



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 September 9, 2024. 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 Harris Middle School
- b. Assistant Principal of Northern Hills Elementary School
- c. Director of Risk Management and Safety

2. Proposed Recommendation for Termination of Chapter 21 Term Contract Employee(s)

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

1. Policy Matters Related to 2025 Legislative Session

III. RECONVENE INTO OPEN SESSION

IV. WELCOME FROM THE BOARD PRESIDENT

V. INVOCATION AND PLEDGE OF ALLEGIANCE

A. Wood Middle School

Presenter: Brad Henze, Principal

VI. RECOGNITIONS

A. President's Acknowledgment of Special Calendar Events

VII. MATTERS FROM THE FLOOR

VIII. MATTERS FROM EXECUTIVE SESSION

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XIV. ADJOURNMENT

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 6th day of September, 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.

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: September 9, 2024

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: September 9, 2024

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: September 9, 2024

Presenter: Rudy Jimenez,
Tyler Shoesmith, Executive
Director, Pupil Personnel
Services

Subject: Vaping Overview

Related Page(s): Attached (*if any*)

PRESENTATION

BACKGROUND INFORMATION

During the August 12, 2024, NEISD Board Meeting, Board Member Melinda Cox requested a presentation on vaping to include a history of the District's interventions, legal statutes, discipline, and possible future considerations.

ADMINISTRATIVE RECOMMENDATION

None.

BOARD ACTION REQUIRED

None.



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: September 9, 2024

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

Subject: VATRE

Related Page(s): None

PRESENTATION

BACKGROUND INFORMATION

During the 2024-2025 Budget Study Sessions, the Board of Trustees requested information regarding how our district can generate additional revenue. This presentation will provide information on the process and function of a voter approved tax ratification election.

BOARD ACTION REQUIRED

None



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: September 9, 2024

Presenter: Sean Maika
Superintendent

Subject: Board Policy Update 123

Related Page(s): Attachments

ACTION ITEM

BACKGROUND INFORMATION

Update 123 includes revisions to legal policies based on legislative and regulatory changes. Recommended changes to local policies offered for consideration address the following topics:

Board Member Training & Orientation	Emergency Plans	Other Types of Employment Contracts
Conflict of Interest Disclosures	Security Personnel	Homebound Instruction
Economic Development	Technology Equipment	Instructional Resources & Library Materials

Please note that (LEGAL) policies reflect the ever-changing legal context for governance and management of the district and provide the legal framework for key areas of district operations. They should not be adopted, but rather, should inform local decision making.

The (LOCAL) policy recommendations in this update require close attention by both the administration and the board to ensure that the policies reflect the practices of the district and the intentions of the board. Board action is needed to adopt, revise, or repeal (LOCAL) policy.

ADMINISTRATIVE RECOMMENDATION

While most of the policies included in this update are (LEGAL) policies, the update recommends the Board add, revise, or delete twelve (14) (LOCAL) policies. The following (LOCAL) policies are presented to the Board for consideration.

BBD (LOCAL)	CKEA (LOCAL)	EEH (LOCAL)	FNG (LOCAL)
BBFA (LOCAL)	CQC (LOCAL)	EF (LOCAL)	GF (LOCAL)
CKC (LOCAL)	DCE (LOCAL)	EFA (LOCAL)	
CKE (LOCAL)	DGBA (LOCAL)	EFB (LOCAL)	

RECOMMENDATION

It is recommended that the Board approve the above-listed local policies included in Update 123.

BOARD ACTION REQUIRED

Approval/Disapproval

Explanatory Notes

TASB Localized Policy Manual Update 123

North East ISD

ATTN(NOTE)

GENERAL INFORMATION ABOUT THIS UPDATE

Please note:

Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 88th Legislature, regular and special sessions. All referenced bills have already gone into effect unless otherwise noted.

The Local Policy Overview for Update 123, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online® (TASB login required), provides a general, high-level overview of the changes to the local policies included in the update. **Legal policies provide the legal framework for key areas of district operations and are not adopted by the board.**

AIB(LEGAL)

ACCOUNTABILITY: PERFORMANCE REPORTING

The Results Driven Accountability (RDA) section of the policy has been deleted. TEA included RDA information in the Accountability Manual starting in 2023 and repealed the RDA information in the Administrative Code. This change aims to streamline information used in academic accountability and RDA systems.

AIC(LEGAL)

ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

A citation to the Administrative Code has been included under Student Enrollment and Assignment, Enrollment Provision in Contract, regarding campuses that are closed and repurposed.

As 19 TAC 97.2005 has been repealed, the reference to Results Driven Accountability has been deleted from the section on Special Program Performance Determination.

AIE(LEGAL)

ACCOUNTABILITY: INVESTIGATIONS

The word "accreditation" has been removed as a descriptor for investigations in two places within the policy after an amendment to the Administrative Code, effective January 17, 2024.

BBA(LEGAL)

BOARD MEMBERS: ELIGIBILITY/QUALIFICATIONS

At Intent to Return, language from the Election Code has been included to minimize confusion regarding the specific requirements for establishing an intent to return to the individual's residence after a temporary absence.

BBB(LEGAL)

ELECTIONS: POST-ELECTION PROCEDURES

HB 5180 added new requirements for public inspection of election records. A reference has been added at Election Records regarding where to find information on public inspection of those records for districts who serve as custodians of their own election records.

BBD(LOCAL)

BOARD MEMBERS: TRAINING AND ORIENTATION

HB 3033 authorizes the attorney general to require trustees to complete training on the Public Information Act if the attorney general finds that there has been a violation of the Act. Language is recommended to make clear that this training after a violation cannot be delegated to the district's Public Information Act coordinator.

BBFA(LOCAL)

ETHICS: CONFLICT OF INTEREST DISCLOSURES

Language is recommended to clarify that a trustee's ethical duty to disclose a financial or other personal interest in board transactions goes beyond the statutory conflicts of interest set out in state and federal law. The added language serves to demonstrate a commitment to avoid undue influence, increase transparency, and avoid the appearance of impropriety in public dealings.

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CCG(LLEGAL)

LOCAL REVENUE SOURCES: AD VALOREM TAXES

HB 3273, effective January 1, 2024, revised the Tax Code and requires a taxing unit, including a school district, to provide specific notice to property owners on its website. These provisions have been included in the Appraisal District Property Tax Database section of the policy.

CCGA(LLEGAL)

AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

This policy has been updated to indicate that a board that adopted an exemption for the 2022 tax year may not reduce the amount or repeal that exemption based on SB 2 from the second special session of the 88th Legislature. [See Homestead, Local Options.]

HB 4559, from the 88th regular session, increased the population range for certain districts to provide that the split payment option does not apply to the district's taxes collected by another taxing unit that has adopted that option. [See Split Payments, In Certain Counties.]

CCGB(LLEGAL)

AD VALOREM TAXES: ECONOMIC DEVELOPMENT

HB 4559 increased the population threshold for determining a large municipality for provisions related to the appointment of reinvestment zone board members. [See Tax Increment Financing Act, Large Municipality.]

Substantial changes have also been made based on HB 5 to incorporate the Texas Jobs, Energy, Technology, and Innovation Act.

CKB(LLEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: ACCIDENT PREVENTION AND REPORTS

TEA's amendments to the Administrative Code rules for mandatory school drills necessitated reorganization of definitions and added clarity to several sections of the policy. Changes in this policy also reflect TEA's amendments to the Administrative Code rules related to active threat exercises.

CKC(LOCAL)

SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS

A section on Notice Regarding Violent Activity is recommended to comply with legal requirements. Administrative procedures must be created to align with TEA's model standards.

CKE(LOCAL)

SAFETY PROGRAM/RISK MANAGEMENT: SECURITY PERSONNEL

To address in one policy all security arrangements a district may have implemented, we have added CKE(LOCAL) and moved the relevant provisions from CKEA(LOCAL) to this code.

Significant revisions are recommended to the CKE policy series to promote compliance and clarification with HB 3 and other legal requirements. Therefore, based on the district's security survey responses, we offer for your consideration the enclosed policy to address commissioned peace officers and to clarify the jurisdiction of security officers authorized to possess firearms, the authorization process, and a list of possible training topics.

Regarding the provisions addressing district police officers, as Education Code 37.081 covers both police authority and duties, the margin note has been edited to clarify the scope of the policy language. The section on temporary assignments has been incorporated into Limitations on Nonschool Employment to account for possible off-duty officer use by both the district and other agencies. A section on Interlocal Agreement has been added to note that district police officers will function within the scope of the agreement.

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The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

CKEA(LOCAL) SECURITY PERSONNEL: COMMISSIONED PEACE OFFICERS

To address in one policy all security arrangements the district has implemented, we have deleted this policy and moved the provisions to CKE(LOCAL).

CKED(LEGAL) SECURITY PERSONNEL: OTHER SECURITY ARRANGEMENTS

The provisions of this policy address commissioned security officers with Level III training under the Department of Public Safety hired through a security services contractor or as a district employee in accordance with the Education Code and the Occupations Code.

CMD(LEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING

Cross-references throughout this policy have been updated to EFA since policy EF has been separated into EFA (instructional materials) and EFB (library materials).

CPC(LEGAL) OFFICE MANAGEMENT: RECORDS MANAGEMENT

Edits to this policy at Destruction of Records remove a reference to 13 TAC 7.123(c), which was deleted from Texas State Library and Archives Commission rules, effective March 6, 2024.

CQA(LEGAL) TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

HB 3273, effective January 1, 2024, requires school districts to post a notice informing property owners of the property tax database maintained by the appraisal district. Language has been added at item 28 under the section on Other Required Internet Postings.

CQC(LEGAL) TECHNOLOGY RESOURCES: EQUIPMENT

A section on Guidelines for Use of Digital Devices has been added to address the TEA and Health and Human Services Commission model health and safety guidelines for the use of digital devices, which are required by the Education Code and were issued in October 2023.

CQC(LOCAL) TECHNOLOGY RESOURCES: EQUIPMENT

This new local policy is recommended to meet the legal requirement for the board to adopt a policy for the effective integration of digital devices in the district. The policy language adopts the model health and safety guidelines developed by TEA and the Health and Human Services Commission and clarifies that the superintendent must develop regulations for implementation.

DCE(LOCAL) EMPLOYMENT PRACTICES: OTHER TYPES OF CONTRACTS

Revisions at Termination During Contract Term are recommended to specify that an employee may request a hearing before the board to appeal discharge during the contract period and to differentiate between terminations during and at the end of the contract term.

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

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DGBA(LOCAL) PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES

Extensive revisions within the CKE policy series necessitated an update to the cross-reference in the list of other complaint processes.

Also, to accommodate planned restructuring of policy DIA, we have revised the references to that code in this policy to reflect the DIA series. No other changes have been made to this policy.

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

DGBA(EXHIBIT) PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES

Our records indicate that you have an exhibit at this code that you may need to review and revise in light of the changes in this update. Please advise us:

- If this exhibit is obsolete and should be deleted from your localized policy manual; or
- If you have revisions that you wish to submit for editorial and legal review and incorporation into your localized policy manual.

DHE(LEGAL) EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING

New Department of Transportation rules amend the department's regulated industry drug testing program. The language in the Reports to DPS section has been amended for clarity.

DNA(LEGAL) PERFORMANCE APPRAISAL: EVALUATION OF TEACHERS

Amendments to the Administrative Code allow districts to begin using the Alternate Domain I rubric as part of the Texas Teacher Evaluation and Support System (T-TESS) beginning with the 2024-25 school year. Language has been updated to reflect this change.

DP(LEGAL) PERSONNEL POSITIONS

The section on School Psychological Services has been amended to provide additional clarity and to set out the correct title for licensed specialists in school psychology (LSSPs) as indicated in the Administrative Code.

EEH(LOCAL) INSTRUCTIONAL ARRANGEMENTS: HOMEBOUND INSTRUCTION

TEA's revisions to the *Student Attendance Accounting Handbook (SAAH)* prompted recommended updates to this policy. Students may now receive homebound services for psychological, as well as medical, conditions. The *SAAH* also indicates that the weeks of confinement due to a medical or psychological condition do not need to be consecutive to qualify. The policy language has been updated to reflect this change.

EF(LEGAL) INSTRUCTIONAL RESOURCES

In order to clarify the differences in requirements for instructional materials and library materials, as well as to accommodate the new library collection development standards, policy EF has been divided into EFA (instructional material) and EFB (library material). The content in EF(LEGAL) has moved to either EFA or EFB, as appropriate.

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EF(LOCAL) INSTRUCTIONAL RESOURCES

As explained at EF(LEGAL), above, this local policy addressing instructional resources is being deleted. New local policies to address instructional materials and library materials separately are included at EFA and EFB.

EF(EXHIBIT) INSTRUCTIONAL RESOURCES

Your locally developed exhibit is recommended for deletion from the policy manual. This information is more appropriately maintained in district administrative regulations.

EFA(LEGAL) INSTRUCTIONAL RESOURCES: INSTRUCTIONAL MATERIALS

Content regarding instructional material review and federally required parental inspection has been moved from EF(LEGAL) to EFA(LEGAL).

EFA(LOCAL) INSTRUCTIONAL RESOURCES: INSTRUCTIONAL MATERIALS

The enclosed policy regarding instructional materials is recommended to coordinate with the policy addressing library materials at EFB(LOCAL). The provisions previously housed at EF(LOCAL) have been moved to this code with the following revisions:

- At Selection, a clarification has been made to reflect that instructional materials must be chosen in accordance with stated objectives and administrative regulations and may include items from the State Board of Education list.
- At Reconsideration of Instructional Materials, the list of individuals who can submit a request for reconsideration has been revised. This change is recommended to align with the list provided in the new EFB(LOCAL), which permits an employee or parent or guardian to submit these requests. If the district would like to expand this list, please contact your policy consultant.

Please review the information at Formal Reconsideration, which specifies who will receive forms requesting the reconsideration of instructional material and who will appoint a reconsideration committee. If the policy needs to identify a different position for these responsibilities, please contact your policy consultant for assistance with revisions.

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

EFB(LEGAL) INSTRUCTIONAL RESOURCES: LIBRARY MATERIALS

EFB(LEGAL) has been revised to incorporate new library collection development standards adopted by the Texas State Library and Archives Commission (TSLAC), effective January 23, 2024. The policy includes a note regarding the Fifth Circuit Court of Appeals injunction and the resulting unenforceability of certain statutes related to library material. The TSLAC Library Collection Development Standards are not currently enjoined by the Fifth Circuit Court of Appeals.

EFB(LOCAL) INSTRUCTIONAL RESOURCES: LIBRARY MATERIALS

This recommended policy aligns with changes to the Administrative Code and the new collection development standards for school libraries as a result of HB 900. Please review the following information in your policy:

- The location of the form for formal reconsideration;
- The position title for the person responsible for appointing the reconsideration committee; and

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- The number of days allocated for appointing the committee, providing the material for review to the committee, and completing the committee's final report.

If any information needs to be updated or if further revisions to the policy are needed, please contact your policy consultant for assistance.

EHBAA(LLEGAL) SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

A cross-reference to policy EHB has been included for additional requirements relating to the evaluation and identification process when dyslexia is a suspected disability. [See Determination of Initial Eligibility.]

EHBAB(LLEGAL) SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

The section on Supplemental Special Education Services (SSES) has been revised to reflect amended Administrative Code rules, effective April 18, 2023. The district is required to notify parents of SSES eligibility and related information during an ARD committee meeting.

A provision regarding an IEP supplement for each child who was enrolled in a district's special education program during the 2019-20 school year or the 2020-21 school year has been removed. That requirement expired on September 1, 2023.

EHBE(LLEGAL) SPECIAL PROGRAMS: BILINGUAL EDUCATION/ESL

Extensive revisions have been made throughout this policy to reflect amended rules relating to emergent bilingual students.

EHBJ(LLEGAL) SPECIAL PROGRAMS: INNOVATIVE AND MAGNET PROGRAMS

Changes to this policy stem from amended Administrative Code provisions relating to innovative courses. The amended rules became effective February 18, 2024.

EKB(LLEGAL) TESTING PROGRAMS: STATE ASSESSMENT

Revisions have been made to remove language that does not require district action to aid in readability and clarity. Citations have also been updated based on rule changes.

FA(LLEGAL) PARENT RIGHTS AND RESPONSIBILITIES

The cross-reference at Parental Rights relating to teaching materials has been updated to reflect the division of policy EF into EFA and EFB.

FFAC(LLEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

A section on Telehealth in Medicaid Covered Services has been added to provide guidance from Administrative Code rules specific to telehealth services authorized as Texas Medicaid covered services.

The section on opioid antagonists has been updated to reflect new rules effective November 1, 2023.

Changes have also been made to the section on epinephrine auto-injectors to reflect amended Administrative Code rules.

Citations throughout have been updated based on rule amendments.

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FNG(LOCAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Extensive revisions within the CKE policy series necessitated an update to the cross-reference in the list of other complaint processes.

Also, to accommodate planned restructuring of policy FFH, we have revised the references to that code in this policy to reflect the FFH series. No other changes have been made to this policy.

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

FNG(EXHIBIT) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Our records indicate that you have an exhibit at this code that you may need to review and revise in light of the changes in this update. Please advise us:

- If this exhibit is obsolete and should be deleted from your localized policy manual; or
- If you have revisions that you wish to submit for editorial and legal review and incorporation into your localized policy manual.

GBA(LEGAL) PUBLIC INFORMATION PROGRAM: ACCESS TO PUBLIC INFORMATION

A cross-reference regarding economic development negotiations under Government Code Chapter 403 has been added.

GF(LEGAL) PUBLIC COMPLAINTS

The division of policy EF into EFA and EFB necessitated an update to the cross-reference in this policy.

GF(LOCAL) PUBLIC COMPLAINTS

Extensive revisions within the CKE policy series necessitated an update to the cross-reference in the list of other complaint processes. No other changes have been made to this policy.

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

GKA(LEGAL) COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES

Amendments to the Code of Federal Regulations necessitated changes to the section regarding operation of a small unmanned aircraft system.

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

The Definitions section has been revised to reflect amended Administrative Code rules that include school resource officers and contracted police officers in the definition of "school personnel and volunteers."

Language has been added at Notice to School Personnel to provide direction if the superintendent is the individual alleged to have committed child abuse or neglect.

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The Students Taken into Custody section has been updated to incorporate appropriate legal citations and improve clarity.



(LOCAL) Policy Comparisons

These documents are generated by an automated process that compares the updated policy to the current policy as found in TASB records.

In this packet, you will find:

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

Annotations are shown as follows:

- Deletions are in a red strike-through font: ~~deleted text~~.
- Additions are in a blue, bold font: **new text**.
- Blocks of text that were moved without changes are shown in green, with double underline and double strike-through formatting to distinguish the text's new placement from its original location: ~~moved text~~ becomes moved text.
- Revision bars appear in the right margin to show sections with changes.

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

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

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

**Public Information
Coordinator**

After Election or
Appointment

The Superintendent shall fulfill the responsibilities of the public information coordinator and shall receive, on behalf of Board members, the training specified by Government Code 552.012. [See GBAA]

After a Violation

A Board member who receives written notice from the attorney general that the member must complete Public Information Act (PIA) training described by GBAA(LEGAL) following the District's failure to comply with a PIA requirement shall complete the training within the timelines described in law. The completion of the training in response to such a notice cannot be delegated.

**Reporting
Continuing
Education Credit**

The Board President shall announce the status of each Board member's continuing education credit. The announcement shall be made annually at the last regular Board meeting before the District's uniform election date, whether or not an election is held. The announcement shall be reflected in the meeting minutes and, when necessary, posted on the District's website in accordance with law.

DRAFT

In addition to disclosures required by law, a Board member shall disclose to the Board any personal financial interest, business interest, or obligation or relationship that in any way creates a potential conflict of interest with a vote on a pending matter.

A Board member shall not use coercive means or promise special treatment in order to influence Board or District decisions, nor use the member's position to seek personal advantage. [See also BBF(LOCAL)]

**Annual Financial
Management Report**

Each Board member shall provide to the District in a timely manner information necessary for the District's annual financial management report. [See CFA]

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**Emergency
Operations Plan**

The Superintendent shall ensure updating of the District's emergency operations plan and ongoing staff training.

As required by law, the emergency operations plan shall include the District's procedures addressing:

1. Reasonable security measures when District property is used as a polling place;
2. Response to an active shooter emergency;
3. Response to a nearby train derailment, as applicable; and
4. Access to campus buildings and materials necessary for a substitute teacher to carry out the duties of a District employee during an emergency or an emergency drill.

**Notice Regarding
Violent Activity**

4. The Superintendent shall develop procedures to notify parents regarding violent activity that has occurred or is being investigated at a campus or other District facility or at a District-sponsored activity.

DRAFT

District Police Department	To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a District police department and shall employ and commission police officers.
Supervisory Authority	The chief of police shall be accountable to and shall report to the Superintendent. In accordance with law, the Superintendent shall not delegate this supervisory responsibility.
Jurisdiction	The jurisdiction of District police officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.
Police Authority and Duties	<p>Each District police officer shall have all the powers, privileges, and immunities of police officers on or off duty within the jurisdiction of the District. Subject to limitations in law, each District police officer shall:</p> <ol style="list-style-type: none">1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District.2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, District police officers may serve search warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure.3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.5. Enforce District policies, rules, and regulations on District property, in school zones, at bus stops, or at District functions.6. Investigate violations of District policy, rules, and regulations as requested by the Superintendent and participate in hearings concerning alleged violations.7. Carry weapons as directed by the chief of police and approved by the Superintendent.8. Carry out all other duties as directed by the chief of police or Superintendent.

	<p>A District police officer shall not be assigned routine classroom discipline or administrative tasks.</p>
<p>Limitations on Nonschool Employment</p>	<p>No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police and Superintendent. Each District police officer shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while working off-duty or temporarily assigned to another agency.</p>
<p>Relationship with Outside Agencies</p>	<p>The District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into memoranda of understanding and other appropriate interlocal agreements that outline reasonable communication and coordination efforts among the department and the agencies. The chief of police and the Superintendent shall review the memoranda of understanding and other agreements at least once every year. All such agreements shall be approved by the Board.</p>
<p><i>Interlocal Agreement for Mutual Aid</i></p>	<p>While operating pursuant to an interlocal agreement for mutual aid or other support for another law enforcement agency, each District police officer shall perform the duties and have the authorities set out in the agreement, including enforcing all laws within the other agency's jurisdiction.</p>
<p>Video Monitoring</p>	<p>If available, video equipment shall be used on a District police car for safety purposes whenever the flashing lights on the car are in use.</p>
<p><i>Access to Recordings</i></p>	<p>Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law. A parent or student who wishes to view a video recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LLEGAL)]</p>
<p>Training</p>	<p>Each District police officer shall receive at least the minimum amount of education and training required by law.</p>
<p>Department Regulations Manual</p>	<p>To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the Superintendent shall review the manual annually and make any appropriate revisions.</p>

<i>Racial Profiling</i>	The chief of police shall develop and implement regulations to ensure compliance with laws regarding racial profiling. A District police officer shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.
<i>Use of Force</i>	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
<i>High-Speed Pursuit</i>	A District police officer shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.
Complaints	<p>Complaints against a District police officer shall be in writing on a form provided by the District and shall be signed by the person making the complaint. In accordance with law, the District shall provide to the police officer a copy of the complaint.</p> <p>Appeals regarding this complaint process shall be filed in accordance with DGBA, FNG, or GF, as appropriate.</p> <p>[See CKE(LEGAL) and CKEA(LEGAL)]</p>
Security Officers Authorized to Possess Firearms	To assist with implementing the District's comprehensive safety programs, the District shall employ security officers as defined by Occupations Code Chapter 1702. To be authorized to carry a firearm, a security officer shall have completed the Department of Public Safety (DPS) Level III training course in order to be commissioned. The District shall comply with DPS rules for the employment of commissioned security officers. Security officers shall be accountable to and shall report to the Superintendent.
Jurisdiction	The jurisdiction of security officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.
Authorization	<p>Pursuant to its authority under state law, the Board shall authorize security officers to possess certain firearms in schools, at Board meetings, and at school-sponsored or school-related events on District property, to the extent allowed by law. Each authorized security officer shall have immunities as provided by law.</p> <p>Each specifically authorized security officer shall be approved by action of the Board. The Superintendent shall issue written authorization to each approved security officer. The written authorization</p>

shall specify the District premises and other property where the security officer is authorized to carry a firearm, as well as the means of carrying and storing the firearm.

Revocation

The Superintendent, as well as the Board, shall have the authority to revoke at any time a security officer's authorization to possess a firearm under this policy.

In addition, authorization for a security officer to possess a firearm under this policy shall be automatically revoked if the employee is placed on administrative leave or separates from employment with the District, regardless of the reason.

Duties

An authorized security officer shall not perform routine law enforcement duties unless the duty is performed in response to an emergency that poses a threat of death or serious bodily injury to a student, employee, or other individual on a District campus.

In addition to complying with the relevant DPS regulations, a security officer shall:

1. Act as necessary to protect the safety and welfare of any person in the jurisdiction of the District;
2. Maintain school security by patrolling campus hallways, completing door checks, and monitoring the perimeter of the campus throughout the day;
3. Routinely check exterior doors and interior classroom doors to ensure they are locked;
4. Complete weekly exterior door audits;
5. Inform campus administrators of malfunctioning cameras, doors, locks, gates, windows, etc., that require the submission of a work order for repair;
6. Assist with campus safety drills (i.e., fire, hold, secure, lock-down, evacuate, shelter);
7. Assist and coordinate with law enforcement personnel as needed;
8. Notify the police, fire department, emergency responders, or other appropriate authority of any situation requiring immediate attention; and
9. Perform other tasks and carry out all other lawful duties as directed by the Superintendent.

Handgun Licensees

Each security officer shall be required to maintain a current license to carry a handgun in accordance with state law.

Training	<p>In addition to the training required by law and applicable DPS rules, each security officer assigned to a campus shall receive training in the following:</p> <ol style="list-style-type: none">1. Student mental health, including suicide awareness;2. Trauma-informed care;3. Age-appropriate responses;4. Child abuse identification and reporting;5. Bullying, cyberbullying, harassment, and dating violence;6. Special accommodations for students with disabilities (including behavior de-escalation techniques);7. Confidentiality; and8. Board policies and District regulations.
Permitted Weapons and Ammunition	<p>Only District-approved firearms and ammunition shall be authorized for possession and use under this policy and the District's emergency operations procedures.</p>
Implementation	<p>The Superintendent shall ensure that procedures to implement this safety and security program are detailed in the District's emergency operations plan.</p>

SECURITY PERSONNEL
COMMISSIONED PEACE OFFICERS

CKEA
(LOCAL)

**District Police
Department**

~~To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a District police department and shall employ and commission police officers.~~

~~The Board also authorizes the chief of police, as an agent of the Board, to commission police officers who meet at least the minimum standards required by the Texas Commission on Law Enforcement (TCOLE).~~

**Supervisory
Authority**

~~The chief of police shall be accountable to and shall report to the Superintendent. In accordance with law, the Superintendent shall not delegate this supervisory responsibility.~~

Jurisdiction

~~District police officers shall have jurisdiction anywhere in the territory contained within 1,000 feet of real property owned, leased, rented, or otherwise under the control of the District or the Board in areas within the geographical limits of the District. District police jurisdiction shall also include all property both real and personal, outside the boundaries of the District, that is owned, leased, rented, or otherwise under the control of the District or the Board.~~

Police Authority

~~Police officers employed by the District shall have all the powers, privileges, and immunities of police officers on or off duty within the jurisdiction of the District. Subject to limitations in law, District police officers shall have the authority to:~~

- ~~1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District.~~
- ~~2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, District police officers may serve search warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure.~~
- ~~3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.~~
- ~~4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.~~
- ~~5. Enforce District policies, rules, and regulations on District property, in school zones, at bus stops, or at District functions.~~

SECURITY PERSONNEL
COMMISSIONED PEACE OFFICERS

CKEA
(LOCAL)

~~6.— Investigate violations of District policy, rules, and regulations as requested by the Superintendent and participate in hearings concerning alleged violations.~~

~~7.— Carry weapons as directed by the chief of police and approved by the Superintendent.~~

~~8.— Carry out all other duties as directed by the chief of police or Superintendent.~~

~~District police officers shall not be assigned routine classroom discipline or administrative tasks.~~

~~Temporary
Assignment~~

~~District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.~~

~~Limitations on
Nonschool
Employment~~

~~Police officers shall not work in an off-duty law enforcement or security-related job without first obtaining the approval of the chief of police. To seek permission, the requesting officer shall execute an off-duty request form, listing the place of employment, dates of employment, and the rules under which the officer is allowed to perform the off-duty employment. If the off-duty request is approved, the officer shall deliver a copy of the approval to the off-duty work supervisor in order to inform the off-duty employer of the terms under which the approval is granted. While performing off-duty employment, the officer shall not represent the District, perform duties for the District, or use District-owned uniforms, equipment, or supplies. Officers working off-duty law enforcement or security-related jobs shall use generic uniform patches and badges that do not reflect their primary employment with the District.~~

~~Relationship with
Outside Agencies~~

~~The District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The chief of police and the Superintendent shall review the memorandum of understanding at least once every year. The memorandum of understanding shall be approved by the Board.~~

~~Video Monitoring~~

~~If available, video equipment shall be used on a District police car for safety purposes whenever the flashing lights on the car are in use.~~

~~Access to
Recordings~~

~~Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law. A parent or student who wishes to view a video recording in response to~~

SECURITY PERSONNEL
COMMISSIONED PEACE OFFICERS

CKEA
(LOCAL)

	disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LEGAL)]
Training	All District officers shall receive at least the minimum amount of education and training required by law.
<i>Additional Training</i>	Commissioned peace officers working for the District shall receive additional training in the areas of limitation of powers, confidentiality regulations, child abuse requirements, and school policy.
Bond	All police officers, employed and commissioned by the District, shall take and file the oath required of police officers and shall execute and file a good and sufficient bond in the minimum sum of \$1,000 payable to the Board with two or more good and sufficient sureties, conditioned that the officer will fairly, impartially, and faithfully perform all the duties that may be required by law.
Department Regulations Manual	To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the Superintendent shall review the manual annually and make any appropriate revisions.
<i>Racial Profiling</i>	The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Police officers employed by the District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.
<i>Use of Force</i>	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
<i>High-Speed Pursuit</i>	Officers shall not engage in high speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high speed pursuits shall be addressed in the department regulations manual.
Complaints	Complaints against a District police officer shall be in writing on a form provided by the District and shall be signed by the person making the complaint. In accordance with law, the District shall provide to the police officer a copy of the complaint. Appeals regarding this complaint process shall be filed in accordance with DGBA, FNG, or GF, as appropriate.

With this policy, the Board adopts the model health and safety guidelines for the effective integration of digital devices in schools that have been developed by the Texas Education Agency and the Health and Human Services Commission.

The Superintendent shall develop regulations that implement these guidelines.

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**Non-Chapter 21
Contracts**

Non-Chapter 21 contracts shall be provided for positions included on the list approved by the Board. A non-Chapter 21 contract shall not be governed by Chapter 21 of the Education Code.

**Appeal of
Employment Actions
An Termination
During Contract
Term**

In accordance with DCE(LEGAL), an employee may request a hearing before the Board to appeal discharge during the contract period ~~in accordance with DCE(LEGAL).~~

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

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Complaints

This policy provides employees with descriptions of orderly informal and formal processes for the prompt and equitable resolution of grievances when a concern has not been resolved. The Board intends that, whenever feasible, grievances be resolved at the lowest possible administrative level. This policy shall not be construed to create new or additional rights beyond those granted by Board policy or law.

The terms "complaint" and "grievance" shall have the same meaning. A grievance under this policy may include, but shall not be limited to, any of the following:

1. Grievances concerning an employee's wages, hours, or conditions of work.
2. Specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability.
3. Specific allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights.
4. Whistleblower complaints.

Other Complaint Processes/ Exclusions

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process or are excluded from eligibility for consideration under this policy:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or ~~ADA~~Section 504 (disability), shall be submitted in accordance with [the DIA series](#).
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with [the DIA series](#).
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with [the DIA series](#).
4. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with [the CKE series](#).

6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.
8. Complaints related to reports to Child Protective Services or Adult Protective Services made pursuant to the requirements of Section 261.101 of the Texas Family Code.
9. Complaints where the relief sought by the grievant has already been granted at a prior administrative level or through informal conference or other similar means.
10. 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 or Board.

Notice to Employees The District shall inform employees of this policy through appropriate District publications.

Guiding Principles The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate 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.

Informal Process 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 timelines included herein apply regardless of the conduct or results of an informal conference. Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Direct Communication with Board Members Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

Formal Process An employee may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

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.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any employee for bringing a grievance under this policy. [See DG]

Whistleblower Complaints

Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee. [See DG]

Complaints Against Supervisors

Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, electronic communication, including email and fax, or 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 timely filed if they are post-marked by U.S. Mail on the deadline and received by the appropriate administrator or designated representative.

Level One grievances must be filed with the campus principal, if the employee works on a campus, or the director or executive director of the department in which the employee works.

Level Two grievance appeals must be filed with the Employee Hearing officer in the Department of Human Resources.

Level Three grievance appeals must be filed directly with the office of the Superintendent.

Failure to file a grievance with the appropriate District official listed above shall not constitute proper filing, and the applicable timeline for 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.

Response	At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's email address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
Days	"Days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."
Representative	<p>"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.</p> <p>The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled hearing, the District may reschedule the hearing 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. Employees 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> <p>When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.</p>
Group Grievances	<p>Public employees may present grievances individually or as a group.</p> <p>When the Superintendent or designee determines, based upon his or her own discretion or with information provided, that two or more individual grievances are sufficiently similar in nature and remedy to permit their resolution through one proceeding, he or she may consolidate the grievances. The factors to be considered by the Superintendent or designee include but are not limited to the common nature of the complaint and remedy sought, common interests of the grievants, and the timeliness of each individual's complaint.</p>

Untimely Filings	<p>All timelines shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process.</p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
Initiating Grievance	<p>Unless otherwise specified in policy, an employee shall initiate a grievance as provided at LEVEL ONELevel One, below.</p>
Prerequisites	<p>A grievance shall be considered by the Level One administrator only when it complies with all of the following requirements:</p> <ol style="list-style-type: none">1. The grievance must be in writing on a form or in the format provided by the District, dated, and signed by the grievant or by his or her representative. Any documentation the grievant would like considered during the grievance should be attached to the form.2. The grievance must contain a statement of the facts and circumstances upon which the grievance is based, including the names of any persons involved or who have information relating directly to the grievance, the date, and a description of the event(s) or incident(s) giving rise to the grievance.3. The grievance must contain:<ol style="list-style-type: none">a. A reference to the law or policy alleged to have been violated or the dissatisfaction raised by the employee;b. The resulting harm or damage alleged to have occurred; andc. The remedy or remedies sought.4. The grievance must be timely filed.5. The grievance must include the name, address, telephone number, and email address of the person who will represent the grievant, if any.6. If two or more individuals seek to file a grievance as a group, each individual grievant must sign the employee complaint form required at Level One.
Audio Recording	<p>As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is</p>

taking place. The District shall have the option of audio recording any conference or hearing under this policy.

Level One

An employee who has a grievance shall request a hearing with the principal or immediate supervisor by submitting the grievance in writing on a form or in the format provided by the District to the appropriate individual as listed above. The grievance must be filed within ten days of the time the employee first knew or should have known of the event or series of events about which the employee is complaining. All documentary evidence relied upon by the employee must be submitted at Level One. Additional material may only be provided by the employee at Level Two in response to documentary evidence produced or relied upon by the Superintendent or designee at Level Two [see ~~LEVEL TWO~~ Level Two, below].

The principal or supervisor shall schedule the hearing within ten days after receipt of the written request. If the grievant fails to appear at a scheduled hearing, the hearing may nevertheless go forward without the grievant. The principal or supervisor shall respond in writing no more than ten days following the hearing, except where there are extenuating circumstances that prevent the principal or supervisor from doing so.

Level Two

If the outcome of the hearing at Level One is not to the employee's satisfaction or if the time for a response has expired, the employee may request a hearing with the Superintendent or designee to discuss the grievance. The request shall be in writing on a form or in the format provided by the District and must be filed no later than ten days following receipt of a written response or, if no written response is received, no later than ten days after the response deadline. [See DGBA(EXHIBIT)]

The Superintendent or designee shall schedule the hearing within ten days after receipt of the written request. The Superintendent or designee shall respond in writing no later than ten days following the hearing.

If during the consideration of the grievance at Level Two the Superintendent or designee determines that additional information may be necessary in order to render a decision, the time for responding to the employee shall be extended by ten days. Any documentary evidence upon which a decision is based at Level Two shall be provided to the employee to the extent permitted by law.

Should the employee choose to submit a response, clarification, or further documentary evidence in response to additional information provided to the employee by the Superintendent or designee, the employee must do so within ten days of receipt of these additional materials. The Level Two decision will then be rendered or the

complaint will be remanded to Level One within ten days after the receipt of the employee's reply. If the employee chooses not to submit a response to the additional information provided by the District, the normal timelines for issuing a decision will be followed.

Level Three

If the outcome of the hearing at Level Two is not to the employee's satisfaction or if the time for a response has expired, the employee may request to place the matter on the agenda of a future Board meeting. [See BE(LOCAL)] The request shall be in writing on a form or in the format provided by the District and must be filed within ten days following receipt of a written response or, if no written response is received, within ten days of the response deadline. [See DGBA(EXHIBIT)]

The Superintendent or designee shall inform the employee of the date, time, and place of the meeting.

The Superintendent or designee shall provide the Board with copies of the employee's original grievance, all responses, and any written documentation previously submitted by the employee and the administration. No new documentary evidence may be submitted at Level Three.

The presiding officer may set reasonable time limits. The Board shall hear the grievance and may request a response from the administration. The District shall make an audiotape record of the Level Three proceeding before the Board.

The Board shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

Closed Meeting

If the grievance involves the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the grievance, it may be heard by the Board in closed meeting unless the employee bringing the grievance requests that it be heard in public.

Exception

However, if the grievance involves a complaint or charge against another District employee or a Board member, it shall be heard in closed meeting unless an open meeting is requested in writing by the employee or Board member against whom the complaint or charge is brought.

General Education

Consistent with ~~TEA's~~ the Texas Education Agency (TEA) *Student Attendance Accounting Handbook (SAAH)*, a student may be eligible for general education homebound services if the student is to be confined for a minimum of four weeks to a hospital or homebound setting for medical or psychological reasons specifically documented by a physician licensed to practice in the United States. The weeks of confinement need not be consecutive. The parent's request for services shall be submitted to the principal in accordance with TEA's *SAAH* and administrative procedures.

The principal or designee shall convene a placement committee composed of at least a campus administrator, a teacher of the student, and the parent or guardian of the student to consider the necessity of providing general education homebound instruction to the student. If the committee determines that such instruction is appropriate, the committee shall determine the type and amount of instruction to be provided and, if applicable, the length of the transition period to the school-based setting based on current ~~medical~~ information regarding the medical or psychological condition.

Special Education

Consistent with state rule and the *SAAH*, a student receiving special education services may be eligible for special education homebound services if the student is to be confined for a minimum of four weeks to a hospital or homebound setting for medical or psychological reasons specifically documented by a physician licensed to practice in the United States. ~~If a student is chronically ill, the student's admission, review, and dismissal (ARD) committee shall determine whether the~~ The weeks of confinement need ~~to not~~ be consecutive.

~~If the ARD~~ If a student's admission, review, and dismissal committee determines that homebound instruction is appropriate, the committee shall determine the type and amount of instruction to be provided in accordance with law, and, if applicable, the length of the transition period to the school-based setting based on current ~~medical~~ information regarding the medical or psychological condition.

Documentation of Services

The District shall maintain full documentation about students receiving homebound services, in accordance with administrative procedures, the *SAAH*, and a student's individualized education program ~~(IEP)~~, as applicable.

Note: — For information related to the selection process and accounting of instructional materials, as this term is defined by state law and rule, see GMD and EFA.

Objectives

The District shall provide a wide range of instructional resources for students and faculty that present varying levels of difficulty, diversity of appeal, and a variety of points of view. Although professional staff members may select instructional resources for their use in accordance with District policy and administrative regulations, the ultimate authority for determining and approving the curriculum and instructional program of the District lies with the Board.

In this policy, “instructional resources” may include textbooks, library acquisitions, supplementary resources for classroom use, and any other instructional resources, including electronic resources, used for formal or informal teaching and learning purposes. The primary objectives of instructional resources are to implement, enrich, and support the District’s educational program.

The Board shall rely on District professional staff to select and acquire instructional resources that:

1. — Enrich and support the curriculum, taking into consideration students’ varied interests, abilities, learning styles, and maturity levels.
2. — Stimulate growth in factual knowledge, enjoyment of reading, literary appreciation, aesthetic values, and societal standards.
3. — Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives.
4. — Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.
5. — Provide a wide range of background information that will enable students to make intelligent judgments in their daily lives.

Selection Criteria

In the selection of instructional resources, professional staff shall ensure that the resources:

1. — Support and are consistent with the general educational goals of the state and District and the aims and objectives of individual schools and specific courses consistent with the District and campus improvement plans.

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- ~~2.— Meet high standards for artistic quality and/or literary style, authenticity, educational significance, factual content, physical format, presentation, readability, and technical quality.~~
- ~~3.— Are appropriate for the subject area and for the age, ability level, learning styles, and social and emotional development of the students for whom they are selected.~~
- ~~4.— Are designed to help students gain an awareness of our pluralistic society.~~
- ~~5.— Are designed to provide information that will motivate students and staff to examine their own attitudes and behavior; to understand their duties, responsibilities, rights, and privileges as citizens participating in our society; and to make informed choices in their daily lives.~~
- ~~6.— For library selections, are integral to the instructional program, are appropriate for the reading levels and understanding of students, reflect the interests and needs of the students and faculty, are included because of their literary or artistic value and merit, and present information with the greatest degree of accuracy and clarity.~~

~~Administrators, teachers, library media specialists, other District personnel, parents, and community members, as appropriate, may recommend instructional resources for selection. Gifts of instructional resources shall be evaluated according to these criteria and accepted or rejected in accordance with CDC(LOCAL).~~

~~Selection of resources is an ongoing process that includes the removal of resources no longer appropriate and the periodic replacement or repair of resources that still have educational value.~~

Controversial Issues

~~District professional staff shall endeavor to maintain a balanced collection representing various views when selecting instructional resources on controversial issues. Resources shall be chosen to clarify historical and contemporary forces by presenting and analyzing intergroup tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems. [See also EMB regarding instruction about controversial issues and EHAA regarding human sexuality instruction.]~~

Challenged Resources

~~A parent of a District student, any employee, or any District resident may formally challenge an instructional resource used in the District's educational program on the basis of appropriateness.~~

Informal Reconsideration

~~The school receiving a complaint about the appropriateness of an instructional resource shall try to resolve the matter informally using the following procedure:~~

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- ~~1.—The principal or designee shall explain the school's selection process, the criteria for selection, and the qualifications of the professional staff who selected the questioned resource.~~
- ~~2.—The principal or designee shall explain the intended educational purpose of the resource and any additional information regarding its use.~~
- ~~3.—If appropriate, the principal or designee may offer a concerned parent an alternative instructional resource to be used by that parent's child in place of the challenged resource.~~
- ~~4.—If the complainant wishes to make a formal challenge, the principal or designee shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the resource.~~

Formal
Reconsideration

~~A complainant shall make any formal objection to an instructional resource on the form provided by the District and shall submit the completed and signed form to the principal. Upon receipt of the form, the principal shall appoint a reconsideration committee.~~

~~The reconsideration committee shall include at least one member of the instructional staff who has experience using the challenged resource with students or is familiar with the challenged resource's content. Other members of the committee may include District-level staff, library staff, secondary-level students, parents, and any other appropriate individuals.~~

~~All members of the committee shall review the challenged resource in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged resource conforms to the principles of selection set out in this policy. The committee shall prepare a written report of its findings and provide copies to the principal, the Superintendent or designee, and the complainant.~~

Appeal

~~The complainant may appeal any decision of the reconsideration committee by filing a written request with the associate superintendent for instruction within seven days of the reconsideration committee's decision. If the appeal requires District-level action, a District instructional review committee shall be appointed and chaired by the associate superintendent for instruction. Upon completion of its study, a written report shall be forwarded to the Superintendent for consideration and decision. The Superintendent shall inform all concerned parties of the decision.~~

~~The complainant may appeal to the Board any decision of the District instructional review committee by filing a written request with the Superintendent within seven days of the committee's decision. The request for a Board hearing shall contain a copy of the original~~

~~complaint and both the campus and associate superintendent's reconsideration committee reports.~~

~~The Superintendent shall review these records and submit them to the Board for its consideration along with any administrative recommendation. The Board shall hear the complaint within 30 days after the written request is filed with the Superintendent and shall communicate its decision at any time up to and including the next regularly scheduled Board meeting.~~

Guiding Principles

~~The following principles shall guide the Board and staff in responding to challenges of instructional resources:~~

- ~~1.— A complainant may raise an objection to an instructional resource used in a school's educational program, despite the fact that the professional staff selecting the resources were qualified to make the selection, followed the proper procedure, and adhered to the objectives and criteria for instructional resources set out in this policy.~~
- ~~2.— A parent's ability to exercise control over reading, listening, or viewing matter extends only to his or her own child.~~
- ~~3.— Access to a challenged resource shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child's parent.~~

~~The major criterion for the final decision on challenged resources is the appropriateness of the resource for its intended educational use. No challenged instructional resource shall be removed solely because of the ideas expressed therein.~~

Note: For information related to the accounting of instructional materials, as this term is defined by state law and rule, see CMD.

For information related to the selection process of library materials, see EFB.

The District shall provide instructional materials designed to teach the Texas Essential Knowledge and Skills and further the District's educational mission. Although the Superintendent shall ensure that professional staff select instructional materials in accordance with District policy and administrative regulations, the ultimate authority for determining and approving the curriculum and instructional program of the District lies with the Board.

Objectives

In this policy, "instructional materials" may include textbooks, supplementary resources for classroom use, and any other instructional resources, including electronic resources, used for formal or informal teaching and learning purposes. The primary objectives of instructional materials are to implement, enrich, and support the District's educational program.

Selection

Instructional materials that are textbooks and related supplemental materials, which may include items from the list of resources adopted by the State Board of Education, shall be chosen in accordance with administrative regulations and the objectives above.

The Board shall rely on District professional staff to select and acquire instructional materials that:

1. Enrich and support the curriculum consistent with the general educational goals of the state and District, the aims and objectives of individual schools and specific courses, and the District and campus improvement plans.
2. Are appropriate for the subject area and for the age, ability level, learning styles, interests, and social and emotional development of the students for whom they are selected.
3. Meet high standards for artistic quality, literary style, authenticity, educational significance, factual content, physical format, presentation, readability, and technical quality.
4. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives. [See also EMB regarding instruction about controversial issues.]
5. Promote literacy.

District professional staff may select additional instructional materials in accordance with administrative regulations and the criteria above.

Administrators, teachers, other District personnel, parents, and community members, as appropriate, may recommend instructional materials for selection. Gifts of instructional materials shall be evaluated according to these criteria and accepted or rejected in accordance with CDC(LOCAL).

Selection of instructional materials is an ongoing process that includes the removal of materials no longer appropriate and the periodic replacement or repair of materials that still have educational value.

Reconsideration of Instructional Materials

A District employee or a parent or guardian of a District student may request reconsideration of instructional material used in the District's educational program on the basis that the instructional material fails to meet the standards set forth in this policy.

Guiding Principles

The following principles shall guide the Board and staff in responding to a request for reconsideration of instructional materials:

1. A complainant may raise an objection to an instructional material used in a school's educational program, despite the fact that the professional staff selecting the materials were qualified to make the selection, followed the proper procedure, and adhered to the objectives for instructional materials set out in this policy.
2. A parent's ability to exercise control over instruction extends only to his or her own child as set forth in Education Code Chapter 26.
3. Access to a challenged material shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child's parent.

The major criterion for the final decision on challenged instructional materials is the appropriateness of the material for its intended educational use. No challenged instructional material shall be removed solely because of the ideas expressed therein.

Informal Reconsideration

When the District or a campus receives an objection to the appropriateness of an instructional material, the appropriate administrator shall try to resolve the matter informally. The administrator shall explain the selection process and discuss the intended educational purpose for the instructional material. If appropriate, the adminis-

trator may offer a concerned parent an alternative instructional material to be used by that parent's child in place of the challenged material.

If the complainant wishes to make a formal challenge, the administrator shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the instructional material.

Formal Request for Reconsideration

A complainant shall make any formal request to reconsider an instructional material on the form provided by the District and shall submit the completed and signed form to the principal. Upon receipt of the form, the principal shall appoint a reconsideration committee.

The reconsideration committee shall include at least one member of the instructional staff who has experience using the challenged material with students or is familiar with the challenged material's content. Other members of the committee may include District-level staff, secondary-level students, parents, and any other appropriate individuals.

All members of the committee shall review the challenged instructional material in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged material conforms to the principles of selection set out in this policy and whether the challenged material will continue to be used in the educational program. The committee shall prepare a written report of its findings. The Superintendent, other appropriate administrators, and the complainant shall receive copies of the report.

Frequency of Review

After an instructional material has been reviewed through formal reconsideration, it shall not be reviewed again until it is evaluated in the periodic local selection process.

Appeal

The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting at the appropriate level. [See DGBA, FNG, and GF]

Note: For information related to the selection of instructional materials, see EFA.

**Collection
Development Policy**

The purpose of this policy is to ensure that the District provides a wide range of library materials for students and faculty that support student achievement and present varying levels of difficulty, diversity of appeal, and a variety of points of view. This policy also provides standards for collection development and the selection and evaluation of library materials.

In this policy, "library materials" may include printed and electronic library acquisitions, including online catalogs, and other ancillary or supplementary materials maintained in a campus library.

The library collection development standards shall apply to all library materials available for use or display, including material contained in school libraries, classroom libraries, and online catalogs.

In developing library collections, the District shall consider the age groups, grade levels, and access to library material by all students on a campus.

Responsibility

The District shall ensure librarians, professional library staff, and other designated professional staff trained on the proper collection development standards select and acquire library materials in accordance with state law and rules, this collection development policy, and administrative procedures.

The Superintendent shall develop administrative procedures to ensure that library collections comply with applicable law and the District's collection development purpose and goals.

**Collection
Development Goals**

In addition to the requirements in state law and rules, the District's library collections shall:

1. Present multiple viewpoints related to controversial issues [see EMB regarding instruction about controversial issues].
2. Provide a wide range of background information that will enable students to make intelligent decisions in their daily lives.
3. Include accurate and authentic factual content from authoritative sources.
4. Have a high degree of potential user appeal and interest.
5. Offer a global perspective that promotes equity of access, including print and nonprint materials such as electronic and multimedia, to meet the needs of individual learners.

6. Represent diverse viewpoints and cultures appropriate to each campus to ensure the collection embodies the unique background of its student population.

Selection and
Evaluation of
Materials

Library materials shall be selected and acquired in accordance with guidelines adopted by the Texas State Library and Archives Commission and the District standards and priorities expressed in this policy.

When selecting, acquiring, and evaluating library materials, librarians and other professional staff shall ensure that the materials:

1. Enrich and support the TEKS and the state and local curriculum, taking into consideration students' varied interests, maturity levels, abilities, and learning styles.
2. Foster growth in factual knowledge, literary appreciation, aesthetic values, and societal standards.
3. Encourage the enjoyment of reading, foster high-level thinking skills, support personal learning, and encourage discussion based on rational analysis.
4. Represent ethnic, religious, and cultural groups of the state and their contributions to the state, the nation, and the world.

The Superintendent shall ensure that administrative procedures regarding the selection of library materials consider at least two of the following factors:

1. Recommendations from students, parents or guardians, teachers, and District community members.
2. Consultation with District teachers and library staff.
3. Consultation with library staff from other districts.
4. Extensive review of the library material.
5. Context of the library material, including overall fit within the existing collection and support of District curriculum.
6. Reviews of the library material from sources such as professional journals in library science, recognized professional education or content journals with book reviews, national and state award recognition lists, library science field experts, and highly acclaimed author and literacy expert recommendations.
7. Coverage of topics, authors, series, or genres that fill gaps in the school library collection.

Access Plan

The District shall allow efficient parental access to the District's library and any available online catalogs.

Online catalogs shall be publicly available. The District shall publish information about library material titles, including how and where material can be accessed.

Each campus shall communicate the following to parents and guardians:

- Access to policies relating to school libraries and library materials;
- Consistent access to library materials and resources; and
- Opportunities for students, parents and guardians, educators, and community members to provide feedback on library materials and services.

Parental
Involvement

Parents and guardians are the primary decision makers regarding their student's access to library material. In general, a student is afforded the opportunity to self-select library materials as part of literacy development and the library program. District staff may assist a student in selecting library material; however, the ultimate determination of appropriateness remains with the student and parent or guardian. Parents and guardians are encouraged to communicate with the campus librarian and their child's teacher about special considerations regarding library materials self-selected by their student.

In accordance with state law and administrative procedures, parents or guardians may select alternative library materials for their student. [For information on parental rights regarding instructional materials and other instructional resources, see EFA(LEGAL).]

The District shall focus on maximizing transparency with parents while meeting student needs and providing enrichment opportunities with library materials. Parental involvement in library acquisition, maintenance, and campus activities is encouraged.

Access
Procedures

School Library

A parent or guardian who wishes to access a school's library shall first submit a request to the principal. The principal or a staff member designated by the principal shall work with the parent or guardian to determine a time to access the library that will not interfere with the delivery of instruction or disrupt student use of library services.

Online Catalog

A parent or guardian who wishes to access an online catalog shall submit a written request to the principal. The principal or a staff member designated by the principal shall respond to the request in accordance with administrative procedures.

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Protection from
Inappropriate
Material

Library materials shall not include “harmful material” as defined by Penal Code 43.24(a)(2); “obscene” material as defined by Penal Code 43.21(a)(1); any library material that is pervasively vulgar or educationally unsuitable as referenced in *Board of Education v. Pico*; or any other material legally prohibited from inclusion in a public school library. [See EFB(LEGAL)]

Obscene material is not protected by the First Amendment to the United States Constitution.

Library materials shall comply with the Children's Internet Protection Act (CIPA), including technology protection measures. [See CQ]

Reconsideration of
Library Material

A District employee or a parent or guardian of a District student may request the reconsideration of a library material maintained in the District's library program.

*Guiding
Principles*

The following principles shall guide the review of a request to reconsider a library material:

1. An individual may raise an objection to a library material used in the District's library program, despite the fact that the professional staff selecting the materials were qualified to make the selection, followed the proper procedure, and adhered to the objectives and criteria for library materials set out in this policy.
2. A parent's or guardian's ability to exercise control over instruction and instructional resources, including library materials, extends only to his or her own child as set forth in Education Code Chapter 26.
3. Access to a challenged material shall not be restricted during the reconsideration process, except the District may deny access to a student if requested by the student's parent or guardian.

In addition to compliance with state law and this policy, a criterion for the final decision on challenged library materials is the appropriateness of the material for its intended use. No challenged library material shall be removed solely because of the ideas expressed in the library material or the personal background of the library material's author or the personal background of the characters in the material.

*Informal
Reconsideration*

When the District or a campus receives an objection to the appropriateness of a library material, the appropriate librarian or adminis-

trator shall try to resolve the matter informally. The librarian or administrator shall explain the selection process and discuss the intended purpose for the library material.

The librarian or administrator shall offer a concerned parent or guardian an alternative library material to be used by the child in place of the material and, if requested, shall restrict the child's access to the material objected to by the parent or guardian.

If the individual wishes to make a formal challenge, the administrator shall make available to the individual a copy of this policy and a form to request a formal reconsideration of the library material.

*Formal Request
for
Reconsideration*

The District shall make a form to request reconsideration of library material available in the District's administrative office.

If an employee or a parent or guardian of a District student wishes to request reconsideration of a library material, they shall follow the procedures to complete and submit the request for reconsideration form.

After a request for reconsideration form is submitted, the form shall be provided to the Superintendent. Copies of the form shall be provided to the school librarian, the Board, and any other staff designated in administrative procedures.

*Reconsideration
Committee*

For purposes of this policy, "days" shall mean District business days, unless otherwise noted.

The principal shall appoint a reconsideration committee and notify committee members within 10 days of receiving the request for reconsideration form.

The reconsideration committee shall include the librarian and at least one member of the instructional staff who is familiar with the material's content. Other members of the committee may include District-level staff, secondary-level students, parents or guardians, and any other appropriate individuals.

Within 10 days of appointment of the committee the District shall provide members of the committee the relevant materials to review. If additional time is required to obtain and distribute the materials for review, all members of the committee shall be informed that a reasonable extension of time is needed.

All members of the committee shall review the challenged library material in its entirety and determine whether the material conforms to this policy and whether the material will continue to be available in the library. The committee shall prepare a written report of its findings.

Absent extenuating circumstances, the written report shall be provided to the administration within 60 days of the District providing the material to the committee members. In calculating timelines under this policy, the day the committee is provided the materials is "day zero." The following business day is "day one."

Extensions of time due to extenuating circumstances shall take into consideration the time necessary to convene the committee members, the amount of material being reviewed, and any other pending reconsideration requests being handled by the committee.

An extension of any deadline shall be promptly communicated to the individual who submitted the request for reconsideration.

The Superintendent, the school librarian, the individual submitting the request for reconsideration, and any other appropriate administrators shall receive a copy of the committee's report.

Appeal

An individual who submitted a request for reconsideration may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting at the level immediately preceding Board consideration of a complaint. [See DGBA and FNG]

Frequency of Review

After a library material has been reviewed through the reconsideration process, it shall not be reviewed again within two calendar years of the reconsideration committee's final decision.

Maintenance of Library Materials

In accordance with state guidelines and District administrative procedures, collections shall be evaluated and updated regularly based on the collections' age, relevance, diversity, and variety. The Superintendent shall ensure administrative procedures are established for regular maintenance of the library collection on each campus. Standard maintenance procedures for any library collection include repair, replacement, and removal of materials as necessary. Regular maintenance shall also include scheduled inventories of the collection. Disposal of any District-owned library materials shall be in accordance with District policy and procedures. [See C]

Gifts and Donations

The District shall accept gifts and donations of library materials with the understanding that the use and disposition of the materials and monies will be in accordance with District policy and the selection criteria noted above. [See CDC]

Policy Review

This policy shall be reviewed at least every three years and revised as necessary.

Definitions

In this policy, the terms “complaint” and “grievance” shall be used interchangeably and mean anything the parent or student has disagreement or concern with. Additionally, in this policy, the term “parent” shall include either a parent or guardian of a student or students.

Days

“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.”

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 [the FFH series](#).
2. Complaints concerning dating violence shall be submitted in accordance with [the FFH series](#).
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with [the FFH series](#).
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 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.~~
- 7.8. Complaints within the scope of Section 504, including complaints concerning identification, evaluation, or educational placement of a student with a disability, shall be submitted in accordance with FB and the ~~applicable~~ procedural safeguards handbook.
- ~~8.1. 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.~~

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

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9. Complaints within the scope of the Individuals with Disabilities Education Act, including complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability, shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook [provided to parents of all students referred to special education](#).
10. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with [the CKE series](#).
12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.
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.
15. Complaints related to program changes or boundary changes from one school to another school within the District are excluded.
16. Complaints concerning on-campus distribution of nonschool materials to students shall be submitted in accordance with FNAA.
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.
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.
19. Complaints related to administrative transfers including, but not limited to, school choice decisions are excluded.
20. Complaints related to residential and enrollment eligibilities are excluded.
21. Complaints concerning disputes regarding a student's eligibility for free or reduced-priced meal programs shall be submitted in accordance with COB.

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 including the website.

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.

Informal Process

Although encouraged, an informal conference with the principal or other appropriate administrator is not required prior to filing a complaint under this policy. Should, however, a student or parent initiate an informal process with the principal or other appropriate administrator, and the process does not result in a resolution of the concerns raised, the student or parent may initiate the formal grievance process on or before ten days of the date the informal process is concluded. For purposes of this policy, the informal process is concluded when the principal or appropriate administrator communicates his or her response to the concerns to the student or parent.

Formal Process

A student or parent may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, students and parents are encouraged to work with staff to seek resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

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.

Announcement of a decision in the student’s or parent’s presence shall constitute communication of the decision. In addition, a written response shall be provided to the student or parent of the decision at the same time.

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.

If a decision-maker can grant some of the relief sought, they shall handle the grievance in accordance with this policy and identify the remedy or remedies they do not have the authority to grant and who does have the authority in their written response. If the response is not to the satisfaction of the student or parent, the student or parent may submit a written request, in the format provided by the District, to file at the next level.

Freedom from Retaliation

Neither the Board nor any District employee shall retaliate against any student or parent for bringing a concern or complaint under this policy.

General Provisions

Person with Whom to File

Level One grievances shall be filed directly with the principal, assistant principal, or designee of the campus. A principal, assistant principal, or his or her designee who receives a Level One grievance shall, within two days, confirm receipt of a grievance by emailing the appropriate executive director of school administration and the executive director of pupil personnel services as well as the grievant and a minor grievant's parent or guardian as applicable.

Level Two and Three grievances, should they be necessary, shall be filed directly to the office of the Executive Director of Pupil Personnel Services, 8961 Tesoro Drive, Suite 306, San Antonio, Texas 78217 or by email to grievances@neisd.net.

Level Four grievances shall be filed directly to the office of the Superintendent of Schools, 8961 Tesoro Drive, Suite 602, San Antonio, Texas 78217 or by email to grievances@neisd.net.

Any District official who receives a grievance, and is not the appropriate official, shall direct the individual to the executive director of pupil personnel services.

Filing of Complaint

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 end of the deadline day, 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.

STUDENT RIGHTS AND RESPONSIBILITIES
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Written Response	<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>
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 days’ 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>
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>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.</p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
Level One	<p>A student or parent who has a complaint that has not been 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</p>

order to initiate this process, the student or parent must provide the principal, assistant principal, or campus designee, in writing in the format provided by the District, the complaint and relief sought. [See FNG(EXHIBIT)] If requested, 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. When communicating the Level One decision, the principal shall provide the grievant a digital or paper copy of all documentation relied upon by the principal to render a decision.

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 pupil personnel 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 Level One response.

A designated executive director or director shall schedule the conference within ten days of receiving the request. The designated executive director or director shall prepare a written response to the student or parent within ten days of 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. 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 pupil personnel 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. No later than 20 days after the conference, the Superintendent or designee shall make and communicate a decision in writing.

As in Level Two, 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.

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. The Board will place the Level Four appeal on an agenda for consideration at a meeting to occur within 30 days of receipt of the appeal. If no meeting will occur or is otherwise available within 30 days, the Board shall place the Level Four appeal on an agenda for consideration at a meeting no later than 45 days from receipt of the appeal.

The presiding officer shall establish a reasonable time limit for complaint presentations. The District shall audio and video record 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 by either party.

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.

Complaints

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

Other Complaint Processes

Complaints by members of the public shall be filed in accordance with this policy, except as required by the policies listed below or excluded. Some of these policies require appeals to be submitted in accordance with GF after the relevant complaint process:

1. Complaints concerning instructional resources shall be filed in accordance with the EF series.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be filed in accordance with [the CKE series](#).
3. Complaints where the relief sought by the grievant has already been granted at a prior administrative level or through informal conference or other similar means.
4. Complaints where the grievant fails to state specific relief sought that applies to the grievant directly, or that cannot be granted by the presiding officer or the Board.

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)]

Guiding Principles

Informal Process

The Board encourages the public to discuss concerns and complaints through informal conferences with the appropriate 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.

Informal resolution shall be encouraged but shall not extend any deadline in this policy, except by mutual written consent.

Engagement in the informal process, while encouraged, is not required prior to filing a complaint under this policy and shall not stop, pause, or toll the time lines for filing a complaint under this policy. The time lines in this policy shall apply regardless of the conduct or results of any formal conference.

Formal Process

An individual may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.

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.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or 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 close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator.

Scheduling Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the individual’s absence.

Response

At Levels One and Two, “response” shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication, including email or fax, or sent by U.S. Mail to the individual’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

“Days” shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”

Representative

“Representative” shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.

The individual may designate a representative through written notice to the District at any level of this process. If the individual designates a representative with fewer than three days’ notice to the District before a scheduled hearing, the District may reschedule the hearing 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.

Consolidating
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual 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.

Untimely Filings

All timelines 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 individual, at any point during the complaint process.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint Form

Complaints under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the individual unless the individual did not know the documents existed before the Level One conference.

A complaint form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiled is within the designated time for filing.

Level One

Complaint forms must be filed:

1. Within ten days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, then the complaint shall not be considered timely filed, and the applicable timeline for filing shall continue to run and not be tolled in any

way. Should a complainant not file with the appropriate District administrator, and the timeline expires, any subsequent filing of the complainant shall be considered untimely.

The appropriate administrator shall investigate as necessary and hold a hearing with the individual within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the hearing.

Absent extenuating circumstances, the administrator shall provide the individual a written response within ten days following the hearing. The written response shall set forth the basis of the decision.

Level Two

If the individual did not receive the relief requested at Level One or if the time for a response has expired, he or she may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The individual may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the individual at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a hearing within ten days after the appeal notice is filed. The hearing shall be limited to the issues and documents considered at Level One. At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the individual a written response within ten days following the hearing. The written re-

sponse shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two hearing, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the individual did not receive the relief requested at Level Two or if the time for a response has expired, he or she may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The individual may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the individual notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall

hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the individual or his or her representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

DRAFT



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: September 9, 2024

Presenter: Anthony Jarrett
Vanessa Showman Kosar,
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 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 30 students receiving virtual homebound 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 for students at risk for communicable diseases which limit the district's ability to provide access to a Free Appropriate Public Education.

BUDGETARY CONSIDERATION

None

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: September 9, 2024

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

Subject: Defeasance and Calling for
Redemption Certain Currently
Outstanding Obligations

Related Page(s): Attachment

ACTION ITEM

BACKGROUND INFORMATION

A resolution by the Board of Trustees of the North East Independent School District providing for the defeasance and calling for redemption certain currently outstanding obligations designated as “North East Independent School District Unlimited Tax Refunding Bonds, Series 2015” and as “North East Independent School District Unlimited Tax Refunding Bonds, Series 2015A”; directing that authorized district officials effectuate the redemption of these obligations; and other matters in connection therewith.

District administration is recommending the Board approve an Interest & Sinking (I&S) tax rate of \$0.30. In order to adopt an I&S rate of \$0.30, the Board of Trustees must resolve to use I&S tax revenue to pay down outstanding debt principal coming due in the current fiscal year. This resolution authorizes the District to do so.

ADMINISTRATIVE CONSIDERATION

The resolution delegates to certain District officials the ability to enact the call and redeem certain outstanding bonds and to approve various documents and closing certificates with respect to the bonds. Hilltop Securities, Inc., as the District’s financial advisor, and Norton Rose Fulbright US LLP, as the District’s bond counsel, will coordinate the administrative aspects for the transaction.

BUDGETARY CONSIDERATION

All fees will be paid from I&S tax revenue.

RECOMMENDATION

All fees will be paid from I&S tax revenue.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees adopt the resolution approving the defeasance of certain outstanding obligations of the North East Independent School District.

BOARD ACTION REQUIRED

Approval/Disapproval

A RESOLUTION BY THE BOARD OF TRUSTEES OF THE NORTH EAST INDEPENDENT SCHOOL DISTRICT PROVIDING FOR THE DEFEASANCE AND CALLING FOR REDEMPTION CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; DIRECTING THAT AUTHORIZED DISTRICT OFFICIALS EFFECTUATE THE REDEMPTION OF THESE OBLIGATIONS; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Board of Trustees (the *Board*) of the North East Independent School District (the *District*) previously adopted an order (the *2015 Order*) on March 2, 2015, authorizing the issuance of obligations designated as "North East Independent School District Unlimited Tax Refunding Bonds, Series 2015", dated March 15, 2015, in the original principal amount of \$345,185,000 (the *2015 Obligations*); and

WHEREAS, the 2015 Obligations are currently outstanding in the principal amount of \$280,340,000 and mature on August 1 in each of the years 2025 through 2037; and

WHEREAS, the 2015 Obligations having Stated Maturities on and after August 1, 2026 are subject to redemption on August 1, 2025 (the *2015 Redemption Date*), at the option of the District; and

WHEREAS, the 2015 Order provides the notice requirements to effectuate the redemption of the 2015 Obligations; and

WHEREAS, the Board of Trustees (the *Board*) of the North East Independent School District (the *District*) previously adopted an order (the *2015A Order*, and together with the 2015 Order, the *Order*) on March 2, 2015, authorizing the issuance of obligations designated as "North East Independent School District Unlimited Tax Refunding Bonds, Series 2015A", dated May 1, 2015, in the original principal amount of \$51,495,000 (the *2015A Obligations*, and together with the 2015 Obligations, the *Obligations*); and

WHEREAS, the 2015A Obligations are currently outstanding in the principal amount of \$22,645,000 and mature on February 1 in each of the years 2025 through 2030; and

WHEREAS, the 2015A Obligations having Stated Maturities on and after February 1, 2026 are subject to redemption on February 1, 2025 (the *2015A Redemption Date*, and together with the 2015 Redemption Date, the *Redemption Date*), at the option of the District; and

WHEREAS, the 2015A Order provides the notice requirements to effectuate the redemption of the 2015A Obligations; and

WHEREAS, it is in the best interest of the District and the citizens of the District to redeem a portion of the Obligations as herein provided in order to terminate the payment of interest thereon and to reduce the District's aggregate debt service requirements in the years subsequent to the redemption date; now, therefore,

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE NORTH EAST INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1: A portion of the Obligations in a principal amount not less than \$36,000,000 (subject to the amount of funds actually received by the District, but to include such additional amounts due to availability of funds, as hereinafter described) eligible to be redeemed on the Redemption Date, is hereby called for redemption and shall be redeemed on such Redemption Date (the *Redeemed Obligations*). The Board hereby authorizes and directs the Chief Financial Officer or Executive Director of Finance and Accounting to ultimately determine the principal amount of Obligations to be redeemed on the basis of the availability of funds for such purpose by the funding deadline hereinbefore described; provided, however, that in no case shall the principal amount of Obligations be less than \$36,000,000, subject to the amount of funds actually received by the District. This notice of redemption is irrevocable upon adoption of this resolution (the *Redemption Resolution*) by the Board. The form of the Notice of Redemption for the Obligations shall be prepared and delivered in the form required by the Order. As directed by an Authorized Official (as hereinafter defined), the District shall transfer on or before the designated Redemption Date its lawfully available funds to the paying agent/registrar for the Redeemed Obligations to effectuate the redemption. Alternatively, the District may transfer its lawfully available funds to an escrow agent in an amount sufficient (when combined with investment earnings on such initial deposit) to pay all costs of interest due and owing on the Redeemed Obligations from the time of such deposit through the Redemption Date, plus the principal amount of such Redeemed Obligations due and owing at such time of redemption. Upon the making of such deposit, the Redeemed Obligations will be determined to have been defeased and, as a result, discharged and no longer considered outstanding as an obligation of the District in accordance with applicable Texas law.

SECTION 2: The President, Vice President, or Secretary of the Board, the District's Superintendent of Schools, the Chief Financial Officer and the District's Executive Director of Finance and Accounting (each of the foregoing, an *Authorized Official*) are each authorized and instructed to give notice of redemption described herein to the paying agent/registrar for the Obligations, called for early redemption as provided in the Order.

SECTION 3: Each Authorized Official is authorized to evidence adoption of this Redemption Resolution and to do any and all things necessary or convenient to effect the redemption described herein and otherwise give effect to the intent and purpose hereof, including the selection of an escrow agent and verification agent and execution of an escrow agreement.

SECTION 4: The Board hereby approves payment from lawfully available District funds of professional fees and expenses of the District's Bond Counsel, the District's Financial Advisor, the paying agent/registrar for the Obligations, respectively, and any other party whose services have been determined by the District to be necessary to accomplish the purpose and intent of this Redemption Resolution, including any escrow agent or verification agent, if applicable.

SECTION 5: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Redemption Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

SECTION 6: All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Redemption Resolution are hereby repealed to the extent

of such conflict, and the provisions of this Redemption Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 7: This Redemption Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 8: If any provision of this Redemption Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Redemption Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Redemption Resolution would have been enacted without such invalid provision.

SECTION 9: It is officially found, determined, and declared that the meeting at which this Redemption Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Redemption Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

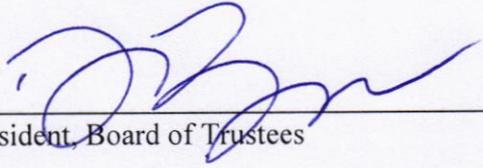
SECTION 10: Though such parties may be identified, and the entry into a particular form of contract may be authorized herein, the Board hereby delegates to the Superintendent of Schools, the Chief Financial Officer and the District's Executive Director of Finance and Accounting the authority to independently select the counterparty to any agreement with an escrow agent, verification agent or any other contract that is determined by the Superintendent of Schools, the Chief Financial Officer and the District's Executive Director of Finance and Accounting, the District's Financial Advisor, or Bond Counsel to be necessary or incidental to carry out the provisions of this Redemption Resolution, as long as each of such contracts has a value of less than the amount referenced in Section 2252.908 of the Texas Government Code (collectively, the *Ancillary Bond Contracts*); and, as necessary, to execute the *Ancillary Bond Contracts* on behalf and as the act and deed of the District. The Board has not participated in the selection of any of the business entities which are counterparties to the *Ancillary Bond Contracts*.

SECTION 11: This Redemption Resolution shall be in force and effect from and after its final passage, and it is so resolved.

* * * *

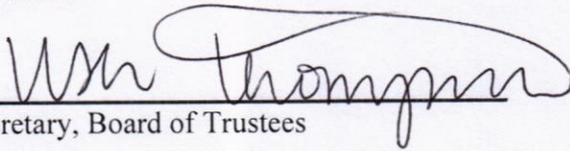
PASSED AND APPROVED, this the 9th day of September, 2024.

NORTH EAST INDEPENDENT
SCHOOL DISTRICT



President, Board of Trustees

ATTEST:



Secretary, Board of Trustees

(DISTRICT SEAL)



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CERTIFICATE OF SECRETARY

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §
 §
NORTH EAST INDEPENDENT §
SCHOOL DISTRICT §

THE UNDERSIGNED HEREBY CERTIFIES that:

1. On the 9th day of September, 2024, the Board of Trustees (the *Board*) of the North East Independent School District (the *District*) convened in regular session at the District (the *Meeting*), the duly constituted members of the Board being as follows:

David Beyer	President
Terri Chidgey	Vice President
Lisa Thompson	Secretary
Tracie Shelton	Trustee
Diane Sciba Villarreal	Trustee
Melinda Cox	Trustee
Marsha Landry	Trustee

and all of such persons were present at the Meeting, except the following: N/A, thus constituting a quorum. Among other business considered at the Meeting, the attached resolution (the *Resolution*) entitled:

A RESOLUTION BY THE BOARD OF TRUSTEES OF THE NORTH EAST INDEPENDENT SCHOOL DISTRICT PROVIDING FOR THE DEFEASANCE AND CALLING FOR REDEMPTION CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; DIRECTING THAT AUTHORIZED DISTRICT OFFICIALS EFFECTUATE THE REDEMPTION OF THESE OBLIGATIONS; AND OTHER MATTERS IN CONNECTION THEREWITH

was introduced and submitted to the Board for passage and adoption. After presentation and discussion of the Resolution, a motion was made by Trustee Beyer that the Resolution be passed and finally adopted. The motion was seconded by Trustee Sciba Villarreal and carried by the following vote:

7 voted "For" 0 voted "Against" 0 abstained

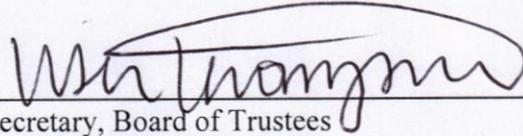
all as shown in the official Minutes of the Board for the Meeting.

2. The attached Resolution is a true and correct copy of the original on file in the official records of the District; the duly qualified and acting members of the Board on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Board was given actual notice of the time, place, and purpose of the Meeting and

had actual notice that the Resolution would be considered; and the Meeting and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the Resolution, was posted and given in advance thereof in compliance with the provisions of Chapter 551, as amended, Texas Government Code.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, I have signed my name officially and affixed the seal of the District, this 9th day of September, 2024.



Secretary, Board of Trustees
North East Independent School District

(DISTRICT SEAL)





NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: September 9, 2024

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

Subject: Tax Rate Designee

Related Page(s): Attachment

ACTION ITEM

BACKGROUND INFORMATION

Section 26.04 of the Property Tax Code requires that the no-new-revenue tax rate and the voter-approval tax rate be submitted to the Board of Trustees. Tax Code 5.07 requires a designated officer or employee to use the tax rate calculation forms prescribed by the comptroller in calculating the no-new-revenue tax rate and the voter-approval tax rate.

ADMINISTRATIVE CONSIDERATION

The District contracts with Moak, Casey & Associates to calculate the no-new-revenue and voter-approval tax rates for the annual public notice. The Chief Financial Officer and staff work with Moak, Casey & Associates to complete these required forms.

BUDGETARY CONSIDERATION

No budgetary consideration required.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the resolution appointing the District's Chief Financial Officer as the designated officer responsible for calculating and reporting the no-new-revenue tax rate and the voter-approval tax rate as determined by state law.

BOARD ACTION REQUIRED

Approval/Disapproval

**RESOLUTION OF THE BOARD OF TRUSTEES OF
NORTH EAST INDEPENDENT SCHOOL
DISTRICT**

WHEREAS, the Board of Trustees (“Board”) of the North East Independent School District (“District”) is authorized by Texas Education Code § 11.151 to govern and oversee the management of the public schools in the District; and

WHEREAS, the Board, as authorized by Texas Education Code § 45.002, .003(a) may levy, assess, and collect annual ad valorem taxes for the maintenance of the district’s schools; and

WHEREAS, after the District’s assessor submits the appraisal roll to the board, an officer or employee designated by the board shall calculate the no-new-revenue tax rate and the voter-approval tax rate for the district; and

WHEREAS, the designated officer or employee shall use the tax rate calculation forms prescribed by the comptroller under Tax Code 5.07 in calculating the no-new-revenue tax rate and the voter-approval tax rate; and

WHEREAS, pursuant to Texas Tax Code § 26.04(c), (d-1), (d-3), as soon as practicable after the designated officer or employee calculates the no-new-revenue tax rate and the voter-approval tax rate of the district, the designated officer or employee shall submit the tax rate calculation forms used in calculating the rates to the county assessor-collector for each county in which all or part of the territory of the district is located.

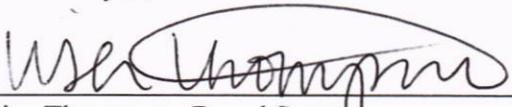
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
NORTH EAST INDEPENDENT SCHOOL DISTRICT:**

RESOLVED, the Board of Trustees hereby appoints the District’s Chief Financial Officer as the designated officer responsible for calculating and reporting the no-new-revenue tax rate and the voter-approval tax rate as determined by state law.

RESOLVED, the authority granted by this resolution is effective henceforth unless the Board takes action to change the title of the appointee.

PASSED AND APPROVED this 9th day of September, 2024, by the Board of Trustees for the North East Independent School District.


By: _____
David Beyer, Board President


Attest: _____
Lisa Thompson, Board Secretary



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: September 9, 2024

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

Subject: No-New-Revenue & Voter-
Approval Tax Rates

Related Page(s): Attachment

ACTION ITEM

BACKGROUND INFORMATION

Section 26.04 of the Property Tax Code requires that the no-new-revenue tax rate and the voter-approval tax rate be submitted to the Board of Trustees.

ADMINISTRATIVE CONSIDERATION

The District contracts with Moak, Casey & Associates to calculate the no-new-revenue and voter-approval tax rates for the annual public notice. The no-new-revenue rate is \$1.010006 and the voter-approval rate is \$1.000700. The worksheets used to calculate these rates must be added to the adopted budget as an appendix.

BUDGETARY CONSIDERATION

No budgetary consideration required.

RECOMMENDATION

It is recommended that the Board of Trustees accept the tax rate computations for tax year 2024 for the North East Independent School District. Further, it is recommended the Board of Trustees append the 2024-2025 adopted budget with the calculation worksheets.

BOARD ACTION REQUIRED

Approval/Disapproval

2024 Tax Rate Calculation Worksheet

School Districts without Chapter 313 Agreements

NORTH EAST ISD

School District's Name _____

Phone (area code and number) _____

School District's Address, City, State, ZIP Code _____

School District's Website Address _____

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll or certified estimate of value and the estimated values of properties under protest. The designated officer or employee shall submit the rates to the governing body by August 7 or as soon thereafter as practicable. Tax Code Section 26.04(e-1) does not require school districts to certify tax rate calculations or comply with certain Tax Code notice requirements. School districts are required to provide notice regarding tax rate calculations pursuant to Education Code Chapter 44.

This worksheet is for **school districts without Chapter 313 agreements only**. School districts that have a Chapter 313 agreement should use Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School Districts with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form. Use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

All other taxing units should use Comptroller Form 50-856 *Tax Rate Calculation, Taxing Units Other Than School Districts or Water Districts*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The Texas Education Agency (TEA) provides detailed information on and guidance to school districts in calculating their tax rates. Please review and rely on information provided by TEA when completing this worksheet. Additionally, the information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The no-new-revenue (NNR) tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of revenue if applied to the same properties that are taxed in both years (no new taxes). When appraisal values increase, the NNR tax rate should decrease.

1.	Prior year total taxable value. Enter the amount of the prior year taxable value on the prior year tax roll today. Include any adjustments since last year's certification; exclude one-fourth and one-third over-appraisal corrections made under Tax Code Section 25.25(d) from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2). ¹	\$ 52,964,837,897
2.	Prior year tax ceilings. Enter the prior year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. ²	\$ 6,961,205,810
3.	Preliminary prior year adjusted taxable value. Subtract Line 2 from Line 1.	\$ 46,003,632,087
4.	Prior year total adopted tax rate.	\$ 1.010500 / \$100
5.	Prior year taxable value lost because court appeals of ARB decisions reduced prior year appraised value. A. Original prior year ARB values: \$ 4,208,758,064 B. Prior year values resulting from final court decisions: \$ 3,929,476,328 C. Prior year value loss. Subtract B from A. ³	\$ 279,281,736
6.	Prior year taxable value subject to an appeal under Chapter 42, as of July 25. A. Prior year ARB certified value: \$ 5,416,738,821 B. Prior year disputed value: \$ 5,416,738,821 C. Prior year undisputed value. Subtract B from A. ⁴	\$ 0
7.	Prior year Chapter 42-related adjusted values. Add Line 5 and 6.	\$ 279,281,736
8.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 46,282,913,823
9.	Prior year taxable value of property in territory the school deannexed after Jan. 1, of the prior year. Enter the prior year value of property in deannexed territory. ⁵	\$ 0

¹ Tex. Tax Code §26.012(14)
² Tex. Tax Code §26.012(14)
³ Tex. Tax Code §26.012(13)
⁴ Tex. Tax Code §26.012(13)
⁵ Tex. Tax Code §26.012(15)

Line	Description	Amount/Rate
10.	Prior year taxable value lost because property first qualified for an exemption in the current year. If the school district increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport goods-in-transit, or temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in the current year does not create a new exemption or reduce taxable value.	
	A. Absolute exemptions. Use prior year market value: \$ 105,298,992	
	B. Partial exemptions. Current year exemption amount or current year percentage exemption times prior year value: .. + \$ 122,026,595	
	C. Value loss. Add A and B. ⁶	\$ 227,325,587
11.	Prior year taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in the current year. Use only properties that qualified in the current year for the first time; do not use properties that qualified in the prior year.	
	A. Prior year market value. \$ 1,569,182	
	B. Current year productivity or special appraised value: - \$ 1,310	
	C. Value loss. Subtract B from A.	\$ 1,567,872
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 228,893,459
13.	Adjusted prior year taxable value. Subtract Line 12 from Line 8.	\$ 46,054,020,364
14.	Adjusted prior year total levy. Multiply Line 4 by Line 13 and divide by \$100.	\$ 465,375,875
15.	Taxes refunded for years preceding tax year prior year. Enter the amount of taxes refunded by the district for tax years preceding tax year the prior year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for the prior tax year. This line applies only to tax years preceding the prior tax year. ⁸	\$ 6,783,806
16.	Adjusted prior year levy with refunds. Add Line 14 and Line 15. ⁹ Note: If the governing body of the school district governs a junior college district in a county with a population of more than two million, subtract the amount of taxes the governing body dedicated to the junior college district in the prior year from the result.	\$ 472,159,681
17.	Total current year taxable value on the current year certified appraisal roll today. This value includes only certified values and includes the total taxable value of homesteads with tax ceilings (will deduct in line 19). These homesteads include homeowners age 65 or older or disabled. ¹⁰	
	A. Certified values. ¹¹ \$ 52,932,067,582	
	B. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$ 0	
	C. Total current year value. Subtract B from A.	\$ 52,932,067,582
18.	Total value of properties under protest or not included on certified appraisal roll. ¹²	
	A. Current year taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹³ \$ 2,333,902,862	
	B. Current year value of properties not under protest or included on certified appraisal roll. The chief appraiser gives school districts a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties are also not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value not on the roll. ¹⁴ + \$ 0	
	C. Total value under protest or not certified. Add A and B.	\$ 2,333,902,862

⁶ Tex. Tax Code §26.012(15)
⁷ Tex. Tax Code §26.012(15)
⁸ Tex. Tax Code §26.012(13)
⁹ Tex. Tax Code §26.012(13)
¹⁰ Tex. Tax Code §§26.012 and 26.04(c-2)
¹¹ Tex. Tax Code §26.012(6)
¹² Tex. Tax Code §26.01(c) and (d)
¹³ Tex. Tax Code §26.01(c)
¹⁴ Tex. Tax Code §26.01(d)
¹⁵ Tex. Tax Code §26.012(6)(B)

19.	Current year tax ceilings. Enter current year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. ¹⁵	\$ 8,043,636,086
20.	Current year total taxable value. Add Lines 17C and 18C. Subtract Line 19.	\$ 47,222,334,358
21.	Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year. Include both real and personal property. Enter the current year value of property in territory annexed by the school district.	\$ 0
22.	Total current year taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in the prior year. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the school district after Jan. 1, of the prior year, and be located in a new improvement.	\$ 474,166,105
23.	Total adjustments to the current year taxable value. Add lines 21 and 22.	\$ 474,166,105
24.	Adjusted current year taxable value. Subtract line 23 from line 20.	\$ 46,748,168,253
25.	Current year NNR tax rate. Divide line 16 by line 24 and multiply by \$100.	\$ 1.010006 /\$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. Most school districts calculate a voter-approval tax rate that is split into three separate rates.¹⁸

- Maximum Compressed Tax Rate (MCR):** A district's maximum compressed tax rate is defined as the tax rate for the current tax year per \$100 of valuation of taxable property at which the district must levy a maintenance and operations tax to receive the full amount of the tier one allotment.¹⁹
- Enrichment Tax Rate:**²⁰ A district's enrichment tax rate is defined as any tax effort in excess of the district's MCR and less than \$0.17. The enrichment tax rate is divided into golden pennies and copper pennies. School districts can claim up to 8 golden pennies, not subject to compression, and 9 copper pennies which are subject to compression with any increases in the guaranteed yield.²¹
- Debt Rate:** The debt rate includes the debt service necessary to pay the school district's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The MCR and Enrichment Tax Rate added together make up the school district's maintenance and operations (M&O) tax rate. Districts cannot increase the district's M&O tax rate to create a surplus in M&O tax revenue for the purpose of paying the district's debt service.²²

If a school district adopted a tax rate that exceeded its voter-approval tax rate without holding an election to respond to a disaster in the prior year, as allowed by Tax Code Section 26.042(e), the school district may not consider the amount by which it exceeded its voter-approval tax rate (disaster pennies) in the calculation this year. This adjustment will be made in Section 4 of this worksheet.

A district must complete an efficiency audit before seeking voter approval to adopt a M&O tax rate higher than the calculated M&O tax rate, hold an open meeting to discuss the results of the audit, and post the results of the audit on the district's website 30 days prior to the election.²³ Additionally, a school district located in an area declared a disaster by the governor may adopt a M&O tax rate higher than the calculated M&O tax rate during the two-year period following the date of the *declaration without conducting an efficiency audit*.²⁴

Districts should review information from TEA when calculating their voter-approval tax rate.

26.	Current year maximum compressed tax rate (MCR). TEA will publish compression rates based on district and statewide property value growth. Enter the school districts' maximum compressed rate based on guidance from TEA. ²⁵	\$ 0.650700 /\$100
27.	Current year enrichment tax rate. Enter the greater of A and B. ²⁶	\$ 0.050000 /\$100
	A. Enter the district's prior year enrichment tax rate, minus any required reduction under Education Code Section 48.202(f)	\$ 0.050000 /\$100
	B. \$0.05 per \$100 of taxable value	\$ 0.050000 /\$100

¹⁶ [Reserved for expansion]
¹⁷ [Reserved for expansion]
¹⁸ Tex. Tax Code §26.08(n)
¹⁹ Tex. Edu. Code §48.2551(a)(3)
²⁰ Tex. Tax Code §26.08(i) and Tex. Edu. Code §45.0032
²¹ Tex. Edu. Code §548.202(a-1)(2) and 48.202(f)
²² Tex. Edu. Code §45.0021(a)
²³ Tex. Edu. Code §11.184(b)
²⁴ Tex. Edu. Code §11.184(b-1)
²⁵ Tex. Edu. Code §548.255, 48.2551(b)(1) and (b)(2)
²⁶ Tex. Tax Code §26.08(n)(2)
²⁷ Tex. Edu. Code §45.003(d)

<p>28. Current year maintenance and operations (M&O) tax rate. Add Lines 26 and 27.</p> <p>Note: M&O tax rate may not exceed the sum of \$0.17 and the district's maximum compressed rate.²⁷</p>	<p>\$ 0.700700 /\$100</p>
<p>29. Total current year debt to be paid with property tax revenue. Debt means the interest and principal that will be paid on debts that:</p> <ul style="list-style-type: none"> (1) Are paid by property taxes; (2) Are secured by property taxes; (3) Are scheduled for payment over a period longer than one year; and (4) Are not classified in the school district's budget as M&O expenses. <p>A. Debt includes contractual payments to other school districts that have incurred debt on behalf of this school district, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here.²⁸</p> <p>Enter debt amount: \$ 160,025,106</p> <p>B. Subtract unencumbered fund amount used to reduce total debt - \$ 0</p> <p>C. Subtract state aid received for paying principal and interest on debt for facilities through the existing debt allotment program and/or instructional facilities allotment program..... - \$ 15,016,418</p> <p>D. Adjust debt: Subtract B and C from A.</p>	<p>\$ 145,008,688</p>
<p>30. Certified prior year excess debt collections. Enter the amount certified by the collector.²⁹</p>	<p>\$ 5,055,816</p>
<p>31. Adjusted current year debt. Subtract line 30 from line 29D.</p>	<p>\$ 139,952,872</p>
<p>32. Current year anticipated collection rate. If the anticipated rate in A is lower than actual rates in B, C and D, enter the lowest rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%.³⁰</p> <p>A. Enter the current year anticipated collection rate certified by the collector.³¹ 98.79 %</p> <p>B. Enter the 2023 actual collection rate 98.79 %</p> <p>C. Enter the 2022 actual collection rate 99.12 %</p> <p>D. Enter the 2021 actual collection rate 99.27 %</p>	<p>98.79 %</p>
<p>33. Current year debt adjusted for collections. Divide Line 31 by Line 32.</p> <p>Note: If the governing body of the school district governs a junior college district in a county with a population of more than two million, add the amount of taxes the governing body proposes to dedicate to the junior college district in the current year to the result.</p>	<p>\$ 141,667,043</p>
<p>34. Current year total taxable value. Enter the amount on Line 20 of the <i>No-New-Revenue Tax Rate Worksheet</i>.</p>	<p>\$ 47,222,334,358</p>
<p>35. Current year debt rate. Divide Line 33 by Line 34 and multiply by \$100.</p>	<p>\$ 0.300000 /\$100</p>
<p>36. Current year voter-approval tax rate. Add Lines 28 and 35.</p> <p>If the school district received distributions from an equalization tax imposed under former Chapter 18, Education Code, add the NNR tax rate as of the date of the county unit system's abolition to the sum of Lines 28 and 35.³²</p>	<p>\$ 1.000700 /\$100</p>

SECTION 3: Voter-Approval Tax Rate Adjustment for Pollution Control

A school district may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The school district's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The school district must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a school district that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

²⁷ Tex. Tax Code §26.012(7)
²⁸ Tex. Tax Code §§26.012(10) and 26.04(b)
²⁹ Tex. Tax Code §§26.04(h), (h-1) and (h-2)
³⁰ Tex. Tax Code §26.04(b)
³¹ Tex. Tax Code §26.08(g)
³² Tex. Tax Code §26.045(d)
³³ Tex. Tax Code §26.045(i)

Line	Description	Amount
37.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³³ The school district shall provide its tax assessor with a copy of the letter. ³⁴	\$ 0
38.	Current year total taxable value. Enter the amount on Line 20 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 47,222,334,358
39.	Additional rate for pollution control. Divide line 37 by line 38 and multiply by \$100.	\$ 0.000000 /\$100
40.	Current year voter-approval tax rate, adjusted for pollution control. Add line 36 and line 39.	\$ 1.000700 /\$100

SECTION 4: Voter-Approval Tax Rate Adjustment in Year Following Disaster

If a school district adopted a tax rate that exceeded its voter-approval tax rate without holding an election to respond to a disaster in the prior year, as allowed by Tax Code Section 26.042(e), the school district may not consider the amount by which it exceeded its voter-approval tax rate in the calculation this year. ³⁵ As such, it must reduce its voter-approval tax rate for the current tax year.

This section applies to a school district in a disaster area that adopts a tax rate greater than its voter-approval tax rate without holding an election in the prior year, as provided for by Tax Code Section 26.042(e).

Line	Description	Amount
41.	Prior year adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1.010500 /\$100
42.	Prior voter-approval tax rate. If the school district adopted a tax rate above the prior year voter-approval tax rate without holding an election due to a disaster, enter the voter-approval tax rate from the prior year's worksheet.	\$ 0.000000 /\$100
43.	Increase in the prior year tax rate due to disaster (disaster pennies). Subtract Line 42 from Line 41.	\$ 0.000000 /\$100
44.	Current year voter-approval tax rate, adjusted for prior year disaster. Subtract Line 43 from one of the following lines (as applicable): Line 36 or Line 40 (school districts with pollution control).	\$ 1.000700 /\$100

SECTION 5: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-New-Revenue Tax Rate \$ 1.010006 /\$100

Enter the current year NNR tax rate from Line 25.

Voter-Approval Tax Rate \$ 1.000700 /\$100

As applicable, enter the current year voter-approval tax rate from Line 36, Line 40 or Line 44. Indicate the line number used: 36

SECTION 6: School District Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the school district. By signing below, you certify that you are the designated officer or employee of the school district and have calculated the tax rates in accordance with requirements in Tax Code and Education Code. ³⁶

print here → Daniel Villareal
Printed Name of School District Representative

sign here → Daniel Villareal
School District Representative

8/30/2024
Date

³³ Tex. Tax Code §26.042(f) and Tex. Edu. Code §45.0032(d)
³⁴ Tex. Tax Code §26.04(c)

2024 Debt Service NORTH EAST ISD

Date: 08/29/2024 10:37 AM

The district plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from property tax revenues (or other resources, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
Bonds	160,025,106	0	0	160,025,106

Total required for 2024 debt service	\$160,025,106
-Amount (if any) paid from fund balance	\$0
-Amount (if any) paid from other resources	\$15,016,418
-Excess collections last year	\$5,055,816
=Total to be paid from taxes in 2024	\$139,952,872
+Amount added in anticipation that the unit will collect only 98.79% of its taxes in 2024	\$1,714,171
=Total debt levy	\$141,667,043

Important Note:

The above schedule is for your information only. State law does not require that you publish the debt service schedule.



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: September 9, 2024

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

Subject: Adoption of 2024-2025 Tax Rates Related Page(s): Attachment

ACTION ITEM

BACKGROUND INFORMATION

As a taxing unit authorized to pay both maintenance and operations (M&O) and debt service expenditures with property taxes, the District must adopt its rate in two separate components: one for M&O and one for debt service.

The “Notice of Public Meeting to Discuss Budget and Proposed Tax Rate” was published on June 7, 2024. The proposed tax rate in the notice reflected a total tax rate of \$1.0105. The tax rates being adopted by the Board must each be less than or equal to the rates published in the notice.

ADMINISTRATIVE CONSIDERATION

The following tax rates per \$100 of valuation are required in order to fund the 2024-2025 operations budget and to pay principal and interest on outstanding bonds:

Maintenance & Operation Rate (General Operating Fund)	\$0.7007
Interest & Sinking Rate (Debt Service Fund)	<u>0.3000</u>
Total Tax Rate:	<u>\$1.0007</u>

BUDGETARY CONSIDERATION

No budgetary consideration required.

ADMINISTRATIVE RECOMMENDATION

It is recommended the North East Independent School District Board of Trustees adopt the attached ordinance levying the Maintenance & Operations and Interest & Sinking taxes for the 2024-2025 year.

BOARD ACTION REQUIRED

Approval/Disapproval

NORTH EAST INDEPENDENT SCHOOL DISTRICT

AN ORDINANCE FIXING AND LEVYING SCHOOL DISTRICT AD VALOREM TAXES FOR THE NORTH EAST INDEPENDENT SCHOOL DISTRICT FOR THE YEAR 2024 - 2025 AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF:

Whereas, the Board of Trustees of North East Independent School District finds for carrying out the duties and responsibilities placed upon the district by law, for the tax year 2024 taxes must be levied to provide the revenue requirements of the budget for the ensuing year and;

Whereas, the Board of Trustees of North East Independent School District further finds all things prerequisite to the passing of this ordinance, including all notices of hearings, consideration of budget and all other things have been done and performed; and

Whereas, the Board of Trustees of North East Independent School District further finds the taxes for the year 2024, hereinafter levied are necessary to pay all lawful expenses of the district and to carry out the duties and obligations placed upon said school district by law (and to provide the required sinking fund on outstanding bonds of the school district during the ensuing year):

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE NORTH EAST INDEPENDENT SCHOOL DISTRICT:

SECTION 1. For the further maintenance of public schools in this school district (and to pay the principal and interest on outstanding bonds of the district falling due) during the ensuing year, and for all other lawful purposes, there is hereby levied and ordered to be assessed and collected for the tax year 2024, and for each year thereafter until it be otherwise provided and ordained, on all property situated within the boundaries of this school district, and not exempt from taxation by valid laws, an ad valorem tax made up of two components:

Maintenance & Operation (General Operating Fund)	\$0.7007
Interest & Sinking (Debt Service Fund)	<u>0.3000</u>
Total Tax Rate:	<u>\$1.0007</u>

The Maintenance and Operation (General Operating Fund) tax rate of \$0.7007 will be used for maintenance and operations and the Interest & Sinking (Debt Service Fund) tax rate of \$0.300 will be used to pay principal and interest on outstanding bonds and related executed credit agreements. The tax rate will be assessed per one hundred dollars (\$100) valuation of such property.

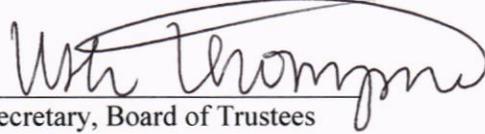
SECTION 2. This ordinance shall become effective from and after its passage. At a meeting of the Board of Trustees of the North East Independent School District on September 9, 2024, a quorum was present and the trustees voted unanimously to adopt this ordinance.

APPROVED:



President, Board of Trustees
David Beyer

APPROVED:



Secretary, Board of Trustees
Lisa Thompson



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: September 9, 2024

Presenter: Dan Villarreal
Susan Lackorn, Executive Director
Finance and Accounting
Lydia Flores, Director
Budget & Financial Analysis

Subject: Budget Amendment #1

Related Page(s): Attachment

CONSENT ITEM

BACKGROUND INFORMATION

The 2024-2025 fiscal year budget was adopted on June 17, 2024. Estimated revenue and appropriations are subject to change on a regular basis.

In the General Fund, Budget Amendment #1 includes an increase to appropriations for encumbrances (obligations) of the District from the previous fiscal year which were not liquidated by year end as well as certain dedicated sums that were not expended by June 30, 2024. The District “rolls-forward” these obligations to the current fiscal year. This amendment includes an adjustment of \$3,499,828 to the budget for these encumbrances.

No changes are being made to the Debt Service Fund or the School Nutrition Services Fund.

ADMINISTRATIVE CONSIDERATION

By law, amendments to the budgets for the General, Debt Service, and School Nutrition Services Funds must be approved by the Board of Trustees before new appropriations may be expended.

BUDGETARY CONSIDERATION

For the General Fund, this budget amendment decreases budgeted fund balance by \$3,499,828. The resulting budgeted deficit and ending fund balance for June 30, 2025, are estimated to be \$66,083,507 and \$121,735,664 respectively.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees approve Budget Amendment #1.

BOARD ACTION REQUIRED

Approval/Disapproval

NORTH EAST INDEPENDENT SCHOOL DISTRICT

Budget Amendment Board Report

Budget Amendment #1

September 9, 2024

GENERAL FUND

I. DECREASE FUND BALANCE	Requested By	Amount
Increase Appropriations:		
1 FY2024 outstanding purchase orders and balances to be re-appropriated to FY2025	Flores	\$ (3,449,828)
		<hr/>
II. Total transactions decreasing Fund Balance		\$ <u>(3,449,828)</u>
III. Net increase (decrease) to General Fund Balance for this Budget Amendment		\$ <u>(3,449,828)</u>

NORTH EAST INDEPENDENT SCHOOL DISTRICT

Budget Amendment Board Report

Budget Amendment #1

September 9, 2024

General Fund

Estimated Revenues & Other Sources	Budget As Adopted July 1, 2024	Administrative Adjustments	Budget Amendment #1 Changes	Budget As of Amendment #1
Local	\$ 375,246,580	\$ -	\$ -	\$ 375,246,580
State	164,292,685	-	-	164,292,685
Federal	10,179,609	-	-	10,179,609
Total Estimated Revenue	\$ 549,718,874	\$ -	\$ -	\$ 549,718,874
Other Sources	75,000	-	-	75,000
Total Estimated Revenue & Other Sources	\$ 549,793,874	\$ -	\$ -	\$ 549,793,874

Appropriations & Other Uses

Function:				
11 Instruction	\$ 372,755,069	\$ (350,619)	\$ 518,352	\$ 372,922,802
12 Instructional Resources & Media Services	8,779,409	33,348	8,649	8,821,406
13 Curriculum & Instructional Staff Development	18,696,455	232,152	191,049	19,119,656
21 Instructional Leadership	8,087,403	(102,616)	59,000	8,043,787
23 School Leadership	38,479,087	40,565	30,000	38,549,652
31 Guidance, Counseling & Evaluation Services	21,477,142	(62,770)	50,000	21,464,372
32 Social Work Services	2,361,948	86,312	-	2,448,260
33 Health Services	9,366,250	1,310	-	9,367,560
34 Student (Pupil) Transportation	17,437,274	69,415	25,868	17,532,557
35 Food Services	76,520	(69,415)	-	7,105
36 Extracurricular Activities	12,753,316	(442,622)	103,020	12,413,714
41 General Administration	15,259,402	(21,868)	85,363	15,322,897
51 Facility Maintenance And Operations	68,033,652	341,752	1,178,414	69,553,818
52 Security And Monitoring Services	7,233,239	45,106	968,000	8,246,345
53 Data Processing Services	4,746,435	-	-	4,746,435
61 Community Services	476,801	14,250	3,446	494,497
71 Debt Service	-	-	-	-
81 Facilities Acquisition & Construction	-	-	278,668	278,668
93 Payments To Fiscal Agent/ Member Districts Of Shared Service Arrangements	765,000	-	-	765,000
95 Payments To Juvenile Justice Alternative Education Programs	359,736	(49,500)	-	310,236
99 Other Intergovernmental Charges	2,808,415	-	-	2,808,415
Total Appropriations	\$ 609,952,553	\$ (235,200)	\$ 3,499,828	\$ 613,217,181
Other Uses	2,425,000	235,200	-	2,660,200
Total Appropriations & Other Uses	\$ 612,377,553	\$ -	\$ 3,499,828	\$ 615,877,381
Projected Beginning Fund Balance as of July 1, 2024	\$ 187,819,171			\$ 187,819,171
Net Revenue/Sources Over (Appropriations)/(Uses)	(62,583,679)	-	(3,499,828)	(66,083,507)
Budgeted Ending Fund Balance as of June 30, 2025	\$ 125,235,492			\$ 121,735,664

Cafeteria Small Equipment Supplies RFP# 30-24

On Thursday, June 6, 2024, at 9:00 a.m. RFP# 30-24 was received on the purchase of cafeteria small equipment and supplies products directly from manufacturers for District cafeterias. The proposal for small equipment and supplies products, for the 2024-2025 school year, consists of **149** items ranging from sheet pans to knives and other small wares items for an estimated total bid amount of **\$150,000**. It is recommended that the bid be awarded to the following companies for the various items to be purchased as needed for kitchens and warehouse stock. The recommendation is based on the lowest bid meeting specifications for each item.

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

Jeans Restaurant Supply
AceMart
Pyramid
Strategic TriMark
Kommercial Kitchen
Quill
Sam Tell
Culinary Depot

Food Products Direct From Manufacturer Commercial Pricing II - RFP# 05-25

On Tuesday August 20, 2024, at 9:00 a.m. RFP #05-25 was received on the purchase of food products directly from manufacturers for district cafeterias. The proposal for food products for the 2024-2025 school year consists of **10** items ranging from entrées and grains to fruits and vegetables for a total bid amount of **\$311,002.10**. It is recommended that the bid be awarded to the following companies for the various items for the total amounts shown. The recommendation for purchase is based on the lowest bid meeting the specifications and conditions of each item as established by the district.

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

Vendor	No. of Items Awarded	Total
Albies Food Products, LLC	4	\$81,873.60
Con Agra Brands, Inc	1	\$15,750.00
Goodman Food Products DBA Don Lee Farms	2	\$109,510.00
McCain Foods USA Inc	1	\$47,570.00
National Raisin Co	1	\$35,360.00
Post Consumer Brands	1	\$20,938.50
Grand Total	10	\$311,002.10



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: September 9, 2024

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 Management Information Systems contracts are submitted for consideration: (see attachments)

- 36-24 Security Cameras Package C
- 02-25 Security Cameras Package D

BUDGETARY CONSIDERATION

General Funds	\$998,845
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ADMINISTRATIVE RECOMMENDATION

The Superintendent recommends the bid items be approved as submitted.

BOARD ACTION REQUIRED

Approval/Disapproval

939Security Cameras Package C RFP# 36-24

On Monday, August 19, 2024, at 9:00 a.m. RFP# 36-24 was received on Security Cameras Package C. The project consists of the removal and installation of Security Cameras at six (6) NEISD campuses for an estimated total bid amount of **\$938,585**. It is recommended that the bid be awarded to **Transnet Communications, LLC**. The recommendation is based on the lowest bid meeting specifications.

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

Security Cameras Package D RFP# 02-25

On Monday, August 19, 2024, at 10:00 a.m. RFP# 02-25 was received on Security Cameras Package C. The project consists of the removal and installation of Security Cameras at one (1) NEISD campus for an estimated total bid amount of **\$60,260**. It is recommended that the bid be awarded to **Transnet Communications, LLC**. The recommendation is based on the lowest bid meeting specifications.

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



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: September 9, 2024

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 2024-2025, 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 2024-2025 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 17, 2024. 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 2024-2025.

BOARD ACTION REQUIRED

Approval/Disapproval

ATTACHMENT
BUDGETED PURCHASES OF GOODS OR SERVICES COSTING \$50,000 OR MORE
NEISD BOARD MEETING
SEPTEMBER 9, 2024

Category	Vendor(s) Name	Description of Goods/Services	Estimated Expenditures 2024-2025	Bid Compliance	Notes
Special Education	Mar Speech Therapy, LLC	Speech Services Due to Vacancies	\$250,000	01-23	Purchase over \$50,000 requires Board approval.
Special Education	Carmen McElfresh, MA, CCC-SLP, LLC	Speech Services Due to Vacancies	\$60,000	16-24	Purchase over \$50,000 requires Board approval.
Special Education	Sunbelt Staffing, LLC	Speech Services Due to Vacancies	\$100,000	36-23	Purchase over \$50,000 requires Board approval.
Special Education	Soliant Health	Speech Services Due to Vacancies	\$125,000	03-24	Purchase over \$50,000 requires Board approval.
Special Education	Beyond Therapy Education	Speech Services Due to Vacancies	\$550,000	37-23	June 2024 Board approved \$240,000. Additional \$310,000 needed.
Special Education	Amergis Healthcare Staffing Services, Inc.	Sign Language Interpreters for Students	\$200,000	01-23	Purchase over \$50,000 requires Board approval.
Fine Arts	Digital Theatre+	5 Year Subscription	\$132,000	70-23	Purchase over \$50,000 requires Board approval.
School Nutrition	Masters Distribution	Food Products	\$450,853	26-24	June 2024 Board approved \$285,853. Additional \$165,000 needed.