District does not discriminate on the basis of race, color, religion, gender, national origin, age or disability



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Rudy Jimenez  
Chyla Whitton, Executive  
Director for Human  
Resources

Subject: Employment of Personnel  
New Hires

Related Page(s): None

### **ACTION ITEM**

#### **BACKGROUND INFORMATION**

Policy DC (LOCAL) states: "The Superintendent has sole authority to make recommendations to the Board regarding the selection of contractual personnel in the following categories: central office administrator from the director level and above and campus administrator, including principals and assistant principals." Final authority for employment of contractual personnel in these categories shall be retained by the Board.

#### **ADMINISTRATIVE CONSIDERATION**

Campus personnel are recommended for employment by campus principals in accordance with TEC § 11.202(b). All other personnel are recommended by appropriate supervisors. In both cases, the candidate deemed "best qualified" has been selected.

#### **BUDGETARY CONSIDERATION**

New hires associated with replacement of personnel have been budgeted prior to the hiring process. New hires associated with recently established positions are covered by a contingency fund established by the Board for this purpose. Should the cost of such positions exceed the funds so budgeted, then a separate budget amendment is brought before the Board prior to additional positions being filled.

#### **ADMINISTRATIVE RECOMMENDATION**

It is recommended that the Board of Trustees of the North East Independent School District approve the hiring of new personnel as presented.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Shannon Grona  
Board President

Subject: 2022 TASA/TASB Delegate  
and Alternate

Related Page(s): None

### **ACTION ITEM**

#### **BACKGROUND INFORMATION**

The annual Delegate Assembly held in conjunction with the TASA/TASB Convention, September 23 - 25, 2022, is the foundation of the Association's governance structure and provides critical direction as the Association represents members' interests before state and national policy makers.

Delegates and Alternates will meet with TASB Directors to discuss the issues coming before the Assembly and to clarify the Assembly process.

The 2022 Delegate Assembly will be held September 24 during the TASA/TASB Convention. The NEISD representatives to the 2021 assembly were Mrs. Terri Williams, as the delegate and Mr. David Beyer as the alternate.

#### **ADMINISTRATIVE RECOMMENDATION**

It is recommended that the Board of Trustees of the North East Independent School District nominate an official voting Delegate and Alternate to the 2022 TASB Delegate Assembly.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Shannon Grona  
Board President

Subject: Candidate Endorsement for  
TASB Board of Directors,  
Region 20, Position D

Related Page(s): Attachments

### ACTION ITEM

#### **BACKGROUND INFORMATION**

The term of Robert Westbrook, Schertz-Cibolo-Universal City ISD, the Region 20, Position D, representative on the TASB Board of Directors will expire this year at the close of the 2022 Convention. Mr. Westbrook has indicated his intent to seek reelection. As an Active Member District, NEISD may re-affirm its support for the current Director for Position D.

The TASB Board of Directors is charged with carrying out the policies established by the Delegate Assembly of the Association. The nominated Director should be a capable, experienced school board member who can assist in providing the Association with outstanding leadership. The Director is expected to attend four meetings of the Board each year with one of the meetings being at the same time as the annual state convention in the fall. In addition, the Director serves on a standing committee that will meet on an-as-needed-bases, normally in conjunction with a Board meeting.

The following candidate has expressed interest in selection as the Region 20, Position D Director.

<b>Name</b>	<b>School District</b>
Robert Westbrook	Schertz-Cibolo-Universal City ISD

#### **RECOMMENDATION**

The Board President recommends that the Board consider whether it desires to endorse a candidate for the Region 20, Position D, on the TASB Board of Directors.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval



# TASB BOARD CANDIDATE BIOGRAPHICAL SKETCH

DATE: June 28, 2022

NAME: Robert M Westbrook

MAILING ADDRESS: [REDACTED]

CITY: [REDACTED] ZIP: [REDACTED]

BUSINESS PHONE: [REDACTED] RESIDENCE PHONE: \_\_\_\_\_

CELL PHONE: [REDACTED] FAX NUMBER (if applicable): \_\_\_\_\_

We communicate with our Board members primarily via e-mail. Please list your preferred email address.

E-MAIL: [REDACTED]

SCHOOL DISTRICT: Schertz-Cibolo-Universal City ISD

LOCAL TERM EXPIRES: December 2023 YEARS ON BOARD: 11  
(Month/year)

7

Upon expiration of current term on your local board, will you seek reelection?

YES  NO

BOARD POSITIONS HELD (including dates): Asst Secretary 2012-14, Secretary 2014-16,  
Vice President 2016-18, President 2018-20

OCCUPATION: Division Chief of Facilities, SAFD

CURRENT EMPLOYER: San Antonio Fire Department DATES: June 1999 to present

EDUCATION-HIGH SCHOOL: Churchill HS, NEISD COLLEGE: Southwest Texas St

OTHER EDUCATION: MBA, Webster Univ. DEGREES: \_\_\_\_\_

HOBBIES/SPECIAL INTERESTS: Gardening, occassional Obstacle Course Race, Cooking

BUSINESS/PROFESSIONAL/CIVIC GROUP MEMBERS (offices held including dates): \_\_\_\_\_  
Urban Management Assistants of South Texas, Omega Psi Phi Fraternity, Inc.

ADDITIONAL COMMENTS: \_\_\_\_\_



Robert Westbrook was elected to the SCUC ISD Board of Trustees in May 2011 and served as President of the Board for two years, through November of 2021.

He is a graduate of the 2013 Leadership TASB, which confers Master Trustee status.

He is a graduate of Churchill High School, the United States Military Academy Preparatory School and Texas State University. He also attended the U.S. Military Academy for his first two years of college. He earned a Master of Business Administration degree from Webster University.

Professionally, he is a Fire Chief with the San Antonio Fire Department with certifications as a paramedic, hazardous materials technician, wild-land firefighter and Fire Science Instructor. Additionally, he has completed the City of San Antonio Leadership Development Program.

Westbrook has two children, both graduates of SCUC ISD. While service was a primary consideration, Mr. Westbrook ran for office because he wanted to demonstrate to his children a common saying, “I bargained with life for a penny, only to learn dismayed, that any wage I would have asked of life, life would have paid.”

In September of 2016, Mr. Westbrook was elected to a three-year term on the Texas Association of School Boards (TASB) Board of Directors, representing TASB Region 20, Position D. He was re-elected to another three-year term in 2019.

Mr. Westbrook is also serving on the TASB Lone Star Investment Board.



# TASB ENDORSEMENT FORM

DATE: 8.9.22

Our school board endorses the candidacy of the following individual nominated to fill a position on the TASB Board of Directors.

### CANDIDATE INFORMATION

NAME: Robert Westbrook  
SCHOOL DISTRICT: Schertz - Cibola - Universal City ISD

This endorsement was approved by our school district's board of trustees at a duly called meeting on 8.8.22  
(Date)

Best regards,

(Signature of board president or officer)

PRINTED NAME: Shannon Grona  
SCHOOL DISTRICT: North East ISD  
MAILING ADDRESS: 8961 Tesoro Drive  
CITY: San Antonio, TX. ZIP: 78217

This form is to be used to endorse a nominated individual from a board of trustees within your TASB Region who is a timely candidate for a position on the TASB Board of Directors.

**Must be received by TASB on or before AUGUST 29, 2022.**

**RETURN TO: E-mail: [boardcommunications@tasb.org](mailto:boardcommunications@tasb.org)  
FAX: 512.467.3554**



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Lisa Shoemith  
Director, Internal Audit

Subject: Approval of Internal Audit Plan (2022-2023 SY)      Related Page(s): Attachments

### ACTION ITEM

#### **BACKGROUND INFORMATION**

The *Texas Education Code, Section 11.170 (House Bill 1; 79th Legislature)* states if a school district employs an internal audit function, the internal audit function shall report directly to the Board of Trustees. Current audit standards require internal audit functions to prepare an annual audit plan and obtain approval for such plan from the Board.

The Director of Internal Audit shall develop a comprehensive, annual audit plan to ensure all activities and programs of the District are reviewed at appropriate intervals based on a documented risk analysis. The annual plan shall encompass financial, operational, and compliance performance concerns as identified in the assessment of the District's risk. The Director of Internal Audit shall reserve space in the annual audit plan for additional work such as investigative audits and consultative/advisory services. The Internal Audit Plan shall be reviewed and approved annually by the Board.

#### **ADMINISTRATIVE RECOMMENDATION**

It is recommended for the Board of Trustees to approve the proposed Internal Audit Plan for the 2022-2023 school year.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval



# NORTH EAST

INDEPENDENT SCHOOL DISTRICT

## Internal Audit Plan

2022-2023 SY

Submitted by:  8-8-2022  
Director, Internal Audit Date

Approved by:  8/9/22  
Superintendent Date

Approved by:  8-8-22  
President, Board of Trustees Date



# **NORTH EAST**

## **INDEPENDENT SCHOOL DISTRICT**

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# NORTH EAST

## INDEPENDENT SCHOOL DISTRICT

### Internal Audit Plan (2022-2023 SY)

**NEISD Universe of Auditable Entities** Subject matter representing major auditable entities within the District, is identified in the Universe of Auditable Entities (Attachment 2). Subjects that are in bold face type have been identified for coverage during the 2022-2023 school year.

**Risk-Based Planning Model** This audit plan was compiled based on input from the Superintendent and Executive Staff. Their contributions, in conjunction with State mandates for audit coverage and requirements of the *Statement on Auditing Standards No. 99, Consideration of Fraud in a Financial Statement Audit*, formed the framework for identifying auditable entities, which were then weighted based on a Risk-Based Planning Model (Attachment 3).

This approach is necessary to direct limited audit resources toward the most critical, high-risk issues facing the District. Risk factors were applied for each viable auditable entity. The risk factors included requested or required reviews, fraud implications, cash handling, the strength of internal controls, prior audit coverage and considerations for changes in key personnel.

**Anti-Fraud Action Plan** The Anti-Fraud Action Plan is an integral part of our auditing program and is included as Attachment 5. The plan was prepared to establish an agreed-upon procedure for handling fraud, waste and abuse, and outlines NEISD's procedures for minimizing fraud, reporting suspected fraud, and actions to be taken when fraud is evident.

**Internal Audit Plan** This Annual Audit Plan is a living plan that may be altered throughout the year to accommodate the needs of the Superintendent or the Board of Trustees. Below is a summary of planned audits for the 2022-2023 school year. The rationale for the subjects identified for review, along with an explanation of what and how risk factors were applied, is contained in the Risk-Based Planning Model Methodology (Attachment 1).

**Internal Audit Plan Time Budget** Estimates of the time it will take to complete each project are included. Net of projected administrative absences and professional development, the Internal Audit Department will have approximately 600 audit-days available during the 2022-2023 school year to complete the included audit work.

## Required Audits

- Superintendent's Employment Contract. The Superintendent has requested an annual review of his employment contract to ensure that allowances for travel and vacation are properly accounted for and to ensure that the Superintendent is complying with contract terms [15 audit-days].
- Superintendent's Expenses. The Board of Trustees requires an audit of the Superintendent's expenditures, annually. This audit, which will be combined with the review of the Superintendent's employment contract (see above), entails a review of all expenditures made by the Superintendent including those purchases using the Purchasing Card [15 audit-days].
- External Audit (CAFR). Annually, the District is required to have an external audit of financial activity leading to an expression of an opinion on the accuracy of the Consolidated Annual Financial Report. Internal Audit will provide assistance in the areas of inventory (equipment and warehouse) accountability, and bank/investment confirmations [45 audit-days].
- Purchasing Card (P-Card) Audit. Annual district-wide audit performed to determine if purchases made with District purchasing cards are in compliance with procurement policy and guidelines. Includes review of any travel-related expenditures conducted with the P-Card as well as retention of supporting documentation for all transactions [60 audit-days].
- Conflict-of-Interest Review. This is an annual review of relationships held by NEISD employees with outside business entities or individuals that might create biased decision making resulting in fraud, collusion, or favoritism. The review is accomplished by completing an online survey sent to certified employees with budget influence. Questionable relationships or associations identified in the survey are reviewed by the Director of Internal Audit [45 audit-days].
- Controlled Resource Management System (CRMS) and Capital Assets Inventory. Conduct annual review of District-wide Controlled Resources and Capital Assets Inventory tracked and maintained by the CRMS [90 audit-days].

### Additional Audit Coverage

- Campus and Student Activity Funds. Campus and Student Activity Funds can generate several million dollars in activity throughout a normal school year. Campus bookkeepers are critical to the safekeeping of these funds. Regular, scheduled audits of these funds are essential to maintaining oversight over campus business to ensure that fraudulent activity has not taken place. The audit approach to these audits remains flexible. An advisory report is issued to each campus principal summarizing disparities, if any [120 audit-days].
- Consultative and Advisory Services. Special projects occur spontaneously throughout the year generally at the request of the Superintendent or the Board of Trustees; however, occasionally executive directors have requested assistance as well. These projects may be short term, quick turnaround, consultative or advisory reviews, analyses, or research endeavors or the projects may be full-scale audits of a process or department within the district. Normally, these assignments are intended to provide independent assessments of ongoing issues of key concern to the Superintendent or the Board of Trustees [90 audit-days].
  - Annual Budgeted vs. Actual review, comparison, and trend analysis
  - Spending Analysis – Analyze and review most commonly used vendors for District expenditures, review areas of highest spending, considering all spending formats.
- Operational and Compliance Audits [90 audit-days].
  - Security Cameras at District Facilities – Functionality, Coverage, and Cost Review
- Continual Surveillance of Fraudulent Indicators. In compliance with the Statement on Auditing Standards (SAS) 99: *Consideration of Fraud in a Financial Statement Audit*, Internal Audit will exercise professional skepticism by including a questioning mind and a critical assessment of audit evidence throughout the scope of their audit work. Internal Audit will selectively review areas, locations, and accounts to identify risk factors or lack of internal controls that may result in fraudulent activity. In addition, the Internal Audit Department will continue to manage the complaints received through the District’s Fraud Hotline [30 audit-days].

### Attachments.

- 1 - Risk-Based Planning Model Methodology
- 2 - Universe of Auditable Entities
- 3 - Risk-Based Planning Model
- 4 - Risk Rank Priority of Auditable Entities
- 5 - District Anti-Fraud Action Plan



# NORTH EAST

## INDEPENDENT SCHOOL DISTRICT

### Attachment 1: Risk-Based Planning Model Methodology

The NEISD Internal Audit Department Risk-Based Planning Model is based on six (6) risk factors. Each risk factor is assigned a specific point value, then all point values are combined to produce an overall risk score, maximized at 100 points. The higher the point value, the more risk that is associated with that particular risk factor. Internal Audit uses these risk factors in the Risk-Based Planning Model. These risk factors and their maximum point values are:

Risk Factors	Maximum Point Values
Audit Requested or Required	25 points
Likelihood of Fraud, Waste, or Abuse	25 points
Prevalence of Cash Handling or High Volume of Expenditures	20 points
Strength of Internal Controls	10 points
Time Elapsed Since Prior Audit Coverage	10 points
Change in Key Personnel	10 points
<b>Overall Risk Factor Score</b>	<b>100 points</b>

Each auditable entity is given an overall risk score based on the sum of the points for each of the six risk factors. Auditable entities are ranked based on their overall risk scores, with the entities with the highest scores considered to have the most risk associated with their campus or department. For each of the auditable entities with mandatory audits listed in Section 6 of the Audit Plan, all six risk factors will be assigned the maximum point values.

## Risk Factors

### Audit Requested or Required

If an audit is required or if the Superintendent or Executive Staff requests an audit for one of the auditable entities, it will receive a score of 25 points. If the audit is not required or requested for an auditable entity, it will receive a score of zero points.

### Likelihood of Fraud, Waste, or Abuse

If an auditable entity is a very susceptible to fraud, it will receive a score of 25 points. If the auditable entity is somewhat susceptible to fraud, it will receive a score of 10-20 points. If the auditable entity's susceptibility to fraud is low, it will receive a score of 0-5 points.

### Prevalence of Cash Handling or High Volume of Expenditures

If an auditable entity handles a great deal of cash or conducts large volumes of purchases/expenditures, it will receive a score of 20 points. If the auditable entity handles a moderate amount of cash or conducts moderate volumes of purchases/expenditures, it will receive a score of 10 points. If an auditable entity handles little to no cash or conducts few purchases/expenditures, it will receive a score of zero points.

### Strength of Internal Controls

If an auditable entity has no or weak internal controls, it will receive a score of 10 points. If an auditable entity has moderately strong internal controls, it will receive a score of 5 points. If an auditable entity has strong internal controls, then it will receive a score of zero points.

### Time Elapsed Since Prior Audit Coverage

The following breakdown will be utilized to determine the points assigned to each auditable entity for their prior audit coverage:

# Years Since Last Audit	Points
0	0
1	2
2	4
3	6
4	8
5	10

### Changes in Key Personnel

For this factor, key personnel are considered Director or above for a department, Principal or Bookkeeper for a campus. If an auditable entity had more than one key personnel leave, they will receive a score of 10 points. If an auditable entity only has one key personnel leave, they will receive a score of 5 points. If an auditable entity has no change in key personnel, they will receive a score of zero points.

## Attachment 2: Universe of Auditable Entities

Org #	Org Name	Category
001	LEE HS	High School
002	MacArthur HS	High School
003	Churchill HS	High School
004	Roosevelt HS	High School
005	Madison HS	High School
006	Center HS	High School
007	Reagan HS	High School
008	ACE HS	High School
009	ISA HS	High School
012	Alternative HS	High School
014	Johnson HS	High School
041	Eisenhower MS	Middle School
042	Garner MS	Middle School
043	Krueger MS	Middle School
044	Nimitz MS	Middle School
045	Jackson MS	Middle School
046	White MS	Middle School
047	Wood MS	Middle School
048	Bradley MS	Middle School
049	Driscoll MS	Middle School
050	Bush MS	Middle School
053	Alternative MS	Middle School
056	Tejeda MS	Middle School
057	Lopez MS	Middle School
058	Harris MS	Middle School
059	Hill MS	Middle School
101	Castle Hills ES	Elementary School
102	Coker ES	Elementary School
103	Colonial Hills ES	Elementary School
104	Dellview ES	Elementary School
105	East Terrell Hills ES	Elementary School
106	Harmony Hills ES	Elementary School
107	Jackson-Keller ES	Elementary School
108	Larkspur ES	Elementary School
109	Northwood ES	Elementary School
110	Oak Grove ES	Elementary School
111	Olmos ES	Elementary School
112	Ridgeview ES	Elementary School
113	Serna ES	Elementary School
114	Walzem ES	Elementary School
116	Wilshire ES	Elementary School

Org #	Org Name	Category
117	Windcrest ES	Elementary School
118	Camelot ES	Elementary School
119	Clear Spring ES	Elementary School
120	Regency Place ES	Elementary School
121	El Dorado ES	Elementary School
122	Montgomery ES	Elementary School
123	Hidden Forest ES	Elementary School
124	Woodstone ES	Elementary School
125	Stahl ES	Elementary School
126	Thousand Oaks ES	Elementary School
127	Northern Hills ES	Elementary School
128	Redland Oaks ES	Elementary School
129	Encino Park ES	Elementary School
130	Fox Run ES	Elementary School
131	Oak Meadow ES	Elementary School
133	Stone Oak ES	Elementary School
134	Longs Creek ES	Elementary School
135	Huebner ES	Elementary School
136	Hardy Oak ES	Elementary School
137	Wetmore ES	Elementary School
138	Royal Ridge ES	Elementary School
139	Roan Forest ES	Elementary School
140	Canyon Ridge ES	Elementary School
141	Stuebing Ranch ES	Elementary School
142	Bulverde Creek ES	Elementary School
143	Wilderness Oaks ES	Elementary School
144	Tuscany Heights ES	Elementary School
145	Cibolo Green ES	Elementary School
146	Las Lomas ES	Elementary School
147	Vineyard Ranch ES	Elementary School
148	Pre-K Academy at West Ave.	Pre-K
300	YATP (Youth Applied Tech. Program)	Middle School (Magnet)
301	iMAK (Interactive Media Applications at Krueger	Middle School (Magnet)
302	KSAT (Krueger School of Applied Tech.)	Middle School (Magnet)
303	STEM Academy at Nimitz MS	Middle School (Magnet)
306	DATA @ White MS	Middle School (Magnet)
400	NESA (North East School of the Arts ) @ LEE HS	High School (Magnet)
401	Agri Science @ Madison HS	High School (Magnet)
402	CTEC Construction	High School (Magnet)
403	STEM Academy at LEE HS	High School (Magnet)
405	CTEC Transportation	High School (Magnet)
406	DATA (Design & Tech. Academy) @ Roosevelt	High School (Magnet)
408	SETA (Space Engineering Tech. Academy) @ Roosevelt	High School (Magnet)

Org #	Org Name	Category
409	CTEC Medical	High School (Magnet)
410	iCSI (Cyber Security Program)	High School (Magnet)
701	Superintendent's Contract and Expenses	Superintendent's Office
702	Board Expenses	Board of Trustees
710	Textbooks	Business Services
720	Internal Audit	Board of Trustees / Super.
738	Govt Relations & Grant Development	Business Services
739	Finance	Business Services
740	Chief Financial Officer	Business Services
741	Travel Reimbursement	Business Services
741	Payroll	Business Services
741	Accounts Payable	Business Services
742	Purchasing Card Program	Business Services
742	Controlled Resource Management System (CRMS)	Business Services
742	Warehousing	Business Services
742	Procurement	Business Services
742	Records Management	Business Services
743	Risk Management	Business Services
744	Grants Administration	Business Services
745	Human Resources	Campus Administration
746	School Administration	Campus Administration
747	Fixed Assets Management	Business Services
747	Budgeting Program Management	Business Services
749	Communications	Communications Services
800	Chief of Schools and Leadership	Campus Administration
801	Athletics	Campus Administration
802	Student Support Services	Campus Administration
803	Chief Instructional Officer	Instruction
804	Learning Support Services	Instruction
805	Student Leadership	Campus Administration
806	Health Services	Business Services
807	Student Well-Being	Campus Administration
808	Library Services	Business Services
809	Curriculum and Instruction	Instruction
810	Instructional Technology Services	Business Services
811	Fine Arts	Campus Administration
812	English Language Arts Reading - Elementary	Instruction
813	Pre-K	Instruction
814	English Language Arts Reading - Middle School	Instruction
815	Social Studies - Elementary	Instruction
816	Math - Secondary	Instruction
817	Science	Instruction
818	English Language Arts Reading - High School	Instruction

Org #	Org Name	Category
819	State Compensatory Education	Instruction
820	Social Studies - Secondary	Instruction
821	Bilingual / ESL	Instruction
822	Gifted & Talented K-12	Instruction
823	World Languages K-12	Instruction
825	JROTC	Campus Administration
826	Career and Technology	Instruction
827	Guidance	Instruction
828	Special Education	Instruction
829	Teen Parenting	Campus Administration
830	Homeless Program	Campus Administration
831	Adult Education	Campus Administration
832	Community Education	Campus Administration
833	GED Testing	Campus Administration
834	KINS Program (Elementary School)	Campus Administration
835	KINS Challenge Program (Middle School)	Campus Administration
836	Testing Services	Instruction
837	Dyslexia K-12	Instruction
840	Area 3 Campus Administration	Campus Administration
841	Area 2 Campus Administration	Campus Administration
842	Area 1 Campus Administration	Campus Administration
843	Partners in Education/Volunteer Program	Communications Services
844	Math - Elementary	Instruction
845	AVID - Elementary	Instruction
846	AVID - Secondary	Instruction
847	Response to Intervention (RTI)	Campus Administration
848	Area 4 Campus Administration	Campus Administration
851	Heroes Stadium	Campus Administration
852	North East Sports Complex	Campus Administration
901	Construction Management	Operations
902	Facility Maintenance and Support	Operations
903	Transportation	Operations
904	School Nutritional Services	Operations
905	Police Department	Operations
906	Electronic & Print Services	Business Services
907	Mailing & Courier Services	Business Services
908	Copier Services	Business Services
909	Audiovisual Services	Business Services
910	Media Production	Communications Services
911	Technology Support	Business Services
912	Print Services	Business Services
913	Management Information Systems	Business Services
914	Network Services	Business Services

Org #	Org Name	Category
915	NEEC Complex	Operations
916	Broadway Complex	Operations
917	Data & Telecommunication Services	Business Services
918	Operations Warehouse	Business Services
923	General Warehouse	Business Services
927	Risk Management - Employee Benefits	Business Services
930	Maintenance - Custodial Services	Operations
931	Engineering	Operations
932	Chief Operations Officer	Operations
934	Health Wellness & Security	Business Services
935	Transportation North	Operations
996	PE & Health	Campus Administration

## Attachment 3: Risk-Based Planning Model

Org #	Org Name	Category	Audit Request or Required 0-25	Likelihood of Fraud, Waste, or Abuse 0-25	Cash Handling or High Expenditures 0-20	Strength of Internal Controls 0-10	Time Since Prior Audit Coverage 0-10	Change in Key Personnel 0-10	Total (out of 100)	Rank
701	Superintendent's Contract & Expenses	Superintendent's Office	25	25	20	10	10	10	100	1
702	Board Expenses	Board of Trustees	25	25	20	10	10	10	100	1
742	Purchasing Card Program	Business Services	25	25	20	10	10	10	100	1
742	Controlled Resource Mgmt. System	Business Services	25	25	20	10	10	10	100	1
742	Warehousing	Business Services	25	25	20	10	10	10	100	1
747	Fixed Assets Management	Business Services	25	25	20	10	10	10	100	1
918	Operations Warehouse	Business Services	25	25	20	10	10	10	100	1
923	General Warehouse	Business Services	25	25	20	10	10	10	100	1
007	Reagan HS	High School	25	25	20	5	10	5	90	9
059	Hill MS	Middle School	25	15	20	5	10	10	85	10
046	White MS	Middle School	25	15	20	5	10	5	80	11
049	Driscoll MS	Middle School	25	15	20	5	8	5	78	12
810	Instructional Technology Services	Business Services	25	10	20	5	10	0	70	13
902	Facility Maintenance and Support	Operations	25	20	10	5	10	0	70	13
047	Wood MS	Middle School	25	15	20	5	2	0	67	15
002	MacArthur HS	High School	0	25	20	5	10	0	60	16
004	Roosevelt HS	High School	0	25	20	5	10	0	60	16
005	Madison HS	High School	0	25	20	5	8	0	58	18
003	Churchill HS	High School	0	25	20	5	4	0	54	19
014	Johnson HS	High School	0	25	20	5	4	0	54	19
400	NESA (NE School of the Arts)	High School (Magnet)	0	20	20	5	8	0	53	21
408	SETA (Space Engineering Tech. Academy)	High School (Magnet)	0	20	20	5	8	0	53	21
001	LEE HS	High School	0	25	20	5	2	0	52	23
401	Agri Science @ Madison HS	High School (Magnet)	0	15	20	5	10	0	50	24
904	School Nutritional Services	Operations	0	15	20	5	10	0	50	24
041	Eisenhower MS	Middle School	0	15	20	5	10	0	50	24
042	Garner MS	Middle School	0	15	20	5	10	0	50	24
043	Krueger MS	Middle School	0	15	20	5	10	0	50	24
045	Jackson MS	Middle School	0	15	20	5	10	0	50	24
058	Harris MS	Middle School	0	15	20	5	10	0	50	24
741	Travel Reimbursement	Business Services	0	25	10	5	10	0	50	24
808	Library Services	Business Services	0	15	20	5	10	0	50	24
050	Bush MS	Middle School	0	15	20	5	2	5	47	33
742	Procurement	Business Services	0	25	10	5	2	5	47	33
811	Fine Arts	Campus Administration	0	20	20	5	2	0	47	33
009	ISA HS	High School	0	15	10	5	10	5	45	36

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Org #	Org Name	Category	Audit Request or Required 0-25	Likelihood of Fraud, Waste, or Abuse 0-25	Cash Handling or High Expenditures 0-20	Strength of Internal Controls 0-10	Time Since Prior Audit Coverage 0-10	Change in Key Personnel 0-10	Total (out of 100)	Rank
403	STEM Academy at LEE HS	High School (Magnet)	0	15	10	5	10	5	45	36
406	Data (Design & Technology Academy)	High School (Magnet)	0	15	10	5	10	5	45	36
843	Partners in Education/Volunteer Pgm.	Communications Services	0	15	10	5	10	5	45	36
402	CTEC Construction	High School (Magnet)	0	20	10	5	10	0	45	36
405	CTEC Transportation	High School (Magnet)	0	20	10	5	10	0	45	36
409	CTEC Medical	High School (Magnet)	0	20	10	5	10	0	45	36
410	iCSI (Cyber Security Institute)	High School (Magnet)	0	20	10	5	10	0	45	36
809	Curriculum and Instruction	Instruction	0	15	10	5	10	5	45	36
826	Career and Technology	Instruction	0	20	10	5	10	0	45	36
901	Construction Management	Operations	0	20	10	0	10	5	45	36
044	Nimitz MS	Middle School	0	15	20	5	4	0	44	47
048	Bradley MS	Middle School	0	15	20	5	4	0	44	47
056	Tejeda MS	Middle School	0	15	20	5	4	0	44	47
905	Police Department	Operations	0	15	10	5	10	0	40	50
008	ACE HS	High School	0	15	10	5	10	0	40	50
057	Lopez MS	Middle School	0	15	20	5	0	0	40	50
106	Harmony Hills ES	Elementary School	0	10	10	5	10	5	40	50
112	Ridgeview ES	Elementary School	0	10	10	5	10	5	40	50
126	Thousand Oaks ES	Elementary School	0	10	10	5	10	5	40	50
144	Tuscany Heights ES	Elementary School	0	10	10	5	10	5	40	50
302	KSAT (Krueger School of Applied Tech.)	Middle School (Magnet)	0	10	10	5	10	5	40	50
741	Payroll	Business Services	0	25	0	5	10	0	40	50
745	Human Resources	Campus Administration	0	10	10	5	10	5	40	50
801	Athletics	Campus Administration	0	15	20	5	0	0	40	50
831	Adult Education	Campus Administration	0	10	20	5	2	0	37	61
832	Community Education	Campus Administration	0	10	20	5	2	0	37	61
833	GED Testing	Campus Administration	0	10	20	5	2	0	37	61
834	KIN Program (Elementary School)	Campus Administration	0	10	20	5	2	0	37	61
835	KIN Challenge Program (Middle School)	Campus Administration	0	10	20	5	2	0	37	61
851	Heroes Stadium	Campus Administration	0	10	20	5	2	0	37	61
903	Transportation	Operations	0	15	10	5	2	5	37	61
053	Alternative MS	Middle School	0	10	10	5	10	0	35	68
101	Castle Hills ES	Elementary School	0	10	10	5	10	0	35	68
102	Coker ES	Elementary School	0	10	10	5	10	0	35	68
103	Colonial Hills ES	Elementary School	0	10	10	5	10	0	35	68
104	Dellview ES	Elementary School	0	10	10	5	10	0	35	68
105	East Terrell Hills ES	Elementary School	0	10	10	5	10	0	35	68
107	Jackson-Keller ES	Elementary School	0	10	10	5	10	0	35	68
108	Larkspur ES	Elementary School	0	10	10	5	10	0	35	68

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Org #	Org Name	Category	Audit Request or Required 0-25	Likelihood of Fraud, Waste, or Abuse 0-25	Cash Handling or High Expenditures 0-20	Strength of Internal Controls 0-10	Time Since Prior Audit Coverage 0-10	Change in Key Personnel 0-10	Total (out of 100)	Rank
109	Northwood ES	Elementary School	0	10	10	5	10	0	35	68
111	Olmos ES	Elementary School	0	10	10	5	10	0	35	68
113	Serna ES	Elementary School	0	10	10	5	10	0	35	68
116	Wilshire ES	Elementary School	0	10	10	5	10	0	35	68
118	Camelot ES	Elementary School	0	10	10	5	10	0	35	68
119	Clear Spring ES	Elementary School	0	10	10	5	10	0	35	68
121	El Dorado ES	Elementary School	0	10	10	5	10	0	35	68
122	Montgomery ES	Elementary School	0	10	10	5	10	0	35	68
123	Hidden Forest ES	Elementary School	0	10	10	5	10	0	35	68
124	Woodstone ES	Elementary School	0	10	10	5	10	0	35	68
125	Stahl ES	Elementary School	0	10	10	5	10	0	35	68
128	Redland Oaks ES	Elementary School	0	10	10	5	10	0	35	68
129	Encino Park ES	Elementary School	0	10	10	5	10	0	35	68
130	Fox Run ES	Elementary School	0	10	10	5	10	0	35	68
131	Oak Meadow ES	Elementary School	0	10	10	5	10	0	35	68
134	Longs Creek ES	Elementary School	0	10	10	5	10	0	35	68
135	Huebner ES	Elementary School	0	10	10	5	10	0	35	68
136	Hardy Oak ES	Elementary School	0	10	10	5	10	0	35	68
137	Wetmore ES	Elementary School	0	10	10	5	10	0	35	68
138	Royal Ridge ES	Elementary School	0	10	10	5	10	0	35	68
139	Roan Forest ES	Elementary School	0	10	10	5	10	0	35	68
140	Canyon Ridge ES	Elementary School	0	10	10	5	10	0	35	68
141	Stuebing Ranch ES	Elementary School	0	10	10	5	10	0	35	68
142	Bulverde Creek ES	Elementary School	0	10	10	5	10	0	35	68
143	Wilderness Oaks ES	Elementary School	0	10	10	5	10	0	35	68
146	Las Lomas ES	Elementary School	0	10	10	5	10	0	35	68
147	Vineyard Ranch ES	Elementary School	0	10	10	5	10	0	35	68
300	YATP (Youth Applied Tech. Program)	Middle School (Magnet)	0	10	10	5	10	0	35	68
301	iMAK (Interactive Media App. @ Krueger)	Middle School (Magnet)	0	10	10	5	10	0	35	68
303	STEM Academy at Nimitz MS	Middle School (Magnet)	0	10	10	5	10	0	35	68
306	DATA (Design & Tech. Academy)	Middle School (Magnet)	0	10	10	5	10	0	35	68
804	Learning Support Services	Instruction	0	10	10	5	10	0	35	68
805	Student Leadership	Campus Administration	0	5	10	5	10	5	35	68
825	JROTC	Campus Administration	0	10	10	5	10	0	35	68
911	Technology Support	Business Services	0	10	10	5	10	0	35	68
927	Risk Management - Employee Benefits	Business Services	0	15	0	0	10	10	35	68
120	Regency Place ES	Elementary School	0	10	10	5	8	0	33	112
117	Windcrest ES	Elementary School	0	10	10	5	2	5	32	113
127	Northern Hills ES	Elementary School	0	10	10	5	6	0	31	114

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Org #	Org Name	Category	Audit Request or Required 0-25	Likelihood of Fraud, Waste, or Abuse 0-25	Cash Handling or High Expenditures 0-20	Strength of Internal Controls 0-10	Time Since Prior Audit Coverage 0-10	Change in Key Personnel 0-10	Total (out of 100)	Rank
133	Stone Oak ES	Elementary School	0	10	10	5	6	0	31	114
807	Student Well-Being	Campus Administration	0	5	10	0	10	5	30	116
914	Network Services	Business Services	0	10	10	0	10	0	30	116
012	Alternative HS	High School	0	10	10	5	4	0	29	118
110	Oak Grove ES	Elementary School	0	10	10	5	4	0	29	118
114	Walzem ES	Elementary School	0	10	10	5	4	0	29	118
145	Cibolo Green ES	Elementary School	0	10	10	5	2	0	27	121
852	NE Sports Complex	Campus Administration	0	10	10	5	2	0	27	121
996	PE & Health	Campus Administration	0	10	10	0	2	5	27	121
006	Center HS	High School	0	10	0	5	10	0	25	124
148	Pre-K Academy at West Ave.	Pre-K	0	10	0	5	10	0	25	124
710	Textbooks	Business Services	0	10	0	0	10	5	25	124
741	Accounts Payable	Business Services	0	20	0	5	0	0	25	124
746	School Administration	Campus Administration	0	10	0	0	10	5	25	124
908	Copier Services	Business Services	0	10	0	5	10	0	25	124
912	Print Services	Business Services	0	10	10	5	0	0	25	124
930	Custodial Services	Operations	0	15	0	0	10	0	25	124
935	Transportation North	Operations	0	15	0	0	10	0	25	124
743	Risk Management	Business Services	0	5	0	0	6	10	21	133
740	Chief Financial Officer	Business Services	0	20	0	0	0	0	20	134
806	Health Services	Business Services	0	5	0	0	10	5	20	134
828	Special Education	Instruction	0	5	0	0	10	5	20	134
829	Teen Parenting	Campus Administration	0	5	0	0	10	5	20	134
836	Testing Services	Instruction	0	10	0	0	10	0	20	134
906	Electronic & Print Services	Business Services	0	10	10	0	0	0	20	134
907	Mailing & Courier Services	Business Services	0	10	0	0	10	0	20	134
913	Management Information Systems	Business Services	0	5	0	0	10	5	20	134
917	Data & Telecommunication Services	Business Services	0	10	0	0	10	0	20	134
931	Engineering	Operations	0	10	0	0	10	0	20	134
742	Records Management	Business Services	0	5	0	0	6	5	16	144
846	AVID - Secondary	Instruction	0	5	0	5	6	0	16	144
739	Finance	Business Services	0	10	0	0	0	5	15	146
744	Grants Administration	Business Services	0	5	0	0	10	0	15	146
747	Budgeting Program Management	Business Services	0	5	0	0	10	0	15	146
749	Communications	Communications Services	0	5	0	0	10	0	15	146
802	Student Support Services	Campus Administration	0	5	0	0	10	0	15	146
830	Homeless Program	Campus Administration	0	0	0	0	10	5	15	146
840	Area 3 Campus Administration	Campus Administration	0	0	0	0	10	5	15	146
844	Math - Elementary	Instruction	0	0	0	5	10	0	15	146

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Org #	Org Name	Category	Audit Request or Required 0-25	Likelihood of Fraud, Waste, or Abuse 0-25	Cash Handling or High Expenditures 0-20	Strength of Internal Controls 0-10	Time Since Prior Audit Coverage 0-10	Change in Key Personnel 0-10	Total (out of 100)	Rank
934	Health Wellness & Security	Business Services	0	5	0	0	10	0	15	146
845	AVID - Elementary	Instruction	0	0	0	5	6	0	11	155
720	Internal Audit	Board of Trustees/Super.	0	0	0	0	10	0	10	156
738	Govt. Relations & Grant Development	Business Services	0	0	0	0	10	0	10	156
800	Chief of Schools and Leadership	Campus Administration	0	0	0	0	10	0	10	156
803	Chief Instructional Officer	Instruction	0	0	0	0	10	0	10	156
812	English Language Arts Reading - ES	Instruction	0	0	0	0	10	0	10	156
813	Pre-K	Instruction	0	0	0	0	10	0	10	156
814	English Language Arts Reading - MS	Instruction	0	0	0	0	10	0	10	156
815	Social Studies - Elementary	Instruction	0	0	0	0	10	0	10	156
816	Math - Secondary	Instruction	0	0	0	0	10	0	10	156
817	Science	Instruction	0	0	0	0	10	0	10	156
818	English Language Arts Reading - HS	Instruction	0	0	0	0	10	0	10	156
819	State Compensatory Education	Instruction	0	0	0	0	10	0	10	156
820	Social Studies - Secondary	Instruction	0	0	0	0	10	0	10	156
821	Bilingual / ESL	Instruction	0	0	0	0	10	0	10	156
822	Gifted & Talented K-12	Instruction	0	0	0	0	10	0	10	156
823	World Languages K-12	Instruction	0	0	0	0	10	0	10	156
837	Dyslexia K-12	Instruction	0	0	0	0	10	0	10	156
841	Area 2 Campus Administration	Campus Administration	0	0	0	0	10	0	10	156
842	Area 1 Campus Administration	Campus Administration	0	0	0	0	10	0	10	156
847	Response to Intervention (RTI)	Campus Administration	0	0	0	0	10	0	10	156
848	Area 4 Campus Administration	Campus Administration	0	0	0	0	10	0	10	156
909	Audiovisual Services	Business Services	0	0	0	0	10	0	10	156
910	Media Production	Communications Services	0	0	0	0	10	0	10	156
915	NEEC Complex	Operations	0	0	0	0	10	0	10	156
916	Broadway Complex	Operations	0	0	0	0	10	0	10	156
932	Chief Operations Officer	Operations	0	0	0	0	10	0	10	156

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## Attachment 4: Risk Rank Priority of Auditable Entities

Org #	Org Name	Category	Total (out of 100)	Rank
701	Superintendent's Contract & Expenses	Superintendent's Office	100	1
702	Board Expenses	Board of Trustees	100	1
742	Purchasing Card Program	Business Services	100	1
742	Controlled Resource Mgmt. System	Business Services	100	1
742	Warehousing	Business Services	100	1
747	Fixed Assets Management	Business Services	100	1
918	Operations Warehouse	Business Services	100	1
923	General Warehouse	Business Services	100	1
007	Reagan HS	High School	90	9
059	Hill MS	Middle School	85	10
046	White MS	Middle School	80	11
049	Driscoll MS	Middle School	78	12
810	Instructional Technology Services	Business Services	70	13
902	Facility Maintenance and Support	Operations	70	13
047	Wood MS	Middle School	67	15
002	MacArthur HS	High School	60	16
004	Roosevelt HS	High School	60	16
005	Madison HS	High School	58	18
003	Churchill HS	High School	54	19
014	Johnson HS	High School	54	19
400	NESA (NE School of the Arts)	High School (Magnet)	53	21
408	SETA (Space Engineering Tech. Academy)	High School (Magnet)	53	21
001	LEE HS	High School	52	23
401	Agri Science @ Madison HS	High School (Magnet)	50	24
904	School Nutritional Services	Operations	50	24
041	Eisenhower MS	Middle School	50	24
042	Garner MS	Middle School	50	24
043	Krueger MS	Middle School	50	24
045	Jackson MS	Middle School	50	24
058	Harris MS	Middle School	50	24
741	Travel Reimbursement	Business Services	50	24
808	Library Services	Business Services	50	24
050	Bush MS	Middle School	47	33
742	Procurement	Business Services	47	33
811	Fine Arts	Campus Administration	47	33
009	ISA HS	High School	45	36
403	STEM Academy at LEE HS	High School (Magnet)	45	36
406	Data (Design & Technology Academy)	High School (Magnet)	45	36
843	Partners in Education/Volunteer Pgm.	Communications Services	45	36
402	CTEC Construction	High School (Magnet)	45	36
405	CTEC Transportation	High School (Magnet)	45	36
409	CTEC Medical	High School (Magnet)	45	36
410	iCSI (Cyber Security Institute)	High School (Magnet)	45	36

Org #	Org Name	Category	Total (out of 100)	Rank
809	Curriculum and Instruction	Instruction	45	36
826	Career and Technology	Instruction	45	36
901	Construction Management	Operations	45	36
044	Nimitz MS	Middle School	44	47
048	Bradley MS	Middle School	44	47
056	Tejeda MS	Middle School	44	47
905	Police Department	Operations	40	50
008	ACE HS	High School	40	50
057	Lopez MS	Middle School	40	50
106	Harmony Hills ES	Elementary School	40	50
112	Ridgeview ES	Elementary School	40	50
126	Thousand Oaks ES	Elementary School	40	50
144	Tuscany Heights ES	Elementary School	40	50
302	KSAT (Krueger School of Applied Tech.)	Middle School (Magnet)	40	50
741	Payroll	Business Services	40	50
745	Human Resources	Campus Administration	40	50
801	Athletics	Campus Administration	40	50
831	Adult Education	Campus Administration	37	61
832	Community Education	Campus Administration	37	61
833	GED Testing	Campus Administration	37	61
834	KIN Program (Elementary School)	Campus Administration	37	61
835	KIN Challenge Program (Middle School)	Campus Administration	37	61
851	Heroes Stadium	Campus Administration	37	61
903	Transportation	Operations	37	61
053	Alternative MS	Middle School	35	68
101	Castle Hills ES	Elementary School	35	68
102	Coker ES	Elementary School	35	68
103	Colonial Hills ES	Elementary School	35	68
104	Dellview ES	Elementary School	35	68
105	East Terrell Hills ES	Elementary School	35	68
107	Jackson-Keller ES	Elementary School	35	68
108	Larkspur ES	Elementary School	35	68
109	Northwood ES	Elementary School	35	68
111	Olmos ES	Elementary School	35	68
113	Serna ES	Elementary School	35	68
116	Wilshire ES	Elementary School	35	68
118	Camelot ES	Elementary School	35	68
119	Clear Spring ES	Elementary School	35	68
121	El Dorado ES	Elementary School	35	68
122	Montgomery ES	Elementary School	35	68
123	Hidden Forest ES	Elementary School	35	68
124	Woodstone ES	Elementary School	35	68
125	Stahl ES	Elementary School	35	68
128	Redland Oaks ES	Elementary School	35	68
129	Encino Park ES	Elementary School	35	68
130	Fox Run ES	Elementary School	35	68

Org #	Org Name	Category	Total (out of 100)	Rank
131	Oak Meadow ES	Elementary School	35	68
134	Longs Creek ES	Elementary School	35	68
135	Huebner ES	Elementary School	35	68
136	Hardy Oak ES	Elementary School	35	68
137	Wetmore ES	Elementary School	35	68
138	Royal Ridge ES	Elementary School	35	68
139	Roan Forest ES	Elementary School	35	68
140	Canyon Ridge ES	Elementary School	35	68
141	Stuebing Ranch ES	Elementary School	35	68
142	Bulverde Creek ES	Elementary School	35	68
143	Wilderness Oaks ES	Elementary School	35	68
146	Las Lomas ES	Elementary School	35	68
147	Vineyard Ranch ES	Elementary School	35	68
300	YATP (Youth Applied Tech. Program)	Middle School (Magnet)	35	68
301	iMAK (Interactive Media App. @ Krueger)	Middle School (Magnet)	35	68
303	STEM Academy at Nimitz MS	Middle School (Magnet)	35	68
306	DATA (Design & Tech. Academy)	Middle School (Magnet)	35	68
804	Learning Support Services	Instruction	35	68
805	Student Leadership	Campus Administration	35	68
825	JROTC	Campus Administration	35	68
911	Technology Support	Business Services	35	68
927	Risk Management - Employee Benefits	Business Services	35	68
120	Regency Place ES	Elementary School	33	112
117	Windcrest ES	Elementary School	32	113
127	Northern Hills ES	Elementary School	31	114
133	Stone Oak ES	Elementary School	31	114
807	Student Well-Being	Campus Administration	30	116
914	Network Services	Business Services	30	116
012	Alternative HS	High School	29	118
110	Oak Grove ES	Elementary School	29	118
114	Walzem ES	Elementary School	29	118
145	Cibolo Green ES	Elementary School	27	121
852	NE Sports Complex	Campus Administration	27	121
996	PE & Health	Campus Administration	27	121
006	Center HS	High School	25	124
148	Pre-K Academy at West Ave.	Pre-K	25	124
710	Textbooks	Business Services	25	124
741	Accounts Payable	Business Services	25	124
746	School Administration	Campus Administration	25	124
908	Copier Services	Business Services	25	124
912	Print Services	Business Services	25	124
930	Custodial Services	Operations	25	124
935	Transportation North	Operations	25	124
743	Risk Management	Business Services	21	133
740	Chief Financial Officer	Business Services	20	134
806	Health Services	Business Services	20	134

Org #	Org Name	Category	Total (out of 100)	Rank
828	Special Education	Instruction	20	134
829	Teen Parenting	Campus Administration	20	134
836	Testing Services	Instruction	20	134
906	Electronic & Print Services	Business Services	20	134
907	Mailing & Courier Services	Business Services	20	134
913	Management Information Systems	Business Services	20	134
917	Data & Telecommunication Services	Business Services	20	134
931	Engineering	Operations	20	134
742	Records Management	Business Services	16	144
846	AVID - Secondary	Instruction	16	144
739	Finance	Business Services	15	146
744	Grants Administration	Business Services	15	146
747	Budgeting Program Management	Business Services	15	146
749	Communications	Communications Services	15	146
802	Student Support Services	Campus Administration	15	146
830	Homeless Program	Campus Administration	15	146
840	Area 3 Campus Administration	Campus Administration	15	146
844	Math - Elementary	Instruction	15	146
934	Health Wellness & Security	Business Services	15	146
845	AVID - Elementary	Instruction	11	155
720	Internal Audit	Board of Trustees/Super.	10	156
738	Govt. Relations & Grant Development	Business Services	10	156
800	Chief of Schools and Leadership	Campus Administration	10	156
803	Chief Instructional Officer	Instruction	10	156
812	English Language Arts Reading - ES	Instruction	10	156
813	Pre-K	Instruction	10	156
814	English Language Arts Reading - MS	Instruction	10	156
815	Social Studies - Elementary	Instruction	10	156
816	Math - Secondary	Instruction	10	156
817	Science	Instruction	10	156
818	English Language Arts Reading - HS	Instruction	10	156
819	State Compensatory Education	Instruction	10	156
820	Social Studies - Secondary	Instruction	10	156
821	Bilingual / ESL	Instruction	10	156
822	Gifted & Talented K-12	Instruction	10	156
823	World Languages K-12	Instruction	10	156
837	Dyslexia K-12	Instruction	10	156
841	Area 2 Campus Administration	Campus Administration	10	156
842	Area 1 Campus Administration	Campus Administration	10	156
847	Response to Intervention (RTI)	Campus Administration	10	156
848	Area 4 Campus Administration	Campus Administration	10	156
909	Audiovisual Services	Business Services	10	156
910	Media Production	Communications Services	10	156
915	NEEC Complex	Operations	10	156
916	Broadway Complex	Operations	10	156
932	Chief Operations Officer	Operations	10	156



# NORTH EAST

## INDEPENDENT SCHOOL DISTRICT

### Attachment #5: Anti-Fraud Action Plan

#### Introduction

#### 1. Fraud Prevention and Detection

1.1 The most effective way for school districts to combat fraud begins with strong anti-fraud systems and controls to both prevent as well as detect fraud. Management is responsible for implementing procedures for the prevention and detection of fraud and creating an environment that ensures honest and ethical behavior. Issuance of *Statement on Auditing Standard (SAS) 99, Consideration of Fraud in a Financial Statement Audit*, changed the approach auditors take toward the detection of a material misstatement of financial information due to fraud. As a result, the systems and controls that North East Independent School District has in place become a focal point for audits. The school district needs to demonstrate an understanding of fraud risk factors affecting their organization, as well as mitigating controls to address those risks.

1.2 Fraud can range from minor employee theft and unproductive behavior to misappropriation of assets and fraudulent financial reporting. Material financial statement fraud can have a significant adverse effect on an entity's market value, reputation, and ability to achieve its strategic objectives. A number of highly publicized cases have heightened the awareness of the effects of fraudulent financial reporting and have led many organizations to be more proactive in taking steps to prevent or deter its occurrence. Misappropriation of assets, though often not material to the financial statements, can nonetheless result in substantial losses to an entity if a dishonest employee has the incentive and opportunity to commit fraud.

1.3 The risk of fraud can be reduced through a combination of prevention, deterrence, and detection measures. However, fraud can be difficult to detect because it often involves concealment through falsification of documents or collusion among management, employees, or third parties. Therefore, it is important to place a strong emphasis on fraud prevention, which may reduce opportunities for fraud to take place, and fraud deterrence, which could persuade individuals that they should not commit fraud because of the likelihood of detection and punishment. Moreover, prevention and deterrence measures are much less costly than the time and expense required for fraud detection and investigation.

1.4 NEISD’s management has both the responsibility and the means to implement measures to reduce the incidence of fraud. The measures the district takes to prevent and deter fraud can help create a positive workplace environment that can enhance the district’s ability to recruit and retain high-quality employees. The most effective way to implement measures to reduce wrongdoing is to base them on a set of core values that are embraced by the district. These values provide an overarching message about the key principles guiding all employees’ actions and relate directly with NEISD’s code of conduct policies. NEISD management needs to continuously emphasize to all employees that they will be held accountable to act within the district’s code of conduct.

1.5 **This document is divided into two sections: Section I identifies measures that NEISD can implement to prevent, deter, and detect fraud. Section II addresses procedures to be followed in response to fraud detection.** It is intended to complement *CAA (Local) Fiscal Management Goals and Objectives: Financial Ethics*. It discusses these measures in the context of three fundamental elements. Broadly stated, these fundamental elements are (1) create and maintain a culture of honesty and high ethics; (2) evaluate the risks of fraud and implement the processes, procedures, and controls needed to mitigate the risks and reduce the opportunities for fraud; and (3) develop an appropriate oversight process. Although the entire management team shares the responsibility for implementing and monitoring these activities, with oversight from the Board of Trustees, the Superintendent does, in fact, support such measures. Without the Superintendent’s active support, these measures would be less effective.

## Section I Fraud Prevention and Detection

### 2. Creating a Culture of Honesty and High Ethics

2.1 It is the responsibility of NEISD management to create a culture of honesty and high ethics and to clearly communicate acceptable behavior and expectations of each employee. Such a culture is based on a strong set of core values (or value system) that provides the foundation for how the district conducts its business. It also allows the district to develop an ethical framework that covers (1) fraudulent financial reporting, (2) misappropriation of assets, and (3) corruption as well as other issues. Creating a culture of honesty and high ethics should include the following:

#### 2.2 Setting the Tone at the Top

2.2.1 Directors, Executive Directors, Principals, Division Chiefs, and the Superintendent set the “tone at the top” for ethical behavior within NEISD. Research in moral development strongly suggests that honesty can best be reinforced when a proper example is set—sometimes referred to as the Tone at the Top. NEISD management cannot act one way and expect NEISD employees to behave differently.

2.2.2 In many cases, it is necessary for management to both behave ethically and openly communicate its expectations for ethical behavior because most employees are not in a position to observe management's actions. Management must show employees through its words and actions that dishonest or unethical behavior will not be tolerated, even if the result of the action benefits the district. Moreover, it should be evident that all employees will be treated equally, regardless of their position.

2.2.3 The cornerstone of an effective antifraud environment is a culture with a strong value system founded on integrity. This value system is currently reflected in NEISD's board policies dealing with a sound code of conduct.

### 2.3 Creating a Positive Workplace Environment

2.3.1 Research results indicate that wrongdoing occurs less frequently when employees have positive feelings about an entity than when they feel abused, threatened, or ignored. Without a positive workplace environment, there are more opportunities for poor employee morale, which can affect an employee's attitude about committing fraud. Factors that detract from a positive work environment and may increase the risk of fraud include:

- Top management that does not seem to care about or reward appropriate behavior
- Negative feedback and lack of recognition for job performance
- Perceived inequities in the district
- Autocratic rather than participative management
- Low organizational loyalty or feelings of ownership
- Unreasonable budget expectations or other financial targets
- Fear of delivering "bad news" to supervisors and/or management
- Less-than-competitive compensation
- Poor training and promotion opportunities
- Lack of clear organizational responsibilities
- Poor communication practices or methods within the district

2.3.2 The district's Human Resources department is instrumental in helping to build a corporate culture and positive work environment. Human Resource professionals are responsible for implementing specific programs and initiatives, consistent with management's strategies that can help to mitigate many of the detractors mentioned above. Mitigating factors that NEISD has developed and implemented to help create a positive work environment and reduce the risk of fraud include:

- Recognition and reward systems that are in tandem with goals and results
- Equal employment opportunities
- Team-oriented, collaborative decision-making policies
- Professionally administered training programs and an overall focus on career development

- Employees are given ample opportunity to obtain advice internally before making decisions that appear to have significant legal or ethical implications. They are encouraged and given the means to communicate concerns, anonymously if preferred, about potential violations of the district's code of conduct, without fear of retribution. At NEISD, Internal Audit's "Fraud Hotline" serves this purpose.

## **2.4 Hiring and Promoting Appropriate Employees**

2.4.1 Each employee has a unique set of values and personal code of ethics. When faced with sufficient pressure and a perceived opportunity, some employees will behave dishonestly rather than face the negative consequences of honest behavior. The threshold at which dishonest behavior starts, however, will vary among individuals. If NEISD is to be successful in preventing fraud, it must have effective policies that minimize the chance of hiring or promoting individuals with low levels of honesty, especially for positions of trust. Within NEISD hiring and promotion procedures include:

- Conducting background investigations on individuals being considered for employment or for promotion to a position of trust
- Thoroughly checking a candidate's education, employment history, and personal references
- Incorporating into regular performance reviews an evaluation of how each individual has contributed to creating an appropriate workplace environment in line with the district's values and code of conduct
- Continuous objective evaluation of compliance with the district's values and code of conduct, with violations being addressed immediately

## **2.5 Confirmation**

2.5.1 Management needs to clearly articulate that all employees will be held accountable to act within the district's code of conduct. All employees within senior management and the finance function, as well as other employees in areas that might be exposed to unethical behavior (for example, all certified employees with budget authority) are required to complete an online survey (i.e., conflict of interest) statement annually. This confirmation reinforces the district's policies on ethics and may deter individuals from committing fraud and other violations—thereby identifying problems before they become significant. Honest individuals are more likely to return their confirmations and to disclose what they know (including any conflicts of interest or other personal exceptions to the code of conduct). Thorough follow-up by the Director of Internal Audit can identify significant issues.

## 2.6 Discipline

2.6.1 The way NEISD reacts to incidents of alleged or suspected fraud will send a strong deterrent message throughout the district, helping to reduce the number of future occurrences. The following actions will be taken in response to an alleged incident of fraud:

- A thorough investigation of the incident will be conducted if appropriate
- Appropriate and consistent actions will be taken against violators
- Relevant controls will be assessed and improved
- Communication and training will occur to reinforce the district's values, code of conduct, and expectations

2.6.2 Expectations about the consequences of committing fraud will be clearly communicated throughout the district Board Policy CAA (Local) and various human resources policies. These policies clearly indicate that the district is committed to an environment of high ethical standards and integrity.

## 3. Evaluating Antifraud Processes and Controls

3.1 Neither fraudulent financial reporting nor misappropriation of assets can occur without a perceived opportunity to commit and conceal the act. Districts should be proactive in reducing fraud opportunities by (1) identifying and measuring fraud risks, (2) taking steps to mitigate identified risks, and (3) implementing and monitoring appropriate preventive and detective internal controls and other deterrent measures.

### 3.2 Identifying and Measuring Fraud Risks

3.2.1 Management has the primary responsibility for establishing and monitoring all aspects of the district's fraud risk-assessment and prevention activities. Fraud risks often are considered as part of an enterprise-wide risk management program, though they may be addressed separately. The fraud risk-assessment process should consider the vulnerability of NEISD to fraudulent activity (fraudulent financial reporting, misappropriation of assets, and corruption) and whether any of those exposures could result in a material misstatement of the financial statements or material loss to the district. In identifying fraud risks, districts should consider organizational, industry, and country-specific characteristics that influence the risk of fraud.

### 3.3 Mitigating Fraud Risks

3.3.1 It may be possible to reduce or eliminate certain fraud risks by making changes to the district's activities and processes. For example, the risk of corruption may be reduced by closely monitoring the district's procurement process. Unannounced visits by the Internal Audit staff have also proven to be a sound deterrent to fraud.

### **3.4 Implementing and Monitoring Appropriate Internal Controls**

3.4.1 Some risks are inherent in the environment of the entity, but most can be addressed with an appropriate system of internal controls. Once the fraud risk assessment has taken place, NEISD can identify the processes, controls, and other procedures that are needed to mitigate the identified risks. Effective internal controls will include a well-developed control environment, an effective and secure information system, and appropriate control and monitoring activities.

## **4. Developing an Appropriate Oversight Process**

4.1 To effectively prevent or deter fraud, NEISD has implemented several oversight mechanisms/processes. Overall oversight is the responsibility of the Internal Audit Department.

### **4.2 Board of Trustees**

4.2.1 The Director of Internal Audit identifies potential fraud risks to the Board of Trustees, annually, as part of the audit plan approval process. Active oversight by the Board of Trustees serves to reinforce management's commitment to creating a culture with "zero tolerance" for fraud.

### **4.3 Management**

4.3.1 Under NEISD policies and procedures, management is responsible for overseeing the activities carried out by employees, and typically does so by implementing and monitoring processes and controls such as those discussed previously.

### **4.4 Internal Auditors**

4.4.1 The Internal Audit Department also serves as a key oversight function. Internal Audit's knowledge about the district operations may identify indicators that suggest fraud has been committed. The *Standards for the Professional Practice of Internal Auditing* (IIA Standards), issued by the Institute of Internal Auditors, state, "The internal auditor should have sufficient knowledge to identify the indicators of fraud but is not expected to have the expertise of a person whose primary responsibility is detecting and investigating fraud." Internal auditors also have the opportunity to evaluate fraud risks and controls and to recommend action to mitigate risks and improve controls. Specifically, the IIA Standards require internal auditors to assess risks facing their organizations. This risk assessment serves as the basis from which audit plans are devised and against which internal controls are tested.

#### **4.5 Independent Auditors**

4.5.1 Independent auditors assist management and the Board of Trustees by providing an assessment of the district's process for identifying, assessing, and responding to the risks of fraud. The Board of Trustees maintains an open and candid dialogue with the independent auditors regarding management's risk assessment process and the system of internal control.

#### **4.6 Certified Fraud Examiners**

4.6.1 Certified fraud examiners (CFEs) assist the Board of Trustees with aspects of the oversight process either directly or as part of a team of internal auditors or independent auditors. Certified fraud examiners can provide extensive knowledge and experience about fraud that may not be available within a corporation. CFEs can provide more objective input into management's evaluation of the risk of fraud (especially fraud involving senior management, such as financial statement fraud) and the development of appropriate antifraud controls that are less vulnerable to management override.

## **SECTION II RESPONSE TO DETECTED FRAUD**

### **5. Introduction**

5.1 NEISD is committed to the highest possible standards of openness, honesty and accountability in all its affairs. It is determined to maintain a culture of honesty and opposition to fraud and corruption.

5.2 In line with that commitment, NEISD's Anti-Fraud Policy outlines the principles we are committed to in relation to preventing, reporting and managing fraud and corruption.

5.3 This fraud response procedure reinforces NEISD's approach by setting out the ways in which employees or members of the public can voice their concerns about suspected fraud or corruption. It also outlines how NEISD will deal with such complaints.

### **6. Implementation**

6.1 This plan is to be implemented where suspicions of fraud or corruption have been raised.

**Fraud** is defined as:

"The intentional distortion of financial statements or other records by persons internal or external to NEISD which is carried out to conceal the misappropriation of assets to the overall detriment of the organization or otherwise for personal illegitimate gain." Corruption of a political system or institution is exemplified when public officials seek illegitimate personal gain through actions such as bribery, extortion, cronyism, nepotism, patronage, graft, or embezzlement.

**Corruption** is defined as:

"The offering, giving, soliciting or acceptance of an inducement or reward, which may influence the action of any person".

6.2 Fraudulent or corrupt acts may include:

- **Systems Issues** - Where a process/system exists which is prone to abuse by either employees or the public, in general.
- **Financial Issues** - Where individuals or companies have fraudulently obtained money from NEISD.
- **Equipment Issues** - Where NEISD's equipment is used for inappropriate personal use.
- **Resource Issues** - Where there is a misuse of resources, (e.g. theft of materials)
- **Other Issues** - Activities undertaken by officers of NEISD which may be: unlawful; against NEISD's policies, falls below established standards or practices; or amounts to improper conduct.

6.3 This is not an exhaustive list. If you are in any doubt about the seriousness of your concern, advice and guidance can be obtained from the Director of Internal Audit.

## 7. Safeguards

7.1 **Harassment or Victimization** - NEISD recognizes that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. NEISD will not tolerate harassment or victimization and will take action to protect those who raise a concern in good faith.

7.2 **Confidentiality** - NEISD will do its best to protect an individual's identity when he or she raises a concern and does not want their name to be disclosed. It must be appreciated that in certain situations, the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence.

**7.3 Anonymous Allegations** - This policy encourages individuals to include their names with allegations. Concerns expressed anonymously are much more difficult to pursue if additional information or clarification is needed, and feedback to the person filing the concern is not always possible. Nevertheless, all complaints or concerns will be acted upon to ascertain legitimacy and implement needed oversight, when appropriate. Factors to be taken into account include: the seriousness of the issues raised; the credibility of the concern; and the likelihood of confirming the allegation from attributable sources.

**7.4 Untrue Allegations** - If an allegation is made in good faith, but it is not confirmed by the audit/investigation, no action will be taken against the originator. If, however, individuals make malicious or unfounded, harmful allegations, disciplinary measures could be imposed against the individual making the allegation.

## **8. Employee Actions**

**8.1** Employees are often the first to realize that there is something seriously wrong within NEISD. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to NEISD. They may also fear harassment, victimization or retribution. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion. If an employee suspects wrongdoing or observes fraudulent activity, he/she should:

- Immediately notify his/her supervisor unless the supervisor is a suspect. In that case, use NEISD's Fraud Hotline (internet or telephone), which is intended to encourage and enable employees (and others) to raise serious concerns within NEISD, without fear of reprisal, rather than overlooking a problem or "blowing the whistle" to the media or other external sources.
- If the immediate supervisor substantiates the suspicions, he/she should elevate the concern to the Director, Executive Director, Campus Principal or Director of Internal Audit, as appropriate.

**8.2** Internal Audit can be contacted by completing the NEISD internet on-line reporting form under the "Fraud Hotline" hyperlink or by telephoning (210)805-5331, or by writing to: Director of Internal Audit, Internal Audit Department, 8961 Tesoro Drive, 6th Floor, San Antonio Texas 78217. Each of these methods allow for anonymous reporting.

## **9. Public Actions**

**9.1** NEISD encourages members of the public who suspect fraud and corruption to contact the Director of Internal Audit. The Fraud Hotline described in paragraph 8.2 is available to the public on the NEISD web page.

9.2 The Internal Audit Department operates independently of all other district processes and departments, and works to establish procedures with the following aims:

- Develop an anti-fraud culture
- Deter, prevent, detect, and investigate fraud and corruption
- Recommend appropriate actions against those who commit or seek to commit some sort of fraud or corruption
- Obtain compensation for any losses to NEISD

## **10. How will allegations of Fraud or Corruption be dealt with by NEISD?**

10.1 For issues raised by employees or members of the public, the action taken by NEISD will depend on the nature of the concern. The matters raised may:

- Be investigated internally
- Be referred to the police

10.2 Within 10 working days of a concern being received, the Director of Internal Audit or designated officer will write to or contact (unless the complaint is anonymous) the complainant to:

- Acknowledge that the concern has been received
- Indicate how it proposes to deal with the matter
- Give an estimate of how long it will take to provide a final response
- Advise the complainant whether any initial inquiries have been made
- Advise the complainant about further investigations that will take place, and if not, why not

10.3 Where the loss is substantial, legal advice will be obtained. Legal advice will also be obtained about prospects for recovering losses, where the perpetrator refuses repayment. NEISD would normally attempt to recover costs in addition to losses.

10.4 NEISD respects the fact that those people who reported the alleged fraud or corruption need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will receive information about the outcome of any investigation if they request such information and provide appropriate contact information.



# NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Rudy Jimenez  
Chyla Whitton,  
Executive Director,  
Human Resources

Subject: Board Policy DK (LOCAL) -  
Assignment and Schedules,  
First Reading

Related Page(s): DK (LOCAL) with Proposed Revisions

## **ACTION ITEM**

### **BACKGROUND INFORMATION**

Administration proposes to add a provision to the “Assignment of Related Employees” section of Board Policy DK (LOCAL) that would allow the Superintendent or designee to approve the assignment of relatives to the same campus or department. The Superintendent or designee would not, under any circumstances, approve a supervisory relationship between two relatives. However, there may be circumstances where it would be suitable to allow relatives to work on the same campus or within the same department after all relevant facts are taken into consideration.

### **BUDGETARY CONSIDERATION**

None

### **ADMINISTRATIVE RECOMMENDATION**

It is recommended that the Board of Trustees approve DK (LOCAL) as presented.

### **BOARD ACTION REQUIRED**

Approval/Disapproval

ASSIGNMENT AND SCHEDULES

DK  
(LOCAL)

**Superintendent's  
Authority**

All personnel are employed subject to assignment and reassignment by the Superintendent or designee when the Superintendent determines that the assignment or reassignment is in the best interest of the District. Reassignment shall be defined as a transfer to another position, department, or facility that does not necessitate a change in the employment contract of a contract employee. Any change in an employee's contract shall be in accordance with DC(LOCAL). Any reassignment of a contractual employee involving a change in pay shall require Board approval.

Requested  
Reassignment

Any employee may request reassignment within the District to another position for which he or she is qualified. Generally, requests for reassignment shall be discussed with the principal or immediate supervisor and then submitted in writing to the Superintendent for consideration.

**Campus  
Assignments**

The principal's criteria for approval of campus assignments and reassignments shall be consistent with District policy regarding equal opportunity employment, and with staffing patterns approved in the District and campus plans. [See BQ series] In exercising their authority to approve assignments and reassignments, principals shall work cooperatively with the central office staff to ensure the efficient operation of the District as a whole.

**Assignment of  
Related Employees**

To avoid conflicts that might arise when spouses or other relatives work on the same campus or in the same District department, the District reserves the right to restrict such employment.

An employee shall not be assigned to a position having a direct line of supervision, or the responsibility for the appraisal, of any relative as defined below. In addition, efforts shall be made to avoid assigning an employee to the same campus or to the same central office department where a relative has been assigned unless approved by the Superintendent or designee. Any employee who is related to another District employee shall be subject to reassignment for any reason applicable to other employees, as well as for special problems that may be associated with a familial relationship to another employee.

For the purposes of assignments, "relative" shall be defined as:

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;

ASSIGNMENT AND SCHEDULES

DK  
(LOCAL)

4. Sibling, stepsibling, and sibling-in-law;
5. Grandparent and grandchild;
6. Aunt, uncle, and first cousin; and
7. Any person who may be residing in the employee's household at the time of employment.

**Supplemental Duties**

The Superintendent or designee may assign supplemental duties to exempt personnel, as needed. The employee shall be compensated for these assignments according to the supplemental duty pay schedule established by the Superintendent or designee, which is separate and apart from the normal salary paid to exempt employees for their regular job duties. These assignments may be discontinued at any time for any reason or no reason, by either party, and are not part of any employment contract. The assignment of these duties shall not create any expectation of continued assignment to that same duty or any other duty.

**Work Calendars and Schedules**

Subject to the Board-adopted budget and compensation plan and in harmony with employment contracts, the Superintendent shall determine required work calendars for all employees. [See DC, EB]

Daily time schedules for all employees shall be determined by the Superintendent or designee and principals.



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Rudy Jimenez,  
Christi Wilbur, Executive  
Director, Pupil Personnel  
Services

Subject: *Student Code of Conduct*

Related Page(s): *Student Code of  
Conduct PDF  
attachment*

### **ACTION ITEM**

#### **BACKGROUND INFORMATION**

Texas Education Code 37.001 (a) requires each school district to have a Student Code of Conduct. The Student Code of Conduct contains any new disciplinary guidelines resulting from state, federal, and/or legislative mandates.

#### **ADMINISTRATIVE CONSIDERATION**

The Student Code of Conduct must be adopted by the Board of Trustees each school year. The Student Code of Conduct is included in the Student-Parent Handbook published electronically online and is available online as a separate document.

#### **BUDGETARY CONSIDERATION**

No additional expenditure is necessary. The Student Code of Conduct is posted electronically on the District webpage.

#### **ADMINISTRATIVE RECOMMENDATION**

It is recommended that the Board of Trustees approve the 2022-2023 Student Code of Conduct as presented.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval

2021<sup>2</sup> – 2022<sup>3</sup>

## DISTRICT STUDENT CODE OF CONDUCT

The North East ISD Discipline Management Plan includes the Student Code of Conduct and procedures for processing violations. Responsibilities of administrators, teachers, parents/guardians, and students are clearly defined. Behavior management strategies are designed to provide maximum support for instruction and on-task time for teachers and students. The major focus is on teaching and assisting students in developing skills of self-control that will result in increased academic achievement. The classroom management model provides positive support and predefined consequences for student behavior.

North East ISD schools foster a climate of equity and mutual respect for the rights of others. Students are expected to respect the rights and privileges of other students, teachers, and school employees. The rules of conduct and discipline contained within this Student Code of Conduct are established to achieve and maintain order and safety in the schools. Students who violate the rights of others or who violate school rules shall be subject to the provisions contained within this Student Code of Conduct.

Campuses proactively employ a variety of positive behavior supports and utilize a character education program to reinforce the value of appropriate choices and to promote a positive climate for all stakeholders. Staff receive extensive training in utilizing current research-based methods, which are designed to enhance social-emotional learning, foster productive relationships and provide the requisite intervention to enable students to maintain consistent compliance with Student Code of Conduct expectations.

In North East ISD, the principal serves as the campus behavior coordinator (CBC). The principal/CBC or his/her designee will make discipline decisions based on the evidence in each situation. Consideration will be given to intent and/or self-defense in the decision-making process along with all other relevant factors. Intent or lack of intent and/or self-defense alone will not be the determining factor. In cases of misbehavior where there is no stated or implied intent to violate the Student Code of Conduct, students may be disciplined for their actions. To avoid disciplinary action by contending self-defense, students must not have been involved in provoking the situation, must seek to detach themselves from the situation and/or obtain help from school personnel. Self-defense is not an acceptable reason for misconduct that seriously disrupts the educational environment, endangers others, is used as a reaction to bullying, or hurts or seriously affects other students. Administration maintains the sole authority to determine intent and/or self-defense based on the investigation. Consideration will be given to students with an individual educational program (IEP) or Section 504 individual accommodations plan (IAP) in which the misconduct is a direct and substantial manifestation of the disability or disabilities.

The principal/CBC or his/her designee has the legal authority and responsibility to investigate violations of the Student Code of Conduct and to interview students regarding the student's own conduct or the conduct of other students without prior notice to parents/guardians or the consent of parents/guardians to do so. School officials including law enforcement officers exercise this authority to maintain the safety and security of the school environment and to prevent the disruption of instructional programs. In order to conduct an efficient and effective investigation and to avoid causing undue alarm, anxiety or giving incomplete information, parents/guardians will be notified at the discretion of the administrator conducting the investigation.

The principal/CBC or his/her designee will report crimes as required by law and may contact local law enforcement regarding suspected criminal activity. In most cases, school officials contact their campus police officer to assist them in enforcing these provisions. Certain acts of conduct may constitute criminal offenses in addition to violations of the Student Code of Conduct. Because school discipline is independent of criminal proceedings, disciplinary consequences may not be postponed pending the outcome of any criminal proceeding or affected by the outcome of any criminal proceeding.

Multiple consequences are possible for a single infraction by a student. Legal actions may be taken by the law enforcement agency and the judicial system. In addition, student activity groups may have disciplinary actions taken including removal from the student organization as indicated in the organizations' constitutions.

The primary factor in any disciplinary decision is the severity of the incident. However, in all cases, the principal/CBC or his/her designee must consider the student's age, maturity, **prior misbehavior discipline history**, status as a student who is homeless or in the conservatorship of DFPS and the factors listed above are also taken into consideration. Disciplinary actions for violations of the District's rules are subject to change due to the enactment of or revision to state law, interpretations by the Texas Education Agency, or North East ISD School Board Policy changes.

The following subsections set forth student rules relating to individuals and school property, as well as general behavior requirements. Persistent or repeated violations of the rules may ultimately result in a student being subject to increasingly more serious consequences.

Any violation may result in a disciplinary action of any type available to the administration including the maximum penalty for a first infraction.

### **EXPECTATIONS FOR STUDENT CONDUCT**

The conduct of students should at all times contribute in a positive and constructive manner to the improvement of all learning environments and the overall school atmosphere which includes, but is not limited to, school-sponsored activities outside the school building and transit to and from the school or school activities.

All students are to be respectful of others at all times. Actions by students that are based on race, color, national origin, ethnicity, gender, sexual preference, or religious beliefs will not be tolerated. Students participating in any form of harassment or intimidation, including, but not limited to, verbal, non-verbal, graphic, written, electronic, or physical contact that denigrates or shows hostility or aversion towards a member(s) of the above groups will be subject to disciplinary action.

### **GENERAL BELIEFS**

- Students are responsible for the choices they make.
- Students can be taught behavioral expectations.

The desired outcome of a disciplinary action is for students to learn from the mistake and use the new information to make better choices.

### **GENERAL STUDENT RULES**

Students at school or school-sponsored activities are prohibited from:

- Engaging in academic dishonesty, which includes cheating, copying, representing someone's work as one's own and/or unauthorized communication between students during an examination.
- Identity theft.
- Falsifying records, passes, or other school-related documents.
- Throwing any object that can cause bodily injury or property damage, which is not included as part of a teacher approved curriculum or school-sponsored activity.
- Leaving school grounds or a school-sponsored activity or event without permission of a school official with the authority to grant permission to leave the campus.
- Being disrespectful or directing profanity, vulgar language, or obscene gestures toward students, school personnel or visitors to the District.

- Insubordination - failing to comply with directives from school personnel or violating District policies, rules, and regulations.
- Possessing matches and/or lighter(s).
- Engaging in robbery or theft.
- Damaging or vandalizing property owned by the District, other students, District employees, volunteers or visitors.
- Engaging in misconduct on school buses.
- Fighting/mutual combat.
- Committing physical abuse or threatening physical abuse.
- Engaging in bullying, cyberbullying, any form of harassment, hazing, or dating violence.
- Committing extortion, coercion, or blackmail defined as obtaining money or other object of value from an unwilling person, or forcing an individual to act through the use of force or threat of force.
- Engaging in verbal abuse, including but not limited to, name-calling, ethnic or racial slurs, or derogatory statements addressed publicly or privately to others that school officials have reasonable cause to believe will substantially disrupt the school program or incite violence.
- Engaging in rude and disrespectful behavior.
- Engaging in any type of threatening, harassing or intimidating school personnel on or off school property, to include, but not limited to, expression via social media.
- Engaging in and/or inciting others to engage in retaliation toward another student.
- Engaging in tardiness, truancy, or intentionally skipping classes or other scheduled activities.
- Causing, inciting, or participating in a disturbance on school grounds, at a school function or school activity.
- Encouraging others to fight or participate in a violation of the District Student Code of Conduct.
- Possessing or using fireworks, "poppers," or explosives of any kind.
- Engaging in inappropriate physical or sexual contact/conduct while on campus or at a school-related or school-sponsored event on or off campus.
- Engaging in any offensive conduct of a sexual nature, whether verbal or physical. This may include requests for sexual favors or other intimidating sexual conduct.
- Using/misusing an electronic or wireless communication device (cell phone/camera phone, i-watches or the like etc.) during an unauthorized time or in an unauthorized location. Misuse includes, but is not limited to, text messaging, using the device to share educational information in violation of the Academic Honesty Policy, sexting, cyberbullying, having, or sharing intimate visual pictures or using the phone as a camera during the instructional day or in any area where there is a reasonable expectation of privacy.
- Using any device that permits the recording of a voice or image of another in any way that invades the privacy of others, is made without the prior consent of the individual(s) being recorded-or disrupts the educational environment.
- Possessing, creating, or displaying graffiti of any kind.
- Violating the District's Acceptable Use of Technology Resources guidelines, to include breach of school and/or District security or uploading and/or creating computer viruses.
- Creating a "hit list" or any other list that targets specific individuals to be physically or psychologically harmed.
- Violating the dress code.
- Bringing items to sell at school without prior consent from the principal.
- Loitering.
- Possessing pornographic material.
- Engaging in tobacco/electronic device violations, including but not limited to, nicotine products, cartridges, oils, or the like.
- Possessing drug paraphernalia of any kind.
- Violating the student medication guidelines.

- Abusing student’s own prescription medication or over-the counter drugs that cause impairment to body or mind.
- Carrying and/or bringing to school any bladed instruments.
- Taking invasive pictures and/or recordings of other students.
- Disclosing, posting, promoting, or threatening to release intimate visual material of a minor without the student’s consent.
- Disrupting virtual or distance learning by gaining unauthorized access and/or actively disturbing instruction.
- Possessing a “look-alike” weapon, air gun, BB gun and/or ammunition.
- Engaging in any other conduct that disrupts the school environment or educational process.

## **DISCIPLINE OPTIONS**

Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Duration and severity of consequences will depend on, but are not limited to, the offense, the nature of the violation, the student’s age, disciplinary history, intent, disability, status as a student who is homeless or in the conservatorship of DFPS and the overall effect upon student welfare and the learning environment. While these factors are considered, **the severity of an incident remains the primary factor in determining what specific disciplinary action will be taken.** Records of students receiving special services will be reviewed. In most cases, discipline shall be administered so that penalties generally increase proportionately to the severity and/or persistence of the misbehavior.

The principal/CBC or his/her designee may suspend students who engage in conduct identified in the Student Code of Conduct. An out-of-school suspension may not exceed three (3) school days for a single incident.

A student who is enrolled in a grade level below grade three and/or homeless may not be placed in out-of-school suspension unless while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

1. Conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code;
2. Conduct that contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code; or
3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of: (a) marijuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.; (B) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or (C) an alcoholic beverage, as defined by Section 1.04, Alcohol Beverage Code.

**Disciplinary strategies and/or consequences may include, but are not limited to, the following, which are not necessarily listed in order of progressive severity:**

- Verbal corrections and warnings (oral or written).
- Seating changes.
- Temporary confiscation of items that disrupt the educational process.
- Special assignments or duties.
- Parent/guardian - teacher conferences.
- Behavioral contracts.
- Counseling/mediation by staff, student peers, and community leaders, outside agencies of the federal, state, or local governments.
- “Stay Away” agreement or no contact orders issued by the principal/CBC or designee.
- Withdrawal of privileges.
- Withdrawal of school activities.
- Revocation of Acceptable Use Policy (AUP), which allows use of District technology resources.

- Partial or complete denial of attendance and/or participation in extracurricular activities.
- Probation.
- Demerits.
- [Grade reduction for cheating and/or plagiarism.](#)
- Duty assignments.
- Detention, including outside regular school hours.
- Modified day.
- Individualized behavior modification.
- Referral to the school administrator.
- Referral to outside agency.
- Overnight suspension.
- In-school alternative assignment.
- Reassignment of classes.
- Temporary removal from class.
- Temporary or permanent removal from District transportation.
- Police involvement.
- Parent/guardian - administrative conferences.
- Restitution of damages.
- In School Suspension (ISS).
- Out of School Suspension (OSS).
- Revocation of [transfer school or magnet program enrollment.](#)
- Disciplinary Alternative Educational Programs (DAEP).
- Expulsion to Juvenile Justice Academy Educational Program (JJAEP).
- Filing a criminal complaint or civil action.
- Other strategies and/or consequences created by unforeseeable special circumstances.

### **NOTIFICATION OF DISCIPLINE**

The principal/CBC or his/her designee shall make a good-faith effort to notify a student's parent/guardian by phone, in person, by sending home written notification of discipline with the student or mailing through U.S. Mail of any violation that may result in ISS, OSS, a referral for a DAEP or JJAEP placement, or if a student is taken into custody by a law enforcement officer.

### **CONFERENCE, HEARING, AND REVIEW**

When a student has been removed from a class for a DAEP/JJAEP offense, the principal/CBC or his/her designee shall schedule a conference within three (3) school days with the student's parent/guardian and student.

At the conference, the principal/CBC and/or his/her designee shall provide the student and parent/guardian:

- Information, orally or written, of the reasons for the removal;
- An explanation of the basis for the removal;
- An opportunity to respond to the reasons for the removal; and
- Information regarding the due process evidentiary conference/expulsion hearing with the District Hearing Officer.

Following valid attempts to require the parent/guardian attendance, or in the case of the parent/guardian withdrawing the student, the District may hold the evidentiary conference/expulsion hearing and make a placement decision regardless of whether the student or parent/guardian attend the evidentiary conference/expulsion hearing.

## **PLACEMENT ORDER**

Following the evidentiary conference/expulsion hearing, if the student is placed in a DAEP/JJAEP, the District Hearing Officer will write a placement order. A copy of the DAEP/JJAEP order shall be sent to the parent/guardian.

No later than the second business day following the evidentiary conference/expulsion hearing, the District Hearing Officer shall send to the juvenile court a copy of the placement order and all of the information required by Section 52.04 of the Family Code.

## **SCHOLASTIC IMPLICATIONS DURING PERIODS OF DISCIPLINE**

Students who are suspended will be provided an alternative means of receiving coursework in the foundation curriculum during the period of suspension. The student's absence shall not be counted against the minimum attendance as required by law if the student satisfactorily completes the assignments upon return from the period of suspension.

The home campus of expelled students will evaluate and may promote or award credit to students based upon work completed as students at the Juvenile Justice Academy. Expelled students who meet special education or 504 eligibility criteria will receive educational services as determined by the appropriate review committee (MDR/504).

## **CATEGORIES OF OFFENSES**

### **CATEGORY I OFFENSES--MANDATORY EXPULSIONS TEC 37.007**

Students **SHALL BE** expelled to the JJAEP for any of the following offenses if committed on school property or while attending a school-sponsored or school-related activity on or off school property:

1. Bring to school or possess at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law.
2. Engage in conduct that contains the offenses under Section 46.02, Penal Code, or elements of an offense relating to weapons under Section 46.05, Penal Code.
3. Engage in behavior containing the elements of the following offenses under the Texas Penal Code:
  - a. Aggravated assault, sexual assault, aggravated sexual assault.
  - b. Arson.
  - c. Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - d. Indecency with a child.
  - e. Aggravated kidnapping.
  - f. Aggravated robbery.
  - g. Manslaughter.
  - h. Criminally negligent homicide.
  - i. Continuous sexual abuse of a young child or disabled individual.
4. Engage in conduct specified by Section 37.006 (a)(2)(C) or (D) if the conduct is punishable as a felony.
5. Engage in retaliation against a school employee or volunteer combined with one of the above listed offenses on or off school property or at a school-sponsored or school-related activity.

Students involved in a first time Category I offense will be expelled for a period not to exceed 90 school days except for firearm violations. Expulsion for subsequent offenses may be longer than 90 school days. Days absent do not count towards the assigned days. The District will follow the guidelines set by federal and state laws.

Students who violate the provisions of the Student Code of Conduct and who are expelled shall be referred to the JJAEP. Pursuant to Chapter 37.010 and the Memorandum of Understanding between North East ISD and the Bexar County Juvenile Board, students expelled will be referred to the Bexar County Juvenile

Probation Department and assigned a Probation Officer. The JJAEP is supervised by the Bexar County Juvenile Probation Department and provides educational services for those students who are expelled. The JJAEP is located at 1402 N. Hackberry. The Board or its designee shall set a term for the expulsion, which may extend beyond the end of the current school year.

\*Note: A student who is younger than ten (10) years of age shall be removed from class and placed in a DAEP for engaging in conduct listed above except for firearm offenses. In accordance with federal law, a student who brings a firearm to school will be expelled regardless of age. Due to the seriousness of Category I offenses, assignments to discipline alternative education programs for violations in this category of offenses will be longer in duration than in other categories.

**STUDENTS ARE PROHIBITED FROM ATTENDING OR PARTICIPATING IN A SCHOOL-SPONSORED OR SCHOOL-RELATED ACTIVITY ON OR OFF SCHOOL PROPERTY. STUDENTS WHO VIOLATE THIS WARNING WILL BE SUBJECT TO ARREST FOR CRIMINAL TRESPASS (TEXAS PENAL CODE, SECTION 30.05).**

### **PROVISION FOR APPEAL OF STUDENT EXPULSIONS**

A process for appeal of student expulsions is outlined in North East ISD Board Policy FOD (Local) and affords students and parents/guardians due process. The appeal process shall meet the requirements of Board policy.

The discipline placement assigned to students will remain in effect pending the outcome of an appeal. The expulsion placement of students who qualify for protection under the Individuals with Disabilities Education Act is governed by the applicable policy/law.

### **CATEGORY II OFFENSES**

**Students MAY BE expelled to the JJAEP, if students:**

#### **I. Regardless as to where the conduct occurs:**

1. Engage in bullying that encourages a student to commit or attempt to commit suicide.
2. Incite violence against a student through group bullying.
3. Release or threaten to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
4. Engage in conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
5. Engage in criminal mischief, if punishable as a felony.
6. Engage in conduct that contains the elements of one of the following offenses against another student:
  - a. Aggravated assault, sexual assault, or aggravated sexual assault.
  - b. Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - c. Aggravated robbery.
7. Engage in conduct that contains the elements of the offense of breach of computer security under the Section 33.02 Penal Code.
8. Engage in conduct involving a public school that contains the elements of the offense of false alarm or report under the Section 42.06 Penal Code, or terroristic threat under Section 22.07, Penal Code.

#### **II. While on campus or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:**

1. Sell, give, deliver to another person, possess, use, or is under the influence of:
  - a. Marijuana or a controlled substance as defined by Chapter 481, Health and Safety Code.
  - b. A dangerous drug as defined by Chapter 483, Health and Safety Code in an amount not constituting a felony offense.

- c. An alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code or commits a serious act or offense while under the influence of alcohol.
2. Engage in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034, Health and Safety Code.
3. Engage in conduct that contains the elements of assault under Section 22.01 (a) (1) of the Penal Code, against a school district employee or a volunteer.
4. Engage in conduct that contains the elements of the offense of deadly conduct.

**III. While off campus but within 300 feet of school property, as measured from any point on the school's property boundary line (Off Campus 300 Foot Zone):**

1. Use, exhibit or possess a firearm specified in Texas Education Code, Section 37.007 (a) (1) (A).
2. Uses, exhibit or possess a location-restricted knife, or prohibited weapon specified in Texas Education Code, Section 37.007 (a) (1) (B-D).
3. Engage in aggravated assault, sexual assault, or aggravated sexual assault.
4. Commit arson.
5. Commit murder, capital murder, or criminal attempt to commit murder or capital murder.
6. Commit indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
7. Engage in continuous sexual abuse of a young child or disabled individual.
8. Engage in conduct specified by Section 37.006 (a)(2)(C) or (D) if the conduct is punishable as a felony.

**IV. While off campus and not in attendance at a school-sponsored or school-related activity (Texas Education Code, Sections 37.006, 37.008, and 37.0081):**

1. Receive deferred prosecution under Section 53.03, Family Code, for conduct defined as a felony offense in Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
2. A court or jury find that the student has engaged in delinquent conduct under Section 54.03, Family Code, for conduct defined as a felony offense in Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
3. Is charged with engaging in conduct defined as a felony offense in Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
4. Has been referred to a juvenile court for allegedly engaging in delinquent conduct under section 54.03, Family Code, for conduct defined as a felony offense in Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
5. Has received probation or deferred adjudication for a felony offense under Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
6. Has been convicted of a felony offense under Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code; or
7. Has been arrested for or charged with a felony offense under Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code; and
8. The board or the board's designee determines that the student's presence in the regular classroom:
  - a. Threatens the safety of other students; or
  - b. Will be detrimental to the educational process; or
  - c. Is not in the best interest of the district's students.

**V. While placed in a DAEP engage in documented serious misbehavior that violates the District's Student Code of Conduct.**

**VI. While on the property of another school district in Texas or while attending a school-sponsored or school-related activity of a school in another district in Texas, commits any offense that is a state-mandated expellable offense.**

Students expelled for a Category II offense will be assigned to JJA for a period not to exceed 90 school days. Expulsion for subsequent offenses may be longer than 90 school days. Days absent do not count towards the assigned days.

Students assigned to a DAEP for a Category II offense will be assigned for a period not to exceed 90 school days. Length of assignment may be extended based upon factors which may include, but are not limited to, the seriousness of incident and/or the number of repeated offenses. Days absent do not count towards the assigned days.

Students who violate the provisions of the Student Code of Conduct and who are expelled may be referred to the JJAEP. Pursuant to Chapter 37.010 and the Memorandum of Understanding between North East ISD and the Bexar County Juvenile Board, students expelled will be referred to the Bexar County Juvenile Probation Department and assigned a Probation Officer. The Juvenile Justice Academy is supervised by the Bexar County Juvenile Probation Department and provides educational services for those students who are expelled. The Juvenile Justice Academy is located at 1402 N. Hackberry. The Board or its designee shall set a term for the expulsion, which may extend beyond the end of the current school year.

*Any DAEP decision of the Board of Trustees or the Board's designee under this section is final and may not be appealed and the District will not engage in any further discussion regarding the DAEP placement. [TEC, Section 37.009]*

**STUDENTS ARE PROHIBITED FROM ATTENDING OR PARTICIPATING IN A SCHOOL-SPONSORED OR SCHOOL-RELATED ACTIVITY ON OR OFF SCHOOL PROPERTY. STUDENTS WHO VIOLATE THIS WARNING WILL BE SUBJECT TO ARREST FOR CRIMINAL TRESPASS (TEXAS PENAL CODE, SECTION 30.05).**

### **CATEGORY III OFFENSES**

**Students SHALL BE removed from class and placed in a DAEP, as provided by Section 37.006, Texas Education Code, if students:**

#### **I. Regardless as to where the conduct occurs:**

1. Engage in conduct involving a public school that contains the elements of the offense of false alarm or report under the Section 42.06 Penal Code, or terroristic threat under Section 22.07, Penal Code.
2. Engage in conduct that contains the elements of the offense of retaliation under Section 36.06, Penal Code against any school employee. [Texas Education Code 37.006 (b)]

#### **II. While on campus or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:**

1. Engage in conduct punishable as a felony.
2. Sell, give, deliver to another person, possess, use, or is under the influence of:
  - a. Marijuana or a controlled substance as defined by Chapter 481, Health and Safety Code, to include marijuana seeds or marijuana less than a usable amount.
  - b. A dangerous drug as defined by Chapter 483, Health and Safety Code in an amount not constituting a felony offense.
  - c. An alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code or commits a serious act or offense while under the influence of alcohol.
3. Engage in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034, Health and Safety Code.
4. Engage in conduct that contains the elements of assault under Section 22.01 Penal Code.
5. Engage in conduct that contains the elements of the offense of public lewdness under Section 21.07, Penal Code, or indecent exposure under Section 21.08, Penal Code.

6. Engage in conduct that contains the elements of the offense of harassment under Section 42.07, Penal Code, against an employee of the school district.

**III. While off campus and not in attendance at a school-sponsored or school-related activity (Texas Education Code, Sections 37.006, 37.008, and 37.0081):**

1. Receive deferred prosecution under Section 53.03, Family Code, for conduct defined as a felony offense in Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
2. A court or jury find that the student has engaged in delinquent conduct under Section 54.03, Family Code, for conduct defined as a felony offense in Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
3. Is charged with engaging in conduct defined as a felony offense in Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
4. Has been referred to a juvenile court for allegedly engaging in delinquent conduct under section 54.03, Family Code, for conduct defined as a felony offense in Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
5. Has received probation or deferred adjudication for a felony offense under Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code;
6. Has been convicted of a felony offense under Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code; or
7. Has been arrested for or charged with a felony offense under Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code; and
8. The board or the board's designee determines that the student's presence in the regular classroom:
  - a. Threatens the safety of other students; or
  - b. Will be detrimental to the educational process; or
  - c. Is not in the best interest of the district's students.

*Any DAEP decision of the Board of Trustees or the Board's designee under this section is final and may not be appealed and the District will not engage in any further discussion regarding the DAEP placement. [TEC, Section 37.009]*

Students assigned to a DAEP for a Category III offense will be placed for a period not to exceed 90 school days. The length of an assignment may be extended based upon factors which may include, but are not limited to, the seriousness of incident and/or the number of repeated offenses, etc. Days absent do not count towards the assigned days.

**STUDENTS ARE PROHIBITED FROM ATTENDING OR PARTICIPATING IN A SCHOOL-SPONSORED OR SCHOOL-RELATED ACTIVITY ON OR OFF SCHOOL PROPERTY. STUDENTS WHO VIOLATE THIS WARNING WILL BE SUBJECT TO ARREST FOR CRIMINAL TRESPASS (TEXAS PENAL CODE, SECTION 30.05).**

**CATEGORY IV OFFENSES**

**Students MAY BE placed in a DAEP for offenses while on school property, at any school facility, at any school-sponsored or school-related activity, or on a school bus, if students:**

1. Make threatening statements regarding another person, their property or District property.
2. Possess any weapon not classified in the Texas Penal Code including, but not limited to, knuckles, tasers, stun guns, any bladed instrument including **pocketknives**, butterfly knives, switchblades, throwing knives, throwing stars or the like and pocketknives. In addition, chemical dispensing devices, razors, chains, air guns, pellet/BB guns, **ammunition**, or other object used as a weapon and/or threaten or inflict bodily injury on another person or that the principal determines the object is a danger to any student, District employee, or District property by virtue of possession or use of the object.

3. Possess, distribute or are under the influence of a drug or the like, natural or man-made, that has not been identified as an illegal substance.
4. Possess drug paraphernalia.
5. Engage in bullying **and/or cyberbullying**; or engage in bullying/**cyberbullying** that encourages suicide; incites violence through group bullying; or promotes, releases, or threatens to release intimate visual material of a minor or an adult student without consent.
6. Engage in **dating violence, discrimination, harassment, and/or retaliation**.
7. Engage in and/or incite others to engage in any form of retaliation toward another student.
8. Engage in vandalism, including but not limited to, tagging, graffiti, and/or property destruction.
9. Engage in criminal mischief not punishable as a felony.
10. Participate in gangs or gang activities including, but not limited to, exhibiting gang graffiti, clothing, or gang insignias.
11. Participate in fraternities, sororities, or secret societies.
12. Engage in burglary, robbery, or theft not punishable as a felony.
13. Engage in extortion, coercion, or blackmail.
14. Engage in fighting and/or habitual fighting, or repeated commission of physical abuse or threat of physical abuse.
15. Display flagrant or extreme insubordination.
16. Participate in aggressive, and/or disruptive action or group demonstration that substantially disrupts or materially interferes with school activities.
17. Engage in verbal abuse including, but not limited to name-calling, racial/ethnic slurs, or derogatory statements that may disrupt the school environment or incite violence.
18. Exhibit disrespect, display pornography, or use profanity, vulgar language, or obscene gestures.
19. Inappropriately display private body parts through such acts as, but not limited to, “mooning,” or “flashing,” or “pantsing.”
20. Possess or distribute sexual materials.
21. Engage in offensive verbal or physical behavior of a sexual nature, which may include, but is not limited to, requests for sexual favors, or similar intimidation directed toward another student, or sexual harassment.
22. Engage in sexual contact/conduct while on campus or at a school-sponsored or school-related activity on or off campus.
23. Engage in distribution of non-school materials.
24. Engage in any action or behavior that is, or could be, dangerous or harmful to the person or another.
25. Participate in or commit hazing.
26. Possess/use prohibited items.
27. Engage in any conduct that disrupts the instructional and/or school environment.
28. Commit persistent misbehavior.
29. Engage in gambling.
30. Possess, use, sell, gift, or deliver on campus, any product, including but not limited to, over-the-counter products, homeopathic remedies, herbs, vitamins, dietary supplements, weight loss products, pills, etc. and/or are under the influence if taken in amounts exceeding the recommended dosage of over the counter products, such as, but not limited to, those stated above.
31. Possess, use, or delivery of simulated controlled substances and/or representation of an item as a prohibited substance.
32. Commit a cell phone violation/misuse of a wireless communication device, including, but not limited to, text messaging texts or sharing schoolwork information with others, taking pictures, or cyber bullying. [See Cell Phone Guidelines]
33. Use any device that permits the recording of a voice or image of another in any way that invades the privacy of others, is made without the prior consent of the individual(s) being recorded, or disrupts the education environment.
34. Commit any infraction of a bus rule, general school rules, and other behavior identified in the Student/Parent Handbook not listed in this category. [see School Bus Standards of Safety and Conduct]

35. Participate in creating or possessing a "hit list" that targets specific individuals to be physically or psychologically harmed.
36. Provide false information or falsely accusing other students, teachers, school administrators, and/or other school employees of misconduct.
37. Possess or use fireworks, explosives, "poppers," or other such devices.
38. Misuse school documents and/or forge notes/documents.
39. Place offensive photos, obscene material, derogatory statements, threatening or other similar content on an internet site that disrupts the school environment.
40. Bring to school or possess any de-militarized or replica rifle. Special circumstances such as the JROTC program shall have the approval of the principal and appropriate supervision of the JROTC instructor.
41. Engage in conduct that contains the elements of the offense of breach of computer security under Section 33.02, Penal Code.
42. Possess or use electronic cigarettes/electronic devices, including but not limited to, nicotine products, cartridges, oils, or the like.
43. Take pictures and/or video in any area where there is a reasonable expectation of privacy, such as a bathroom and/ or locker room.
44. Engage in conduct that contains the elements of assault by contact or threat.
45. Commit any other conduct that constitutes a violation of state, local, or federal law or local policy that is not listed above.

Secondary students involved in a Category IV offense may be assigned to a DAEP for a time period not to exceed 90 school days. Length of assignment may be extended based upon, but not limited to, the seriousness of incident and/or the number of repeated offenses, etc. Days absent do not count towards the assigned days.

*Any DAEP decision of the Board of Trustees or the Board's designee under this section is final and may not be appealed and the District will not engage in any further discussion regarding the DAEP placement. [TEC, Section 37.009]*

**STUDENTS ARE PROHIBITED FROM ATTENDING OR PARTICIPATING IN A SCHOOL-SPONSORED OR SCHOOL-RELATED ACTIVITY ON OR OFF SCHOOL PROPERTY. STUDENTS WHO VIOLATE THIS WARNING WILL BE SUBJECT TO ARREST FOR CRIMINAL TRESPASS (TEXAS PENAL CODE, SECTION 30.05).**

**CERTAIN FELONIES**

**Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with TEC 37.0081, a student may be expelled or placed in either a DAEP or in a JJAEP if the Board's designee makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 of the Texas Penal Code. The student must:**

1. Have received deferred prosecution for conduct defines as aggravated robbery or Title 5 offense;
2. Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or Title 5 felony offense;
3. Have been charged with engaging in conduct defined as aggravated robbery or Title 5 felony offense;
4. Have been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or Title 5 felony offense;
5. Have received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or Title 5 felony offense.

The District may expel or order a placement to the DAEP under these circumstances regardless of:

1. The date on which the student's conduct occurred,
2. The location on which the conduct occurred,
3. Whether the conduct occurred while the student was enrolled in the district, or
4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

**In addition, students may be removed from class and placed in a DAEP under Texas Education Code, Section 37.006, based on conduct occurring off campus and while students are not in attendance at a school-sponsored or school-related activity if:**

1. The superintendent or the superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than those offenses defined in Title 5, Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code; and
2. The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.
3. A juvenile court, municipal court or justice of the peace orders as a condition of probation that the student attend the District's Alternative Education Program. In this circumstance, a conference will be conducted in the office of Pupil Personnel Services pursuant to Section 37.009(a) of the Texas Education Code.

#### **Length of Placement**

Student is subject to placement until:

1. The student graduates from high school,
2. The charges are dismissed, or reduced to a misdemeanor offense, or
3. The student completes the term of the placement or is assigned to another program.

**A school district shall remove students from class and determine the appropriate placement of students who are registered sex offenders under Texas Education Code, Section 37.303 and 37.305. Under this subchapter, a school district may expel students or place students in a disciplinary alternative educational program.**

#### **Exceeds One Year**

Placement in a DAEP may exceed one year when a review by the District determines that the student is a threat to the safety of others or to District employees.

#### **Exceeds School Year**

Students who commit offenses requiring placement in a DAEP at the end of the year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

In addition to the actions prohibited above, students at school or school-related activities are prohibited from violating any of the general school rules. Any violation of the District Student Code of Conduct may result in a disciplinary action including a DAEP assignment. Students violating the District's rules and/or the Student Code of Conduct will be held responsible for their behavior and will be subject to disciplinary consequences and in some cases a citation may be issued for the violation.

#### **STUDENT WITHDRAWAL PRIOR TO DISCIPLINE**

Withdrawing a student from school does not prevent the District from investigating any alleged violation and obtaining any necessary information or evidence from an outside agency to support a disciplinary recommendation whether that recommendation occurs in the same or subsequent school year. Consequences may include a referral for a DAEP or **expulsion** JJAEP placement. Withdrawing a student also does not affect the District's authority to schedule and conduct a discipline **evidentiary** conference or **expulsion** hearing on the student's conduct and enter an order for a removal to a DAEP or to the JJAEP;

regardless of whether the student or parent/guardian is present to participate. The order for removal will be included with records sent to a transferring school district.

The District reserves the right to enforce the disciplinary consequence should the student re-enroll in the District and the assigned consequence has not been served in completion at another school district within the current or subsequent school year.

### **CRIMINAL TRESPASS WARNING (CTW) [Section 37.105, TEC]**

A principal/CBC or his/her designee or school district police officer may refuse to allow a person to enter on or may eject a person from property under the districts control if the person refuses to leave peaceably on request and the person poses a substantial risk of harm to any person or the person behaves in a manner that is inappropriate for a school setting and the administrator or officer issues a verbal warning to the person that the person's behavior is inappropriate and may result in the person's refusal of entry or ejection; and the person persists in that behavior. A CTW under this section may not exceed two years. Identification may be required of any person on school property or property under districts control.

Any parent/guardian who has been issued a CTW will be provided the opportunity to participate in their child's admission, review, and dismissal committee or in the child's team established under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), in accordance with federal law. Accommodations can be made by contacting the campus principal.

A CTW appeal may be made by following the District's grievance procedure outlined in Board Policy FNG (Local) and submitting a complaint form. Both the policy and complaint form are located on the District's website at <https://www.neisd.net/Page/2738>.

### **Additional Disciplinary Information/Procedures**

#### **ALCOHOL AND OTHER DRUGS**

No student shall possess, consume, use, transmit or be under the influence of illicit drugs or alcohol, such as, but not limited to, any narcotic drug, hallucinogenic, tetrahydrocannabinol (THC), amphetamine, barbiturate, marijuana, cannabidiol (CBD), alcoholic beverage, toxicant inhalant, marijuana like substances that are commonly found in K2, Spice, and other synthetic marijuana products, or any substance with hallucinogenic or mind-altering properties or other intoxicant (as those items are defined by law), or over-the-counter drugs medications/ remedies, such as but not limited to, homeopathic products, vitamins, herbs, dietary supplements, etc.:

- On school grounds during any school term
- Off school grounds at a school activity, function, or event
- Within 300 feet of District property

This policy shall apply in the event pills or other substances are simulated or represented as any of the previously mentioned controlled substances or over-the-counter drugs and shall apply to any type of drug paraphernalia.

Students who use a drug as authorized by a licensed physician through a prescription specifically issued for the student's use shall not be considered to have violated this rule as long as they follow the guidelines set forth by North East ISD Health Services.

Cars and lockers may be searched for any contraband including alcohol and drugs in accordance with Board Policy FNF (Local). Students are held responsible for any prohibited item(s) found in their locker, **car** vehicle used for transportation (i.e., car, truck, motorcycle, bicycle, etc.), book bag, purse, or on their person and are subject to disciplinary action.

Students who violate this policy on alcohol and drug use shall be subject to disciplinary action as deemed appropriate by the Superintendent or his designee, which may include, but is not limited to, removal to alternative education placement and/or expulsion.

## **BULLYING**

North East ISD prohibits bullying or cyberbullying as defined by David's Law and Board Policy FFI (Local). Effective communication between parents/guardians, students, and the principal/CBC or his/her designee is a key component in handling bullying allegations. Retaliation against anyone reporting bullying is prohibited. [See Definitions and Terminology Section]

The District prohibits the bullying of any student:

1. during any educational program or activity conducted by the District; during any school-related or school-sponsored program or activity or on a school bus;
2. through the use of any electronic device or data while on school grounds; on a school bus; or through the use of computer software that is accessed through a computer, computer system, or computer network of the District. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section; or
3. through threats, using any of the above methods, to be carried out on school grounds. This includes threats made outside of school hours that are intended to be carried out during any school-related or school-sponsored program or activity or on a school bus; or
4. through the use of any electronic device or data that is made outside of school hours on or off campus if a student's ability to receive an education or the school's ability to provide an education is significantly impaired as determined by the District administration.

It is further prohibited to bully in a manner reasonably perceived to be motivated either by any actual or perceived characteristics, such as race; ethnicity, color; religion; ancestry, national origin; gender; sex; sexual orientation; gender identity and expression; marital status; socio-economic background; social/family background; linguistic preference; political beliefs; or a mental, physical, or sensory disability, or impairment; or by any other distinguishing characteristic or because of one's association with a particular person or group of persons.

Any student who believes that he/she has experienced bullying or believes that another student is being bullied should obtain help by immediately reporting the alleged act(s) orally or in writing, to a teacher, counselor, principal/CBC, or parent/guardian. Other options of reporting include reporting anonymously online through the school or District website, the North East ISD mobile app and/or by contacting the campus police officer. Students, parents/guardians, or any individual who is experiencing, witnessing or has knowledge of bullying may contact their school to obtain an incident report form that may be used to submit the complaint or by going to the District website to file a bullying complaint form at [https://www2.neisd.net/School\\_Administration/bully/bullyreport.cfm](https://www2.neisd.net/School_Administration/bully/bullyreport.cfm).

Any report given orally will be reduced by the principal or designee to a written form. A failure to immediately report may impair the District's ability to investigate and address the alleged conduct. A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action. More information regarding bullying or reporting bullying can be found on the District website at [https://www2.neisd.net/School\\_Administration/bully/index.html](https://www2.neisd.net/School_Administration/bully/index.html).

When a bully allegation is made the principal/CBC or his/her designee will conduct an investigation based on the allegations reported. Absent extenuating circumstances, the investigation will begin within 24 hours and be completed within ten (10) school business days from the date of the initial report alleging bullying; however, the principal/CBC or his/her designee shall take additional time if necessary to complete a thorough investigation. To the greatest extent possible, the district shall respect the privacy of the

complainant, persons against whom a report is filed, and witnesses. The limited disclosures may be necessary in order to conduct a thorough investigation. The principal/CBC shall take interim action calculated to prevent bullying during the course of an investigation, if appropriate. The principal/CBC or his/her designee shall determine whether the allegations reported constitute bullying and respond by taking appropriate disciplinary actions in accordance with the District's Student Code of Conduct. Disciplinary or other action may be taken even if the conduct did not rise to level of bullying. Consequences for a student who commits an act of harassment or bullying shall be unique to the individual incident and shall vary in method and severity according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance.

Be advised that Chapter 37 of the Texas Education Code has been amended to allow for an expulsion or placement in a DAEP for a student who 1. Engages in bullying that encourages suicide; 2. Incites violence through group bullying; or 3. Releases or threatens to release intimate visual material of a minor or an adult student without consent.

If an incident of bullying is reported, the principal/CBC or his/her designee shall notify the parent/guardian of the victim(s) on or before the third business day after the incident is reported and within a reasonable time, notice will be given to the parent/guardian of the student who engaged in bullying. Follow up contact with parents/guardians will be made if bullying is confirmed. Available school counseling options will be provided to these individuals. After an investigation is completed, the principal/CBC may report to law enforcement if the principal/CBC or his/her designee has reasonable grounds to believe that a student has engaged in assault or harassment.

If a student is found repeating bullying behavior after the school has imposed disciplinary actions or the bullying behavior is extreme or significant, the principal/CBC in consultation with the board designee may transfer the student to another campus in the district. The parent/guardian of a student who has been determined by the district to be a victim of bullying may request that his/her child be transferred to another classroom or campus within the district.

There are many internet resources on bullying. The US Department of Education website, [www.stopbullying.gov](http://www.stopbullying.gov), provides information and multiple resources regarding bullying.

It is important that the school and parents/guardians work together to reinforce a culture of tolerance and respect. Visit your campus website, the District website at [https://www2.neisd.net/School\\_Administration/bully/index.html](https://www2.neisd.net/School_Administration/bully/index.html) and call your school administrator and/or counselor to acquire information regarding the various programs that reinforce positive behavior to promote tolerance and respect and their specific reporting procedures. [TEC 37.0832]

#### **CAMPUS BEHAVIOR COORDINATOR (CBC)**

As required by law, each campus must have a designated CBC. The CBC is primarily responsible for maintaining student discipline.

In North East ISD, the CBC is the principal. The principal may delegate duties required as a CBC as necessary.

#### **DISTRICT ALTERNATIVE EDUCATION PROGRAMS (DAEP) / NORTH EAST ALTERNATIVE CENTER (NEAC)**

NEAC is an in-district DAEP site that houses the Middle School (NEAC-MS) and High School (NEAC-HS). These placements will not exceed 90 school days without a review of the student's attendance, academic and behavioral status by the Board's designee. Days absent do not count toward the assigned days. Students are withdrawn from their home campus and enrolled in this program.

A parent/guardian is required to attend an enrollment conference when a student is assigned to the DAEP. Students shall comply with all NEAC rules and procedures.

Students who are removed to a DAEP for behavior are required to attend the assigned days, maintain passing grades, and exhibit satisfactory conduct while at the DAEP. The Principal/CBC of the respective NEAC or his/her designee reviews each student's progress while at the DAEP to determine if the student has met all requirements in order to give final approval prior to any release of a student to the home campus.

~~Should students withdraw prior to completing their assignment to the DAEP and subsequently re-enroll, students will be required to complete the assignment to the DAEP prior to returning to the home campus.~~

**During the time students are placed at a DAEP, they are prohibited from being on the home campus or any North East ISD properties, participating in, or attending school-related activities on or off school property other than the identified site selected by the District as the designated pick up and drop off for bus transportation to the DAEP.** Students being transported to the DAEP must go directly to the transportation site, follow all directions given by District personnel and leave promptly after being dropped off at the end of the day. Students assigned to the DAEP must follow all bus transportation standards and procedures. **Transportation to DAEP is a privilege and failure to comply with bus rules and/or inappropriate behavior at the bus pick-up/drop-off sites will result in the loss of transportation provided by the District.**

If during the term of placement in a DAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, the principal/CBC may refer the student for due process evidentiary conference or expulsion hearing for additional consequences.

Students who will be returning to the DAEP following the summer break may attend the North East ISD summer school and be on the summer school campus for that purpose only. Students who violate this warning will be subject to arrest for criminal trespass (Texas Penal Code, Section 30.05). This applies to all students, including those who withdraw from North East ISD and do not complete their assignment.

Cell phones/personal electronic devices are not permitted at the DAEP. In addition, students assigned to a DAEP are required to follow the rules/procedures regulating behavior, appearance and searches established by that program.

Students assigned to a DAEP may be subject to "administrative searches" which can be done to all, rather than being based on individualized suspicion.

Students who commit offenses requiring placement in a DAEP at the end of one school year may be required to continue the placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the board's designee must determine:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
2. The student has engaged in serious or persistent misbehavior that violates the District's Student Code of Conduct.

### **Placement of Seniors Prior to Graduation Ceremonies in a DAEP**

Texas Education Code 37.006 (g) prohibits a student from attending or participating in school-related activities during a period of placement in a DAEP. Therefore, a graduating senior who has a current or pending placement to a DAEP **to end the school year**, will not be permitted to participate in the graduation ceremony. **If a student has met graduation requirements early and chooses to withdraw from the DAEP, the student will not be able to participate in the traditional graduation end of year ceremony due to not**

completing the discipline assignment.

### **Newly Enrolled Students**

The District shall continue mandatory DAEP placements of students who enroll in North East ISD and were assigned to a DAEP in an open-enrolled charter school or another school district.

The District will evaluate all other DAEP placements of students who enroll in North East ISD and were assigned to a DAEP by an open-enrolled charter school or another school district and determine placement on a case by case basis.

### **Juvenile Justice Academy Education Program (JJAEP)**

JJAEP is an out of district Alternative Educational Placement for students who are expelled from North East ISD. Original placement will not exceed a calendar year. JJAEP is located at 1402 North Hackberry.

If during the term of placement in a JJAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, the principal/CBC may refer the student for due process evidentiary conference or expulsion hearing for additional consequences.

Texas Education Code 37.006 (g) prohibits a student from attending or participating in school-related activities during a period of placement in a JJAEP. Therefore, a graduating senior who has a current or pending placement to a JJAEP to end the school year, will not be permitted to participate in the graduation ceremony. If a student has met graduation requirements early and chooses to withdraw from the JJAEP, the student will not be able to participate in the traditional graduation end of year ceremony due to not completing the discipline assignment.

### **Newly Enrolled Students**

The District may continue an expulsion order under the terms of the expulsion order, or may place the student in a DAEP for the period specified in the order of any newly enrolled student in North East ISD who was expelled from another state, an open-enrolled charter school or another school district. All cases will be reviewed prior to a direct placement to JJAEP.

### **DISTRIBUTION OF NON-SCHOOL MATERIALS**

Any attempt to avoid the established procedure for administrative approval of activities such as the production for distribution and/or the distribution of petitions or printed documents of any kind, sort, or type on school grounds, without the specific approval of the principal/CBC, shall be cause for disciplinary action. This may include suspension and/or assignment to a DAEP.

### **DRUG FREE SCHOOLS**

North East ISD believes that student use of alcohol and illicit drugs is both wrong and harmful. Consequently, the District has established a Student Code of Conduct that prohibits using, giving, selling, possessing, being under the influence of, and/or distributing alcohol and/or illicit drugs or prescription drugs by students on school premises or within 300 feet of District property or as part of any school activity, regardless of its location.

Compliance with this Student Code of Conduct is mandatory, and students shall be disciplined if they are found to have violated this Student Code of Conduct. Students found to be involved in an alcohol and/or drug violations are subject to removal to a DAEP of not fewer than 45 school days and/or a possible expulsion from the District. [Board Policy FNCF (Legal) and Health and Safety Code 481.134 and 483.001]

NOTE: A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Texas Health and Safety Code does not violate this provision.

## **EMERGENCY PLACEMENT OR EXPULSION**

Texas Education Code, Section 37.019 states that a student may be removed if the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with the students in the class, with the ability of the student's classmates to learn, or with the operation of a school or school-sponsored activity.

In addition, a student may be removed for action that is necessary to protect persons or property from imminent harm.

## **FALSELY ACCUSING OTHERS OF MISCONDUCT**

Students who falsely accuse other students, teachers, school administrators, and/or other school employees of misconduct may be subject to disciplinary procedures including, but not limited to, suspension and/or placement in an alternative education program.

## **FIGHTING**

Individual or group fights at school, school sponsored events, school related activities, or while on District transportation will not be tolerated. Students found to be encouraging others to fight is prohibited. Parents/guardians of students involved will be notified. The seriousness and determination of self-defense of each case will determine the disciplinary action taken. Self-defense is not an acceptable reason for misconduct that seriously disrupts the educational environment, or endangers or seriously affects others. Students who engage in fighting will be subject to disciplinary consequences such as, but not limited to, suspensions and removal to an alternative education placement.

## **GANG/CREW ACTIVITY**

Board Policy FNCC (Local) - A "gang" is defined as any group of two or more individuals whose purposes may include the commission of illegal acts. In addition, for purposes of this policy, a "gang" is a prohibited fraternity or society as defined by Texas Education Code, Section 37.121. By this policy, the Board of Trustees acts to prohibit the existence of gangs and gang activity.

Students are prohibited from gang involvement or gang activities while at school, at any school facility, at any school-sponsored activity, or on a school bus. Gang activities and gang involvement include but are not limited to the following:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, graffiti, or other affiliation in any gang.
2. Committing any act or omission, or using, any speech, either verbal or nonverbal (gestures, handshakes, etc.), showing membership or affiliation in a gang.
3. Using any speech or committing any act or omission in furtherance of the interest of any gang or gang activity, including but not limited to:
  - a. Soliciting others for membership in any gangs.
  - b. Requesting any person to pay for protection or otherwise intimidating or threatening any person.
  - c. Inciting other students to act with physical violence upon any other person.
  - d. Engaging in concert with others in intimidating, fighting, assaulting, or threatening to assault others.
  - e. Committing any other illegal act or other violation of school district policies.

## **GANG-FREE ZONES**

Certain criminal offenses, including those involving organized activity such as gang-related crimes, will be enhanced to the next highest category of offense if they are committed in a gang-free zone. For purposes of the District, a gang-free zone includes a school bus and a location in, on, or within 1,000 feet of any District-owned or leased property or campus playground.

## **GANG LAW VIOLATIONS**

1. A person commits an offense if the person:
  - a. Is a member of, pledges to become a member of, joins, or solicits another person to join or pledge to become a member of a public school fraternity, sorority, secret society, or gang; or
  - b. Is not enrolled in a public school and solicits or coerces another person to attend a meeting of a public school fraternity, sorority, secret society, or gang or a meeting at which membership in one of those groups is encouraged.
2. The District will place in a DAEP or expel any student who violates section 1 above.

## **HAZING: SECTION TEC 37.151**

The Texas Education Code provides criminal penalties for students and organizations that engage in or have association with acts of hazing “occurring on or off the campus of an educational institution.” Hazing is defined as, “any intentional, knowing, or reckless act...by one person alone or acting with others, directed against a student, for the purpose of pledging, being initiated into, affiliating with, or holding office in an organization or maintaining membership in an organization.” [See Definitions and Terminologies Section]

Students who violate the District hazing policies or state law [FNCC (Legal) and FNCC (Local)], Texas Education Code Chapter 37, Subchapter F, North East ISD Student Code of Conduct shall be subject to disciplinary action as deemed appropriate by the Superintendent or his designee which may include, but is not limited to, suspension, removal to alternative educational placements and/or expulsion if criteria for expulsion are met (Texas Education Code 37.007). Students may also face probation or removal from extra-curricular activities.

## **INTERNET**

Disclosing, posting, and/or promoting offensive photos, intimate visual materials, obscene materials, derogatory statements, threatening or other similar content on an internet site or social media app that disrupts the instructional and/or school environment is not permitted. Students involved in these types of activities are subject to the applicable disciplinary and/or legal consequences.

## **JURISDICTION: GOING TO AND FROM SCHOOL**

1. The District has jurisdiction over its students during the regular school day and while going to and from school on district transportation. The District's jurisdiction also includes any activity during the school day on school grounds, attendance at any school-related or school-sponsored activity, regardless of time or location, and any school-related misconduct, regardless of time or location.
2. Community residents have a right to privacy, private property, and freedom from abusive behavior. Students not being transported by the District transportation are the responsibility of their parents/guardians. Nonetheless, on the way to and from school, students shall not loiter, litter, trespass, abuse, or create nuisance conditions for residents of the community. Students being transported by the District transportation and those within the school's areas of control as determined by the Texas Education Code are subject to disciplinary action by the District.
3. Texas Education Code establishes eligibility for students to ride the school bus as those who reside at least two miles from their home school, travel a route determined to be hazardous or as directed by the student's ARD committee. The District may not provide transportation to students electing to attend a campus other than their home school. The school bus is an extension of the classroom. Principal/CBC or his/her designee will determine disciplinary actions based upon a written referral from the bus driver for student misbehavior occurring on the bus. All school district policies that apply to student conduct and other student related activities also apply to the school bus.

## **NORTH EAST POLICE DEPARTMENT OFFICERS (NEPD)**

North East ISD Police Department officers perform law enforcement duties which include protecting the safety and welfare of students, staff, community members, and District property. They are not assigned tasks related to imposing student discipline or investigating alleged violations of the Student Code of

Conduct. They are exclusively responsible for addressing behaviors which are potential violations of Penal Code and have the sole authority to determine any subsequent criminal charge that may result.

The NEPD Officers are commissioned and have authority to arrest violators of the law, both on and off campuses. They may also issue traffic tickets on or around school district property. Any person wishing to contact the NEPD may call (210) 407-0911 at any time of the day or night. To report any suspicious activities or behaviors, you can call Crime Stoppers at (210) 407-0931 or use the North East Tip Line to make an online tip at [https://northeastisd.az1.qualtrics.com/jfe/form/SV\\_9moM71otNKKr9I1](https://northeastisd.az1.qualtrics.com/jfe/form/SV_9moM71otNKKr9I1).

## NOTIFICATION OF LAW VIOLATIONS

Under Section 15.27 of the Texas Code of Criminal Procedure, the North East ISD is required to notify:

- All instructional and support personnel who have a responsibility for supervising a student who has been taken into custody, arrested, or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors that occur in school, on school property, or at a school-sponsored or school-related activity on or off school property. These personnel will also be notified if the principal/CBC has reasonable grounds to believe the student has engaged in certain conduct.
- All appropriate district personnel regarding a student who is required to register as a sex offender.

## PROHIBITED ITEMS

Personal items may be brought to school for educational purposes only when approved or requested by a teacher. Students are not to bring and/or use on school premises items such as, but not limited to, over the counter medication, personal prescription medication, electronic games, cigarette lighters/matches, any bladed instruments, toy guns of any kind, pellet guns, bb guns, paintball guns, ammunition of any type, laser pointers, electronic devices, devices with audio and/or video recording equipment or devices, cameras of any type, dice, cards/trading cards, skate boards, in-line skates, pornographic materials, or other items determined by school officials to be inappropriate at school. Students may be subject to disciplinary action for being in possession of any of the above items.

The principal/CBC or his/her designee will contact the parent/guardian on each occurrence and students found to be in violation of this policy shall be subject to disciplinary action, which may include but not be limited to, a warning, removal to an alternative educational program, or expulsion for persistent misbehavior. Prohibited items will be confiscated and will be returned to the parent/guardian subject to the discretion of the campus administrator. **The district will not be responsible for any damaged, lost, or stolen personal electronic devices.**

## PUBLICATIONS

Distribution of written materials may be restricted under the following conditions:

1. Student material criticizing board members, school officials or advocating violation of school rules may be prohibited when, in the reasonable judgment of the principal/CBC, substantial disruption of normal school operations would likely result.
2. Student material attacking any individual or group on the basis of gender, race, creed, ethnicity, or religion may be prohibited when disruption of normal school operations would likely result.
3. Materials encouraging actions that endanger the health or safety of students are prohibited, including obscene materials or materials determined to be sexually inappropriate.
4. Libel is prohibited. In regard to school officials, libelous material is that which contains defamatory falsehoods made with knowledge of their falsity or reckless disregard of their truth.

5. Reasonable time, place, and manner restrictions may be placed on the posting and distribution of material. The posting and distribution of material may be prohibited when, in the judgment of the principal/CBC, substantial disruption of school operations would likely result.

### **SEARCHES AND INTERVIEWS**

The principal/CBC or his/her designee has the legal authority and responsibility to investigate violations of the Student Code of Conduct and to interview students regarding the student's own conduct or the conduct of other students without prior notice to parents/guardians or the consent of parents/guardians to do so. School officials including law enforcement officers, exercise this authority to maintain the safety and security of the school environment and to prevent the disruption of instructional programs. In order to conduct an efficient and effective investigation and to avoid causing undue alarm, anxiety or giving incomplete information, parents/guardians will be notified at the discretion of the administrator conducting the investigation. In the context of school discipline, students have no claim to the right not to incriminate themselves. Students are expected to provide any information about their misbehavior or that of other students. School officials may search a student's outer clothing, pockets, or property by establishing reasonable suspicion or securing the student's voluntary consent. A search is reasonable if it meets both of the following criteria:

1. The action is justified at the inception; i.e., the school official has reasonable grounds for suspecting that the search will uncover evidence of a Student Code of Conduct violation or a criminal violation.
2. The scope of the search is reasonably related to the circumstances justifying the search in the first place; i.e., the measures adopted are reasonably related to the age and sex of the student and the nature of the infraction.

An individual search is considered reasonable if the student leaves the school grounds without permission and returns during the school day on foot or in a vehicle, and/or is found in an unauthorized area of the school facility/grounds.

For safety and security reasons, a principal/CBC or his/her designee may conduct blanket searches of all students' backpacks or bags, any classrooms, wings, departments, sections, and/or utilize designated key access points for campus entrances as deemed appropriate throughout the school year.

Vehicles on or within 300 feet of district property may be searched if there is reasonable suspicion that the search will result in evidence that school rules or other laws have been violated. Students shall be responsible for any prohibited items found on their person, in their lockers, or in their vehicles while on school property or at school-sponsored or school-related activities. If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle. If the student refuses to permit the vehicle to be searched, the District may contact local law enforcement officials.

Lockers and desks are the property of the North East ISD and are subject to inspection/search. Inspections of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant.

### **Trained Dogs**

The District may use trained dogs to alert school officials to the presence of prohibited or illegal items, including drugs and alcohol. At any time, trained dogs may be used around lockers and the areas around vehicles parked on school property. Searches of classrooms, common areas, or student belongings may also be conducted by trained dogs when students are not present. An item in a classroom, a locker, or a vehicle to which a trained dog alerts may be searched by school officials.

### **SELLING OF ITEMS BY INDIVIDUALS**

The selling of items within the school is restricted to clubs/approved school organizations or by special permission by the principal/CBC.

## **STUDENT REMOVAL FROM CLASS**

A teacher may send or refer a student to the principal/CBC or his/her designee office in order to maintain effective discipline in the instructional classroom. The principal/CBC or his/her designee shall respond by employing appropriate discipline management techniques consistent with the Student Code of Conduct adopted under Texas Education Code Section 37.001 that can be reasonably expected to improve the student's behavior before returning the student to the classroom.

If the student's behavior does not improve, the principal/CBC or his/her designee shall employ alternative discipline management techniques, including any progressive interventions designated as the responsibility of the principal/CBC or his/her designee in the Student Code of Conduct.

1. A teacher may remove from class a student:
  - a. Who has been documented by the teacher to have repeatedly interfered with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or
  - b. Whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.
2. If a teacher removes a student from class under Subsection 1, the principal/CBC may place the student into another appropriate classroom, in-school suspension, or into an alternative education program as provided by Section 37.008. The principal/CBC may not return the student to that teacher's class without the teacher's consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available. The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activity.
3. A teacher shall remove from class and send to the principal/CBC for placement in an alternative educational program or for expulsion, as appropriate, a student who engages in conduct described under Section 37.006 or 37.007. The student may not be returned to that teacher's class without the teacher's consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available.
4. Not later than the third class day after the day on which a student is removed from class under Section 37.002, the principal/CBC or his/her designee shall schedule a conference among the principal/CBC or his/her designee, a parent/guardian of the student, the teacher removing the student from class, and the student. The student may not be returned to the regular classroom pending the conference. Following the conference and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the principal/CBC, after consideration of the factors under Section 37.001 (a)(4), shall order the placement of the student for a period consistent with the Student Code of Conduct.

Students with special education services and supports may be removed from class only when the removal does not violate a specific IEP provision.

**Note:** This section does not apply to routine disciplinary matters in which the teacher has not requested a permanent removal.

## **STUDENT SAFETY**

Students should be aware of possible dangers on the campus when school is not in session. Students are advised to attend after-hours activities in groups or in pairs.

Police officers are assigned to the secondary campuses during school hours for the safety and welfare of the students.

**Students should alert an administrator or the police officers to any potential danger on the campus.** The North East ISD Police Department has established a 24-hr Crime Stoppers line at (210) 407-0931 to report any suspicious activities or behaviors. Calls made to Crime Stoppers will be anonymous. The North East ISD mobile app also provides an anonymous North East Tip Line making it easy for anyone to quickly report an incident that involves your schools, students or staff. Tips can be sent anonymously from a mobile

device, website, text message or phone call. The North East Tip Line is convenient, fast, anonymous and can be accessed at [https://northeastisd.az1.qualtrics.com/jfe/form/SV\\_9moM71otNKKr9I1](https://northeastisd.az1.qualtrics.com/jfe/form/SV_9moM71otNKKr9I1).

## **SUSPENSION**

Students may be suspended up to three (3) school days for engaging in alleged behaviors which are outlined in the Student Code of Conduct. Parent/guardian conferences shall be held with the principal/CBC or his/her designee prior to students returning to their regular class schedule. Students are prohibited from being on the home campus or any North East ISD properties or school-related activities on or off school property. Exception: A student who is enrolled in a grade level below grade three and/or homeless may not be placed in out-of-school suspension unless while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

1. Conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code;
2. Conduct that contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code; or
3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of: (a) marijuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.; (B) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or (C) an alcoholic beverage, as defined by Section 1.04, Alcohol Beverage Code.

## **THREATS**

Bullying behavior that goes beyond harassment may amount to a threat. Most threats of violence are illegal, and all are prohibited on school campuses regardless of whether the threat is directed at a person or facility or whether it meets the elements of a criminal offense. Disciplinary consequences will apply even if the student states he/she does not intend to carry out the threat. The act of making the threat is itself the basis for the imposition of the applicable disciplinary consequence.

### **Terroristic Threats**

A person commits an offense if he/she threatens to commit any offense involving violence to any person or property with intent to:

- Cause a reaction of any type to his/her threat by an official or volunteer agency organized to deal with emergencies;
- Place any person in fear of imminent serious bodily injury;
- Prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access, place of employment or occupation, aircraft, automobile or other form of conveyance, or other public place;
- Cause impairment or interruption of public communications, public transportation, public water, gas or power supply, or other public service;
- Place the public or a substantial group of the public in fear of serious bodily injury; or
- Influence the conduct or activities of a branch or agency of the federal government, the state or a political subdivision of the state, such as a school district.

### **False Alarm or Bomb Threat**

A false alarm is a terroristic threat that is false. A person commits an offense if he or she knowingly initiates, communicates or circulates a report of a present, past or future bombing, fire, offense or other emergency that he or she knows is false or baseless and that would ordinarily:

- Cause action by an official or volunteer agency organized to deal with emergencies;
- Place a person in fear of imminent serious bodily injury; or
- Prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or aircraft, automobile or other mode of conveyance.

A false alarm or report that involves a school is a higher degree offense.

## **General Threats to Students, Staff and/or Schools**

For those instances where the threat does not meet the elements of a terroristic threat or false alarm, such that no criminal charge is filed, the District retains the discretion to assign a student to the DAEP when a student makes any kind of threat to harm a person, group, or the school in general. This would include instances where the threat is made on social media outside of school. This is again, regardless of whether the student actually intends to carry out the threat. Instead, the act of making the threat is the basis for the imposition of the discipline consequence.

## **Threat Assessment and Safe and Supportive School Team**

The principal/CBC or his/her designee and other supportive staff will work closely with the campus and district Behavior Threat Assessment Team to implement the District's threat assessment guidelines, on all threats towards self, students, staff or others and shall take appropriate actions which may also include disciplinary actions in accordance with the Student Code of Conduct.

## **TITLE IX – DATING VIOLENCE, SEXUAL AND GENDER-BASED HARASSMENT**

### **Nondiscrimination Statement**

North East ISD believes that all students have the right to a safe educational environment free from all forms of retaliation, harassment and discrimination on the basis of race, religion, color, national origin, gender, sex, age, disability, or any other basis prohibited by law in providing educational services, activities, and programs, including Career and Technical Education (CTE) programs.

### **Title IX**

~~North East ISD believes that all students have the right to participate in District educational programs and school-related activities free from all forms of retaliation, harassment and discrimination on the basis of sex or gender.~~ This District considers harassment of students and discrimination on the basis of sex or gender to be serious and, if confirmed after an investigation, will consider the full range of disciplinary options and/or remedies, up to and including expulsion, according to the nature of the offense.

The board has established policies and procedures to prohibit and promptly address inappropriate and offensive behaviors that are prohibited by Title IX [see FFH (Local) and North East Administrative Regulations (FFH)].

All students are expected to treat one another courteously, with respect for the other person's feelings; to avoid any behaviors known to be offensive; and to stop these behaviors when asked or told to stop. All students are prohibited from engaging in offensive verbal or physical conduct of a harassing nature directed toward another.

Dating violence occurs when a person in a current or past relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship or any of the person's past or subsequent partners.

Sexual harassment of a student by an employee occurs when a school employee causes the student to believe that the student must submit to the conduct in order to participate in a school educational program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct.

Sexual harassment by a student includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct.

Gender-based harassment includes, but is not limited to harassment based on a student's gender, expression by the student of stereotypical characteristics associated with the student's gender, or the student's failure to conform to stereotypical behavior related to gender.

Dating violence, sexual and gender-based conduct as defined above are considered harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

### Reporting Procedures

Anyone who believes they have **been harassed or have witnessed a person be harassed** experienced dating violence, discrimination, harassment, or retaliation, should contact the principal/CBC, other administrators, teachers, or counselors immediately to report the incident. Staff members who receive a complaint alleging sexual harassment shall report the incident to the campus Title IX Coordinator immediately. On the campus, the principal/CBC serves their respective campus as the Title IX Coordinator (see directory information in the back of the Student/Parent Handbook to obtain contact information). A complaint may also be reported to the District Title IX Coordinators:

The Executive Director of Pupil Personnel Services  
(for allegations only involving students)

Christi Wilbur  
8961 Tesoro, Suite 306  
San Antonio, Texas 78217  
(210) 407-0070  
[cwilbu@neisd.net](mailto:cwilbu@neisd.net)

OR The Executive Director of Human Resources  
(for allegations involving a District employee)

Chyla Whitton  
8961 Tesoro, Suite 200  
San Antonio, Texas 78217  
(210) 407-0188  
[cwhitt@neisd.net](mailto:cwhitt@neisd.net)

An individual may make a report alleging sexual discrimination or sexual harassment at any time, including non-business hours, in person, by mail, by telephone, by email using the contact information provided, or by using the North East Tip Line at [https://northeastisd.az1.qualtrics.com/jfe/form/SV\\_9moM71otNKKr9I1](https://northeastisd.az1.qualtrics.com/jfe/form/SV_9moM71otNKKr9I1).

Upon receiving any complaint **of alleged sexual harassment** that falls under Title IX, the Title IX Coordinator will comply with the process **to investigate** established in North East ISD Administrative Regulations (FFH) at <https://www.neisd.net/cms/lib/TX02215002/Centricity/domain/274/section%20f/FFH-STUDENT-WELFARE-FREEDOM-FROM-DISCRIMINATION-HARASSMENT-AND-RETALIATION.pdf>.

Retaliation against any individual involved in the complaint process is a violation of the District policy and is prohibited.

### TOBACCO/VAPE PRODUCTS ON SCHOOL PROPERTY

North East ISD prohibits the following in accordance with Texas Education Code Section 38.006 and Texas Health and Safety Code Section 161.081:

1. Any adult and/or student from smoking cigarettes, tobacco, tobacco products, electronic, vapor, smokeless or any other substitute form of cigarettes, tobacco or tobacco-like products, as well as the use of any devices which are used for the purpose of ingesting or transmitting any type of tobacco or tobacco-like products at a school-related or school-sanctioned activity on or off school property.
2. Students from possessing or using cigarettes, tobacco, tobacco products, electronic, vapor, smokeless or any other substitute form of cigarettes, tobacco or tobacco-like products, as well as the use of any devices which are used for the purpose of ingesting or transmitting any type of tobacco, or tobacco-like products at a school-related or school-sanctioned activity on or off school property.

North East ISD will ensure that school personnel will enforce the tobacco/vapor rules. State law prohibits the possession, purchase, consumption or acceptance of an electronic cigarette, cigarette or tobacco product by an individual who is younger than 18 years of age. An offense under state law is punishable by a fine. Additionally, students will face disciplinary consequences which could include a DAEP placement or an expulsion for a THC or CBD related violation.

### **UNACCEPTABLE AND INAPPROPRIATE USE OF TECHNOLOGY RESOURCES**

Students are prohibited from possessing, sending, forwarding, posting, accessing, flashing or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition also applies to conduct off school property, or during participation of virtual or distance learning whether the equipment used to send such messages is district-owned or personally owned, if it results in a substantial disruption to the educational environment.

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the Student Code of Conduct, may be required to complete an educational program related to the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement. Because engaging in this type of behavior can lead to bullying or harassment, as well as possibly impede future endeavors of a student, we encourage you to review with your child <http://beforeyoutext.com>, a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

In addition, any student who engages in conduct that results in a breach of the district's computer security will be disciplined in accordance with the Student Code of Conduct, and, in some cases, the consequence may rise to the level of expulsion.

### **UNAUTHORIZED ORGANIZATIONS**

North East ISD Policy FNCC (Legal) specifically prohibits the existence of organizations on a public school campus which have not been authorized by the principal.

Under district policy, a person commits an offense if the person is a member of, pledges to become a member, or joins, or solicits another person to join or pledge to become a member of a public school fraternity, sorority, secret society, or gang. In this section, "public school fraternity, sorority, secret society, or gang" means an organization composed wholly or in part of students of public primary or secondary schools that seeks to perpetuate itself by taking in additional members from the students enrolled in school on the basis of the decision of its membership rather than on the free choice of a student in the school who is qualified by the rules of the school to fill the special aims of the organization. The term does not include an agency for public welfare, including Boy Scouts, Hi-Y, Girls Reserves, DeMolay, Rainbow Girls, Pan-American Clubs, scholarship societies, or other similar educational organizations sponsored by state or national education authorities. [TEC 37.121 (d)]

The Board of Trustees or an educator shall recommend placing in an alternative education program any student under the person's control who violates this provision.

### **WANDING**

As an additional proactive safety initiative, the District will periodically screen randomly identified classrooms of students to identify weapons and/or other potentially dangerous prohibited items. The principal/CBC or his/her designee will receive no advanced notice of classes of which will be wanded. Screenings are randomized to ensure that no classroom and/or student is intentionally or repeatedly selected. Parent consent is not required nor can a student refuse to participate in being wanded.

## **WEAPONS/EXPLOSIVES**

In addition to weapons prohibited by state and federal law, students shall not possess, handle, use, display, and/or transport any object that can be considered a weapon, including, but not limited to:

1. Explosives, including fireworks of any kind, poppers, stink bombs, etc.
2. Razors.
3. Any bladed instrument.
4. Stun guns, tasers, BB guns, pellet guns, air guns, laser guns, tranquilizer guns, etc.
5. Chemical dispensers sold commercially for personal protection that is not covered by the Texas Penal Code (e.g., mace, pepper spray, or other irritants).
6. Bows, arrows, nunchuks, boomerangs, cross-bows.
7. Clubs.
8. Ammunition.
9. Acid.
10. Metal pipes.
11. Sharpened sticks.
12. Pyrotechnics.
13. Chains.
14. Any other object used in a way that threatens or inflicts bodily injury on another person, or that the principal or designee determines presents a danger to any student, District employee, or District property by virtue of possession or use of the object.

Students who violate this policy shall be subject to disciplinary action as deemed appropriate by the Superintendent or his designee which may include, but not be limited to, suspension, removal to a DAEP, and/or expulsion.

Students who have reasonable grounds to suspect a violation of the school district's policy relating to the possession of weapons/explosives are required to report such suspicion immediately to a school administrator or police officer. Students can also call the North East ISD Police Department's 24-hour Crime Stoppers number (210) 407-0931 to report any suspicious activities or behaviors. Calls made to the Tip Line will be anonymous. The North East ISD Mobile App also provides an anonymous North East Tip Line making it easy for anyone to quickly report an incident that involves your schools, students or staff. Tips can be sent anonymously from a mobile device, website, text message or phone call. The North East Tip Line is convenient, fast, anonymous, and can be accessed at [https://northeastisd.az1.qualtrics.com/jfe/form/SV\\_9moM71otNKKr911](https://northeastisd.az1.qualtrics.com/jfe/form/SV_9moM71otNKKr911).



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Anthony Jarrett  
Brenda Oates, Executive  
Director, Special Education

Subject: Request for TEA Homebound Instruction Waiver  
Related Page(s): None

### ACTION ITEM

#### **BACKGROUND INFORMATION**

North East Independent School District is seeking permission to request a waiver from the Texas Education Agency (TEA) to provide homebound instruction through virtual means for students who meet eligibility criteria for participation in homebound instruction due to compromised immune systems and/or high risk for COVID-19 infection. Requirements for homebound instruction are provided in the TEA Student Attendance Accounting Handbook and include the requirement for face-to-face instruction to be provided by a certified teacher.

The Texas Education Agency allows districts to provide homebound instruction virtually with the approval of a waiver request. In addition to the waiver, schools are required to document consideration of the student's instructional needs, a determination that the virtual instruction will be provided in a manner consistent with state and federal law, and that all other provisions of homebound instruction will be met. This waiver is required for both Special Education and General Education homebound instruction.

The application for the Waiver Request has been prepared by the Division of Instruction and requires Board approval before it can be sent to the Agency.

#### **ADMINISTRATIVE CONSIDERATION**

The waivers were approved by TEA last school year for approximately 50 students receiving services through Special Education or Section 504. We expect that the waiver request to requirements of Homebound Funding and Homebound Documentation Requirements in the Student Attendance Accounting Handbook (adopted annually through 19TAC§129.1025) will continue to be granted by TEA as the COVID Pandemic continues to place students at risk and limit the district's ability to provide access to a Free Appropriate Public Education.

#### **ADMINISTRATIVE RECOMMENDATION**

It is recommended that the Board of Trustees approve as submitted the Virtual Homebound Instruction Waiver Request.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Anthony Jarrett  
Ravae Villafranca Shaeffer,  
Executive Director,  
Secondary Curriculum and  
Instruction

Subject: 2022-2023 7<sup>th</sup> Grade Reading Instrument Waiver      Related Page(s): None

### ACTION ITEM

#### **BACKGROUND INFORMATION**

TEC, §28.006(c-1) requires each school district to administer at the beginning of the seventh grade a reading instrument adopted by the commissioner to each student whose performance on the grade 6 STAAR reading assessment did not demonstrate reading proficiency.

The commissioner has adopted the following:

- Istation's Indicators of Progress, Advanced Reading (ISIP-AR)
- Reading Analysis and Prescription System (RAPS 360)
- Texas Middle School Fluency Assessment (TMFSA)
- Woodcock Johnson III Diagnostic Reading Battery (WJ III DRB)

TEC, §28.006(c-1) requires each school district to administer at the beginning of the seventh grade a reading instrument adopted by the commissioner to each student whose performance on the grade 6 STAAR reading assessment did not demonstrate reading proficiency. At this time, the reading instruments adopted by the commissioner include the four listed above. Additional reading instruments are expected to be adopted in the 2022-2023 school year. Should the district want to use an assessment that is not on the list, it may want to consider submitting a waiver request.

#### **ADMINISTRATIVE RECOMMENDATION**

Administrative staff recommends that the Board of Trustees grant administrative staff permission to submit a one-year waiver on behalf of the district to TEA. This waiver will allow us to use NWEA MAP in lieu of the instruments approved by the Commissioner.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Dan Villarreal  
Susan Lackorn, Executive Director  
Finance and Accounting  
David Gracia, Senior Director  
Risk Management & Health  
Services

Subject: Health & Dental Insurance  
Premiums

Related Page(s): Attachments

### ACTION ITEM

#### **BACKGROUND INFORMATION**

The District self-funds three comprehensive medical plans, Blue Choice Low Option, Blue Choice High Option and Blue Edge High Deductible Health Plan, which are administered by BlueCross BlueShield of Texas, Inc. In addition, the District self-administers a hospital indemnity plan.

The District self-funds a dental care program that is administered by Delta Dental.

#### **ADMINISTRATIVE CONSIDERATION**

The Risk Management Department is working to develop employee communication regarding the schedule of benefits and premiums for the 2023 plan year. Open enrollment will take place October 2022, and plan elections will be effective January 1, 2023.

There is no increase to the employee contributions for the comprehensive medical plans. The District will absorb the increase in premiums via the District contributions. There is no change to the PPO Low or PPO High dental plan premiums.

#### **BUDGETARY CONSIDERATION**

An increase of \$32 per month per employee to the District contribution was included in the adopted budget.

#### **RECOMMENDATION**

It is recommended that the Board of Trustees approve the attached employee premiums and District contributions for the 2023 plan year.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval

**Health and Dental Insurance Monthly Premiums  
Effective January 1 to December 31, 2023**

**MEDICAL PLANS**

<b>Plan Name</b> Coverage Options	<b>Total Premium</b>	<b>District Share</b>	<b>Employee Share</b>	<b>District Increase</b>	<b>Employee Increase</b>
<b>HDHP/HSA</b>					
Employee Only	\$620	\$519	\$101	\$32	\$0
Employee/Spouse	\$811	\$519	\$292	\$32	\$0
Employee/Children	\$753	\$519	\$234	\$32	\$0
Employee/Family	\$943	\$519	\$424	\$32	\$0
Tobacco Surcharge			\$30		
<b>Blue Choice Low Option PPO</b>					
Employee Only	\$637	\$519	\$118	\$32	\$0
Employee/Spouse	\$855	\$519	\$336	\$32	\$0
Employee/Children	\$786	\$519	\$267	\$32	\$0
Employee/Family	\$1,003	\$519	\$484	\$32	\$0
Tobacco Surcharge			\$30		
<b>Blue Choice High Option PPO</b>					
Employee Only	\$818	\$519	\$299	\$32	\$0
Employee/Spouse	\$1,116	\$519	\$597	\$32	\$0
Employee/Children	\$1,015	\$519	\$496	\$32	\$0
Employee/Family	\$1,310	\$519	\$791	\$32	\$0
Tobacco Surcharge			\$30		

**DENTAL PLANS**

<b>Plan Name</b> Coverage Options	<b>Employee Share</b>	<b>Employee Increase</b>
<b>Delta Dental PPO Low</b>		
Employee Only	\$16	\$0
Employee/Spouse	\$29	\$0
Employee/Children	\$37	\$0
Employee/Family	\$55	\$0
<b>Delta Dental PPO High</b>		
Employee Only	\$30	\$0
Employee/Spouse	\$55	\$0
Employee/Children	\$70	\$0
Employee/Family	\$93	\$0



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Dan Villarreal  
Susan Lackorn, Executive Director  
Finance and Accounting

Subject: Purchase of Attendance  
Credits

Related Page(s): Attachment

### ACTION ITEM

#### **BACKGROUND INFORMATION**

The Texas Education Agency (TEA) has determined the District has “Excess Local Revenue” as determined by Texas Education Code Chapter 49. TEA’s calculates NEISD will have local M&O tax revenue per penny per Weighted Average Daily Attendance (WADA) greater than the Tier 2, Level 2 Guaranteed Yield per penny per WADA. Recapture, however, only applies if the District adopts an M&O tax rate greater than the Maximum Compressed Rate plus 8 pennies. For NEISD for 2022-2023, the District estimates that would be an M&O rate of no more than \$0.9525.

#### **ADMINISTRATIVE CONSIDERATION**

A district determined to have Excess Local Revenue has the following five options available to reduce its revenue: 1. consolidate with another district; 2. detach property; 3. purchase attendance credits from the state; 4. contract to educate nonresident students; and/or 5. consolidate tax bases with another district. NEISD has always chosen option #3.

Although NEISD will not adopt an M&O rate greater than \$0.9525 and will have no recapture payment, TEA still requires the District submit an Agreement for the Purchase of Attendance Credits. TEA is requiring the Superintendent submit the agreement electronically via the Texas Education Agency Login (TEAL) website. TEA has prescribed specific language that must be used to delegate the authority to the Superintendent to obligate the District under Chapter 49 and included in the minutes from the meeting where the delegation occurs. That language is below. Also attached is a sample provided by TEA of the agreement the Superintendent will be submitting via TEAL.

“For the 2022-2023 school year, we delegate contractual authority to obligate the school district under Texas Education Code (TEC) §11.1511(c)(4) to the superintendent, solely for the purpose of obligating the district under TEC, 48.257 and TEC, Chapter 49, Subchapter A and D, and the rules adopted by the commissioner of education as authorized under TEC, §49.006. this includes approval of the Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding).”

#### **BUDGETARY CONSIDERATION**

There are no budgetary considerations. At NEISD’s tax rate, the purchase of attendance credits is not required.

**RECOMMENDATION**

It is recommended the Board of Trustees approve the delegation of authority to the Superintendent to obligate the District under Texas Education Code Chapter 49, and include the above-referenced language in the minutes of this meeting for provision to the TEA.

**BOARD ACTION REQUIRED**

Approval/Disapproval

## Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding)

This agreement is entered into pursuant to the Texas Education Code (TEC), Chapter 49, Subchapters A and D, and rules adopted by the commissioner of education as authorized by the TEC, §49.006. The purpose of this agreement is to enable the district to reduce its local revenue level to a level not to exceed the level established under TEC, §48.257 for the school year.

The school year to which this agreement applies is 2022-2023 (the "school year").

The agreement is for the North East Independent School District ("the district"), with a county-district number of 015910, to purchase attendance credit from the state for the school year.

The local revenue level in excess of entitlement will be based on the commissioner's estimate of the cost of credit as determined under TEC, §49.153, using the district's projected maintenance and operations tax revenue that exceeds the level established under TEC, §48.257. Provisions in the TEC, §48.257(c), allow districts to offset the reduction of excess local revenue against state aid under Chapter 48, Education Code, that is not described by TEC, §48.266(a)(3) for the school year. A district that is subject to the reduction in excess local revenue agrees to offset its obligations against state aid in accordance with the provisions specified in the TEC, §48.257(c).

When near-final data are available following the close of the school year to which this agreement applies, the district's entitlement under Chapter 48 will be recalculated. If the district's state aid under Chapter 48, Education Code, that is not described by TEC, §48.266(a)(3) is less than the cost of recapture as determined by the commissioner in accordance with the TEC, §49.153, using near-final data, the district will be required to have an election and the recapture balance will be recovered in accordance with TEC, §48.272, by withholding subsequent allocations of state funds or requiring and obtaining a refund.

The actual cost of credit for the school year will be determined by the commissioner in accordance with the TEC, §49.153, when final data on the district's maintenance and operations tax revenue that exceeds the level established under TEC, §48.257 is available.

The cost of purchased attendance credit will be reduced for county appraisal district costs. The reduction will be computed in accordance with the TEC, §49.157. If the reduction exceeds the cost for the school year, the difference will be carried forward and applied to each subsequent year's cost until the total amount of the reduction has been exhausted.

Date:

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Signature of President, Board of Trustees

Date:

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Signature of Secretary, Board of Trustees

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Signature of Superintendent

Date:

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Typed Name of Superintendent

Date:

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Signature of Commissioner of Education or Designee

SAMPLE



# NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Dan Villarreal  
Susan Lackorn, Executive Director  
Finance and Accounting

Subject: Waiver of Penalties and Interest

Related Page(s): Attachment

## CONSENT ITEM

### **BACKGROUND INFORMATION**

In accordance with §33.011 of the Texas Property Tax Code, the governing body of a taxing unit shall waive penalties and interest on a delinquent tax if an act or omission of an employee of the taxing unit or appraisal district resulted in the taxpayer's failure to pay the tax before delinquency.

### **ADMINISTRATIVE CONSIDERATION**

The Bexar County Tax Assessor-Collector determined that the following penalties and interest were assessed as a result of an error by the Assessor-Collector or the Bexar Appraisal District:

*Tax Account 05049-329-0130: Penalties = \$31.55 Interest = \$5.26*

The Assessor-Collector has requested the District waive the penalties and interest in accordance with §33.011 of the Texas Property Tax Code.

### **BUDGETARY CONSIDERATION**

No budgetary consideration required.

### **RECOMMENDATION**

It is recommended that the Board of Trustees waive the penalties and interest on the accounts listed above as presented.

### **BOARD ACTION REQUIRED**

Approval/Disapproval



**RFP #35-22  
PROPERTY INSURANCE**

On Monday, July 11, 2022 at 10:00 a.m. Central Standard Time, RFP #35-22 was received for Property Insurance. It is recommended that the bid be awarded to McGriff Insurance Services, Inc. for a total bid amount of \$2,998,010. Bid requests were mailed to all known companies and advertised in the Hart Beat Newspaper.

<b>Vendor</b>	<b>TOTAL</b>
McGriff Insurance Service, Inc.	\$2,998,010

**RFP #36-22  
CASUALTY INSURANCE**

On Monday, July 11, 2022 at 10:30 a.m. Central Standard Time, RFP #36-22 was received for Casualty Insurance. It is recommended that the bid be awarded to McGriff Insurance Services for Casualty and SWBC Insurance Services, Inc. for Cyber, for a total bid amount of \$716,780. Bid requests were mailed to all known companies and advertised in the Hart Beat Newspaper.

<b>Vendor</b>	<b>TOTAL</b>
McGriff Insurance Service, Inc.	\$716,780
SWBC Insurance Services, Inc.	



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Dan Villarreal  
Valerie Rueda Executive Director  
Procurement & eCommerce

Subject: \$50,000 Purchases

Related Page(s): Attachment

### CONSENT ITEM

#### **BACKGROUND INFORMATION**

Texas Education Code §44.031 requires all school district contracts, 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 one of the methods listed in the Code providing the best value for the district. Board Policy CH (LOCAL) states, "The Board delegates to the Superintendent or designee the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services costing \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place."

#### **ADMINISTRATIVE CONSIDERATION**

The purpose of this consent item is to ask for Board authorization to expend funds for previously approved budgeted expenditures for 2022-2023, which meet or exceed \$50,000 from the attached listed vendors. The attachment reflects categories of purchases, vendor names, descriptions of goods or services and estimated 2022-2023 expenditures. These purchases comply with applicable bid laws. The attachment includes estimated aggregate expenditures exceeding \$50,000 during the school year. By approving this consent item, each approved budgeted item will not have to be presented again, saving considerable time and resources.

#### **BUDGETARY CONSIDERATION**

The estimated expenditure amounts are budgeted in various District accounts which were approved at the Board of Trustees meeting on June 23, 2022. Funds being expended include general funds, bond funds, grant funds, special revenue funds, internal service funds and enterprise funds.

#### **ADMINISTRATIVE RECOMMENDATION**

The Superintendent recommends the Department of Procurement & eCommerce be authorized to expend funds listed in the attachment for fiscal year 2022-2023.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval

**ATTACHMENT  
BUDGETED PURCHASES OF GOODS OR SERVICES COSTING \$50,000 OR MORE  
NEISD BOARD MEETING AUGUST 8, 2022**

<b>Category</b>	<b>Vendor(s) Name</b>	<b>Description of Goods/Services</b>	<b>Estimated Expenditures 2022-2023</b>	<b>Bid Compliance</b>	<b>Notes</b>
Audit	ABIP PC	Audit Services	\$74,000	Bid 106-18	Purchase over \$50K, requires board approval; Purchase Order on hold
Communications	Thompson Print Services	Print Goods and Services	\$90,000	Bid 41-18	Purchase over \$50K, requires board approval
Construction	Garratt Callahan	Water Treatment Services	\$236,758	Bid 21-21	Purchase over \$50K, requires board approval
Curriculum & Instruction	Amplify	Amplify Reading Texas GK-2 Student Licenses (1 yr 3 mo.)	\$185,000	TIPS Co-op	Purchase over \$50K, requires board approval
District Wide	Culligan Water Conditioning Co.	Water Treatment Service & Supplies	\$175,000	Bid 16-22	June board approved \$84,886 for 2022-23, June board estimate too low. Additional \$90,114 to cover purchases for the year.
Elementary Reading	Scholastic	Classroom Magazines	\$220,975	Bid 05-19	June board approved \$194,932 for 2022-23; June board estimate too low. Additional \$26,043 to cover purchases for the year.
Guidance Services	College Board	PSAT, SAT & AP Exams	\$1,000,000	Bid 84-19	Purchase over \$50K, requires board approval
Guidance Services	San Antonio Education Partnership	College/Career Advisors & Professional Development	\$50,000	Non-competitive Category - Government Entity	Purchase over \$50K, requires board approval
Guidance Services	UT OnRamps	College Dual Enrollment Courses & Professional	\$250,000	Non-competitive Category - Government Entity	Purchase over \$50K, requires board approval
Learning Support Services	Imagine Learning LLC	Licenses	\$259,560	Bid 37-18	June board approved \$159,000 for 2022-23, current spend \$259,560; June board estimate too low. Additional \$100,560 to cover purchases for the year.
Math Dept.	Agile Mind Education	Course Licenses	\$51,488	Omnia Partners	Purchase over \$50K, requires board approval; Purchase Order on hold
Performance & Planning	Hanover Research Council	Research Services	\$50,500	Sole Source	Purchase over \$50K, requires board approval; Purchase Order on hold
Risk Management	Compsych Corp.	Employee Assistance Program (EAP) Admin Fees	\$120,000	Bid 25-21	Purchase over \$50K, requires board approval
School Nutrition Services	Alpha Foods Co.	Processing of USDA Commodity Foods	\$457,302	Bid 14-22	Purchase over \$50K, requires board approval
School Nutrition Services	Brother's Produce Inc.	Produce	\$1,800,000	Bid 32-22	Purchase over \$50K, requires board approval
School Nutrition Services	Con Agra Brands, Inc.	Processing of USDA Commodity Foods	\$397,700	Bid 14-22	June board approved \$119,086 for 2022-23, June board estimate too low. Additional \$278,614 to cover purchases for the year.
School Nutrition Services	Don Lee Farms	Processing of USDA Commodity Foods	\$996,692	Bid 14-22	June board approved \$311,240 for 2022-23, June board estimate too low. Additional \$685,452 to cover purchases for the year.
School Nutrition Services	Fernandez Produce Express, Inc.	Produce	\$1,800,000	Bid 32-22	June board approved \$933,641 for 2022-23, June board estimate too low. Additional \$866,359 to cover purchases for the year.

**ATTACHMENT  
BUDGETED PURCHASES OF GOODS OR SERVICES COSTING \$50,000 OR MORE  
NEISD BOARD MEETING AUGUST 8, 2022**

<b>Category</b>	<b>Vendor(s) Name</b>	<b>Description of Goods/Services</b>	<b>Estimated Expenditures 2022-2023</b>	<b>Bid Compliance</b>	<b>Notes</b>
School Nutrition Services	Fiesta Tortillas	Tortilla Products	\$198,440	Bid 52-21	June board approved \$138,925 for 2022-23, June board estimate too low. Additional \$59,515 to cover purchases for the year.
School Nutrition Services	Flowers Baking Co.	Fresh Bread Products	\$1,610,137	Bid 50-21	June board approved \$158,016 for 2022-23, June board estimate too low. Additional \$1,452,121 to cover purchases for the year.
School Nutrition Services	Gold Creek Foods	Processing of USDA Commodity Foods	\$581,862	Bid 42-22	Purchase over \$50K, requires board approval
School Nutrition Services	Hardie's Fresh Foods	Produce	\$1,800,000	Bid 32-22	Purchase over \$50K, requires board approval
School Nutrition Services	International Food Solutions, Inc.	Food Products	\$124,753	Multiple Bids	Purchase over \$50K, requires board approval
School Nutrition Services	Jennie-O Turkey Store	Food Products	\$244,265	Multiple Bids	June board approved \$56,441 for 2022-23, June board estimate too low. Additional \$187,824 to cover purchases for the year.
School Nutrition Services	JTM Provisions	Processing of USDA Commodity Foods	\$177,375	Bid 14-22	Purchase over \$50K, requires board approval
School Nutrition Services	Land O'Lakes Inc.	Food Products	\$758,635	Multiple Bids	June board approved \$182,217 for 2022-23, June board estimate too low. Additional \$576,418 to cover purchases for the year.
School Nutrition Services	Malin	Pallet Jack	\$53,158	Bid 100-18	Purchase over \$50K, requires board approval
School Nutrition Services	McCain Foods Inc.	Processing of USDA Commodity Foods	\$378,115	Bid 14-22	June board approved \$181,078 for 2022-23, June board estimate too low. Additional \$197,037 to cover purchases for the year.
School Nutrition Services	Michael Foods, Inc.	Processing of USDA Commodity Foods	\$103,410	Bid 14-22	Purchase over \$50K, requires board approval
School Nutrition Services	Nardone Brothers Baking Co.	Processing of USDA Commodity Foods	\$472,815	Bid 14-22	June board approved \$284,733 for 2022-23, June board estimate too low. Additional \$188,082 to cover purchases for the year.
School Nutrition Services	National Food Group	Processing of USDA Commodity Foods	\$89,175	Bid 14-22	Purchase over \$50K, requires board approval
School Nutrition Services	Peterson Farms Fresh, LLC	Processing of USDA Commodity Foods	\$144,500	Bid 14-22	Purchase over \$50K, requires board approval
School Nutrition Services	Pilgrim's Pride Corp	Processing of USDA Commodity Foods	\$600,340	Bid 14-22	June board approved \$416,650 for 2022-23, June board estimate too low. Additional \$183,690 to cover purchases for the year.
School Nutrition Services	Primerioedge	Software	\$102,505	Bid 114-18	June board approved \$88,945 for 2022-23, June board estimate too low. Additional \$13,560 to cover purchases for the year.
School Nutrition Services	Red Gold LLC	Food Products	\$244,740	Multiple Bids	June board approved \$90,837 for 2022-23, June board estimate too low. Additional \$153,903 to cover purchases for the year.
School Nutrition Services	Rich Products	Food Products	\$768,155	Multiple Bids	June board approved \$525,570 for 2022-23, June board estimate too low. Additional \$242,585 to cover purchases for the year.
School Nutrition Services	River City Produce Co.	Produce	\$1,800,000	Bid 32-22	Purchase over \$50K, requires board approval

**ATTACHMENT**  
**BUDGETED PURCHASES OF GOODS OR SERVICES COSTING \$50,000 OR MORE**  
**NEISD BOARD MEETING AUGUST 8, 2022**

<b>Category</b>	<b>Vendor(s) Name</b>	<b>Description of Goods/Services</b>	<b>Estimated Expenditures 2022-2023</b>	<b>Bid Compliance</b>	<b>Notes</b>
School Nutrition Services	Rodriguez Foods	Processing of USDA Commodity Foods	\$251,710	Bid 14-22	June board approved \$126,400 for 2022-23, June board estimate too low. Additional \$125,310 to cover purchases for the year.
School Nutrition Services	Smithfield Packaged Meat Sales Corp.	Food Products	\$115,246	Bid 27-22	June board approved \$65,503 for 2022-23, June board estimate too low. Additional \$49,743 to cover purchases for the year.
School Nutrition Services	Tasty Brands	Food Products	\$385,230	Multiple Bids	June board approved \$117,115 for 2022-23, June board estimate too low. Additional \$268,115 to cover purchases for the year.
School Nutrition Services	Trident Seafoods	Processing of USDA Commodity Foods	\$147,250	Bid 14-22	Purchase over \$50K, requires board approval
School Nutrition Services	Tyson Foods Inc	Food Products	\$1,427,775	Bid 14-22	June board approved \$695,918 for 2022-23, June board estimate too low. Additional \$731,857 to cover purchases for the year.
Special Education	N2Y	Unique Learning System	\$135,000	Bid 06-20	June board approved \$108,748 for 2022-23, current spend \$134,909; June board estimate too low. Additional \$26,252 to cover purchases for the year.
Technology Services	ATT Mobility	Voice Data & Text Svcs/ Mobile GPS for Busses	\$250,000	DIR Co-op	June board approved \$166,000 for 2022-23, current spend \$185,000; June board estimate too low. Additional \$84,000 to cover purchases for the year.
Testing	Education Advanced Inc	Testing Service	\$70,800	Bid 06-20	Purchase over \$50K, requires board approval; Purchase Order on hold
Textbooks	Houghton Mifflin	Science/Math Books	\$853,295	Bid 105-19	Purchase over \$50K, requires board approval; Purchase Orders on hold
Textbooks	Studies Weekly Inc.	Studies Weekly periodical and online license for K-6 Social Studies, Science	\$197,038	Bid 105-19	Purchase over \$50K, requires board approval; Purchase Order on hold
Textbooks	Zaner Bloser Educational	Skills Kits	\$341,260	Bid 05-19	June board approved \$91,585 for 2022-23; June board estimate too low. Additional \$249,675 to cover purchases for the year.
Transportation	Mobile Communications America	Bus Communication	\$161,220	DIR Co-op	Purchase over \$50K, requires board approval; Purchase Order on hold
Warehouse	Bosworth BRW	Paper	\$800,000	Bid 37-18	June board approved \$450,000 for 2022-23, current spend \$618,000; June board estimate too low. Additional \$350,000 to cover purchases for the year.



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Dan Villarreal  
Susan Lackorn, Executive Director  
Finance and Accounting

Subject: Certified Appraisal Roll

Related Page(s): Attachment

### CONSENT ITEM

#### **BACKGROUND INFORMATION**

As required by Section 26.04(b) of the Tax Code, the Chief Appraiser of the Bexar Appraisal District has certified and the Appraisal Review Board has approved the appraisal roll for North East Independent School District for tax year beginning January 1, 2022. The certified appraisal roll has been submitted to Albert Uresti, Tax Assessor-Collector for Bexar County. The certified appraisal roll as submitted includes a statement of the total amount of appraised, assessed and taxable value of property as of January 1, 2022. This statement also includes the value for properties under protest at the time of certification and submission.

#### **ADMINISTRATIVE CONSIDERATION**

This is an annual agenda item done by all taxing entities. After the Tax Assessor-Collector provides the initial tax roll and levies as of October 1, approval of that tax roll will be required by the Board of Trustees in accordance with Section 26.09(e) of the Tax Code.

#### **BUDGETARY CONSIDERATION**

No budgetary consideration required.

#### **RECOMMENDATION**

It is recommended that the Board of Trustees accept the certified appraisal roll for tax year 2022 for the North East Independent School District.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval

**SUMMARY OF CERTIFIED APPRAISAL ROLL  
TAX YEAR 2022**

**NORTH EAST INDEPENDENT SCHOOL DISTRICT**

**Certified Appraisal Roll:**

	Market Value of Real Property	\$ 55,708,607,672
	Gross Taxable Personal Property	3,581,656,713
Less:	Agricultural Exclusion	(177,059,705)
Less:	Value Cap on Homesteads	(2,565,005,749)
	<b>Assessed Value</b>	<b>56,548,198,931</b>

Less:	Homestead Exemptions	(3,096,144,485)
	Over 65 Exemptions	(754,452,020)
	Disabled Veterans Exemptions	(1,395,917,394)
	Disabled Residential Homestead Exemptions	(11,124,367)
	Absolute Exemptions	(2,096,565,840)
	Other Exemptions	(309,446,191)
	<b>Total Exemptions</b>	<b>(7,663,650,297)</b>

**Net Certified Taxable Value** **48,884,548,634**

**Chief Appraiser Estimate of Uncertified Roll:**

	Protested Real Property Accounts	4,986,833,632
	Protested Personal Property Accounts	42,619,493
Less:	Estimated Agricultural Exclusion	(4,041,746)
Less:	Value Cap on Homesteads	(327,198,220)
	<b>Uncertified Assessed Value</b>	<b>4,698,213,159</b>

Less:	Homestead Exemptions	(292,664,433)
	Over 65 Exemptions	(46,193,124)
	Disabled Veterans Exemptions	(21,970,417)
	Disabled Residential Homestead Exemptions	(1,030,000)
	Absolute Exemptions	(5,161,210)
	Other Exemptions	(1,478,308)
	<b>Total Exemptions</b>	<b>(368,497,492)</b>

**Net Uncertified Taxable Value** **4,329,715,667**

**Net Appraisal Roll Before Tax Freeze** **53,214,264,301**

Less: Taxable Value of Over 65 & Disabled Persons with Frozen Taxes (7,749,781,009)

**2022 Total Taxable Value After Tax Freeze (as of Certification)** **\$ 45,464,483,292**

# NORTH EAST INDEPENDENT SCHOOL DISTRICT



Date: August 8, 2022

Presenter: Anthony J. Mitchell  
Ish Flores, Interim  
Executive Director, CM&E

Subject: 2015 Bond and NEEF Grant Funds for the North East  
Institute for Cybersecurity and Innovation Facility (I-CSI)  
Renovations (2 New Computer Labs) Phase III Revised  
Program Budget and Project Bid Award Approval

Related Page(s): Attachment

## CONSENT ITEM

### **BACKGROUND INFORMATION**

Quotes were received for the North East Institute for Cybersecurity and Innovation Facility Renovations (2 New Computer Labs) Phase III Project on Wednesday, July 20, 2022 at 2 p.m. from (4) four vendors: CGC General Contractors, Marksmen General Contractors, Satterfield and Pontikes Construction Inc., and, Waterman Construction in the Construction Management and Engineering Offices (Suite 300) at the Richard A. Middleton Education Center. The District previously completed the North East Institute for Cybersecurity and Innovation (I-CSI) Facility Renovations Phases I and II work in August 2021. The North East Educational Foundation (NEEF) donated a total of \$162,195.25 in grant funds while Dark Enterprises donated \$5,000.00 in support of the I-CSI Phase III facility renovations project which will consist of 2 new computer labs. The renovations will be completed with a combination of NEEF Grant and 2015 Bond funds with KNRG Architects as the architectural design consultant for this project.

### **ADMINISTRATIVE CONSIDERATION**

This Phase III facility renovation project was added to the 2015 Bond Program by the Board of Trustees.

### **BUDGETARY CONSIDERATION**

This project will be split-funded between the NEEF Grant and Dark Enterprises donation \$167,195.25 and 2015 Bond funds \$303,001.75 for a total program budget of \$470,197.00. The approved construction budget for I-CSI Phase III equals \$327,195.25. Total bid costs for Phase III equaled \$470,197.00. The program budget includes design fees \$21,000.00, construction costs \$394,197.00, permitting costs are estimated at \$5,000.00, FF&E purchases are estimated at \$25,000.00. Additionally, the Technology Services Department has recommended use of 2015 Bond funds at \$25,000.00 to procure technology equipment for the new computer lab areas. Total program budget for Phase III equals \$470,197.00 as compared to the approved project budget of \$327,195.25 resulting in an overall budget shortfall of \$143,001.75. 2015 Bond funds are available to cover the bid-budget shortfall.

### **RECOMMENDATION**

It is recommended that the Board of Trustees award the construction quote for I-CSI Phase III to Waterman Construction, LLC (JOCC Bid #21-22) for a total construction cost of \$394,197.00 as shown on the accompanying bid attachment and approve a revised program budget of \$470,197.00. Additionally, it is recommended that that the Board of Trustees grant the Superintendent, Chief Operations Officer, and the Interim Executive Director for Construction Management and Engineering authority to execute the contracts in support of this project.

### **BOARD ACTION REQUIRED**

Approval/Disapproval

**BID TAB: NORTH EAST INSTITUTE FOR CYBERSECURITY AND INNOVATION FACILITY RENOVATIONS PHASE III PROJECT**  
**RFP NO. 22-21 BID DATE: JUL. 20, 2022 @ 2:00 PM**

<b>Consultants: KNRG Architects</b>		
<b>Bidder #</b>	<b>General Contractor</b>	<b>Project Bid Cost</b>
1	CGC General Contractors, Inc.	\$ 453,000.00
2	Marksmen General Contractors	No Bid
3	Satterfield & Pontikes Construction, Inc.	No Bid
4	Waterman Construction, LLC	\$ 394,197.00



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Anthony J. Mitchell  
Ish Flores, Interim  
Executive Director, CM&E

Subject: ESSER-III Campus Access Control Systems District-Wide  
Project – Bid Delivery Method Approval

### CONSENT ITEM

#### **BACKGROUND INFORMATION**

The ESSER-III Program includes funding to convert the District's Continental Safety & Security System to a Genetec Platform integrating both access control devices and security cameras into one-uniform operating system across all District campuses and separate facilities. Combs Consulting Group (project consultant) has completed the Construction Documents for this project and is recommending the issuance of bid documents to receive contractor bids for this work.

#### **ADMINISTRATIVE CONSIDERATION**

This project is included in the ESSER-III Program.

#### **BUDGETARY CONSIDERATION**

This program budget for this project equals \$1,900,000.00 with \$130,000.00 designated for design fees (Combs Consulting Group), \$20,000.00 in program contingency funds, and \$1,750,000.00 in project construction costs.

#### **RECOMMENDATION**

It is recommended that the Board of Trustees approve the release of bid documents for the ESSER-III Campus Access Control Systems District-Wide Project using the Request for Competitive Sealed Proposal Bid Delivery Method and authorize the Construction Management and Engineering Department's solicitation of contractor bids for this project.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval



# NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: August 8, 2022

Presenter: Anthony J. Mitchell  
Ish Flores, Interim  
Executive Director, CM&E

Subject: Professional Services Contracts, Construction Contracts, and  
Related Contract Amendments Supporting the 282 ESSER-III  
and M&O Program Funds Design and Construction Requirements

Related Page(s): Attachment

## CONSENT ITEM

### **BACKGROUND INFORMATION**

The Texas Education Agency approved the District's request for use of 282 ESSER-III Program funds in support of HVAC upgrades projects on Oct. 2, 2021. 282 ESSER-III projects require supporting professional services contracts to perform: (1) architectural services; (2) mechanical-electrical-plumbing, structural, and civil engineering services; (3) technology services; (4) geotechnical investigations; (5) material testing services; (6) test-balance-commissioning services; and (7) post-construction/warranty services.

### **ADMINISTRATIVE CONSIDERATION**

These professional services contracts, construction contracts, and related contract amendments support the development and construction of approved projects included in the 282 ESSER-III and M&O funded program requirements. Contracts and contract amendments exceeding \$50,000.00 in value must be approved by the Board of Trustees.

### **BUDGETARY CONSIDERATION**

Funding for these professional services contracts, construction contracts, and related contract amendments are included in the 282 ESSER-III and M&O funded programs.

### **ADMINISTRATIVE RECOMMENDATION**

It is recommended for the Board of Trustees to approve the Professional Services Contracts, Construction Contracts, and Related Contract Amendments in support of the 282 ESSER-III and M&O funded program requirements (see Attachment). It is further recommended for the Board of Trustees to grant the Superintendent, the Chief Operations Officer, and the Interim Executive Director of Construction Management and Engineering authority to execute the contracts.

### **BOARD ACTION REQUIRED**

Approval/Disapproval

ATTACHMENT

**PROFESSIONAL SERVICES CONTRACTS, CONSTRUCTION CONTRACTS, AND RELATED CONTRACT AMENDMENTS**

**August 8, 2022**

Program	Project	Consultant or Construction Contract Award Date	Description of Service and/or Bid Delivery Method	Professional Services Consulting Firm or General Contractor or Service Vendor	Original Contract Value (Board Award)	Current Contract Value	Contract Amendment	New Contract Value
2015 Bond	RAMEC First Floor Lobby Security Upgrade Project / 9.16	8-Aug-2022	Access Control & Security NEISD #22-21	DHS Security LLC dba 3Sixty Integrated	\$ 23,749.80	\$ 23,749.80		\$ 23,749.80
<b>2015 Bond Program Contract Adjustments (This Period)</b>					\$ 23,749.80	\$ 23,749.80	\$ -	\$ 23,749.80
282 ESSER	District Unit Ventilator Replacement Bid - Package C / Project E21.05C	8-Nov-2021	Engineering & Design Services Professional Services	Cleary Zimmerman Engineering, Inc	\$ 300,000.00	\$ 300,000.00	\$ 10,702.29	\$ 310,702.29
282 ESSER	Pre-K Academy @ West Ave Unit Ventilator and Window Replacement / Project E21.01	23-Aug-2021	Architectural, Engineering and Design Services Professional Services	Demunbrun Scarnato Associates, Inc	\$ 20,000.00	\$ 120,000.00	\$ 13,563.55	\$ 133,563.55
282 ESSER	Madison High School Chiller Replacement / Project E21.02	14-Mar-2022	Change Order #3 Extend General Conditions	Marksmen General Contractor	\$ 2,925,000.00	\$ 3,178,430.80	\$ 145,000.00	\$ 3,323,430.80
282 ESSER	District Unit Ventilator Replacement Bid - Package C / Project E21.05D-Serna Elementary School	8-Aug-2022	Architectural, Engineering and Design Services Professional Services	Cleary Zimmerman Engineering, Inc	\$ 40,000.00	\$ 40,000.00	\$ -	\$ 40,000.00 96
<b>Elementary and Secondary School Emergency Relief III - 282 Fund (This Period)</b>					\$ 3,285,000.00	\$ 3,638,430.80	\$ 169,265.84	\$ 3,807,696.64