

# Agenda of Regular Meeting

## The Board of Trustees Santa Gertrudis ISD

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A Regular meeting of the Board of Trustees of Santa Gertrudis ISD will be held June 23, 2021, beginning at 6:30 PM in the SGISD Central Office  
Hwy 141-King Ranch  
Kingsville, Texas 78363.

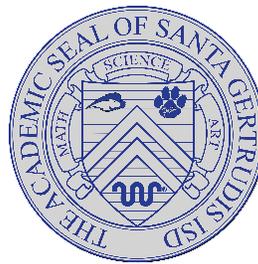
The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

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

1. First Order of Business
  - A. Establish a Quorum
  - B. Moment of Silence
  - C. Pledge of Allegiance
2. Comments from Public in Open Forum
3. Announcements/Communications/Presentations
  - A. Principal Reports 3
  - B. Athletic Director Report
  - C. Band Reports
  - D. Superintendent Update
4. Review Student Transfer list for 2021-2022 school year.
5. Consider and take possible action on Advance Studies Handbook for 2021-2022 school year.
6. Discuss and take possible action on dress code policies for 2021-2022 school year.
7. Consider and take possible action to adopt Board resolution to ESSER III 12  
and Santa Gertrudis ISD Board Policy CB (Local) relating to required  
Public Notices regarding Federal grants and awards.
8. Consider and take possible action on adopting Board Policy Updates
  - A. Policy Update 117 affecting (LOCAL) policies (see attached list of 13  
codes)
9. Consider and take possible action on Kleberg County Appraisal District Board  
Nominations and Resolution
10. Consider and take possible action on Budget Amendments
11. Consent Agenda Items
  - A. Finance Reports

- B. Board Minutes for Regular Board Meeting May 24, 2021
- 12. CLOSED SESSION
  - A. Pursuant to Tex. Govt Code 551.071, attorney consultation regarding legal issues related to board member resignation and possible appointment of new board member.
  - B. Pursuant to Tex. Govt. Code 551.074, consider and discuss possible candidates for appointment of Board vacancy, and possible new Board Officers.
  - C. Pursuant to Tex. Govt. Code 551,074, consider and discuss hiring personnel to fill current positions.
- 13. OPEN SESSION
  - A. Consider and take possible action regarding Board member resignation
  - B. Consider and take possible action regarding appointment of new board member to fill vacancy
  - C. Consider and take possible action regarding reorganization of Board Officers.
  - D. Consider and take possible action on hiring personnel to fill current positions.
- 14. Adjournment

Santa Gertrudis  
School  
P.O. Box 592  
Kingsville, TX 78364  
(361) 384-5046



Santa Gertrudis  
Academy High School  
MSC 183  
Kingsville, TX 78363  
(361) 384-5041

Santa Gertrudis ISD 🐾 P.O. Box 592 🐾 Kingsville, TX 78364  
Phone: (361) 384-5087 🐾 www.sgisd.net

### Board Meeting for June 23, 2021 at 6:30 pm

I. Number of students:

9<sup>th</sup> – 89 students      Attendance % 99.63  
10<sup>th</sup> – 109 students    Attendance % 99.08  
11<sup>th</sup> – 78 students      Attendance % 97.22  
12<sup>th</sup> – 83 students      Attendance % 99.00

Face to Face – 138  
Virtual - 223

Total: 361                      98.79%  
5/14-5/21

II. Information

<u>EOC report:</u>	<u>Combination for the year</u>	<u>Region 2</u>	<u>+/-</u>
ELA I – 85.7%	87%	62%	+25
ELA II – 82.2%	85%	69%	+16
Algebra – 75%	82%	72%	+10
Biology – 89.7%	93%	77%	+16
US History – 90.6%	94%	87%	+7

Summer School June 1<sup>st</sup> – 17<sup>th</sup>  
EOC retakes – June 21<sup>st</sup> – 24<sup>th</sup>

III. Projected Enrollment for the 2021-2022 School Year as of 6/23/21

Grade	Count	Pending	Possible Total
9 <sup>th</sup>	99	7	106
10 <sup>th</sup>	91	1	92
11 <sup>th</sup>	110	2	112
12 <sup>th</sup>	79		79
Total	379		389



**Santa Gertrudis ISD School Board Meeting**

**Santa Gertrudis School Report**

**June 18<sup>th</sup>, 2021**

**Enrollment as of June 18<sup>th</sup>:**

<b>2021-2022</b>	
PK 4	17 (1 PreK3)
Kinder	38
1 <sup>st</sup>	41
2 <sup>nd</sup>	41
3 <sup>rd</sup>	40
4 <sup>th</sup>	40
5 <sup>th</sup>	37
6 <sup>th</sup>	45
7 <sup>th</sup>	53
8 <sup>th</sup>	56

**TOTAL ENROLLMENT: 408 students for 21-22 (still interviewing 6<sup>th</sup> graders)**

- SGS has 40 Elementary students (K-5<sup>th</sup>) attending summer school. They will be finishing Thursday June 24<sup>th</sup>. Mrs. Trevino is working with 10 JH students in English and Writing.
- We opened our Library during this month for students to come in and check out books as well as AR test.
- Our schools are getting cleaned thoroughly. Furniture is being taken out and custodians are going inside and cleaning walls, floors and student desks.
- 21-22 Master Schedule has been completed.

- STAAR scores for 20-21 school year are attached. I did a comparison from our benchmark scores presented and I have attached that as well.
- Meet the Teacher Days/Supply Drop off have been set for Monday July 27 and Tuesday July 27<sup>th</sup>.

## 20-21 Spring Benchmark vs. STAAR results 3rd- 8th Grade

### READING Benchmark vs. STAAR

Grade level	Number of students passing	Percentage			
<b>3rd Grade</b> (Set at 56% on DMAC) Current Scale Score percentage- (53%)	33/37	89% <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: #d9ead3;">92%</td> <td style="background-color: #d9ead3;">27%</td> <td style="background-color: #d9ead3;">35%</td> </tr> </table>	92%	27%	35%
	92%	27%	35%		
36/37	<b>STAAR- 97%</b> <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: #d9ead3;">97%</td> <td style="background-color: #d9ead3;">73%</td> <td style="background-color: #d9ead3;">43%</td> </tr> </table>	97%	73%	43%	
97%	73%	43%			
<b>4th Grade</b> ( Set at 56% on DMAC) Current Scale Score percentage- (53%)	30/37	81% <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: #d9ead3;">81%</td> <td style="background-color: #d9ead3;">22%</td> <td style="background-color: #d9ead3;">30%</td> </tr> </table>	81%	22%	30%
	81%	22%	30%		
27/37	<b>STAAR- 73%</b> <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: #d9ead3;">73%</td> <td style="background-color: #d9ead3;">59%</td> <td style="background-color: #d9ead3;">35%</td> </tr> </table>	73%	59%	35%	
73%	59%	35%			
<b>5th Grade</b> (Set at 61% on DMAC) Current Scale Score percentage- (55%)	27/39	69% <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: #d9ead3;">74%</td> <td style="background-color: #d9ead3;">15%</td> <td style="background-color: #d9ead3;">36%</td> </tr> </table>	74%	15%	36%
	74%	15%	36%		
34/39	<b>STAAR- 87%</b> <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: #d9ead3;">87%</td> <td style="background-color: #d9ead3;">62%</td> <td style="background-color: #d9ead3;">46%</td> </tr> </table>	87%	62%	46%	
87%	62%	46%			
<b>6th Grade</b> (Set at 61% on DMAC) Current Scale Score percentage- (58%)	35/51	69% <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: #d9ead3;">82%</td> <td style="background-color: #d9ead3;">22%</td> <td style="background-color: #d9ead3;">29%</td> </tr> </table>	82%	22%	29%
	82%	22%	29%		
44/52 (44/51- 1 absent)	<b>STAAR- 85%</b> <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: #d9ead3;">85%</td> <td style="background-color: #d9ead3;">56%</td> <td style="background-color: #d9ead3;">23%</td> </tr> </table>	85%	56%	23%	
85%	56%	23%			

<b>7th Grade</b> (Set at 58% on DMAC) Current Scale Score percentage- (57%)	48/55	87%					
	51/56	<table border="1"> <tr> <td>91%</td> <td>18%</td> <td>55%</td> </tr> </table> <p><b>STAAR- 91%</b></p> <table border="1"> <tr> <td>91%</td> <td>68%</td> <td>45%</td> </tr> </table>	91%	18%	55%	91%	68%
91%	18%	55%					
91%	68%	45%					
<b>8th Grade</b> (Set at 60% on DMAC) Current Scale Score percentage- (57%)	48/52	92%					
	49/52	<table border="1"> <tr> <td>96%</td> <td>31%</td> <td>38%</td> </tr> </table> <p><b>STAAR- 94%</b></p> <table border="1"> <tr> <td>94%</td> <td>73%</td> <td>44%</td> </tr> </table>	96%	31%	38%	94%	73%
96%	31%	38%					
94%	73%	44%					

### MATH Benchmark vs. STAAR results

Grade level	Number of students passing	Percentage					
<b>3rd Grade</b> (Set at 56% on DMAC) Current Scale Score percentage- (50%)	23/37	62%					
	31/37	<table border="1"> <tr> <td>68%</td> <td>10%</td> <td>16%</td> </tr> </table> <p><b>STAAR- 84%</b></p> <table border="1"> <tr> <td>84%</td> <td>57%</td> <td>19%</td> </tr> </table>	68%	10%	16%	84%	57%
68%	10%	16%					
84%	57%	19%					
<b>4th Grade</b> (Set at 53% on DMAC) Current Scale Score percentage- (50%)	18/37	49%					
	27/37	<table border="1"> <tr> <td>57%</td> <td>16%</td> <td>14%</td> </tr> </table> <p><b>STAAR- 73%</b></p> <table border="1"> <tr> <td>73%</td> <td>51%</td> <td>32%</td> </tr> </table>	57%	16%	14%	73%	51%
57%	16%	14%					
73%	51%	32%					



## SCIENCE Benchmark vs. STAAR results

Grade level	Number of students passing	Percentage			
<b>5th Grade</b> (Set at 64% on DMAC) Current Scale Score percentage- (58%)	23/38	61% <table border="1"> <tr> <td>61%</td> <td>21%</td> <td>16%</td> </tr> </table>	61%	21%	16%
	61%	21%	16%		
29/39	<b>STAAR- 74%</b> <table border="1"> <tr> <td>74%</td> <td>33%</td> <td>10%</td> </tr> </table>	74%	33%	10%	
74%	33%	10%			
<b>8th Grade</b> (Set at 53% on DMAC) Current Scale Score percentage- (52%)	43/53	81% <table border="1"> <tr> <td>83%</td> <td>15%</td> <td>15%</td> </tr> </table>	83%	15%	15%
	83%	15%	15%		
48/54	<b>STAAR- 89%</b> <table border="1"> <tr> <td>89%</td> <td>57%</td> <td>33%</td> </tr> </table>	89%	57%	33%	
89%	57%	33%			

## SOCIAL STUDIES Benchmark vs. STAAR results

Grade level	Number of students passing	Percentage			
<b>8th Grade</b> (Set at 53% on DMAC) Current Scale Score percentage- (50%)	25/54	46% <table border="1"> <tr> <td>61%</td> <td>9%</td> <td>7%</td> </tr> </table>	61%	9%	7%
	61%	9%	7%		
37/54	<b>STAAR- 69%</b> <table border="1"> <tr> <td>69%</td> <td>22%</td> <td>11%</td> </tr> </table>	69%	22%	11%	
69%	22%	11%			

## WRITING Benchmark (Feb. 10) vs. STAAR results

Grade level	Number of students passing	Percentage			
<b>4th Grade</b> (Set at 59% on DMAC) Current Scale Score percentage- (56% - 2019 Scale)	23/36	64% <table border="1"> <tr> <td>64%</td> <td>31%</td> <td>19%</td> </tr> </table>	64%	31%	19%
	64%	31%	19%		
29/37	<b>STAAR- 78%</b> <table border="1"> <tr> <td>78%</td> <td>41%</td> <td>24%</td> </tr> </table>	78%	41%	24%	
78%	41%	24%			
<b>7th Grade</b> (Set at 60% on DMAC) Current Scale Score percentage- (57% - 2019 Scale)	46/54	85% <table border="1"> <tr> <td>89%</td> <td>17%</td> <td>61%</td> </tr> </table>	89%	17%	61%
	89%	17%	61%		
50/56	<b>STAAR- 89%</b> <table border="1"> <tr> <td>89%</td> <td>54%</td> <td>21%</td> </tr> </table>	89%	54%	21%	
89%	54%	21%			

**THE BOARD OF TRUSTEES OF THE  
SANTA GERTRUDIS INDEPENDENT SCHOOL DISTRICT**

**RESOLUTION**

*WHEREAS*, on April 28, 2021, TEA notified school districts of the opportunity to apply for their allocation of the Elementary and Secondary School Emergency Relief III (ESSER III) Fund, which should be used to respond to the pandemic and to address student learning loss as a result of COVID-19;

*WHEREAS*, TEA published guidance regarding how these funds can be used and local compliance requirements school districts must follow, including a recommendation that districts develop local board policy to address how the district will provide the required public notice regarding federal grants and awards for consistency;

*WHEREAS*, Texas Education Code 11.151 gives the Board of Trustees the exclusive power and duty to govern and oversee the management of the public schools of the District; and

*WHEREAS*, the Board finds that a need exists to adjust local policy provisions to address public notice for federal grants and awards and approval of required grant plans;

*NOW, THEREFORE, BE IT RESOLVED* that the Board of Trustees of Santa Gertrudis Independent School District adopts the following text for inclusion at CB(LOCAL), State and Federal Revenue Sources:

- The District shall provide public notice of federal grant applications through an information item at a Board meeting and by publishing information on the District's website. The District shall make available opportunities for public input as required by law or the granting agency.
- Approval of required grant and award plans shall be by the Superintendent.

The change to CB(LOCAL) is effective based on the adoption date of this resolution.

Adopted this 23rd day of June, 2021, by the Santa Gertrudis ISD Board of Trustees.

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Carrie DeLaney, President

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Bobby Caldera, Secretary

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### Santa Gertrudis ISD

#### **AIC(LEGAL)**

#### **ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS**

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

#### **BBC(LEGAL)**

#### **BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE**

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

#### **BBD(EXHIBIT)**

#### **BOARD MEMBERS: TRAINING AND ORIENTATION**

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

#### **BJCE(LEGAL)**

#### **SUPERINTENDENT: SUSPENSION/TERMINATION DURING CONTRACT**

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

#### **C(LEGAL)**

#### **BUSINESS AND SUPPORT SERVICES**

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

#### **CBB(LEGAL)**

#### **STATE AND FEDERAL REVENUE SOURCES: FEDERAL**

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

#### **CH(LEGAL)**

#### **PURCHASING AND ACQUISITION**

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

As part of the reorganization, we have:

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

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

#### **CH(LOCAL)**

#### **PURCHASING AND ACQUISITION**

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

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### **Santa Gertrudis ISD**

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

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

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

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

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

### **CHE(LEGAL) PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS**

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

In addition, we have:

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

### **CL(LEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT**

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

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

### **CV(LEGAL) FACILITIES CONSTRUCTION**

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

As part of the reorganization, we have:

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

### **CV(LOCAL) FACILITIES CONSTRUCTION**

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

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

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### Santa Gertrudis ISD

#### **CVA(LEGAL)**

#### **FACILITIES CONSTRUCTION: COMPETITIVE BIDDING**

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

#### **CVB(LEGAL)**

#### **FACILITIES CONSTRUCTION: COMPETITIVE SEALED PROPOSALS**

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

#### **CVC(LEGAL)**

#### **FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AGENT**

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

#### **CVD(LEGAL)**

#### **FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AT-RISK**

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

#### **CVE(LEGAL)**

#### **FACILITIES CONSTRUCTION: DESIGN-BUILD**

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

#### **CVF(LEGAL)**

#### **FACILITIES CONSTRUCTION: JOB ORDER CONTRACTS**

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

#### **DEC(LOCAL)**

#### **COMPENSATION AND BENEFITS: LEAVES AND ABSENCES**

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

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

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

Other changes include:

- Adding a definition of *school year* that aligns with terminology in the TASB sample contracts and that provides context for references to the term elsewhere in the policy.

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### Santa Gertrudis ISD

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

New recommended provisions on state personal leave clarify that:

- Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.
- In approving or denying requests for the discretionary use of leave, the district will also consider how the duration of the requested absence affects the educational program and district operations.

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

### EHAA(LLEGAL)

### BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

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

### EHBA(LLEGAL)

### SPECIAL PROGRAMS: SPECIAL EDUCATION

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

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

### EHBAA(LLEGAL)

### SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

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

### EHBAB(LLEGAL)

### SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

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

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### **Santa Gertrudis ISD**

#### **EHBAC(LLEGAL) SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT**

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

#### **EHBAD(LLEGAL) SPECIAL EDUCATION: TRANSITION SERVICES**

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

#### **EHBC(LLEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES**

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

#### **EIF(LLEGAL) ACADEMIC ACHIEVEMENT: GRADUATION**

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

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

#### **EKB(LLEGAL) TESTING PROGRAMS: STATE ASSESSMENT**

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

#### **EL(LLEGAL) CAMPUS OR PROGRAM CHARTERS**

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

#### **FFAC(LLEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT**

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

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



## (LOCAL) Policy Comparison Packet

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

In this packet, you will find:

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

Annotations are shown as follows.

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

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

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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.

<b>Contact:</b>	<b>School Districts and Education Service Centers</b>	<b>Community Colleges</b>
	<a href="mailto:policy.service@tasb.org">policy.service@tasb.org</a>	<a href="mailto:colleges@tasb.org">colleges@tasb.org</a>
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

PURCHASING AND ACQUISITION

CH  
(LOCAL)

**Purchasing  
Authority**

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

**Exception for  
Emergency  
Contracts**

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

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

**Purchasing  
Procedures**

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

**Purchasing Method**

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

*Competitive  
Bidding*

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

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

*Competitive  
Sealed Proposals*

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

PURCHASING AND ACQUISITION

CH  
(LOCAL)

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

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

**Electronic Bids or Proposals**

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

**Responsibility for Debts**

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

**Purchase Commitments**

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

**Personal Purchases**

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

FACILITIES CONSTRUCTION

CV  
(LOCAL)

**Compliance with Law**

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

**Construction Contracts**

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

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

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

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**Change Orders**

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

Change orders valued at or above ~~\$50,000~~ \$50,000 shall require Board approval. The Superintendent shall be authorized to approve change orders of a lesser amount.

**Project Administration**

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

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

**Final Payment**

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

**Leave Administration**

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

**Definitions**

The term “immediate family” is defined as:

**Immediate Family**

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

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

**Family Emergency**

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

**Leave Day**

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

**School Year**

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

**Catastrophic Illness or Injury**

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

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

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**Availability**

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

**State Deductions**

~~Leave Without Pay~~

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

Leave Proration

~~Employed for  
Less Than Full  
Year~~

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

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

**Recording**

~~Leave shall be recorded as follows:~~

- ~~1. Leave shall be recorded in half day increments for all employees.~~
- ~~2. If the employee is taking intermittent FMLA leave, leave shall be recorded in one hour increments.~~

**Order of Use**

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

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

- ~~1. Local leave.~~
- ~~2. State sick leave accumulated before the 1995-96 school year.~~
- ~~3. State personal leave.~~

**Concurrent Use of Leave**

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

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

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

**Medical Certification**

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

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

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

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

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**State Personal Leave**

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

~~Nondiscretionary~~  
~~Non-Discretionary~~ Use

- ~~1.4.~~ ~~Nondiscretionary~~ ~~Non-discretionary~~ use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

~~Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.~~

Discretionary Use

- ~~2.5.~~ Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

*Limitations*

Request for  
Leave

~~In deciding whether to approve or deny a~~ ~~The employee shall submit a written~~ request for discretionary use of state personal leave, ~~to the immediate supervisor or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny state personal leave, the supervisor or designee~~ shall not seek or consider the reasons for which an employee requests to use leave. The supervisor

COMPENSATION AND BENEFITS  
LEAVES AND ABSENCES

DEC  
(LOCAL)

~~or designee~~ shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program ~~and~~ District operations, as well as the availability of substitutes.

**Local Leave**

~~Each employee~~~~All employees~~ shall earn five paid local leave days per school year in accordance with administrative regulations.

Local leave shall accumulate without limit.

Local leave shall be used according to the terms and conditions of state personal leave. [See ~~State Personal Leave~~~~STATE PERSONAL LEAVE~~, above]

**Extended Sick Leave**

After all available ~~paid state and local~~ leave days ~~and any applicable compensatory time~~ have been exhausted, a full-time employee shall be granted in a school year a maximum of 20 leave days of extended sick leave to be used for the employee's catastrophic illness or injury, including pregnancy-related illness or injury, or for absences related to the catastrophic illness or injury of a member of the employee's immediate family.

A written request for extended sick leave must be accompanied by medical certification of the illness or injury.

~~The District shall deduct the~~~~The~~ average daily rate of pay of a substitute for the employee's position ~~shall be deducted~~ for each day of extended sick leave taken, whether or not a substitute is employed.

**Family and Medical Leave**

FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable.

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**Note:** See DECA(LEGAL) for provisions addressing FMLA.

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Twelve-Month Period

For purposes of an employee's entitlement to FMLA leave, the 12-month period shall begin on the first duty day of the school year.

Combined Leave for Spouses

~~When~~~~if~~ both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks. ~~[See DECA(LEGAL)]~~

Intermittent or Reduced Schedule Leave

The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. ~~[See DECA(LEGAL) for~~

COMPENSATION AND BENEFITS  
LEAVES AND ABSENCES

DEC  
(LOCAL)

	<del>use of intermittent or reduced schedule leave due to a medical necessity.]</del>
Certification of Leave	<del>When</del> If an employee requests leave, the employee shall provide certification, <del>in accordance with</del> as required by FMLA regulations, of the need for leave. <del>[See DECA(LEGAL)]</del>
Fitness-for-Duty Certification	In accordance with administrative regulations, <del>when</del> If an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. <del>If the District will require certification of the employee's ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.</del>
Leave at the End of Semester <del>Leave</del>	<del>When</del> If a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester. <del>[See DECA(LEGAL), LEAVE AT THE END OF A SEMESTER]</del>
<del>Failure to Return</del>	<del>If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. [See DECA(LEGAL), RECOVERY OF BENEFIT COST]</del>
<b>Temporary Disability Leave</b>	<p>Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]</p> <p>An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the <del>Superintendent or designee as a request for temporary disability leave.</del></p> <p>The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.</p>
<b>Workers' Compensation</b>	<hr/> <p><b>Note:</b> Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. <del>[See GRD(LOCAL) regarding payment of insurance contribution during employee absences.]</del></p> <hr/>

	<p><u>An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.</u></p>
<p>No Paid Leave Offset</p>	<p>The District shall not permit the option <del>An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.</del></p> <p>An employee eligible for paid leave offset in conjunction with workers' compensation income benefits. [See CRE], <del>and not on assault leave, may elect in writing to use paid leave.</del></p>
<p>Court Appearances</p>	<p>Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.</p>
<p>Annual Payment Reimbursement for Unused Leave</p>	<p>Unless an employee requests that his or her unused local leave be allowed to accumulate, each full-time employee shall receive an annual <del>payment</del> <del>reimbursement</del> for unused local leave to a maximum of five days per school year.</p> <p>An employee who wishes not to receive the <del>payment</del> <del>reimbursement</del> for unused leave must submit his or her written request for accumulation in accordance with administrative procedures.</p> <p>The employee <del>Leave</del> shall <del>receive payment for each day of unused local leave</del> <del>be reimbursed</del> at a rate established by the Board.</p> <p>Days <del>for which the employee received payment</del> <del>that are reimbursed</del> shall not be available to that employee for use in the District.</p> <p>The rate established by the Board shall be in effect until a new rate is adopted. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.</p>
<p>Payment Reimbursement for Accumulated Leave Upon Retirement</p>	<p>The following leave provisions shall apply to local leave <del>accumulated</del> <del>earned</del> beginning on the original effective date of this program.</p> <p>An <del>A full-time</del> employee who retires from the District shall be eligible for <del>payment</del> <del>reimbursement</del> for <del>accumulated</del> local leave under the following conditions:</p> <ol style="list-style-type: none"><li>1. The employee is employed on a full-time basis.</li><li>1. The employee's retirement is voluntary, i.e., the employee is not being discharged or nonrenewed.</li><li>2. The employee provides <del>advance</del> written notice of intent to retire. <del>Contract</del> employees must provide written notice <del>at least</del> <del>no later than</del> 45 days before the last instructional day of the school year in which retirement occurs. <del>Noncontract</del> <del>Non-</del></li></ol>

~~contract~~ employees must provide written notice at least two weeks before the last day of employment.

3. The employee has at least five years of service with the District.

The employee shall ~~be reimbursed~~ receive payment for each day of accumulated local leave, to a maximum of 20 days, at a rate established by the Board. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

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

(LOCAL) Policy Action List

SANTA GERTRUDIS ISD(137904) - Update / LDU 117

As described in the cover letter to the update, TASB attorneys recommend that posting board consideration of and action on policies be specific enough to advise staff and members of the public of the changes.

The (LOCAL) policy changes—each addition, deletion, or replacement—should be listed in alphabetical order by policy code, title, and subtitle. The following document is our compilation of that list, which may be copied and pasted into your meeting notice, staff communications of board action, and board meeting minutes.

(LOCAL) Policy Action List

SANTA GERTRUDIS ISD(137904) - Update / LDU 117

CH(LOCAL): PURCHASING AND ACQUISITION

CV(LOCAL): FACILITIES CONSTRUCTION

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