



# 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 March 6, 2023. 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
  - 2. Proposed Recommendation for Termination of Chapter 21 Term Contract Employee(s)
  - 3. Update on Pending Personnel Investigation
- B. Discussion Regarding Intruder Detection Security Audit pursuant to Government Code Section 551.076
- C. Purchase, Exchange, Lease, or Value of Real Property pursuant to Government Code Section 551.072
- D. Consultation with Board's Attorney pursuant to Government Code Section 551.071
  - 1. Pending and/or Possible Litigation

#### III. RECONVENE INTO OPEN SESSION

#### IV. WELCOME FROM THE BOARD PRESIDENT

#### V. INVOCATION AND PLEDGE OF ALLEGIANCE

- A. Eisenhower Middle School  
**Presenter:** Jason Herrera, Principal

#### VI. RECOGNITIONS

- A. President's Remarks on Acknowledgement of Special Calendar Events
- B. UIL Girls 6A State Wrestling Medalist

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<b>Presenter:</b> Kelly Parker, Executive Director, Athletics	
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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 3rd day of March, 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: March 6, 2023

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: March 6, 2023

Presenter: Rudy Jimenez  
Chyla Whitton  
Executive Director,  
Human Resources

Subject: Proposed Recommendation  
For Termination of Chapter 21  
Term Contract Employee(s)

Related Page(s): None

## **ACTION ITEM**

### **BACKGROUND INFORMATION**

In accordance with the Texas Education Code § 21.211(a) and Board Policy DFBA (Legal) "A board may terminate a term contract and discharge a term contract employee at any time for: (1) Good cause as determined by the board."

### **ADMINISTRATIVE CONSIDERATION**

Formal approval of the proposed recommendation for termination of Chapter 21 Term contract employee(s) by the Board of Trustees is required.

### **BUDGETARY CONSIDERATION**

Money is budgeted each year in the appropriate accounts for potential Chapter 21 hearings before Hearing Examiners.

### **ADMINISTRATIVE RECOMMENDATION**

It is recommended that the Board of Trustees of the North East Independent School District approve the proposed termination of the identified employee(s) Chapter 21 Term contract(s) discussed in executive session and notify the employee(s) of the proposed action to include the grounds for the action.

### **BOARD ACTION REQUIRED**

Approval/Disapproval



# NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: March 6, 2023

Presenter: Sean Maika

Subject: Revision to Board Policy FNG (LOCAL)

Related Page(s): Attachment

## **ACTION ITEM**

### **BACKGROUND INFORMATION**

During the February 13, 2023, Regular Board Meeting, Board Policy Update 120 was presented by administration for review and possible adoption. While most of the policies included in this update are (LEGAL) policies, the update recommends that the Board add, revise, or delete four (4) (LOCAL) policies. Recommended changes in this update are based on updates to the Texas Administrative Code and address the following topics:

- |  |                    |
|--|--------------------|
| State and Federal Revenue Sources        | Emergency Plans    |
| Student and Parent Complaints/Grievances | Student Discipline |

Regarding Board Policy FNG (LOCAL), administration made additional revisions to correctly identify the title of the applicable administrator as the Executive Director of “pupil personnel”.

During the Board’s discussion of FNG (LOCAL), Trustee Steve Hilliard recommended that the policy be updated to include a timeline where the Board reviews a grievance between 30-45 days from the date of filing a Level IV Grievance. Board Secretary Sandy Hughey followed up with a recommendation for feasibility based on the District calendar and staff availability. The Board agreed that staff would bring FNG (LOCAL) back for review, with the new recommended language, for consideration.

Furthermore, in accordance with Texas Education Code 37.105, a process must be established for any person wishing to appeal the issuance of a criminal trespass warning (CTW). Current FNG (LOCAL) currently contains outdated language excluding complaints related to the issuance of a CTW. Administration is recommending the deletion of this exception to the FNG (LOCAL) policy as the FNG process is used for this purpose.

### **ADMINISTRATIVE RECOMMENDATION**

It is recommended that the Board approve the additional revisions to FNG (LOCAL) as discussed during the February 13, 2023, Regular Board Meeting with the addition of deleting the outdated exception for complaints related to the issuance of criminal trespass warnings.

### **BOARD ACTION REQUIRED**

Approval/Disapproval

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

**Definitions**

In this policy, the terms “complaint” and “grievance” shall the same meaning.

**Certain Complaints**

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below.

1. Complaints alleging discrimination or harassment based on race, color, religion, sex, gender, national origin, age, or disability shall be submitted in accordance with FFH.
2. Complaints concerning dating violence shall be submitted in accordance with FFH.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted in accordance with FB and the applicable procedural safeguards handbook.
8. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
9. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act (IDEA) shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook.
10. Complaints concerning instructional resources shall be submitted in accordance with EF.
11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.

~~14. Complaints related to the issuance of Criminal Trespass Warnings are excluded.~~

~~15-14.~~ Complaints related to reports to Child or Adult Protective Services made pursuant to the requirements of Section 261.101 of the Texas Family Code are excluded.

~~16-15.~~ Complaints related to program changes or boundary changes from one school to another school within the District are excluded.

~~17-16.~~ Complaints concerning on-campus distribution of nonschool materials to students shall be submitted in accordance with FNAA.

~~18-17.~~ Complaints where the relief sought by the grievant has already been granted at a prior administrative level or through an informal conference are excluded.

~~19-18.~~ Complaints where the grievant fails to state specific relief sought that applies to the grievant directly, or that cannot be granted by the hearing officer, are excluded.

~~20-19.~~ Complaints related to administrative transfers including, but not limited to, school choice decisions are excluded.

~~21-20.~~ Complaints related to residential and enrollment eligibilities are excluded.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

**Notice to Students and Parents**

The District shall inform students and parents of this policy through appropriate District publications.

**Guiding Principles**

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

Informal Process	<p>Although encouraged, an informal conference with the principal or other appropriate administrator is not required prior to filing a complaint under this policy, and does not stop, pause, or toll the timelines set forth in this policy. The timeline included herein apply regardless of the conduct or results of an informal conference.</p>
Formal Process	<p>A student or parent may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, students and parents are encouraged to seek resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p> <p>Announcement of a decision in the student’s or parent’s presence shall constitute communication of the decision.</p> <p>In the event that the remedy or remedies sought by a student or parent in the grievance are granted at one level, the student or parent shall not be permitted to appeal that issue further because the requested relief shall have been given to the student or parent. Any attempt to appeal a remedy granted in full to a student or parent shall be immediately dismissed.</p>
<b>Freedom from Retaliation</b>	<p>Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint under this policy.</p>
<b>General Provisions</b> Person with Whom to File	<p>Level One grievances shall be filed directly with the principal of the campus.</p> <p>Level Two and Three grievances, should they be necessary, shall be filed directly to the office of the Executive Director of Student Support Services, 8961 Tesoro Drive, Suite 306, San Antonio, Texas 8217.</p> <p>Level Four grievances shall be filed directly to the office of the Superintendent of Schools, 8961 Tesoro Drive, Suite 602, San Antonio, Texas 78217.</p> <p>Failure to file a grievance with the appropriate District official listed above shall not constitute proper filing, and the applicable timeline for appropriate filing shall continue to run and not be tolled in any way. Should a grievant not file with the appropriate District official as set forth in this policy, and the timeline expires, any subsequent filing of the grievance shall be considered untimely.</p>

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

Filing and Written Response	<p>Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative.</p> <p>The written response may be picked up by the complainant or delivered by electronic communication, including email and fax, or U.S. certified mail. If the student or parent elects to pick up the written response, it shall be considered delivered on the date it is available for pick up regardless of whether the student or parent picks it up or not. Filings submitted by electronic communication shall be timely sent by the end of the deadline day, as indicated by the date/time shown on the electronic communication. Certified mail responses shall be considered timely if they are postmarked on or before the end of the deadline day. In cases of certified mail, it is the responsibility of the recipient to obtain the mailing upon notice from the postal service that a certified mail is available. Failure to do so shall not toll the timelines in this policy.</p>
Days	<p>“Days” shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed or delivered is “day zero.” The following business day is “day one.”</p>
Representative	<p>“Representative” shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.</p> <p>The student or parent may designate a representative through written notice to the District at any level of this process. If the student or parent designates a representative with fewer than three day’s notice to the District before a scheduled conference, the District may reschedule the conference to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p>

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

- Untimely Filings All time limits shall be strictly followed unless modified by mutual written consent.
- If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process.
- Costs Incurred Each party shall pay its own costs incurred in the course of the complaint.

**Level One**

A student or parent who has a complaint that cannot be resolved in an informal conference shall request a Level One conference with the principal within ten days of the time the student or parent knew, or should have known, of the event or series of events causing the complaint. The principal shall schedule a conference with the student or parent within ten days of the request. In order to initiate this process, the student or parent must provide the principal, in writing in the format provided by the District, the complaint and relief sought. [See FNG(EXHIBIT)] If necessary, the principal may assist the student or parent in completing the required form. All documentary evidence relied upon by the student or parent must be provided to the principal at the conference. The principal shall have ten days following the conference within which to respond in writing, except where there are extenuating circumstances that prevent the principal from doing so.

**Level Two**

If the outcome of the conference with the principal is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may request a Level Two conference by submitting a written request to the executive director of student support services. The request must be in writing in the format provided by the District and must be filed within ten days. [See Filing and Written Response above.] [See FNG(EXHIBIT)]

The request must include the student's or parent's signed statement of the complaint, a copy of the Level One complaint, any supporting evidence, documentation or other evidence presented at Level One, and a copy of the principal's response.

A designated executive director or director shall schedule the conference within ten days after receiving the request. The designated executive director or director shall prepare a written response to the student or parent within ten days after the conference.

No new complaints or claims for relief may be raised at Level Two. Only documentary evidence contained in the complete Level One record may be considered at Level Two, except in cases where the principal considered additional documentation at Level One in connection with the preparation of the written response. The student or parent may submit additional documentation, but only to the extent

such documentation directly responds to what the principal considered at Level One.

### Level Three

If the outcome of the conference with the executive director or director is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may request a Level Three conference by submitting a written request to the executive director of student support services. The request must be in writing in the format provided by the District and must be filed within ten days. [See Filing and Written Response above] [See FNG(EXHIBIT)]

The request shall include the Level Three complaint request form, a copy of the Level One and Two complaint form, the Level One and Two decisions, and any supporting evidence or documents submitted at the prior levels.

The Superintendent or designee shall schedule the conference within ten days after receiving the request. After the conference, the Superintendent or designee shall make and communicate a decision in writing. There is no time limit set for the Superintendent or designee response at Level Three.

No new complaints or claims for relief may be raised at Level Three. Only documentary evidence contained in the Level One and Two record may be considered at Level Three, except in cases where the principal considered additional documentation at Level One in connection with the preparation of the written response and the student or parent submitted additional documentation, but only to the extent such documentation directly responds to what the principal considered at Level One.

Nothing in the above sections pertaining to Levels One, Two, or Three shall prevent the presiding officer hearing the grievance from conducting any investigation into the allegations raised in the grievance that he or she deems necessary.

### Level Four

If the outcome of the conference with the Superintendent or designee is not to the student's or parent's satisfaction, the student or parent may submit a written request, in the format provided by the District, to the Superintendent within ten days to place the matter on the agenda of a future Board meeting. [See Filing and Written Response above.] [See FNG(EXHIBIT)]

~~The Superintendent shall inform the student or parent of the date, time, and place of the meeting. There is no time limit set for the Board.~~ The Superintendent shall inform the student or parent of the date, time, and place of the meeting. The Board will place the Level Four appeal on an agenda for consideration at a meeting to occur within thirty school days of receipt of the appeal. If no meeting will

occur or is otherwise available within thirty days, the Board shall place the Level Four appeal on an agenda for consideration at a meeting no later than forty-five (45) days from receipt of the appeal.

The presiding officer shall establish a reasonable time limit for complaint presentations. The District shall make an audiotape record of the Level Four proceeding before the Board. The Board shall hear the complaint and shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. No new evidence, claims, or complaints may be presented at this level.

Closed Meeting

If the complaint involves concerns or charges regarding an employee, it shall be heard by the Board in closed meeting, unless the employee to whom the complaint pertains requests that it be heard in public.

DRAFT



# NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: March 6, 2023

Presenter: Dan Villarreal

Subject: Proposed Revisions to Board  
Policy FFAC (LOCAL)

Related Page(s): Attachment

## **ACTION ITEM**

### **BACKGROUND INFORMATION**

Opioid antagonist medication can reverse the effects of an opioid-related drug overdose. Health and Safety Code 483.102, 483.104, and 483.106 allow for the storage and administration of an opioid antagonist medication. FFAC (LEGAL) addresses the legal requirements for a school district storing and administering unassigned opioid antagonist medication. North East ISD wishes to obtain authorization for certain trained school personnel to administer this medication in response to a suspected opioid-related drug overdose occurring at school.

### **BUDGETARY CONSIDERATION**

None

### **ADMINISTRATIVE RECOMMENDATION**

It is recommended that the Board of Trustees approve the revised Board Policy FFAC (LOCAL) –Wellness and Health Services: Medical Treatment, as submitted.

### **BOARD ACTION REQUIRED**

Approval/Disapproval

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

**Medication Provided by Parent**

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

1. Prescription medication in accordance with legal requirements.
2. Nonprescription medication, upon a parent's written request, when properly labeled and in the original container.

Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan for a student with disabilities.

**Medication Provided by District**

The District shall purchase certain ~~nonprescription~~ medications to administer to students only on an emergency basis and in accordance with:

Emergency Basis

- ~~1. Protocols established by the District's medical adviser who must be licensed to practice medicine in the state of Texas; and~~
- ~~2. Parental consent given on the emergency treatment form.~~

A parent or guardian may provide written notice to the school nurse if conditions exist in which their child should not receive epinephrine or an opioid antagonist medication.

The Superintendent shall designate the employees who are authorized to administer ~~nonprescription~~ medication under these protocols and permissions.

Epinephrine

The District authorizes school personnel who have agreed in writing and been adequately trained to administer an unassigned epinephrine auto-injector in accordance with law and this policy. Administration of epinephrine shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing anaphylaxis.

*On Campus*

Authorized and trained individuals may administer an unassigned epinephrine auto-injector at any time to a person experiencing anaphylaxis on a school campus.

The District shall ensure that at each campus a sufficient number of authorized individuals are trained to administer epinephrine so that at least one trained individual is present on campus during all hours the campus is open. In accordance with state rules, the campus

WELLNESS AND HEALTH SERVICES  
MEDICAL TREATMENT

FFAC  
(LOCAL)

shall be considered open for this purpose during regular on-campus school hours and whenever school personnel are physically on site for school-sponsored activities.

*Maintenance,  
Availability, and  
Training*

The Superintendent shall develop administrative regulations designating a coordinator to manage policy implementation and addressing annual training of authorized individuals in accordance with law; procedures for auto-injector use; and acquisition or purchase, maintenance, expiration, disposal, and availability of unassigned epinephrine auto-injectors at each campus.

*Notice to Parents*

In accordance with law, the District shall provide notice to parents regarding the epinephrine program, including notice of any change to or discontinuation of this program.

Asthma Medication

A school nurse shall be permitted to administer unassigned prescription asthma medication to a student with diagnosed asthma if, in his or her professional judgment, the nurse reasonably believes the student is experiencing a symptom of asthma that warrants the use of the District's unassigned prescription asthma medication and the District has received prior written parental consent.

*On Campus*

A school nurse may administer unassigned prescription asthma medication to a student experiencing asthma symptoms only on a school campus.

*Maintenance,  
Availability, and  
Training*

The Superintendent shall develop administrative regulations to manage policy implementation in accordance with law; procedures for administering medication; and acquisition or purchase, maintenance, expiration, disposal, and availability of unassigned prescription asthma medication at each campus.

*Notice to Parents*

In accordance with law, the District shall provide notice to parents regarding the unassigned prescription asthma medication program, including notice of any change to or discontinuation of this program.

Opioid Antagonist Medication

A District-employed (1) Registered Nurse, (2) Licensed Vocational Nurse, or (3) other properly trained and designated individual shall be authorized to administer opioid antagonist medication, such as Naloxone, to assist a person who is reasonably believed to be experiencing an opioid-related overdose. The District-employed authorized persons may administer this medication in accordance with a standing order and/or procedures provided and/or approved by a physician licensed to practice medicine in the State of Texas. The employee shall promptly seek additional medical assistance for the person to whom the medication is administered.

On Campus

District-employed authorized personnel identified in the preceding paragraph may administer the opioid antagonist medication on a

school campus or at a school sponsored event in accordance with this policy and applicable administrative regulations.

Maintenance,  
Availability, and  
Training

Before any RN, LVN, or other designated and trained District employee may have custody of or administer an opioid antagonist medication under this policy, the employee must successfully complete an annual training program provided by NEISD Health Services, which includes recognizing opioid-related overdoses, administering opioid antagonist medication, and promptly seeking medical attention for suspected drug overdoses. A list of employees who successfully complete such training shall be maintained, updated, and kept in the NEISD Health Services administration office.

The District shall provide Health Services RNs and LVNs, and other relevant school personnel, with the opportunity to complete such training during their regular work schedule.

Opioid antagonist medication shall be stored in secure locations accessible by designated and trained employees, and in accordance with the drug manufacturer's instructions. Opioid antagonist medication shall be made readily available to designated employees who have completed the required training to administer in the event of suspected drug overdose. All designated and properly trained employees shall be made aware of the exact location of the opioid antagonist medication.

The school nurse or designee shall regularly inventory and verify opioid antagonist medication supply, and maintain records thereof, in accordance with the established internal procedures and manufacturer recommendations. Expired, damaged, or used opioid antagonist medication shall be disposed of in accordance with established medical waste disposal procedures.

Course and  
Scope of  
Employment

The District will consider the administration of opioid antagonist medication by a properly trained employee under this Policy to be acting in the course and scope of his or her employment, and therefore entitled to defense by the District, if the following conditions are met:

1. The designated and trained employee did not act with the intent to harm or with reckless indifference to a substantial risk or harm in administering opioid antagonist medication to that individual.
2. The designated and trained employee successfully completed the training contemplated by this policy.
3. The designated and trained employee administering the opioid antagonist medication promptly sought additional medical assistance.
4. The designated and trained employee is administering opioid antagonist medication pursuant to this policy.

*Notice to Parents*

The District shall provide notice to parents regarding the opioid antagonist medication program, including notice of any change to or discontinuation of this program.

**Psychotropics**

Except as permitted by law, an employee shall not:

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

**Medical Treatment**

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

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



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: March 6, 2023

Presenter: Dan Villarreal  
Marcos Zorola, Executive Director  
Management Information Services

Subject: TEA Security Environment  
Authorization

Related Page(s): None

### ACTION ITEM

#### **BACKGROUND INFORMATION**

The Texas Education Agency (TEA) provides the North East ISD access to a wide variety of web-based applications ranging from accountability reports, electronic grants, audit and financial reports as well as Public Education Information Managements System (PEIMS) data. TEA controls district access to these applications through the TEA Security Environment (TEASE) that requires each person with access to data, have a TEA approved security clearance. North East currently has hundreds of authorized users that include both central office and campus-based personnel. Data accessed through TEA applications contains confidential student and personnel information that is protected under the Family Educational Rights and Privacy Act (FERPA).

#### **ADMINISTRATIVE CONSIDERATION**

TEA now requires the Superintendent of each district to periodically monitor and authenticate each local TEASE account. As this requirement could place an unreasonable burden on the superintendent, the district does have the option of appointing a superintendent designee(s) to monitor the accounts provided the individuals are approved by the local Board of Trustees.

#### **ADMINISTRATIVE RECOMMENDATION**

It is recommended the Board of Trustees authorize Stephanie A. Tucker, NEISD Senior PEIMS Manager, to act as the superintendent designee for approving staff requests (also referred to as "submitting requests" to TEA) for access to one or more TEA web applications accessed through the TEASE. This authorization is valid for the period starting March 7, 2023 to January 31, 2023.

#### **BOARD ACTION REQUIRED**

Approval/Disapproval



# NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: March 6, 2023

Presenter: Dan Villarreal  
Valerie Rueda, Executive Director  
Procurement & eCommerce

Subject: Bid Items

Related Page(s): Attachments

## 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 following contracts are submitted for consideration: (see attachments)

28-23 USDA Commodity Foods Processing and Commercial Pricing

### **BUDGETARY CONSIDERATION**

Special Funds	\$9,967,602.48
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### **ADMINISTRATIVE RECOMMENDATION**

The Superintendent recommends the bid items be approved as submitted.

### **BOARD ACTION REQUIRED**

Approval/Disapproval

## USDA Commodity Foods Processing And Commercial Pricing RFP #28-23

On Tuesday, January 10, 2023 at 10:00 a.m. RFP #28-23 was received on the purchase of food products utilizing USDA provided commodity ingredients for District cafeterias. The proposal for food products, for the 2023-2024 school year, consists of **81** items ranging from entrées, grains fruits to vegetables for a total bid amount of **\$9,967,602.48**. It is recommended that the bid be awarded to the following companies for the various items for the total amounts shown. The recommendation is based on the lowest bid meeting specifications for each item.

Bid requests were mailed to all known companies and advertised in the Hart Beat Newspaper.

Vendor	No. of Items Awarded	Total
Basic American	1	\$164,603.40
Butterball	2	\$181,170.00
Con Agra Brands, Inc.	2	\$459,418.68
Hormel Food Sales	4	\$236,978.96
JTM	2	\$258,477.10
Land O Lakes	7	\$755,513.92
McCain Foods	6	\$624,158.08
Michael Foods, Inc.	1	\$86,086.15
Nardone Brothers Pizza	1	\$92,448.00
National Food Group	2	\$35,304.00
Peterson Farms Fresh, LLC	3	\$178,604.16
Pilgrim's Pride Corporation	2	\$702,667.28
Red Gold LLC	8	\$274,026.64
Rich Products	6	\$285,052.60
Rodriguez Foods	1	\$250,855.36
S.A. Piazza & Assoc. LLC.	1	\$74,166.40
Schwan's Food Service, Inc.	6	\$941,145.02
Tasty Brands	9	\$449,756.83
Tyson	17	\$3,917,169.90
<b>Grand Total</b>		<b>\$9,967,602.48</b>



## NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: March 6, 2023

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 MARCH 6, 2023**

<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>
Human Resources	Gallup	Principal/Teacher Insight	\$55,080	none	Purchase over \$50,000 requires Board approval.
Curriculum & Instruction	Estrellita	K1 Accelerated Spanish reading program	\$194,970	multiple bids	Purchase over \$50,000 requires Board approval. 4 year purchase (2023-2024 – 2026-2027) of Spanish phonics materials.
Special Education	EBS Healthcare	Speech Therapy Services to include evaluations	\$157,000	multiple bids	September Board approved \$102,000. Additional \$55,000 needed for SLP/SLPA services due to district vacancies.
Special Education	Assessment Intervention Management AIM	Speech Therapy Services to include evaluations	\$734,300	multiple bids	February Board approved \$400,000. Additional \$334,300 needed for contract speech services & speech therapy to cover staff vacancies, PAC evaluations.
Special Education	ProCare Therapy	Speech Therapy Services to include evaluations	\$247,680	01-23	November Board approved \$97,680. Additional \$150,000 needed for for SLPA/SLP services for evaluations, therapy due to district vacancies.
Special Education	Speech Specialists of San Antonio	Speech Therapy Services to include evaluations	\$220,100	multiple bids	June Board approved \$64,500. Request to adjust the amount to \$220,100 for SLP & SLPA services for therapy, evaluations & supervision due to district vacancies.