Agenda of AMENDED - Regular Meeting

The Board of Trustees
San Elizario ISD: A Proud Community of Champions – Soaring to Excellence!

A AMENDED - Regular Meeting of the Board of Trustees of San Elizario ISD will be held in person on Wednesday, June 11, 2025, beginning at 5:30 PM SEISD Administration Office, 1050 Chicken Ranch Road, San Elizario, TX 79849.

Although one or more board members may participate by videoconference call, a quorum of the Board of Trustees, which includes the Presiding Officer of the Board Meeting, will be physically present at this location for purposes of this meeting and in conformance with the Texas Open Meetings Act.

Members of the public who desire to address the board regarding an item on this agenda must comply with the following registration procedures: Public comments may be submitted to acardonajr@seisd.net at any time prior to the board meeting time.

Signs, placards, or banners shall not be allowed inside the Boardroom. Additionally, any citizen wishing to distribute printed handout materials to the Board or audience must submit the materials for review by 5:00 p.m. prior to the meeting to the Superintendent's Office. The Superintendent, or their designee, shall inform the speaker if the materials have been approved for distribution prior to the meeting. All printed handout materials shall be distributed to the Board or audience before or after public comment, but not during.

Public comment shall occur at the beginning of the meeting and shall follow all other requirements and limitations under SEISD Board Policy BED (Local).

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the order shown on this meeting notice. All items on the consent agenda shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration.

1. **GENERAL FUNCTIONS**
   Mr. Eduardo Chavez, Board President
   A. Call Meeting to Order
   B. Roll Call
   C. Establish Quorum
   D. The Pledge of Allegiance 7
      San Elizario ISD Student
   E. Texas Pledge of Allegiance 8
      San Elizario ISD Student
   F. **San Elizario ISD Mission Statement**
      The mission of the San Elizario Independent School District is to graduate students with innovative skills for 21st-century careers by focusing on academic and social skills, fostering transformative practices, and building community support through positive relationships between home and school.

Mr. Eduardo Chavez, Board President

2. **OPEN FORUM** (three-minute limit per speaker, unless otherwise noted)
3. **DISTRICT RECOGNITIONS**
   - A. Ann M. Garcia-Enriquez Middle School
     1. 8th Grade Track and Field District Champions
        Mr. Cesar Morales, Executive Director Athletics
     2. Do the Write Thing Writing Program
        Mr. Richard Salcido, Principal, Ann M. Garcia-Enriquez Middle School
        a. Student Finalists
        b. Advisors
        c. Coordinators
   - B. Recognition of STEM Tank Event
     1. District Coordinator - Ms. Deborah Cortez, Instructional Officer
        Dr. Jeannie Meza-Chavez, Superintendent, and Ms. Blanca Cruz, Associate Superintendent
     2. Top Winners
        Mr. Richard Salcido, Principal, Ann M. Garcia-Enriquez Middle School
   - C. Career and Technical Education Recognitions
     Ms. Sandra Sanchez, Career & Technical Education Administrator
     1. Cosmetology Operator License
     2. Business Management
        a. Administrative Assistant Certification
        b. Microsoft Office
   - D. Top 1% Statewide Scores in STAAR/EOC Tests - Secondary Students
     Ms. Anna Alvarez, Instructional Officer
   - E. Grounds Department
     Mr. Lorenzo Luevano, Board Trustee, and Dr. Jeannie Meza-Chavez, Superintendent
   - F. Recognition of Curriculum & Instruction Team
     Dr. Jeannie Meza-Chavez, Superintendent, and Ms. Blanca Cruz, Associate Superintendent
   - G. Recognition of Teacher and Employee of the Month for Alfonso Borrego, Sr. Elementary School
     Ms. Martha Santana-Garcia, Principal, Alfonso Borrego, Sr. Elementary School
     1. Teacher of the Month - Claudia Carrillo
     2. Employee of the Month - Vianey Trejo
4. **NEW BUSINESS / BOARD ACTION ITEMS**
   - A. San Elizario Independent School District Board of Trustees Book Study - Start with Why by Simon Sinek — 9
     Mr. Lorenzo Luevano, Board of Trustee
   - B. Student Outcome Goals
     1. Alfonso Borrego, Sr. Elementary School - Monitoring Student Progress — 17
        Ms. Martha Santana-Garcia, Principal, Alfonso Borrego, Sr. Elementary School
   - C. Annual Review of the Board Operating Procedures — 27
     Board of Trustees and Dr. Jeannie Meza-Chavez, Superintendent
   - D. Budget Workshop # 2 for School Year 2025-2026 — 93
     Ms. Elizabeth Perez, Chief Financial Officer, and Ms. Gina Ramirez, Executive Director Human Resources
     1. Handout - 1 — 109
5. **CONSENT AGENDA** - Consider and possible Board action on

A. Financial Reports
Ms. Elizabeth Perez, Chief Financial Officer
1. Tax Report 110
2. Financial Statements 116
3. Investment Report 120
4. Purchases exceeding $25,000
a. Imagine Learning - $25,600.00 126
b. City of San Elizario - $70,500.00 127
c. Labatt Food Service - Non-Food - $75,000.00 128
d. Segovia's Distributing - $55,000.00 129
e. Contracted Occupational Therapist - Sarah Aguilar Perez - $49,500.00 130
f. LEAF Capital Funding LLC - $92,000.00 131
g. Labatt Food Service - $1,400,000.00 132
h. Gibson Ruddock Patterson, LLC. - $73,500.00 133
i. GH Dairy - $145,000.00 134
j. Frontline Technologies Group, LLC - $98,267.10 135
k. El Paso Central Appraisal District - $52,000.00 136
l. Education Service Center, Region XIX - $25,980.00 137
m. County of El Paso - $427,613.00 138
n. Tyler Technologies, Inc. - $42,824.41 139
o. Heist Disposal Service, Inc. - $44,000.00 140
p. Flyers Energy, LLC. - $27,000.00 141
q. Flyers Energy, LLC - $132,600.00 142
r. Far West Services Inc. - $110,000.00 143
s. Trejo Commercial Refrigeration - $65,000.00 144
5. Budget Amendment 145

B. Consider and possible Board action to approve the Request for Proposal for Depository Services (RFP# 25-1166)
Ms. Elizabeth Perez, Chief Financial Officer

C. Consider and possible Board action to approve resolution designating the person responsible for calculating the no-new-revenue tax rate and voter-approved tax rate for the District 147
Ms. Elizabeth Perez, Chief Financial Officer

D. Consider and possible Board action to authorize the District to participate in purchasing cooperatives for the 2025–2026 school year 149
Ms. Elizabeth Perez, Chief Financial Officer, and Ms. Nancy Tinoco, Purchasing Specialist

E. Consider and possible Board action to approve final payment to City Fence & Pipe Co., for installation of secured perimeter fencing with emergency egress gates at Ann M. Gacia-Enriquez Middle School - PO# 51855 151
Ms. Elizabeth Perez, Chief Financial Officer, and Mr. Jesus Martinez, Executive Director Support Services

F. Consider and possible Board action to approve the Specialist - Nutrition Services Support Pay Scale Revision 153
Ms. Gina Ramirez, Executive Director Human Resources, and Ms. Aggie Reyes, Executive Director Child Nutrition Services

G. Consider and possible Board action to approve the Social Work Maryville University Agreement 157
Ms. Gina Ramirez, Executive Director Human Resources
H. Consider and possible Board action to approve Student Outcome Goals and Goal Progress Measures for the 2025-2026 school year. 164
Mr. Edgar Ponce, Research and Evaluation Administrator
I. Consider and possible Board action to approve the 2025-2026 Board Monitoring Calendar 168
Mr. Edgar Ponce, Research & Evaluation Administrator
J. Consider and possible Board action to approve the Effective Advising Grant (EAF) - Counseling Coach position and stipend 171
Ms. Sandra Sanchez, Career & Technical Education Administrator
K. Consider and possible Board action to approve the implementation of the Engineering Program of Study: Drone 174
Ms. Sandra Sanchez, Career & Technical Education Administrator
L. Consider and possible Board action to approve the UTEP Play Therapy Training 189
Ms. Sandra Sanchez, Career & Technical Education Administrator
M. Consider and possible Board action to approve the implementation of the Special Education CTE Innovative Student to Industry Connection course (N1270154) 225
Ms. Sandra Sanchez, Career & Technical Education Administrator
N. Consider and possible Board action to approve the 2025-2026 Migrant Program Interlocal Agreement with the Education Service Center, Region 19 231
Ms. Blanca Cruz, Associate Superintendent
O. Consider and possible Board action to approve contract between the San Elizario Independent School District and Communities in Schools of El Paso, Inc. 240
Ms. Blanca Cruz, Associate Superintendent
P. Consider and possible Board action to approve the Boys and Girls Clubs of El Paso Memorandum of Agreement 248
Ms. Blanca Cruz, Associate Superintendent
Q. Consider and possible Board action to approve the Bluebonnet Math Curriculum Adoption Transition Plan 254
Ms. Blanca Cruz, Associate Superintendent
R. Consider and possible Board action to approve the Bluebonnet Spanish Math Pilot Curriculum 284
Ms. Blanca Cruz, Associate Superintendent
S. Consider and possible Board action to approve interlocal agreement of School Resource Officer with the City of San Elizario, Texas, commencing on July 1, 2025, and ending on June 30, 2026 285
Mr. Jesus Martinez, Executive Director Support Services, and Ms. Elizabeth Perez, Chief Financial Officer
T. Consider and possible Board action to approve Policy Update 125 300
Board of Trustees
1. (LEGAL) Policies - Review Only
2. (LOCAL) Policies - adopt, revise, or repeal
BDAA(LOCAL): OFFICERS AND OFFICIALS - DUTIES AND REQUIREMENTS OF BOARD OFFICERS

BDB(LOCAL): BOARD INTERNAL ORGANIZATION - BOARD COMMITTEES
BDF(LOCAL): BOARD INTERNAL ORGANIZATION - ADVISORY COMMITTEES
EI(LOCAL): ACADEMIC ACHIEVEMENT
FDE(LOCAL): ADMISSIONS - SCHOOL SAFETY TRANSFERS
FEC(LOCAL): ATTENDANCE - ATTENDANCE FOR CREDIT

U. Consider approval of minutes for the following:
Board of Trustees
1. May 14, 2025 - Regular Board Meeting 570
2. May 21, 2025 - Budget and Instructional Workshop 577
3. June 4, 2025 - Special Board Meeting 580

V. Consider disposal of surplus property declared obsolete and unnecessary by Superintendent or her Designee, to include disposal of broken furniture and technology equipment according to Administrative discretion and by any reasonable means.
1. Technology Department 582
Mr. Horacio Hernandez, Executive Director Technology

6. **PRESENTATIONS / REPORTS / INFORMATION**

A. Presentations

B. Reports
1. Goal Progress Monitoring
Mr. Edgar Ponce, Research and Evaluation Administrator
a. GPM 3.1 - Meeting CCMR Criteria 586
2. End-of-Year pulse check on academic growth 588
Mr. Edgar Ponce, Research and Evaluation Administrator

C. Information
1. San Elizario ISD Balanced Scorecard Key Strategic Plan 2025 - 2029 596
Dr. Jeannie Meza-Chavez, Superintendent, and Cabinet Team
2. 2025 - 2026 Board Meeting Dates 619
Dr. Jeannie Meza-Chavez, Superintendent
3. San Elizario Early College High School Designation 620
Dr. Jeannie Meza-Chavez, Superintendent
4. Board Training
a. Far West Texas School Boards Association Meetings 621
- Saturday, July 12, 2025 - TBD
b. TASA | TASB Convention txEDCON25 - September 11 to 14, 2025 | Houston, TX 622
c. 2025 MASBA Conference - October 2 to 3, 2025 | San Antonio, TX 623
d. NSBA 2026 – April 10 to 12, 2026 | San Antonio, TX 624
5. Meal Service Update 625
Ms. Agueda Reyes, Executive Director Child Nutrition Services
6. Enrollment Update 626
Dr. Jeannie Meza-Chavez, Superintendent

7. **EXECUTIVE SESSION**

The Board will enter into a closed meeting to discuss personnel matters, to consult with attorney, to discuss real estate matters, to consider recommendations for hiring of personnel or termination of personnel and other personnel matters under Sec. 551.071, 551.072 and 551.074, Texas Gov. Code:

A. Discussion, including consultation with Legal Counsel, regarding approval of resignation agreement with Teacher/Coach
B. Consultation with Legal Counsel regarding School Volunteers
C. Discussion regarding the reassignment of personnel
Dr. Jeannie Meza-Chavez, Superintendent

8. **THE BOARD WILL RETURN TO OPEN SESSION TO TAKE POSSIBLE ACTION ON THE MATTERS DISCUSSED IN EXECUTIVE SESSION**
   A. Possible Board action on matters discussed in Closed Session
   B. Discussion and possible Board action to approve resignation agreement of Teacher/Coach and rescind prior Board action to propose nonrenewal of Teacher/Coach
9. **NEXT MEETING DATE:**
   Wednesday, June 18, 2025 at 5:30 p.m.- Budget Adoption
   July 2025 - No Board Meeting
   Wednesday, August 13, 2025 at 5:30 p.m. - Regular Board Meeting
10. **ADJOURNMENT**

If, during the course of the meeting covered by this Notice, the Board of Trustees should determine that a closed or executive meeting or session of the Board of Trustees is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the School Board at the date, hours, and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the School Board may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act, including, but not limited to the following sections and purposes:

Texas Government Code Section:

551-071	Private consultation with the board's attorney.
551-072	Discussing purchases, exchange, leases, or value of real property.
551-073	Discussing negotiated contracts for prospective gifts or donations.
551-074	Discussing personnel or to hear complaints against personnel
551-076	Deliberation regarding security devices
551-082	Considering discipline of a public school child, or complaint or charge against personnel
551-083	Considering the standards, guidelines, terms or conditions the board will follow, or will instruct its representative to follow, in consultation with representatives of employee groups.
551-084	Excluding witnesses from a hearing.

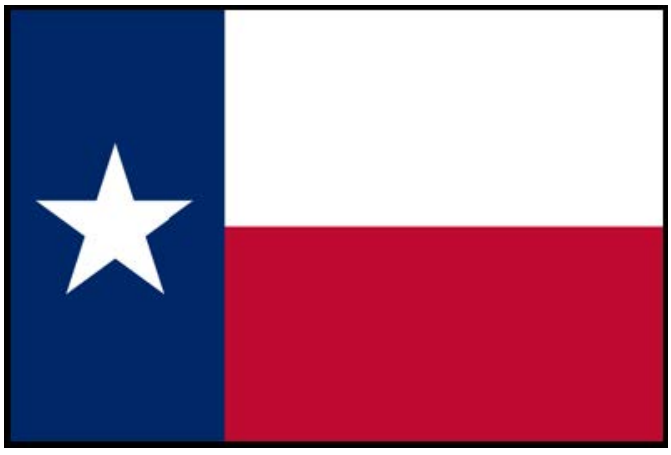
Should any final action, decision, or final vote be required in the opinion of the school Board with regard to any matter considered in such closed or executive meeting or session, then the final action, or final vote shall be either:

(a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
(b) at a subsequent public meeting of the School Board upon notice thereof; as the School Board shall determine.



I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."



START WITH WHY

HOW GREAT LEADERS INSPIRE EVERYONE TO TAKE ACTION

SIMON SINEK

New York Times bestselling author of ***Leaders Eat Last*** and ***Together Is Better***



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CONTENTS

Preface: The Power of Why ix
Introduction: Why Start with Why? 1

PART I: A WORLD THAT DOESN'T START WITH WHY

1. Assume You Know 11
2. Carrots and Sticks 16

PART 2: AN ALTERNATIVE PERSPECTIVE

3. The Golden Circle 37
4. This Is Not Opinion, This Is Biology 52
5. Clarity, Discipline and Consistency 65

PART 3: LEADERS NEED A FOLLOWING

6. The Emergence of Trust 83
7. How a Tipping Point Tips 115

PART 4: HOW TO RALLY THOSE WHO BELIEVE

8. Start with WHY, but Know HOW 133
9. Know WHY. Know HOW. Then WHAT? 154
10. Communication Is Not About Speaking, It's About Listening 160

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PART 5: THE BIGGEST CHALLENGE IS SUCCESS

11. When WHY Goes Fuzzy 175
12. Split Happens 183

PART 6: DISCOVER WHY

13. The Origins of a WHY 209
14. The New Competition 222

Afterword: Be a Part of This Movement, Share Your Vision of the World 226
Acknowledgments 229
Notes 234
Index 241

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PREFACE

THE POWER OF WHY

When I first discovered this thing called the WHY, it came at a time in my life when I needed it. It wasn't an academic or intellectual pursuit; I had fallen out of love with my work and found myself in a very dark place. There was nothing wrong with the quality of my work or my job, per se; it was the enjoyment I had for that work that I'd lost. By all superficial measurements, I should have been happy. I made a good living. I worked with great clients. The problem was, I didn't feel it. I was no longer fulfilled by my work and I needed to find a way to rekindle my passion.

The discovery of WHY completely changed my view of the world and discovering my own WHY restored my passion to a degree multiple times greater than at any other time in my life. It was such a simple, powerful, and actionable idea, that I shared it with my friends. That's what we do when we find something of value, we share it with the people we love. Inspired, my friends started making big life changes. In turn, they invited me to share this idea with their friends, the people they loved. And so the idea started to spread.

It was at this point I decided to turn myself into the guinea pig. It didn't seem right that I would share or promote a concept that I didn't practice myself. So I was going to practice it as wholly as I

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could. The only reason I am where I am today, this representative of WHY, is for one reason and one reason only: because of other people.

I have no publicist. I have had only very little national press coverage. Yet the concept of WHY is spreading far and wide because it resonates with people on such a visceral level that they share it with those they love and care about. That I was given the opportunity to write a book about the concept has allowed the depth of the idea to spread without me. The TEDx Talk I gave that was posted on ted.com continues to spread far and wide not because of any social media strategy. It spreads because this message is inherently optimistic. It is inherently human. And those who believe in it share it.

The more organizations and people who learn to also start with WHY, the more people there will be who wake up feeling fulfilled by the work they do. And that's about the best reason I can think of to continue sharing this idea.

Inspire on!

Simon Sinek
New York
July 28, 2011

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INTRODUCTION

WHY START WITH WHY?

This book is about a naturally occurring pattern, a way of thinking, acting and communicating that gives some leaders the ability to inspire those around them. Although these "natural-born leaders" may have come into the world with a predisposition to inspire, the ability is not reserved for them exclusively. We can all learn this pattern. With a little discipline, any leader or organization can inspire others, both inside and outside their organization, to help advance their ideas and their vision. We can all learn to lead.

The goal of this book is not simply to try to fix the things that aren't working. Rather, I wrote this book as a guide to focus on and amplify the things that do work. I do not aim to upset the solutions offered by others. Most of the answers we get, when based on sound evidence, are perfectly valid. However, if we're starting with the wrong questions, if we don't understand the cause, then even the right answers will always steer us wrong . . . eventually. The truth, you see, is always revealed . . . eventually.

The stories that follow are of those individuals and organizations that naturally embody this pattern. They are the ones that start with Why.

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PART I

A WORLD THAT DOESN'T START WITH WHY

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2

CARROTS AND STICKS

Manipulation vs. Inspiration

There's barely a product or service on the market today that customers can't buy from someone else for about the same price, about the same quality, about the same level of service and about the same features. If you truly have a first-mover's advantage, it's probably lost in a matter of months. If you offer something truly novel, someone else will soon come up with something similar and maybe even better.

But if you ask most businesses why their customers are their customers, most will tell you it's because of superior quality, features, price or service. In other words, most companies have no clue why their customers are their customers. This is a fascinating realization. If companies don't know why their customers are their customers, odds are good that they don't know why their employees are their employees either.

If most companies don't really know why their customers are their customers or why their employees are their employees, then how do they know how to attract more employees and encourage loyalty among those they already have? The reality is, most businesses today are making decisions based on a set of incomplete or,

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Alfonso Borrego Sr. Elementary

2024 – 2025
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Progress Monitoring

Reading

3rd Grade Reading			
	STAAR 2024	STAAR 2025	+/-
Approaches	65%	60%	-5%
Meets	36%	31%	-5%
Masters	13%	6%	-7%

4th Grade Reading			
	STAAR 2024	STAAR 2025	+/-
Approaches	73%	66%	-7%
Meets	46%	33%	-13%
Masters	16%	7%	-9%

5th Grade Reading			
	STAAR 2024	STAAR 2025	+/-
Approaches	67%	69%	+2%
Meets	32%	52%	+20%
Masters	10%	18%	+8%

6th Grade Reading			
	STAAR 2024	STAAR 2025	+/-
Approaches	75%	64%	-11%
Meets	49%	38%	-11%
Masters	12%	14%	+2%

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1. Who is struggling most based on the data?	2. Which circumstances surrounded struggling students and what is being done about it?	3. Why is it working for some students?	4. Which changes will happen based on the data	5. How can the Board Help?
ASC **SPED-Co-teach/Resource**	This year students took the grade level STAAR for the first time when in the past they tested STAAR-ALT; different curriculum/assessment. We are not maximizing the use of our SPED teachers to help students while in the Gen. Ed classroom for co-teach. The lessons in the resource classes did not align with those of the gen. ed classrooms.	We have the only ASC units in the district. Some students within this group are performing and reading closer to their grade level than others.	Planning and PLC will be modified so that they can look carefully at vertical alignment documents, identify a Tier 1 lesson and then plan for small group (grade level) instruction. Ensure SPED teacher know TEKS. Regular meetings will be held with SPED Dept. to address challenges with assessment/instruction. Identify a model (parallel, duet, etc) for co-teach to engage the SPED teacher; "Co-Teaching That Works: Structures and Strategies for Maximizing Student Learning" is Anne M. Beninghof	Continue to prioritize and invest in support and resources that meet the unique needs of SPED teachers and students. Continue to prioritize and invest in support and resources for our bilingual/dual language teachers and students. Continue to help build, align, and strengthen our PBIS program as this will positively impact not only behavior but also academics and attendance as well. You are always welcome to our campus to participate, observe, and/or provide feedback or suggestions in anything that we are doing. Offering opportunites for more training on foundational skills to ensure that are teachers are closing the gaps.
6th grade bilingual **4th grade**	The expectation in 6th grade is that students test in English. Last year there was a high number of students who tested in Spanish in 5th grade posing a challenge this year. In addition, the students reading levels were low in English. 4th grade-specificity of TEKS and the addressing the foundational needs of students Small group instruction and targeted interventions were not consistent.	Just as we differentiate for students we have to differentiate for teachers so that they can better help students understand and master grade level content. There is a large population of students who are reading and writing well below grade level. Those who are not struggling will be more successful.	Schedule vertical alignment meetings across grade levels and content areas to address expectations. Learning to read vs. reading to learn and addressing foundational needs. HMH program will help. Small group instruction and targeted intervention are two areas we will focus on to improve student performance. Lessons will be more focused on needs and they will be teacher led.	

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Math

3rd Grade Mat			
	STAAR 2024	STAAR 2025	+/-
Approaches	48%	50%	+2%
Meets	18%	21%	+3%
Masters	5%	4%	-1%

4th Grade Math			
	STAAR2024	STAAR 2025	+/-
Approaches	60%	52%	-8%
Meets	38%	28%	-10%
Masters	8%	11%	+3%

5th Grade Math			
	STAAR 2024	STAAR 2025	+/-
Approaches	74%	57%	-17%
Meets	38%	26%	-12%
Masters	7%	8%	+1%

6th Grade Math			
	STAAR 2024	STAAR 2025	+/-
Approaches	81%	80%	-1%
Meets	46%	50%	+4%
Masters	13%	19%	+6%

#SEISDCommitmentValorYCorazon

1. Who is struggling most based on the data?	2. Which circumstances surrounded struggling students and what is being done about it?	3. Why is it working for some students?	4. Which changes will happen based on the data	5. How can the Board Help?
4th grade	Students struggled with reading and understanding word problems. In some cases, they were not sure what they were being asked to do. The lack of manipulatives to teach new skills	There are students who are performing academically at higher levels, including reading and comprehending text. There are students who are able to learn concepts without the use of manipulatives (auditory, ex.)	These challenges will be embedded into planning and data analysis meetings and PLCs. There will be an increased effort to help students understand word problems by focusing on academic vocabulary and Reading intervention.	Continue to prioritize and invest in support to help teachers implement the new Math program with consistency and fidelity. Continue to help build, align, and strengthen our PBIS program as this will positively impact not only behavior but also academics and attendance as well. You are always welcome to our campus to participate, observe, and/or provide feedback or suggestions in anything that we are doing. Continue to prioritize and invest in support and resources that meet the unique needs of SPED teachers and students. Now that we are beginning with a new Math program, this is a perfect opportunity to identify pieces that will support instruction in the SPED classrooms considering the varying needs.
5th grade (all)	Behavior issues in this grade level were prominent. Consequences included DAEP and ISS which resulted in students missing out on instruction from teacher. Positive relationships between teacher/student were impacted. The absence of manipulatives during instruction negatively impacted learning.	There are many students who are meeting and exceeding the behavior expectation. There are students performing at a higher academic level so they struggle less.	We are prioritizing our efforts to build a strong PBIS program that is consistently implemented and aligned across the entire campus. Classes for students will be provided according to topic/need/month. Classes/information will be provided to parents. Training/walkthroughs/ feedback will include use of manipulatives and other tools with the use of the Bluebonnet curriculum.	
SPED-Co-teach/Resource	We are not maximizing the use of our SPED teachers to help students while in the Gen. Ed classroom for co-teach. Resource lessons have to be aligned to TEKS and STAAR.	Some students within this group are performing and reading closer to their grade level.	Ensure SPED teachers know TEKS. Regular meetings will be held with SPED Dept. to address challenges with assessment/instruction. Identify a model (parallel, duet, etc) for co-teach to engage SPED teachers. "Co-Teaching That Works: Structures and Strategies for Maximizing Student Learning" is Anne M. Beninghof	

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Attendance

2022-2023 End of Year	2023-2024 End of Year	2024-2025 Current
93.01%	94.27%	94.6%

2024-2025 Grade Level Attendance	
Third Grade	94.58%
Fourth Grade	94.71%
Fifth Grade	93.95%
Sixth Grade	95.23%

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1. Who is struggling most based on the data?	2. Which circumstances surrounded struggling students and what is being done about it?	3. Why is it working for some students?	4. Which changes will happen based on the data	5. How can the Board Help?
While no grade level met the district's attendance goal of 96%, 5th grade currently has the lowest attendance rate among all grade levels, at 93.95%.	Contributing factors for struggling students may include illness, lack of understanding about attendance policies or the importance, challenging home lives, lack of interest (students) Interventions: 1. Working to build a strong PBIS program 2. 3 absences=warning letter 3. 5 absences=meeting with counselor/parent 4. 7 absences=meeting with admin/45-day contract 5. 10+ = court 6. Home visits by administration, truancy officer, and district Social Worker 7. Incentives for classrooms/students such as raffles, free dress, and field trips, popsicle parties, pizza at lunch with special seating area	Other grade levels are showing relatively higher attendance rates due to a combination of factors including more consistent routines regarding attendance, stronger student-teacher relationships, a good handle on classroom management and consistent communication with families	1. We are working on building a PBIS program that will be consistently implemented and aligned across our campus. It will impact attendance, academics, and behavior. 2. Will hold monthly attendance committee meetings and we will include parents at beginning/middle/end of the year. 3. Continue incentives 4. Help students understand the importance of attending school everyday and what happens when they don't.	There is an opportunity for district wide alignment regarding attendance, tardies, and early pullout administrative procedures. Parent education about attendance, tardies, and early pull-outs. Possibly implementing a Loss of Credit policy district wide (example: principal's plan).

Overall Improvements

2024-2025
#SEISDCommitmentValorYCorazon

School Showcase



#SEISDCommitmentValorYCorazon

Alfonso Borrego Sr. Elementary

2024 – 2025
#SEISDCommitmentValorYCorazon

Questions?

SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT

BOARD OPERATING PROCEDURES MANUAL

A Proud Community of Champions – Soaring to Excellence!

Last Approved 1/15/2025

Table of Contents

I. INTRODUCTION 3
II. HOW TO USE THIS MANUAL 3
III. BOARD'S MISSION STATEMENT, VISION AND VALUES 3
IV. ACCOUNTABILITY AND STRUCTURE POLICIES 5
V. ADVOCACY AND UNITY 6
VI. BOARD MEMBER SOCIAL MEDIA POLICY 8
VII. ROLE & DUTIES OF THE SUPERINTENDENT 9
VIII. ROLE OF BOARD OFFICERS AND BOARD MEMBERS 10
IX. EVALUATION OF THE SUPERINTENDENT 10
X. BOARD MEMBER CAMPUS VISITS 11
XI. BOARD AND SUPERINTENDENT COLLABORATION 12
XII. BOARD TRAVEL/TRAINING 13
XIII. BOARD MEETING GUIDELINES AND PROCEDURES 14
XIV. BOARD MEMBER REQUESTS FOR INFORMATION, DOCUMENTATION, REPORTS OR REPORTS OTHER THAN AGENDA ITEMS 20
XV. BOARD/VENDOR RELATIONS 22
XVI. BOARD MEMBERS' COMMUNICATIONS PROCEDURES 23
XVII. PUBLIC COMMENT PROCEDURES 27
XVIII. BOARD COMPOSITION, LENGTH OF TERMS AND ELIGIBILITY 29
XIX. BOARD HEARING OF GRIEVANCES AND COMPLAINTS 30
XX. VIOLATION OF BOARD OPERATING PROCEDURES 30
XXI. ACCESS TO DISTRICT TECHNOLOGY 31
XXII. SEISD BOARD CONFIDENTIALITY AGREEMENT 31
XXIII. BOARD OF TRUSTEES PROFESSIONAL STANDARDS OF CONDUCT 32
XXIV. APPENDIX 33

I. INTRODUCTION

Welcome to the official Board Operating Procedures Manual (the "Manual") for San Elizario Independent School District ("SEISD"). In successful school systems, the superintendent and school board function as a "Team of Eight," unified in their commitment to their district's success. To strengthen this partnership, the SEISD Board of Trustees (sometimes referred to herein as the "Board") has adopted the Board Operating Procedures in this Manual to support clear, effective communication between the Board and the Superintendent, between the Board and District staff and between the Board and the broader District community. These procedures are aligned with SEISD's Code of Ethics, Vision Statement, and all applicable laws and policies that govern the Board's and SEISD's operations.

The Board Operating Procedures in this Manual are designed to guide and support Board Members and the Superintendent in carrying out District business responsibly and effectively. While these procedures are an important framework, they do not create legal rights for any third party, nor do they override existing Board Policy. Should any conflict or inconsistency arise between these Procedures and adopted Board Policy, every effort will be made to revise either Board Policy or the Operating Procedures to reflect the Board's intentions accurately, in compliance with state and federal law.

This manual is not static; it will be routinely reviewed and updated to reflect evolving best practices in school governance, allowing SEISD to benefit from the most current, effective governance strategies. By committing to regular evaluations, the Board strives to ensure that its practices consistently serve the district's interests, foster positive educational outcomes, and reinforce trust with the community. As we work in the spirit of collaboration and teamwork, these operating procedures demonstrate our dedication in holding ourselves accountable to all stakeholders.

II. HOW TO USE THIS MANUAL

Approved by a majority of the Board of Trustees, this Manual serves as a guiding framework for the Board's governance, responsibilities, and conduct, ensuring that all actions align with SEISD's mission, values, and dedication to educational excellence. Through this Manual, SEISD's Board of Trustees aspires to uphold the highest standards of governance, continuously reflecting on its practices to enhance the district's ability to serve students, staff, and the broader community effectively.

III. BOARD'S MISSION STATEMENT, VISION AND VALUES

Vision

San Elizario ISD: A Proud Community of Champions – Soaring to Excellence!

Mission

It is the mission of the San Elizario Independent School District to graduate students with skills to meet the demands of a changing world by promoting student success as non-negotiable, channeling resources to match learning needs of students, employ and retain a quality staff so that San Elizario is a proud, innovative and academically superior district

Board's Student Outcome Goals for the Superintendent

The Board's student outcome goals, as aligned with the school system vision, are:

Student Outcome Goal 1:
The percentage of 3rd grade students that score at the approaches level on STAAR mathematics will increase from 58% in June 2022 to >85% by June 2028. See appendix 1 pg. 18.

Student Outcome Goal 2:
The percentage of 3rd grade students that score at the approaches level on STAAR reading will increase from 57% in June 2022 to >80% by June 2028. See appendix 1 pg. 18.

Student Outcome Goal 3:
SEISD will increase the percentage of College, Career, and Military Readiness (CCMR) points earned annually by SEHS seniors from 30% in May 2023 to >88% by June 2028 as measured by the A-F Accountability System. See appendix 1 pg. 18.

The Superintendent shall interpret and implement the Board's student outcome goals and, in consultation with the Board, select goal progress measures (GPMs) for each student outcome goal. For any school year during which the Board's student outcome goals are not met, the Superintendent shall make reasonable progress toward meeting the student outcome goals. The Board's student outcome goals shall be the Superintendent's first priority for resource allocation.

Board's Constraints for the Superintendent

In attaining the Board's student outcome goals, the Superintendent shall not:

1. Allow the collaborative partnership between home, school, and community to deteriorate.

2. Allow adult convenience or preference to take priority over the academic progress of our students. The Superintendent shall interpret and implement the Board's Superintendent constraints

Theory of Action

If the district supports all students in reaching their individual educational goals; and if the district commits to all students learning the same standards but when necessary, reach them using differentiated time, resources, and approaches (Walters and Marzano, 2006); and if actions demonstrate leadership is expected from everyone as we support risk- taking and learning from

setbacks in our support of success; and if accountability is defined as being responsible to peers and colleagues in the pursuit of learning (Lambert, 2002), then the district and through campuses, will be able to accomplish the Board's student outcome goals while operating within the Board's constraints.

IV. ACCOUNTABILITY AND STRUCTURE POLICIES

The Board's Role

The Board shall:

1. Ensure creation of a shared **vision** that promotes improved student outcomes. The Board shall accomplish this by incorporating the community's vision and values into student outcome goals and fulfill our mission—all within the constraint.

2. Provide guidance and direction for accomplishing the vision. The Board shall accomplish this by creating a structure for the school system through distinct Board and Superintendent roles and responsibilities, which includes selecting the Superintendent, delegating to the Superintendent the authority and responsibility to implement the Board's goals within law and the Superintendent constraints, and considering and voting on the Superintendent's recommendations.

3. Promote the vision. The Board shall accomplish this by providing **advocacy** for students, families, staff, and stakeholders.

4. Work with the superintendent to lead the school system toward the vision. The Board shall accomplish this by behaving in a manner that demonstrates the **unity** of the Board and the school system.

In carrying out the above activities, the Board shall at all times comply with the Education Code and other laws, as applicable.

Superintendent's Role

The Superintendent, as the Board's sole delegate for managing school system operations, shall be responsible for accomplishing any reasonable interpretation of the Board's student outcome goals within the boundaries provided by the Board and Superintendent constraints and state and federal law.

State and federal law require board adoption of policies on a variety of topics. The Board's adopted policies in the school system's local board operating manual constitute compliance with these legal requirements. In accordance with state law, the Superintendent shall be responsible for preparing recommendations for policies to be adopted by the Board, overseeing implementation of adopted policies, and developing appropriate administrative regulations. In recommending policy for Board adoption, the Superintendent shall identify when the Board is required to adopt policy or has statutory decision-making authority that cannot be delegated to the Superintendent. Required

board policy addressing administrative issues shall be handled by consent agenda, with the Superintendent informing the Board of substantive changes.

Any operational issues not required to be Board adopted shall be addressed in administrative policy/regulations and the Board shall take necessary steps to remove such issues from its local policies.

Board's Constraints for the Board

The Board shall operate within the Board's role, as defined above, and the Board's operating procedures. The Board, either collectively or through the actions of individual Board Members, shall not:

- Deviate from the Board's operating procedures, particularly related to the protocol of communication.
- Deviate from the agenda once it is set 72 hours in advance.

Board Self-Evaluation

The Board shall conduct self-evaluations at least once a year. The Board shall self-evaluate using the TASB - Effective Board Practices: An Inventory for School Boards. See appendix 7 pg. 41.

V. ADVOCACY AND UNITY

Code of Ethics

As a member of the Board, I shall promote SEISD's best interests as a whole and, to that end, shall adhere to the following ethical standards:

Equity in Attitude

- I will remain fair, just, and impartial in all my decisions and actions.
- I will treat others with the respect I wish to receive.
- I will foster an environment that encourages diverse opinions and actively listen to others' ideas with an open mind.

Trustworthiness in Stewardship

- I will uphold accountability to the public by accurately representing the District's programs, priorities, and progress.
- I will engage with the community by inviting their involvement in District affairs and effectively communicating the District's priorities and concerns.
- I will strive to ensure the prudent and responsible use of District resources.
- I will refrain from making personal promises or taking private actions that could compromise my ability to fulfill my responsibilities.

Honor in Conduct

- I will be truthful in all matters.
- I will share my perspective openly and work toward building consensus.
- I will uphold the majority decision as the official decision of the Board.
- I will make decisions based on facts, not on assumptions, opinions, or public sentiment.
- I will collaborate with my colleagues and resolve any disagreements respectfully through proper channels, in line with Board Policy and established Operating Procedures.
- I will treat my colleagues, District leaders, staff, and community members with courtesy, honesty, and respect at all times, including during Board meetings, one-on-one meetings, conferences, District events, and social gatherings.

Integrity of Character

- I will maintain my independent judgment and not yield to any individual or group if it compromises the best interests of the District as a whole.
- I will consistently adhere to all applicable laws, rules, policies, and governance procedures.
- I will protect confidential information that is legally privileged or could unnecessarily harm the District if disclosed.
- I will acknowledge and respect the integrity of my predecessors and colleagues.

Commitment to Service

- I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking and evaluation.
- I will diligently prepare for and attend Board meetings.
- I will seek continuing education that will enhance my ability to fulfill my duties effectively.
- I will comply with all District policies adopted by the Board.

Student-Centered Focus

- I will be continuously guided by what is best for all students of the District.
- I will focus on issues involving Board priorities and policies rather than personalities.

Board Member as Parent

- As a parent, within the District, a Board member shall:
  - Clearly indicate to staff when communicating that they are acting in the capacity of a parent, not as a Board member.
  - Refrain from requesting, expecting, or requiring any extra consideration or preferential treatment for their children due to their position on the Board.

A Board member shall not:

- Make any personal promise or take any private action that may compromise the Board member’s performance or responsibilities.

- Text or communicate electronically with others to discuss District business or personal business during Board meetings in closed or open session.
- Record district personnel or board members without their consent.
- Make negative statements regarding the performance of the Superintendent, board members, or staff. Such statements may only be made when acting in an official capacity and in accordance with law and Board Policy.

Board members will execute the SEISD Professional Standards of Conduct attached to these procedures and return the executed document to the Board President who will authorize the Superintendent or Superintendent's designee to maintain such documents on behalf of the Board.

VI. BOARD MEMBER SOCIAL MEDIA POLICY

1. **Good comportment, especially on social media, is in the District's interest and serves as the best PR.**

2. **Do NOT overshare and verify the truth of your information.** You should be particularly careful about the information you share on social media and make certain that you do not overshare. Remember that a violation of the Open Meetings Act carries criminal penalties that include fines, jail time or both. Likewise, there are legal consequences for communicating false information such defamation or libel suits. Moreover, be mindful of the confidential nature of certain information shared with you and limit the content of your communication to information that San Elizario ISD has previously released to the public.

3. **Speak for yourself, and yourself only.** Although you are free to communicate with others on social media, please do not use your personal social media accounts to speak on behalf of the school board or San Elizario ISD. If you choose to communicate on social media about San Elizario ISD business, please ensure that you specify that you are communicating as an individual and not on behalf of the board or the school district.

4. **Do not communicate with other board members through social media.** In doing so, you run the risk of establishing a quorum and discussing district business outside of a publicly noticed meeting which would violate Open Meetings laws.

5. **Avoid re-creating board meeting events and discussions.** Doing so can lead to unintended contradictions or confusion. Instead, direct the public to key administration, meeting minutes, agendas, publicly available documents, etc.

6. **Don't jump to conclusions and make pre-determinations.** Do not publicly communicate about your consideration or decision-making on matters that have not yet reached the board for possible action Be mindful of the legal processes for certain matters and refrain from even the appearance of making pre-determinations or decisions outside of the established or required process (for example, due process hearings for teacher nonrenewals, employee grievance hearings, adoption of tax rate, etc.).

7. **Refrain from involving yourself as a witness in a matter that may result before the Board.** If

you are approached or contacted with a complaint, redirect the complainant to the appropriate administrator. Be sure to promptly inform the Superintendent and Board President of the matter.

8. **Remember that you are a temporary custodian of records under state law.** Under recent legislative changes to the Public Information Act, board members, public officials, and employees are required to maintain all records pertaining to district business. This includes communication by text, personal email and social media. This means that your social media communications are presumed.

9. **Seek legal advice prior to deleting public comments or blocking participants.** Even if you're using a personal social media account, deleting public comments or blocking persons with whom you disagree have the potential of violating the constitutional tenets of free speech—especially if the communication relates to district business. Check with the district's legal counsel before taking any action, or better yet disable all public comment functions on your account.

10. **Quickly report any possible illegal or criminal activity, to include threats against district employees, students and public officials.** Report the information to the Superintendent, Board President and law enforcement.

VII. ROLE & DUTIES OF THE SUPERINTENDENT

The Superintendent, as the Board's sole delegate for managing school system operations, shall be responsible for implementing the Board's student outcome goals within the limits set by Board and Superintendent constraints, and in compliance with state and federal laws. This includes:

- **Policy and Compliance**:

  The Superintendent will recommend policies for Board adoption and oversee their implementation, ensuring the Board's adopted policies meet legal requirements. The Superintendent shall identify policies requiring Board action or statutory decision-making authority that cannot be delegated. All policies addressing administrative issues will be handled via consent agenda, with the Superintendent informing the Board of substantive updates. Administrative issues not requiring Board adoption will be addressed in administrative policy and regulations, with the Board taking steps to remove such items from its local policies.

- **Educational and Operational Leadership**

  The Superintendent is tasked with organizing education programs, services, and facilities and providing leadership to improve student performance. This includes assuming responsibility for the assignment, supervision, and evaluation of District personnel, including the authority to initiate termination, suspension, or nonrenewal of employee contracts.

- **District Operations and Budget Management**

The Superintendent manages daily District operations, including implementing and monitoring plans, procedures, programs, and systems to achieve clear results. This includes preparing and administering the District budget, overseeing compliance with facility standards, and ensuring the adoption and enforcement of the student code of conduct and other disciplinary rules.

- **Administrative Organization**

  The Superintendent will organize central administration, consult with District-level committees, and develop any necessary administrative regulations.

- **Reporting and Accountability**

  The Superintendent will submit required reports in accordance with state and federal law, provide leadership in partnership with the Board, and fulfill any additional contractual duties assigned by the Board.

VIII. ROLE OF BOARD OFFICERS AND BOARD MEMBERS

Board President Responsibilities:

- Preside over all board meetings.
- Call special meetings as needed.
- Sign all legal documents as required by law.
- Fulfill all duties and obligations as outlined by Board Policy, state and federal statutes, and applicable regulations.

Board Vice-President Responsibilities:

- Act in the capacity of Board President in the absence of the Board President.
- Fulfill all duties and obligations as outlined by Board Policy, state and federal statutes, and applicable regulations.

Board Secretary Responsibilities:

- Ensure accurate records are maintained.
- Act as Board President in the absence of both the Board President and Vice-President.

IX. EVALUATION OF THE SUPERINTENDENT

1. Evaluation Instrument: The Board shall approve the evaluation instrument for the School Superintendent, which shall be developed with the input of the Superintendent.

2. Annual Performance Evaluation: The Board shall prepare a comprehensive written evaluation of the Superintendent's performance at least annually, or more frequently if deemed necessary. This evaluation must be completed before the anniversary of the Superintendent's hire date.

3. Evaluation Criteria: The evaluation will utilize a document that includes both general subjective goals and objective performance-related goals. All criteria will align with the Board's mission and goals for academic achievement and overall District performance.

4. Consensus and Discussion: The Board shall reach a consensus on the final evaluation and present it to the Superintendent. The conclusions will be discussed in a closed meeting, unless the Superintendent requests an open discussion.

5. Facilitation and Scheduling: The Board President will facilitate the evaluation process and schedule the presentation during a duly posted Executive Session at least four (4) weeks prior to the Superintendent's annual hire date.

6. Action Based on Evaluation: Any actions resulting from the evaluation will be at the sole discretion of the Board and must be agreed upon by a majority of Board Members in accordance with the Texas Open Meetings Act.

7. Future Criteria Agreement: Within thirty (30) days of completing the evaluation, the Board and the Superintendent shall meet to agree on the specific evaluation criteria for the next year. The Board may revise these criteria at any time with a majority consensus.

8. Performance Reviews: The Board may conduct ongoing reviews of the Superintendent's performance and progress towards meeting established goals. Any resulting actions or adjustments will be at the Board's discretion and require a majority agreement, consistent with the Texas Open Meetings Act. The Board may also conduct oral evaluations at any time to supplement written evaluations.

9. Regulatory Compliance: The Board will ensure that the evaluation process and all related documents adhere to local, state, and national regulations and guidelines.

X. BOARD MEMBER CAMPUS VISITS

- Board members are encouraged to visit any campus, but they must treat administrators and campus personnel with respect to avoid undermining their authority.

- Board members should arrange visits with the Superintendent at least 24 hours in advance, except when attending a scheduled campus activity to which they have been invited.

- As a courtesy, board members will inform the campus principal and the Superintendent's Office of any visit 24 hours in advance whenever possible.

- Board members must check in at the principal's office following District guidelines and present a driver's license or other proof of identification as required. They should wear their District ID badges while on campus.

- All visits are to be escorted or directed by a staff member designated by the principal.

- Board members may communicate with any staff member regarding topics within the scope of their visit, provided that such communication does not interrupt scheduled learning periods or interfere with the learning process. If board members wish to discuss other matters, they must notify the Superintendent in advance of their visit.

- Board members will not assume a supervisory or participatory role with staff or students unless specifically requested by campus staff.

- Visits during the school or business day shall not be permitted if their duration or frequency interferes with the delivery of instruction or District operations.

XI. BOARD AND SUPERINTENDENT COLLABORATION

Board Member Concerns About Superintendent Performance

1. If, at any time, a Board Member becomes concerned that the Superintendent may have (1) breached any term of the Superintendent's contract; (2) violated a state or federal statute; (3) violated a Board Policy or Operating Procedure; or (4) failed within a reasonable amount of time to address a specific issue identified by the Board, the following process will be used:

    a. The concerned Board Member will meet privately with the Superintendent to discuss their concerns in order to resolve the issue(s). The concerned Board Member may elect to bring their concerns to the Board Chair instead who will assist in resolving the issue(s).

    b. If the concerned Board Member does not feel that the resolution is satisfactory, the Board Member may request, through the Board Chair, that an item be placed on the next regular meeting agenda as a Closed Meeting item, posted in accordance with Texas Government Code. The concerned Board Member must inform the Board Chair in writing of the specific nature of any concern(s) which prompted the request for a Closed Meeting.
    c. In addition, the Board Chair may, of their own accord, place an item on a regularly scheduled meeting agenda as a Closed Meeting item to discuss concerns about the professional performance of the Superintendent.

2. In the event that a Closed Meeting is called, the Board must listen to the concern(s) and make a determination if the issue raised is truly cause for concern. Failure to make such a determination shall end the Board Meeting.

3. If the majority of the Board determines that there is a violation or breach of one of the

items listed, the following process will be followed:

a. The exact nature of the deficiency will be documented and discussed with the Superintendent.
b. A plan for remediation will be written, to include action(s) to be taken and timelines.
c. The Board Chair shall monitor the plan for compliance and the results will be made part of the Superintendent's annual performance evaluation.
d. It shall be the responsibility of the Board Chair to ensure that all documentation relating to performance deficiencies shall be appropriately placed in the Superintendent's personnel file.

Board Member Concerns About Employee (other than Superintendent) Performance

1. Concerns About Employee Performance: When a Board Member has concerns regarding the performance of District employees, they must communicate those concerns directly to the Superintendent and inform the Board Chair. Such concerns should be limited to the following categories:

   a. Illegal actions;
   b. Egregious violations of Board policy; or
   c. Actions that may harm the District's or Board's reputation.

2. Responsibility for Personnel: Board Members should recognize that the management of District personnel is the sole responsibility of the Superintendent, not the Board.

3. Superintendent's Obligations: The Superintendent is required to listen to these concerns, review the relevant matters, and notify the Board of the resolution, as permitted by policy.

4. Safety-Related Concerns: If a Board Member has concerns about the performance of District employees that relate to the safety of employees, students, the Board, or the community, they must notify the Superintendent and, if appropriate, the police department.

XII. BOARD TRAVEL/TRAINING

Professional Development:

Board members shall attend professional development and conferences to assist them in their duties and responsibilities, as well as to acquire continuing education credit. Conferences that board members may attend include:

- TASB Conference
- National School Board Conference
- Far West Texas Association
- Region 19 sessions
- TASB Online training sessions
- MASBA (Mexican American School Board Association)

- NALEO Educational Fund (National Association of Latino Elected and Appointed Officials)

Following any board-approved or paid travel, all traveling board members are required to provide a verbal report in open session at the next board meeting regarding:

- Hours of training completed
- Attendance at all or most sessions offered
- Highlights of any information or training received

Travel Reimbursement:

1. Reimbursement: Board members shall be reimbursed for reasonable and allowable travel expenses incurred while carrying out board business at the Board's request, as well as for expenses incurred while attending meetings and conventions as official representatives of the Board when attendance is authorized and deemed necessary for the conduct of public schools.

2. Spouse Expenses: The District will not pay the travel expenses of spouses or other individuals accompanying a Board Member to Board-related activities unless those individuals have responsibilities or duties to perform for the Board.

3. Payment for Expenses: In accordance with Board Policy BBG (Local), payment for authorized and documented travel expenses will be made in compliance with legal requirements, either through reimbursement (not to exceed allowable rates) or by advancing a set amount. Board members shall coordinate travel to board meetings and conventions, including commercial transportation and lodging, with the District's designee. If the designee cannot coordinate travel-related expenses, the District shall reimburse the member for incurred expenses, not to exceed allowable rates.

4. Advancements for Expenses: The District may advance a set amount of funds for personal car use, taxi fares, meals, and other incidental expenses. Any excess over allowable expenses shall be refunded to the District.

5. Expense Documentation: For any authorized expenses incurred, board members shall submit a statement documenting actual expenses, with receipts provided to the extent feasible.

6. Additional Policies: For specific policies related to Board Member Travel Reimbursement, refer to Board Policy BBG (Legal) and BBG (Local), available online at TASB Policy.

XIII. BOARD MEETING GUIDELINES AND PROCEDURES

Board Meeting Procedures

- The San Elizario ISD Board shall meet on a regular monthly business session on the second Wednesday in the Boardroom.

- Changes in the date and / or place to accommodate holidays and special events shall be approved by the Board in advance.

- Additional meetings may be called as needed.

- Anytime four (4) or more Board members are gathered to discuss school district business, it is considered a meeting.

- Failure to post such a meeting is considered a violation of the Texas Open Meetings Act.

- The Board shall observe the parliamentary procedures in Robert's Rules of Order, except as otherwise provided in Board procedural rules or by law.

- Board members are expected to attend and participate in duly called meetings.

- Board member may be permitted to attend a meeting of the Board of Trustees through virtual participation only if the board member is physically unable to attend in person due to illness or other personal emergency.

- Board members should come to the Board meetings prepared to discuss and take action on all items on the agenda. At a minimum, each member is expected to review the board packet provided before the meeting and, when possible, resolve any questions by reaching out to the Superintendent or relevant administrative staff in advance.

Board Agenda Procedures

1. Agenda Creation and Approval

    - The Superintendent prepares the agenda in consultation with the Board President, who holds final approval authority over the official agenda.
    - Board Members may request that a subject be included on an agenda for a meeting. The Board President must ensure that any topics requested by Board Members for inclusion are either placed on the agenda or scheduled for future deliberation. The Board President cannot remove a requested agenda item without the requesting Board Member's authorization.

2. Focus on Student Outcomes

    - Agenda items should align with the Board's goals, with a focus on improving student outcomes and monitoring progress toward adopted goals.

3. Submission Deadlines and Additions

    - Items for inclusion on the agenda must be submitted by the fifth working day before regular meetings and the third calendar day before special meetings.

- No item can be added less than 72 hours in advance, except in cases of emergency necessity.
- Additional agenda items after the original posting must comply with state laws.

4. Agenda Notifications and Backup Materials

- Board Members are given notice of regular and special meetings at least 72 hours prior and at least one hour prior for emergency meetings.
- Backup materials for each agenda item are provided at least 72 hours in advance. If this deadline cannot be met, materials should be delivered to the Board as soon as possible before the meeting.
- For action items, relevant information should accompany backup materials. The Board may, by consensus, remove an item from the agenda if adequate backup materials are not available, unless an emergency or urgent necessity exists.

5. Consent Agenda

- Items on the Consent Agenda, determined by the Board President, generally include:
    - routine items,
    - annual contract renewals,
    - budget amendments,
    - tax refunds,
    - donations,
    - financial information,
    - minutes from prior meetings,
    - routine personnel items,
    - routine bid recommendations,
    - policy updates, and
    - construction amendments.

- Board Members may ask questions about consent items before the meeting. If further discussion is required, any member can request that an item be pulled from the Consent Agenda and discussed as an action item.

6. Executive Sessions

Executive Session may be needed according to the Texas Education Code or Texas Open Meetings Act.

- All personnel issues shall be conducted in an executive session unless specifically required by the Texas Open Meetings Law.

- Anything that violates the right to privacy, (Texas Open Meeting Act, Texas Open Records Act) cannot be placed on the open agenda.

- Anything that falls under the Texas Government Code 551.072 such as private consultation with the board's attorney, discussing purchases, exchange, leases, or value of real property, discussing negotiated contracts for prospective gifts or donations, discussing personnel or to hear complaints against personnel, deliberation regarding security devices, considering discipline of a public school child, or complaint or charge against personnel, considering the stands, guidelines, terms or conditions the board will follow, or will instruct its representative to follow, in consultation with representatives of employee groups, excluding witnesses from a hearing.

- Should any final action, decision, or final vote be required in the opinion of the school Board with regard to any matter considered in such closed or executive meeting or session, then the final action, or final vote shall be either in the open meeting covered by the Notice upon the reconvening of the public meeting or at a subsequent public meeting of the School Board upon notice thereof; as the School Board shall determine.

- The Board prohibits the use of technology that has recording capabilities during executive sessions without prior permission from board.

- Discussions during closed sessions shall remain confidential.

7. Questions About the Agenda

    - Board Members should follow the procedures herein for making inquiries on agenda items.

Board Executive Session Procedures

1. Conducting Executive Sessions for Personnel and Sensitive Matters

    - Personnel matters and issues that could infringe on privacy rights are handled in executive sessions, unless otherwise required by the Texas Open Meetings Act.

    - Any topics that involve privacy concerns, as specified by the Texas Open Meeting Act or the Texas Open Records Act, cannot be included on the open agenda, in compliance with the law.

2. Authorized Topics for Executive Session

    - The Board may only discuss items listed on the executive session agenda, as prescribed by Texas Government Code Sections 551.071 - 551.076, which cover:

        - Private consultations with the Board's attorney,
        - Discussion of property transactions,
        - Negotiations for prospective gifts or donations,
        - Personnel matters or complaints against personnel,

- Deliberations about security devices, student discipline, and complaints against personnel,
- Considerations of the Board's stance or guidelines for consultations with employee group representatives.

3. Confidentiality and Limitations of Executive Sessions

   - Discussions and information shared during executive sessions are strictly confidential by law, and all Board Members understand the requirement to uphold this confidentiality.

   - The Board prohibits the use of any recording devices in executive sessions unless prior permission is granted.

   - If Board Members are approached for information about executive session matters, they will refer to the posted agenda as the extent of public disclosure and will direct further inquiries to the Board President or Superintendent.

4. Public Statements Post-Executive Session

   - Should a statement regarding discussions or outcomes of an executive session be deemed in the best interest of the district, the Board President will compose an official statement with approval from the Board majority. Such statements must comply with legal restrictions.

5. Recessing to Executive Session and Documentation Requirements

   - The Board must convene in an open session with appropriate posting before recessing into an executive session. The agenda items for executive session are to be read aloud, specifying the matters to be discussed under Chapter 551 of the Texas Government Code.

   - The Board keeps a certified agenda, with minutes attached, documenting each executive session. Only Board Members, regardless of their attendance at the session, may review these minutes without a court order.

   - To review executive session minutes, Board Members must contact the Board President to arrange a secure review. The minutes are sealed, stored securely, and remain confidential.

6. Actions Following Executive Session

   - No action or voting can occur during executive sessions; all Board actions, including final decisions and votes on executive session matters, are conducted in open session per Chapter 551 of the Texas Government Code.

- If any final action, decision, or vote is necessary following an executive session discussion, it must occur in an open session or at a subsequent public meeting with proper notice, as determined by the Board.

Participation in Discussion, Debate, and Voting

1. Parliamentary Procedure

    - The Board follows *Robert's Rules of Order, Newly Revised* as its parliamentary procedure for meetings, motions, and debates.

2. Member Conduct

    - All Board Members are expected to act with professionalism, respect, and integrity in alignment with the Board's "Member Conduct at Board Meetings/Public Forums" guidelines.

    - No Trustee shall coerce another member to vote in a specific manner or solicit votes in a way that conflicts with the Texas Open Meetings Act.

    - Trustees shall not criticize each other's questions, discussions, or votes.

3. Recognition and Debate

    - The Board President, or the presiding member, will recognize any Board Member wishing to speak on a subject.

    - Debate may continue until each Trustee has had sufficient time to ask questions or make comments unless a motion to end debate is adopted.

    - Questions or comments must relate directly to the current agenda item.

4. Discussion of Motions

    - All discussions are limited to the business currently under deliberation as listed on the agenda.

    - The Board President is responsible for ensuring that discussions remain focused on the motion at hand and has the authority to halt any off-topic discussions.

    - The Board Chair may make motions, second motions, participate in debates, and vote on all matters.

5. Voting Protocols

- Board Members are expected to vote on all motions unless there is a legal conflict of interest as defined by law (Policies BBFA and BBFB).

- Members may abstain from voting and are allowed to briefly explain their reason for abstention.

- Members must abstain from voting when such action would violate the Board's policies or federal or state law.

- Voting is conducted by a show of hands or voice vote, and all votes, including dissenting and abstaining votes, will be recorded in the minutes.

- Each Board decision, even when there are dissenting votes, shall be an action by the simple majority of the Board and binding upon each member.

- Individual members are encouraged to express their opinions during the discussion of motions, but following the vote, members shall publicly discuss only the decision of the whole Board.

XIV. BOARD MEMBER REQUESTS FOR INFORMATION, DOCUMENTATION, REPORTS OR REPORTS OTHER THAN AGENDA ITEMS

Access to Information for Decision-Making

- Board Members are entitled to the information necessary to make informed decisions on matters before them. Board Members may email or call the Superintendent or designated staff to request information.

- If a request requires significant staff time, the Superintendent and Board Chair will consult with the requesting Board Member to find a reasonable solution.

- Information requested by any Board Member will be shared with all Trustees.

- If a Board Member wishes to request district records in a personal capacity, as opposed to his or her official capacity as a Board Member, the Board Member shall use the Districts procedure for requests under the Public Information Act. SEISD will respond to the request following its standard procedures for all public information requests.

Requesting District Records Outside of Board Meetings

- When a Board Member, acting in an official capacity, requests specific records maintained by the District outside of a board meeting, the Superintendent will notify the Board Member that the request is tracked under Texas Education Code Section 11.1512 and will provide the necessary tracking form.

- Tracking is not required for requests related to upcoming agenda items made before or during a board meeting.

- If a member requests information that requires an excessive amount of staff time to complete, the Superintendent and Board Chair shall consult with the member to find a reasonable solution. Board members may email or call the Superintendent or his / her staff with information requests.

- When information is requested by a Board member, it will be provided to all Trustees.

- By law, the District must post, in a place convenient to the public, the cost of responding to one or more requests submitted by a board member if the request(s) are for 200 or more pages of material in a 90-day period. The district must report annually to the Texas Education Agency (TEA) the number of requests submitted by a board member during the preceding school year and the total cost to the district of responding to requests during that school year.

Access to Confidential Records

- Board Members may access confidential records only if they are acting in an official capacity and have a legitimate educational interest, as outlined in Board Policy FL. Additional security measures may apply.

- If the Board Member requests information in a personal capacity, the Superintendent will direct them to follow the District's public information request procedures.

- Board Members will recognize students' rights to privacy and SEISD's obligations under the Family Educational Rights and Privacy Act ("FERPA")

- The district may withhold or redact information, documents, or records that are excepted from disclosure or are confidential under the PIA or other law, including FERPA.

Timely Response to Information Requests

- By law, as the general rule, SEISD shall respond to a Board Members' request for information no later than the 20th business day after the date the District receives the request.

- As an exception to the general rule, the district may take a reasonable additional period of time, not to exceed the 30th business day after the date the district receives the request, to respond to a request if compliance by the 20th business day would be unduly burdensome given the amount, age, or location of the requested information. The administration shall inform the requesting Board Member of the reason for the delay in providing the requested information and the date by which the information will be provided.

Tracking

- Tracking is not required by Section 11.1512 when a board member requests records or a report during a board meeting.

Prohibition on Requiring New Analyses or Records

- Board Members may not direct or require District employees to conduct analyses or create new records from existing data. Requests for new reports or analyses should be made through official Board action.

XV. BOARD/VENDOR RELATIONS

Vendor Contact Prohibition

1. Prohibited Contact: Vendors and Board Members are prohibited from making oral or written contact with each other individually for the purpose of soliciting a purchase or contract related to District business or discussing an outstanding bid or proposal submitted or to be submitted to the District between the formal release of a request for proposal or bid and the administration's recommendation to the Board.

2. Consequences of Violation: If a vendor or Board Member violates this prohibition, consideration of the vendor for award of the bid or proposal shall be invalidated.

3. Notification of Violations: Board Members shall be notified of reported or known violations, along with potential actions that may result from the violation.

Conflicts of Interest

1. Duty of Loyalty: Board Members owe a duty of loyalty to the District and must avoid any business activities that conflict with the District's interests.

2. Outside Business Interests: Board Members' outside business interests, including passive or active investments, must not adversely affect their duty to the District.

Affidavit for Substantial Interest:

- If a Board Member has a substantial interest in a business entity or real property, they must file an affidavit before voting or deciding on matters involving the business or property. The affidavit must disclose the nature and extent of the interest if:

  (a) For a business entity, the action will have a special economic effect on the business entity, distinguishable from its effect on the public.

  (b) For real property, it is reasonably foreseeable that the action will affect the value of the property in a way that distinguishes it from the effect on the public.

- Filing with District: The affidavit must be filed with the official records administrator of the District, following Board Policy BBFA (Legal), which is available online at BBFA(LEGAL).

Conflicts Disclosure for Vendors:

- Board Members must file a conflicts disclosure statement if a vendor enters into or is under consideration for a contract with the District and the vendor:

  (a) Has a business relationship with the Board Member or their family that results in taxable income exceeding $2,500 during the 12-month period prior to the Board Member becoming aware of the contract.

  (b) Has given a gift (or multiple gifts) valued at over $100 during the 12-month period prior to the Board Member becoming aware of the contract.

  (c) Has a family relationship with the Board Member.

- Exemptions: Gifts accepted as political contributions under the Election Code or food accepted as a guest do not require a conflicts disclosure statement.

- Filing Deadline: Conflicts disclosure statements must be filed with the District's records administrator no later than 5:00 p.m. on the 7th business day after the Board Member becomes aware of the need to file.

- Please See Appendix 8 to review the Local Government Officer Conflicts Disclosure Statement.

Appointment Restrictions

- Appointment of Relatives: A public official may not appoint a person to a position that is directly or indirectly compensated from public funds if:

  (a) The person is related to the public official by consanguinity (blood) within the third degree or by affinity (marriage) within the second degree.

  (b) The public official holds appointment or confirmation authority as a member of a local board and the person is related to another member of the board within the prohibited degree.

XVI. BOARD MEMBERS' COMMUNICATIONS PROCEDURES

Board Communications

- The Board is committed to, and encourages, community input through the use of surveys, public forums, the District website, District publications, and on-going communication-forms.

- The Superintendent and Board Chair shall communicate information in a timely manner to all Trustees.

- Unless otherwise approved or authorized by the Board, individual members cannot speak in an official capacity or otherwise represent the views of the Board. The Board Chair and / or his / her designee shall be the official spokesperson for the Board to the media / press on issues of media attention.

- Any Board member may respond to general, factual inquiries. If the Board member is unsure of the correct facts, they should direct the inquiry to the appropriate administrative staff.

- All Board members who receive phone calls from the media should direct them to the Board's spokesperson (Superintendent) and notify the Board Chair and Superintendent of the call.

- The SEISD Board of Trustees encourages input; however, anonymous calls, letters or emails will not receive the Board's attention, discussion or response. The Superintendent will be made aware of the anonymous calls, letters or emails for informational purposes only.

Superintendent Communications with the Board

- The Board President and Superintendent are expected to maintain regular communication.

- The Superintendent will periodically update all Board Members through the Board information packet and respond to information requests within a reasonable time.

- Information requested by the Board President or any Board Member will be shared with all Board Members.

- Significant updates, such as news releases, will be promptly emailed to Board Members.

Community Engagement Procedures

- The board shall listen and discuss the vision and values of students in accordance to the monitoring calendar.

    - At least two board members shall co-lead each session intended to accomplish this objective. All board members are welcome but the Open Meetings Act shall be followed.

    - A presentation slideshow and a written script approved by the board chair shall be used at every session intended to accomplish this objective.

- The board shall listen and discuss the vision and values of families, staff, and community members, in accordance to the monitoring calendar.

- At least two board members shall co-lead each session intended to accomplish this objective. All board members are welcome but the Open Meetings Act shall be followed.

- A presentation slideshow and a written script approved by the board chair shall be used at every session intended to accomplish this objective.

- The board shall host a community meeting to discuss progress toward student outcome goals with low performing campuses at least twice per school year in accordance with the monitoring calendar.

Texas Open Meetings Act Compliance

- To adhere to the Texas Open Meetings Act, Board Members may not communicate with three or more other Board Members to solicit support or opposition on items of business.

Board Member Concerns about Another Board Member's Performance

1. If a Board Member believes that another Board Member has violated the Board Code of Ethics, Board Operating Procedures, Board Policy, State or Federal law, it is the responsibility of the concerned Board Member to discuss the alleged violation with the other Board Member in private prior to taking any other action, unless the nature of the allegation requires immediate escalation to the Board Chair.

2. If, after the concerned Board Member has privately discussed the alleged violation with the other Board Member, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the concerned Board Member may submit, in writing, the allegation to the Board Chair (arbiter). If the Board Chair is involved in the allegation, the concerned Board Member may instead submit the allegation, in writing, to the Board Vice-Chair or the next most senior Board Member not involved in the allegation who is then obligated to serve as arbiter instead.

    a. The Board Members involved will conference to discuss the alleged violation. All parties are strongly encouraged not to allow any further escalation of these procedures and the arbiter's duty is to work to avoid such escalation.

3. If, after the conference, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the Board Chair will call a special meeting of the Board to discuss the alleged violation. The Board Chair may call upon the District's General Counsel or an external legal advisor to investigate the nature of the allegations. The findings of this investigation will be presented at a special meeting of the Board.

4. If, after the special meeting of the Board to discuss the alleged violation, the Board determines that additional consideration of the alleged violation is warranted, the allegation and the investigative findings will be placed on the next regular meeting agenda.

5. In order for the alleged violation to be considered, one of the following three motions must be made and seconded: a motion to dismiss allegations, a motion to admonish or a motion to censure.

    a. In order to protect the overriding principle of freedom of speech, the Board shall not impose admonition or censure on any of its members for the exercise of their First Amendment rights. In order to ensure the right to a fair jury trial, the Board shall not impose admonition or censure on any of its members for the violation of any law while civil or criminal charges are pending. However, when the civil or criminal proceedings are final, the Board need not be bound by the conclusions of the Court and may again pursue admonition or censure.

    b. A motion to dismiss allegations concludes these procedures and exonerates the accused Board Member. Once a motion to dismiss allegations has passed concerning a given alleged violation, no other motions concerning that alleged violation are in order. A motion to dismiss allegations requires the simple majority vote of the Board to pass.

    c. An admonition is a one-time punitive action which serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to admonish must be presented in writing and must contain the exact language of the alleged violation and the proposed admonition. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a majority vote to pass.

    d. A censure is an action that is permanent for the period specified by a majority of the Board. A censure serves as a penalty imposed against a board member for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to censure must be presented by another board member in writing and must contain the exact language of the alleged violation, the proposed censure, and the period of censure. A copy of the written request to censure must be provided to the accused Board Member at least seventy-two (72) hours prior to the board meeting during which the censure motion will be considered. A motion to censure requires a majority vote to pass.

Official Representation Outside Board Meetings

- Individual Board Members may not speak on behalf of the Board or represent the Board in meetings or public forums without prior Board authorization.

- Board Members may respond to general, factual inquiries, but should direct uncertain queries to the appropriate staff.

Board Member Responses to Comments and/or Complaints

- Board Members will listen respectfully and remain impartial.

- Board Members will ask if the commentator / complainant has followed the District's procedures and / or chain of command.

- If the commentator / complainant does not know the procedures or chain of command, provide the following information / steps:

    a. The commentator / complainant must first speak with the appropriate staff member. If not satisfied then;

    b. The commentator / complainant must go to the appropriate administrator in charge of the school or department where the comment/concern arose. If not satisfied, then;

    c. The commentator / complainant must contact the appropriate central office administrator. If not satisfied, then;

    d. The commentator / complainant will conference with the Superintendent (or designee).

- The Board Member will inform the Superintendent if an issue has advanced to or beyond Step b and will include the nature of the comment / complaint, the commentator / complainant and to whom the commentator / complainant has been referred.

- The Superintendent will inform the Board Member of the resolution of any referred comment / complaint.

- This procedure shall not be construed to apply to comments / complaints alleging criminal activity.

XVII. PUBLIC COMMENT PROCEDURES

Citizen Participation During Board Meetings

1. Audience Participation: Audience participation at Board meetings is limited to the designated public comment portion of the meeting. At all other times, the audience shall not enter into discussion or debate on matters being considered by the Board unless recognized by the presiding officer.

2. Signing Up for Public Comment: Individuals who wish to speak during the public comment portion must sign up with the presiding officer or designee before the meeting begins. on the day of the meeting. They must indicate the topic they wish to address and provide any other required information.

3. Timing and Duration: Public comments are allowed at the beginning of each Board meeting, with each speaker allocated up to three minutes (five minutes if a translator is required). The

presiding officer may adjust these time limits as necessary, but no speaker will be allowed less than one minute.

4. Agenda and Non-Agenda Items: Speakers must indicate the specific agenda item or topic they wish to address. Those who do not specify an agenda item or fail to remain on their identified topic will be given one warning before forfeiting their remaining time.

5. Public Comment Procedures for Regular and Special Meetings: At Regular and Special Meetings, public comment is limited to items on the agenda posted with notice of the meeting except for recognitions by school or community organizations that highlights student or employee awards or accomplishments.

6. Adjustments for Meeting Management: The presiding officer may adjust public comment procedures for effective meeting management, such as reordering agenda items, continuing certain items to a later meeting, or establishing an overall time limit for public comment.

7. Expected Conduct: Speakers are expected to be respectful, courteous, and to demonstrate professionalism, even when expressing differing viewpoints. Disruptive behavior, including but not limited to the use of derogatory language, threatening gestures, or peculiar conduct disrupting the meeting, will result in one warning. Repeated disruptive actions may lead to removal with the assistance of law enforcement if necessary.

8. Disruptive Conduct: The Board shall not tolerate disruption of the meeting by members of the audience. Speakers or others who engage in disruptive behavior shall be ruled out of order by the presiding officer. Disruptive behavior and actions include, but are not limited to:

    (a) Using racial slurs, insulting, profane, threatening, derogatory, or abusive language, making violent or threatening gestures;
    (b) Wearing clothing with derogatory symbols or language;
    (c) Strange, curious, odd, outlandish, peculiar, and irrational conduct that is disruptive to the orderly conduct of a board meeting; and
    (d) Wearing clothing and/or a mask that is intended to, or has the effect of, concealing the identity of the individual. Masks and respirators designed to contain respiratory droplets and breath particles and are worn for health reasons shall be permissible.

9. Prohibition on Electioneering: No electioneering, including the distribution of political materials, will be permitted during the meeting.

10. Signage and Handouts: Signs, placards, or banners are not allowed inside the Board room. Citizens wishing to distribute printed materials to the Board or audience must submit them for review by 5:00 p.m. prior to the meeting to the Superintendent's Office.. Approved materials will be distributed only before or after the public comment portion.

Board Response to Public Comments

1. Listening to Comments: The Board will listen respectfully and remain impartial to public comments. Specific factual information or recitation of existing policy may be furnished in

response to inquiries, but the Board may not deliberate or take action on items not posted on the agenda.

2. Referrals for Further Action: The Board President may direct the administration to investigate issues raised and report back.

Handling of Employee/Student Issues in Public Comment

1. Prohibition of Specific Complaints**:** Public comment is not intended for the presentation of allegations of employee or student misconduct, requests for employee or student discipline, personal attacks on individuals, shaming or demeaning individuals associated with the District, or disclosing personal information about district employees or students. Complaints about individual personnel or students are not permitted in open session unless required by law. Personal complaints, requests for disciplinary action, and disclosures of private information are inappropriate for public comment.

2. Referrals to Resolution Channels: If an individual makes a complaint or addresses a concern about an individual employee or student, the presiding officer or designee shall immediately interrupt the speaker to determine whether they have attempted to resolve the matter through established administrative channels. If they have not, the speaker will be referred to the appropriate grievance policy (see partial list below) to seek resolution:

    (a) Employee complaints: DGBA
    (b) Student or parent complaints: FNG
    (c) Public complaints: GF
    (d) Sexual harassment complaints (Employees): DIA
    (e) Sexual harassment complaints (Students): FFH
    (f) Complaints against peace officers: CKEA

XVIII. BOARD COMPOSITION, LENGTH OF TERMS AND ELIGIBILITY

The SEISD Board of Trustees is comprised of 7 members, all positions shall be elected by place and each Board member shall be elected for four-year terms in November.

The election for places 1,2, and 3 shall be held in 2025, 2029, 2032, and in four-year intervals thereafter. The election for places 4, 5, 6, and 7 shall be held in 2027, 2031, 2034, and in four-year intervals thereafter.

Board member eligibility and qualifications requirements are set forth in board policy BBB (Legal).

1. Be a United States citizen.

2. Be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable.

3. Have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.

4. Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities.

5. Have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:

    (a) For an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot.
    (b) For a write-in candidate, the date of the election at which the candidate's name is written in.
    (c) For an appointee to an office, the date the appointment is made.

6. Be registered to vote in the territory from which the office is elected on the date described at item 5, above.

XIX. BOARD HEARING OF GRIEVANCES AND COMPLAINTS

1. Given the serious and delicate nature of employee grievances, each Board Member is responsible for studying Board Policies DGBA (Legal) & DGBA (Local), the policies relating to the process of employee grievances, found here:

    https://pol.tasb.org/PolicyOnline/PolicyDetails?key=439&code=DGBA#legalTabContent

2. All grievances related materials received by a Board Member must be held in the strictest confidence. A Board Member shall neither share information from that documentation nor what is heard during the actual grievance proceeding. After the grievance proceeding, Board Members must leave all grievance-related documentation with the Superintendent or designee.

3. Board Members may only consider information that is presented during the grievance process; Board Members will not privately seek out information regarding any grievance. If a Board Member knows or learns anything about a grievance case except what is admitted through the grievance documents that might render him/her unable to hear the grievance impartially, then he/she must tell the Superintendent immediately.

4. Any public statements arising from an employee grievance will be made by the Board President.

5. Any Trustee who violates the Board Policy on grievances may be subject to action as outlined in the following Procedure XXII titled "Violation of Board Operating Procedures.

XX. VIOLATION OF BOARD OPERATING PROCEDURES

- Upon inclusion on the agenda and public posting in accordance with the law, the Board may convene in executive session to discuss a violation of these Board Operating Procedures, or other Board policies, so long as the deliberation is confined to the duties, discipline, or complaint against a Board Member.

- The Board Member may request that the deliberation be conducted in open session.

- As a consequence of these deliberations, the Board may elect to do nothing, or may reconvene in open session and vote to:

  (a) Publicly reprimand the Board Member; or
  (b) Recommend additional training for the Board Member.

Note: Nothing provided herein shall be construed to alter, modify, or limit in any way the rights of District personnel and members of the public to file complaints against the Board or Board Members under applicable Board policies.

XXI. ACCESS TO DISTRICT TECHNOLOGY

- Board members may be issued devices or access to District technology resources, including e-mail accounts, primarily to expedite the performance of their official duties. Limited personal use of District technology is permitted if the use imposes no tangible cost on the District and does not unduly burden the District's technology resources. Any use of District technology resources requires the Board member's acceptance of the District's acceptable use agreement as well as written agreement that the District may monitor the Board member's use.

- Board members will be familiar with, and comply with, all provisions of Board Policy BBI (Local), regarding use of technology, including compliance with requirements to retain certain records contained on either District or personal technology resources.

- Board members will bear in mind that records created using District technology resources may constitute school district records and may be subject to public disclosure under the Texas Public Information Act.

XXII. SEISD BOARD CONFIDENTIALITY AGREEMENT

Given the legal and sensitive nature of closed/executive sessions conducted by the SEISD. Board, the Members of the Board understand that the law requires that all such sessions are strictly confidential. Please refer to Appendix 2 to review and sign the SEISD Board Confidentiality Agreement.

XXIII. BOARD OF TRUSTEES PROFESSIONAL STANDARDS OF CONDUCT

A board member's civility and professionalism are critical attributes that provide for an effective structure of Board governance, which supports the overall success of SEISD ("District"). As such, as an elected member of the District's Board of Trustees ("Board"), I pledge to carry out my duties and conduct myself as follows:

I. In the spirit of maintaining the decorum of meetings and public forums, and as role models for the community, staff and students of the District, I shall refrain from embarrassing or berating other Board Members;

II. I will listen willingly, even when my opinions differ;

III. I will cooperate with my colleagues and resolve disagreements respectfully through the appropriate channels, pursuant to Board policy and established Board Operating Procedures;

IV. I will treat colleagues, District administrators, staff, and members of the community with courtesy, honesty, and respect at all times during Board meetings, individual meetings, conferences, District-sanctioned events, and social events;

V. I will recognize the integrity of my predecessors and colleagues;

VI. I will not use my cellphone to text others to discuss District or personal business during Board meetings in closed and open session;

VII. I will not use my cellphone or any other recording device to record conversations held with District personnel or Board Members during Board meetings in closed session, open session, and individual meetings;

VIII. I will strictly guard confidential information received or discussed during Board meetings that is protected under applicable law or rule;

IX. I will provide support for the Superintendent, employees of the District, and my colleagues so they may perform their proper functions on a professional level;

X. I will express concerns about another member's performance or conduct in accordance with these Board Operating Procedures;

XI. I will give these Professional Standards of Conduct the same level of reverence as the Code of Ethics;

XII. I will comply with all federal, state, and local laws relating to my service as a School Board Member;

XIII. I will comply with all District policies as adopted by the Board;

XIV. I will be guided continuously by what is best for all students of the District;

By pledging to abide to the above-referenced Professional Standards of Conduct, I understand that any act or omission that violates the Professional Standards of Conduct may subject me to sanctions and public censure.

Signed this _____ day of _____ 2024.

_____
[Board Member Printed Name]

_____ _____
[Board Member Signature] Date

XXIV. APPENDIX

Appendix 1: Student Outcome & Goal Progress

HB 3 Student Outcome Goals and Goal Progress Measures; 2024-2028
Revised June 12, 2024

MATHEMATICS

Student Outcome Goal 1 (HB 3; 5-year Goal)

- The percentage of all 3rd grade students that score at the Approaches level on STAAR mathematics will increase from 58% in June 2022 to ≥ 85% by June 2028.

Goal 1 Annual Targets

2023	2024	2025	2026	2027	2028
64% (Target met! Actual: 70%)	69% (Since we already exceeded 69% in 2023, we hope to reach 75% in 2024).	73%	77%	81%	85%

Goal Progress Measure (GPM) 1.1 (District; 1-year Goal)

- The Overall Measure of Math Growth for all Pre-K students (English) will increase from 91% at Wave 3 in January of 2024 (MOY) to ≥ 93% in January of 2025 (MOY) as measured by the CIRCLE School Average Growth Report.

- The Overall Measure of Math Growth for all Pre-K students (Spanish) will increase from 83% at Wave 3 in January of 2024 (MOY) to ≥ 87% in January of 2025 (MOY) as measured by the CIRCLE School Average Growth Report.

Goal Progress Measure (GPM) 1.2 (District; 1-year Goal)

- The Growth Percentile of all students in grades K-2 on the MAP Mathematics assessment will increase from the 32nd percentile in January of 2024 (MOY) to ≥ 38th percentile in January of 2025 (MOY) as measured by the MAP School Profile Report.

Goal Progress Measure (GPM) 1.3 (District; 1-year Goal)

- The Growth Percentile of all 3rd graders on the MAP Mathematics assessment will increase from the 40th percentile in January of 2024 (MOY) to ≥ 45th percentile in January of 2025 (MOY) as measured by the MAP School Profile Report.

READING

Student Outcome Goal 2 (HB 3; 5-year Goal)

The percentage of 3rd grade students that score at the Approaches level on STAAR reading will increase from 57% in June 2022 to ≥ 80% by June 2028.

Goal 2 Annual Targets:

2023	2024	2025	2026	2027	2028
60% (Target met! Actual: 64%)	64% (Since we already reached 64% in 2023, we hope to reach 69% in 2024).	68%	72%	76%	80%

HB 3 Student Outcome Goals and Goal Progress Measures; 2024-2028
Revised June 12, 2024

Goal Progress Measure (GPM) 2.1 (District; 1-year Goal)

- Each of the nine pre-reading skills (English) for all Pre-K students will increase by ≥ 4% from EOY Wave 3 in May of 2024 to EOY Wave 3 in May of 2025 as measured by the CIRCLE School Average Growth Report.

- Each of the eight pre-reading skills (Spanish) for all Pre-K students will increase by ≥ 4% from EOY Wave 3 in May of 2024 to EOY Wave 3 in May of 2025 as measured by the CIRCLE School Average Growth Report.

Goal Progress Measure (GPM) 2.2 (District; 1-year Goal)

- The Growth Percentile of all students in grades K-2 on the MAP Reading assessment (English) will increase from the 26th percentile in January of 2024 (MOY) to ≥ 32nd percentile in January of 2025 (MOY) as measured by the MAP School Profile Report.

- The Growth Percentile of all students in grades K-2 on the MAP Reading assessment (Spanish) will increase from the 28th percentile in January of 2024 (MOY) to ≥ 34th percentile in January of 2025 (MOY) as measured by the MAP School Profile Report.

Goal Progress Measure (GPM) 2.3 (District; 1-year Goal)

- The Growth Percentile of all 3rd graders on the MAP Reading assessment (English) will increase from the 41st percentile in January of 2024 (MOY) to ≥ 45th percentile in January of 2025 (MOY) as measured by the MAP School Profile Report.

- The Growth Percentile of all 3rd graders on the MAP Reading assessment (Spanish) will increase from the 27th percentile in January of 2024 (MOY) to ≥ 32nd percentile in January of 2025 (MOY) as measured by the MAP School Profile Report.

CCMR

Student Outcome Goal 3 (HB 3; 5-year Goal)

SEISD will increase the percentage of College, Career, and Military Readiness (CCMR) points earned annually by SEHS seniors from 30% in May 2023 to ≥ 88% by June 2028 as measured by the A-F Accountability System.

Goal 3 Annual Targets:

2023	2024	2025	2026	2027	2028
30% (Target met! Actual: 50%)	40% (Since we already reached 50% in 2023, we hope to reach 60% in 2024).	52%	64%	76%	88%

Goal Progress Measure (GPM) 3.1 (District; 1-year Goal)

The percentage of SEHS seniors earning a CCMR point by meeting any of the CCMR criteria will increase from 25% in May of 2024 to ≥ 40% by May of 2025 as measured by the OnData Suite CCMR Early Warning System.

GPM 3.1 Note: CCMR points in May are always lower than the final A-F result since credits for point-earning courses haven't posted yet.

Appendix 2:

BOARD MEMBER CONFIDENTIALITY AGREEMENT

Given the legal and sensitive nature of closed/executive sessions conducted by the SEISD. Board, the Members of the Board understand that the law requires that all such sessions are strictly confidential.

Therefore, in accordance with the SEISD Board Operating Procedures, no Board Member shall knowingly, intentionally, or recklessly disclose confidential information gained by reason of attendance during a closed/executive session of the SEISD Board or by reason of his or her capacity as a Board Member.

This includes, but is not limited to, information related to: (1) SEISD schoolchildren or their parents, guardians, or family members; (2) real-estate or property transactions or donations involving SEISD; (3) consultations with the Board's attorney with respect to pending or contemplated litigation or settlement offers; (4) the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of an SEISD employee; (5) a grievance, complaint, or charge against an SEISD employee; (6) the deployment or specific occasions for implementation of security personnel or devices; or (7) any other item authorized by law to be considered in closed/executive session.

Further, no Board Member shall use information gained by reason of attendance during a closed/executive session of the SEISD Board or by reason of his or her capacity as a Board Member to advance any personal interest, whether financial, employment-related, or otherwise. No Board Member shall engage in any activity where he or she is expected to disclose confidential information gained by reason of serving on the SEISD Board.

Any breach of this Confidentiality Agreement shall be considered inappropriate behavior and a breach of the Board's code of ethics and shall result in an agenda item specifying "evaluation of individual board member's performance" being listed at an upcoming Board meeting. The Board Member's breach of this Confidentiality Agreement shall be discussed in closed/executive session at said meeting, and the Board may act to sanction the Board Member for his or her breach in accordance with the SEISD Board Operating Procedures.

Additionally, the Board Member acknowledges that, in receiving confidential information, they commit to ensuring the continued confidentiality of such information. The Board Member is aware that, in accordance with Texas Government Code §552.352, disclosing confidential information would constitute official misconduct and be considered a misdemeanor punishable by either a fine of up to $1,000.00, confinement in the county jail for up to six months, or both.
Your signature below indicates that you have read, understand, and agree to abide by this Confidentiality Agreement.

_____
[Board Member Printed Name]

_____ _____
[Board Member Signature] Date

Appendix 3: Board Monitoring Calendar

Board Monitoring Calendar
2024-2025

Month	HB 3 or other Progress Monitoring--District	Campus Progress Monitoring + Campus Happenings Video	Board Information (Dates Subject to Change)
July 2024—No BOT Meeting			
August 2024	Analysis of STAAR/EOC Results from Spring 2024 Testing • Subgroup data TELPAS Results from Spring 2024 Testing Subgroup data		Approve Board Operating Procedures; Review & Readopt Vision & Mission Statements; Annual Review of CDA(LOCAL) Investments; Annual Review of FFG(LOCAL) Child Abuse and Neglect; Renew Annually of CNA(LOCAL) Student Transportation
September 2024	Goal 3 (HB 3): • Overall CCMR Percentages for SEHS Campus and District Improvement Plans for 2024-2025	SEHS	MASBA | Sept 12-13 TASA/TASB | Sept 27-29
October 2024	A-F Accountability Ratings for 2024		
November 2024	Goal 1 (HB 3): • Overall Performance in 3rd Grade STAAR Math • Subgroup data MAP Predictions for 2024 STAAR Math—Grades 3-12	GEMS	FWTSBA | November 16
December 2024—No BOT Meeting			
January 2025	Goal 2 (HB 3): • Overall Performance in 3rd Grade STAAR Reading • Subgroup data MAP Predictions for 2024 STAAR Reading—Grades 3-12		Review & Update RYHT Advocacy Plan; Review & Update Voting Website
February 2025	GPM 1.1 (HB 3) • PK--Meeting Wave 2 Math Targets • PK--Wave 1 to Wave 2 Math Growth • Subgroup data GPM 1.2 (HB 3): • K-2--Meeting Math Targets for MOY • K-2--BOY to MOY Math Growth • Subgroup data		FWTSBA Team of 8 | February 27

Updated November 7, 2024
Approved February 13, 2024

Board Monitoring Calendar
2024-2025

Month	HB 3 or other Progress Monitoring--District	Campus Progress Monitoring + Campus Happenings Video	Board Information (Dates Subject to Change)
March 2025	GPM 1.3 (HB 3): • Grade 3—Meeting MOY Math Targets • Grade 3—BOY to MOY Math Growth • Subgroup data Mid-Year Academic Growth Check-in: • PK-HS reading and math academic growth progress from BOY to MOY based on MAP and CIRCLE assessments to include subgroup data	Loya Primary	
April 2025	GPM 2.1 (HB 3): • PK--Meeting Wave 2 Reading Targets • PK--Wave 1 to Wave 2 Reading Growth • Subgroup data GPM 2.2 (HB 3): • K-2--Meeting Reading Targets for MOY • K-2--BOY to MOY Reading Growth • Subgroup data	Alarcon Elementary	Review HB3 Student Outcome Goals
May 2025	GPM 2.3 (HB 3): • Grade 3—Meeting MOY Reading Targets • Grade 3--BOY to MOY Reading Growth • Subgroup data	Sambrano Elementary	FWTSBA Spring Workshop | May 6 Hold Budget Workshop Hold Instructional Workshop
June 2025	GPM 3.1 (HB 3): • Progress towards meeting CCMR criteria for 2025 and 2026 cohorts End-of-Year Academic Growth Report for 2023-2024: • PK-HS reading and math academic growth progress from BOY to EOY based on MAP and CIRCLE assessments to include subgroup data	Borrego Elementary	Conduct Board Self-Evaluation; Annual Review of Board Operating Procedures; Review & Approve DMA(LOCAL) Professional Development; Approve Budget & Update Trustee Badges

Updated November 7, 2024
Approved February 13, 2024

Appendix 4: Board Member Pledge

As a duly elected or appointed Board Member, I pledge the following to my colleagues and the San Elizario School District:

- I shall attend professional development training and conferences approved and paid for by the school district with public funds;
- I shall be a good steward of public funds and attend most or all training sessions offered; and
- I further pledge as a representative of the school district to conduct myself in a professional and ethical manner at all times during my sponsored travel.

Appendix 5: Ethics and Conflict of Interest Statement

San Elizario I.S.D.
P.O. Box 920
San Elizario, TX 79849
Phone 915.872.3900
Fax 915.872.3903

SAMPLE

MEMORANDUM

To: Members of the Board of Trustees
From: Norberto Rivas, Chief Financial Officer
Subject: Required Disclosures for the Schools FIRST Report for the 2023-24 Rating
Date: Board Meeting Date

There are two required disclosures for the Schools FIRST report related to 1) gifts to Board Members and Executive Officers and 2) business transactions between the District and Board Members during the year under review. The 2023-24 ratings will be based on data from the school year 2022-23 (the year under review) which includes the period of July 1, 2022 through June 30, 2023. Please enter your response below; if no gifts were received or business transactions conducted, you may indicate N/A. Reimbursement of travel-related expenditures directly related to the duties of a Board Member are also not applicable.

GIFTS

Please list any and all gifts received, as best you can recall, during the period beginning July 1, 2022 through June 30, 2023. Gifts are defined as any and all items given to you and/or your immediate family members from an outside entity having an aggregate value of $100 or more during the fiscal year.

Approximate Date	Item	Approximate Cost/Value
_____	_____	_____

BUSINESS TRANSACTIONS

Please list any business transactions between you and the District that occurred during the period beginning July 1, 2022 through June 30, 2023.

Approximate Date	Item	Approximate Cost/Value
_____	_____	_____

Name: Board of Trustees Signature: _____

San Elizario ISD's vision is to graduate students with skills to meet the demands of a changing world by promoting student success as non-negotiable, channeling resources to match learning needs of students, employ and retain a quality staff so that San Elizario is a proud, innovative and academically superior district

Appendix 6: BBFA (Legal) and BBFB (Legal)

Note: For information regarding conflicts of interest and depository contracts, see BDAE.

See also CBB for conflict of interest requirements when federal funds are involved.

Substantial Interest Affidavit

If a local public official has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

1. In the case of a substantial interest in a business entity, the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
2. In the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

The affidavit must be filed with the official recordkeeper of the district.

Local Gov't Code 171.004(a)–(b)

Abstention Exception

If a trustee is required to file and does file an affidavit, that trustee shall not be required to abstain from further participation in the matter or matters requiring such an affidavit if a majority of the trustees are likewise required to file and do file affidavits of similar interests on the same official action. *Local Gov't Code 171.004(c)*

Definitions

Local Public Official

"Local public official" means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district (including a school district), central appraisal district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature. *Local Gov't Code 171.001(1)*

Substantial Interest

Business Entity

A person has a substantial interest in a business entity if:

1. The person owns:
   a. Ten percent or more of the voting stock or shares of the business entity, or
   b. Either ten percent or more or $15,000 or more of the fair market value of the business entity; or

2. Funds received by the person from the business entity exceed ten percent of the person's gross income for the previous year.

Local Gov't Code 171.002(a)

"Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law. *Local Gov't Code 171.001(2)*

Real Property

A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of $2,500 or more. *Local Gov't Code 171.002(b)*

First-Degree Relatives

A local public official is considered to have a substantial interest under Local Government Code 171.002 if a person related in the first degree by consanguinity or affinity, as determined under Government Code Chapter 573 [see DBE], has a substantial interest under that section. *Local Gov't Code 171.002(c)*

Separate Vote on Budget

The board shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a trustee has a substantial interest. Except as provided at Abstention Exception above, the affected trustee may not participate in that separate vote. The trustee may vote on a final budget if the trustee has complied with Local Government Chapter 171 and the matter in which the trustee is concerned has been resolved. *Local Gov't Code 171.005*

Violations

A local public official commits an offense if the official knowingly:

1. Violates Local Government Code 171.004.
2. Acts as surety for a business entity that has work, business, or a contract with the district.
3. Acts as surety on any official bond required of a trustee.

Local Gov't Code 171.003

Voidable Actions

The finding by a court of a violation of Local Government Code Chapter 171 does not render an action of the board voidable unless the measure that was the subject of an action involving a conflict of interest would not have passed without the vote of the person who violated the chapter. *Local Gov't Code 171.006*

Private Corporation

It shall be lawful for a local public official to serve as a member of the board of directors of private, nonprofit corporations when such officials receive no compensation or other remuneration from the

nonprofit corporation or other nonprofit entity. *Local Gov't Code 171.009*

Conflicts Disclosure Statement

A local government officer shall file a conflicts disclosure statement with respect to a vendor if the vendor enters into a contract with the district or the district is considering entering into a contract with the vendor; and the vendor:

1. Has an employment or other business relationship with the local government officer or a family member of the officer, and the business relationship results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that:
   a. A contract between the district and the vendor has been executed; or
   b. The district is considering entering into a contract with the vendor;
2. Has given to the local government officer or a family member of the officer one or more gifts, and the gift or gifts have an aggregate value of more than $100 in the 12-month period preceding the date the officer becomes aware that:
   a. A contract between the district and the vendor has been executed; or
   b. The district is considering entering into a contract with the vendor; or
3. Has a family relationship with the local government officer.

Gifts—Exception

A local government officer is not required to file a conflicts disclosure statement in relation to a gift accepted by the officer or a family member of the officer if the gift is:

1. A political contribution as defined by Election Code Title 15; or
2. Food accepted as a guest.

Local Gov't Code 176.003(a)–(a-1)

Filing Date

A local government officer shall file the conflicts disclosure statement with the records administrator of the district not later than 5:00 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement. *Local Gov't Code 176.003(b)*

Vendor Questionnaire

A person who is both a local government officer and a vendor of a district is required to file the required vendor questionnaire only if

the person enters or seeks to enter into a contract with the district or is an agent of a person who enters or seeks to enter into a contract with the district. [See CHE] *Local Gov't Code 176.006(e)*

Definitions

Agent — "Agent" means a third party who undertakes to transact some business or manage some affair for another person by the authority or on account of the other person. The term includes an employee. *Local Gov't Code 176.001(1)*

Business Relationship — "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

1. A transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
2. A transaction conducted at a price and subject to terms available to the public; or
3. A purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Gov't Code 176.001(1-a)

Contract — "Contract" means a written agreement for the sale or purchase of real property, goods, or services. *Local Gov't Code 176.001(1-d)*

Family Member — "Family member" means a person related to another person within the first degree by consanguinity or affinity, as described by Government Code Chapter 573, Subchapter B. [See DBE] *Local Gov't Code 176.001(2)*

Family Relationship — "Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Government Code Chapter 573, Subchapter B. [See DBE] *Local Gov't Code 176.001(2-a)*

Gift — "Gift" means a benefit offered by a person, including food, lodging, transportation, and entertainment accepted as a guest. The term does not include a benefit offered on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient. *Local Gov't Code 176.001(2-b)*

Investment Income — "Investment income" means dividends, capital gains, or interest income generated from:

1. A personal or business checking or savings account, share draft or share account, or other similar account;

2. A personal or business investment; or

3. A personal or business loan.

Local Gov't Code 176.001(2-d)

Local Government Officer

"Local government officer" means a member of the board, the superintendent, or an agent of the district who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. *Local Gov't Code 176.001(4)*

Records Administrator

"Records administrator" means the director, superintendent, or other person responsible for maintaining the records of the district or another person designated by the district to maintain statements and questionnaires filed under Local Government Code Chapter 176 and perform related functions. *Local Gov't Code 176.001(5)*

Vendor

"Vendor" means a person who enters or seeks to enter into a contract with a district. The term includes an agent of a vendor. The term includes an officer or employee of a state agency when that individual is acting in a private capacity to enter into a contract. The term does not include a state agency except for Texas Correctional Industries. *Local Gov't Code 176.001(7)*

Duties of Records Administrator

A records administrator shall:

1. Maintain a list of local government officers of the district and shall make that list available to the public and any vendor who may be required to file a conflict of interest questionnaire under Local Government Code 176.006; and

2. Maintain the statements and questionnaires that are required to be filed under Government Code Chapter 176 in accordance with the district's records retention schedule. [See CPC]

Local Gov't Code 176.0065

Internet Posting

A district that maintains an internet website shall provide access to the statements and to questionnaires required to be filed under Local Government Code Chapter 176 on that website. *Local Gov't Code 176.009*

Violations

A local government officer commits an offense if the officer is required to file a conflicts disclosure statement under Local Government Code 176.003 and knowingly fails to file the required conflicts disclosure statement with the appropriate records administrator not later than 5:00 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement. It is an exception to the application of this provision that the local government officer filed the required conflicts disclosure statement not later than the seventh business day after

the date the officer received notice from the district of the alleged violation.

A board may reprimand, suspend, or terminate the employment of an employee who knowingly fails to comply with a requirement adopted under Local Government Code 176. [See DF series]

Local Gov't Code 176.013(a), (d), (f)

[See CHE for violations by a vendor.]

Affidavit Disclosing Interest in Property

A public servant who has a legal or equitable interest in property that is to be acquired with public funds shall file an affidavit within ten days before the date on which the property is to be acquired by purchase or condemnation.

The affidavit must be filed with the county clerk of the county in which the public servant resides and the county clerk of each county in which the property is located.

The affidavit must:

1. State the name of the public servant and the public servant's office, public title, or job designation;
2. Fully describe the property;
3. Fully describe the nature, type, and amount of interest in the property, including the percentage of ownership interest;
4. State the date when the person acquired an interest in the property;
5. Include a verification as follows: "I swear that the information in this affidavit is personally known by me to be correct and contains the information required by Section 553.002, Government Code"; and
6. Contain an acknowledgment of the same type required for recording a deed in the deed records of the county.

Gov't Code 553.002

Definition

"Public servant" means a person who is elected, appointed, employed, or designated, even if not yet qualified for or having assumed the duties of office, as:

1. A candidate for nomination or election to public office, or
2. An officer of government.

Gov't Code 553.001

Violations	A person commits an offense if the person violates Government Code 553.002 and the person has actual notice of the acquisition or intended acquisition of the legal or equitable interest in the property. A person who violates Government Code 553.002 by not filing the required affidavit is presumed to have the intent to commit an offense. *Gov't Code 553.003*
Trustee Financial Statement	The board by resolution adopted by majority vote may require each member of the board to file the financial statement required of state officers under Government Code Chapter 572, Subchapter B with the board and the Texas Ethics Commission. Not later than the 15th day after the date a board adopts this resolution, the board shall deliver a certified copy of the resolution to the Texas Ethics Commission. A resolution applies beginning on January 1 of the second year following the year in which the resolution is adopted. A member of a board that has adopted a resolution is not required to include, in a financial disclosure statement, financial activity occurring before January 1 of the year following the year in which the resolution is adopted. The commissioner by order shall require the members of the board to file the financial statement required of state officers under Government Code Chapter 572, Subchapter B in the same manner as the members of a board that have adopted a resolution if the commissioner determines that: 1. A board member has failed to comply with filing and recusal requirements applicable to the member under Local Government Code Chapter 171; 2. The district financial accounting practices are not adequate to safeguard state and district funds; or 3. The district has not met a standard set by the commissioner in the financial accountability rating system. The commissioner may require filing financial statements covering not more than three fiscal years and beginning on January 1 of the second year following the date of the commissioner's order. A member of a board subject to an order issued by the commissioner is not required to include, in a financial disclosure statement, financial activity occurring before January 1 of the year following the year in which the order is issued. The commissioner may renew the requirement if the commissioner determines that a condition described above continues to exist. Government Code Chapter 572, Subchapter B applies to a trustee subject to these provisions as if the trustee were a state officer, and

governs the contents, timeliness of filing, and public inspection of a statement filed under these provisions.

Violations

A trustee serving in a district that has adopted a resolution or that is subject to an order issued by the commissioner commits an offense if the trustee fails to file the statement required by the resolution or order.

Education Code 11.064

Prohibited Activities by Public Servants—State Law

"Public servant" means a person elected, selected, appointed, employed, or otherwise designated as one of the following, even if the person has not yet qualified for office or assumed his or her duties:

1. An officer, employee, or agent of government; or
2. A candidate for nomination or election to public office.

Penal Code 1.07(a)(41)(A), (E)

Bribery

A person commits an offense if the person intentionally or knowingly offers, confers, or agrees to confer on another, or solicits, accepts, or agrees to accept from another, any benefit:

1. As consideration for the recipient's decision, opinion, recommendation, vote, or other exercise of discretion as a public servant or voter;
2. As consideration for a violation of a duty imposed by law on a public servant; or
3. That is a political contribution as defined by Election Code Title 15 or an expenditure made and reported in accordance with Government Code Chapter 305 (regarding registration of lobbyists), if the benefit was offered, conferred, solicited, accepted, or agreed to pursuant to an express agreement to take or withhold a specific exercise of official discretion, if such exercise of official discretion would not have been taken or withheld but for the benefit.

"Benefit" means anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare the beneficiary has a direct and substantial interest.

Penal Code 36.01(3), .02

Illegal Gifts

A public servant who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government commits an offense if the public servant solicits, accepts, or agrees to accept any benefit from a person the public servant knows is interested in or likely to become interested in any contract, purchase, payment, claim or transaction involving the exercise of the public servant's discretion. *Penal Code 36.08(d)*

A public servant who receives an unsolicited benefit that the public servant is prohibited from accepting under the provision above may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes. *Penal Code 36.08(d), (i)*

Exceptions

Illegal Gifts does not apply to:

1. A fee prescribed by law to be received by a public servant or any other benefit to which the public servant is lawfully entitled or for which the public servant gives legitimate consideration in a capacity other than as a public servant;
2. A gift or other benefit conferred on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient;
3. A benefit to a public servant required to file a statement under Government Code Chapter 572, or a report under Election Code Title 15, that is derived from a function in honor or appreciation of the recipient if:
   a. The benefit and the source of any benefit in excess of $50 is reported in the statement; and
   b. The benefit is used solely to defray the expenses that accrue in the performance of duties or activities in connection with the office which are nonreimbursable by the state or political subdivision;
4. A political contribution as defined by Election Code Title 15;
5. An item with a value of less than $50, excluding cash or a negotiable instrument as described by Business and Commerce Code 3.104;
6. An item issued by a governmental entity that allows the use of property or facilities owned, leased, or operated by the governmental entity; or
7. Food, lodging, transportation, or entertainment accepted as a guest and, if the donee is required by law to report those items, reported by the donee in accordance with that law.

Penal Code 36.10

Honoraria and Expenses

A public servant commits an offense if the public servant solicits, accepts, or agrees to accept an honorarium in consideration for services that the public servant would not have been requested to provide but for the person's official position or duties. This provision does not prohibit a public servant from accepting transportation and lodging expenses or meals in connection with a conference or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent those services are more than merely perfunctory. *Penal Code 36.07*

Abuse of Official Capacity	A public servant commits an offense if, with intent to obtain a benefit or with intent to harm or defraud another, intentionally or knowingly violates a law relating to the office or employment, or misuses government property, services, personnel, or any other thing of value, belonging to the government that has come into the public servant's custody by virtue of the person's office or employment. *Penal Code 39.02(a)* "Law relating to a public servant's office or employment" means a law that specifically applies to a person acting in the capacity of a public servant and that directly or indirectly imposes a duty on the public servant or governs the conduct of the public servant. *Penal Code 39.01(1)* "Misuse" means to deal with property contrary to: 1. An agreement under which the public servant holds the property; 2. A contract of employment or oath of office of a public servant; 3. A law, including provisions of the General Appropriations Act specifically relating to government property, that prescribes the manner of custody or disposition of the property; or 4. A limited purpose for which the property is delivered or received. *Penal Code 39.01(2)*
Official Oppression	A public servant acting under color of the public servant's office or employment commits an offense if the public servant intentionally subjects another to sexual harassment. A public servant acts under color of the public servant's office or employment if the person acts or purports to act in an official capacity or takes advantage of such actual or purported capacity. "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly. *Penal Code 39.03(a)(3), (b), (c)*
Misuse of Official Information	A public servant commits an offense if, in reliance on information to which the public servant has access by virtue of the person's office or employment and that has not been made public, the person:

1. Acquires or aids another to acquire a pecuniary interest in any property, transaction, or enterprise that may be affected by the information;

2. Speculates or aids another to speculate on the basis of the information; or

3. As a public servant, including as a school administrator, coerces another into suppressing or failing to report that information to a law enforcement agency.

A public servant commits an offense if with intent to obtain a benefit or with intent to harm or defraud another, the public servant discloses or uses information for a nongovernmental purpose that:

1. The person has access to by means of the person's office or employment; and

2. Has not been made public.

"Information that has not been made public" means any information to which the public does not generally have access, and that is prohibited from disclosure under Government Code Chapter 552 (the Public Information Act).

Penal Code 39.06(a), (b), (d)

Nepotism

Except as provided by law, a public official may not appoint, confirm the appointment of, or vote for the appointment or confirmation of the appointment of an individual to a position that is to be directly or indirectly compensated from public funds or fees of office if:

1. The individual is related to the public official within the third degree by consanguinity (blood) or within the second degree by affinity (marriage); or

2. The public official holds the appointment or confirmation authority as a member of a local board and the individual is related to another member of the board within a prohibited degree.

Gov't Code 573.002, .041 [See DBE]

"Public official" means:

1. An officer of this state or of a district, county, municipality, precinct, school district, or other political subdivision of this state; or

2. An officer or member of a board of this state or of a district, county, municipality, school district, or other political subdivision of this state.

Gov't Code 573.001(3)

The nepotism law governs the hiring of an individual, whether the individual is hired as an employee or an independent contractor. *Atty. Gen. Op. DM-76 (1992)*

A public official may not approve an account or draw or authorize the drawing of a warrant or order to pay the compensation of an ineligible individual if the official knows the individual is ineligible. *Gov't Code 573.083*

Counties with Population 35,000 or More

If, under the district's employment policy [see DC], the board delegates to a superintendent the final authority to select district personnel:

1. The superintendent is a public official for the purposes of the nepotism prohibitions of Government Code Chapter 573 only with respect to a decision made under that delegation of authority; and

2. Each member of the board remains subject to the nepotism prohibitions with respect to all district employees.

For purposes of this provision, a person hired by a district before September 1, 2007, is considered to have been in continuous employment [see DBE] and is not prohibited from continuing employment with the district subject to the abstention requirements.

Education Code 11.1513(f), (h)

Counties with Population Less Than 35,000

The provisions at Counties with Population 35,000 or More do not apply to a district that is located:

1. Wholly in a county with a population of less than 35,000; or

2. In more than one county, if the county in which the largest portion of district territory is located has a population of less than 35,000.

Education Code 11.1513(g)

A member of a board that has delegated to the superintendent final authority for personnel selection is not a public official with appointment authority for purposes of the nepotism prohibitions of Government Code 573.041. *Atty. Gen. Op. GA-123 (2003)*

	With respect to renewed contracts, however, board members may be the relevant public officials for nepotism purposes. *Atty. Gen. Op. GA-177 (2004)*
Former Board Member Employment	A trustee of a district may not accept employment with the district until the first anniversary of the date the trustee's membership on the board ends. *Education Code 11.063*
Incompatibility of Office	The common law rule of incompatibility prohibits one person from holding two offices if the duties are in conflict or if one is subordinate to the other. Offices are legally incompatible when the faithful and independent exercise of one would necessarily interfere with the faithful and independent exercise of the other. *Thomas v. Abernathy County Line Indep. Sch. Dist., 290 S.W. 152 (Tex. Comm. App. 1927); Turner v. Trinity Indep. Sch. Dist., 700 S.W.2d 1 (Tex. Ct. App. 1983); Atty. Gen. Op. JM-634 (1987), MW-450 (1982)*
Instructional Materials Violations Rebates	A trustee commits an offense if the trustee receives any commission or rebate on any instructional materials or technological equipment used in the schools with which the trustee is associated.
Gifts	A trustee commits an offense if the trustee accepts a gift, favor, or service that: 1. Is given to the person or the person's school; 2. Might reasonably tend to influence a trustee in the selection of instructional material or technological equipment; and 3. Could not be lawfully purchased with state instructional materials funds. "Gift, favor, or service" does not include staff development, in-service, or teacher training; or ancillary materials, such as maps or worksheets, that convey information to the student or otherwise contribute to the learning process. *Education Code 31.152*
Free Materials	A person commits an offense if the person knowingly violates any law providing for the purchase or distribution of free instructional materials for the public schools. *Education Code 31.153*
Prohibited Activities by Public Servants—Federal Law Bribery—General	"Public official" includes a person acting for or on behalf of the United States, or any department, agency, or branch thereof, in any official function, under or by authority of any such department, agency, or branch of government. The term includes any person who has been nominated or appointed to be a public official, or has been officially informed that such person will be so nominated or appointed. *18 U.S.C. 201(a); Dixson v. U.S., 465 U.S. 482, 499 (1984) ("To be a public official under section 201(a), an individual*

must possess some degree of official responsibility for carrying out a federal program or policy."); U.S. v. Franco, 632 F.3d 880 (5th Cir. 2011)

A public official commits an offense if the public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for:

1. Being influenced in the performance of any official act;
2. Being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or
3. Being induced to do or omit to do any act in violation of the official duty of such official or person.

18 U.S.C. 201(b)(2)

Bribery—Federal Programs

"Agent" means a person authorized to act on behalf of another person or a government and, in the case of a government, includes a servant or employee, and a partner, director, officer, manager, and representative.

"Government agency" means a subdivision of the executive, legislative, judicial, or other branch of government, including a department, independent establishment, commission, administration, authority, board, and bureau, and a corporation or other legal entity established, and subject to control, by a government or governments for the execution of a governmental or intergovernmental program.

If a district receives, in any one year period, benefits in excess of $10,000 under a federal program involving a grant, contract, subsidy, loan, guarantee, insurance, or other form of federal assistance, an agent of the district commits an offense if the agent:

1. Embezzles, steals, obtains by fraud, or otherwise without authority knowingly converts to the use of any person other than the rightful owner or intentionally misapplies, property that:
   a. Is valued at $5,000 or more, and
   b. Is owned by, or is under the care, custody, or control of the district; or
2. Corruptly solicits or demands for the benefit of any person, or accepts or agrees to accept, anything of value from any person, intending to be influenced or rewarded in connection with

any business, transaction, or series of transactions of the district involving anything of value of $5,000 or more.

This provision does not apply to bona fide salary, wages, fees, or other compensation paid, or expenses paid or reimbursed, in the usual course of business.

18 U.S.C. 666

Appendix 7: TASB, Effective Board Practices: An Inventory for School Boards



1. A vision statement is in place for the district.

		Yes	No	Unsure
1.1	The vision statement meets the criteria for a well-developed vision statement listed in the supporting materials.	☐	☐	☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

		Yes	No	Unsure
a.	Your vision statement is written.	☐	☐	☐
b.	It lists or describes desired qualities for at least each of the following: students of the district, the community, and the schools in the district.	☐	☐	☐
c.	Staff and community input was solicited in some fashion and was considered.	☐	☐	☐
d.	All current members of the board and the superintendent have agreed, in a formal adoption or readoption by the board, to be guided by the vision.	☐	☐	☐

1.2 The board reviews and readopts the vision through formal board action.	Yes ☐	No ☐	Unsure ☐
You can check "Yes" for the above item if you check "Yes" to all the criteria below:			
a. The board has formally adopted or readopted its vision statement within the last five years.	Yes ☐	No ☐	Unsure ☐
b. The board's annual calendar of activities or another written document clearly specifies when the vision statement will next be considered for review.	Yes ☐	No ☐	Unsure ☐
1.3 The vision is disseminated throughout the district.	Yes ☐	No ☐	Unsure ☐
You can check "Yes" for the above item if you check "Yes" to all the criteria below:			
a. The vision statement is clearly posted in the board meeting room or copies are available at each meeting.	Yes ☐	No ☐	Unsure ☐
b. The vision statement is available on all campuses and all staff members have been informed about it.	Yes ☐	No ☐	Unsure ☐

2. A comprehensive statement of goals for the district is in place.

2.1 The board adopts or reaffirms a comprehensive list of district goals each year through formal board action.	Yes ☐	No ☐	Unsure ☐
You can check "Yes" for the above item if you check "Yes" to all the criteria below:			
a. The board formally adopted or reaffirmed a list of goals within the past 12 months.	Yes ☐	No ☐	Unsure ☐
b. Workshop documents from the goal-setting process indicate the board considered a broad range of district issues and student achievement measures before limiting the goals to those included in its list.	Yes ☐	No ☐	Unsure ☐
c. Each member of the board can state in general terms the substantive content of current goals.	Yes ☐	No ☐	Unsure ☐
d. The board can point to specific, written criteria that will be used to assess whether the district is succeeding in reaching its goals.	Yes ☐	No ☐	Unsure ☐

2.2 Mechanisms for disseminating the goals for the district are clearly identified and in writing. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Current goals are either posted in the board room or made available to the audience at board meetings. Yes ☐ No ☐ Unsure ☐

b. The goals are available on all campuses and the district Web site, and all staff members have been informed about them. Yes ☐ No ☐ Unsure ☐

2.3 The board is familiar with administration's written plans for accomplishing the goals. The plans include time lines for implementation, specific mechanisms for assessing the effectiveness of the plans, and specific times for reporting to the board on progress. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board has looked at copies of, or been formally briefed about, the administration's plans for accomplishing the current district goals. Yes ☐ No ☐ Unsure ☐

b. The written plans state what results the board will see after implementation and include time lines for implementation, procedures for assessing effectiveness, and a schedule for progress reports to the board. Yes ☐ No ☐ Unsure ☐

3. Board actions reinforce the central importance of the goals to the work of the district.

3.1 Deliberation on major items before the board routinely includes a discussion of the recommended action's impact on meeting district goals. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials routinely summarize the impact agenda items will have on the achievement of current goals. Yes ☐ No ☐ Unsure ☐

b. Board deliberations routinely include an acknowledgement of whether the given agenda item directly or indirectly supports a district goal. Yes ☐ No ☐ Unsure ☐

3.2 The board's superintendent evaluation instrument and process focus first and foremost on the superintendent's success in addressing the board-adopted goals. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials or minutes indicate the board formally adopts written priority performance goals for the superintendent at the beginning of the evaluation cycle. Yes ☐ No ☐ Unsure ☐

b. The majority of the priority performance goals for the superintendent are clearly derived from current or former district goals. Yes ☐ No ☐ Unsure ☐

c. The board's regularly scheduled formative and summative evaluation conferences begin with reports by the superintendent on actions taken in support of the priority performance goals or with summaries of reports provided earlier. Yes ☐ No ☐ Unsure ☐

3.3 The board's budget review process specifically identifies how goals are funded in the proposed budget, whether funding is adequate, and whether funding priorities are consistent with board-adopted goals. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials or minutes indicate that the board annually discusses budget priorities with the superintendent in advance of the superintendent's budget preparation. Yes ☐ No ☐ Unsure ☐

b. Budget review materials used in adopting the current district budget clearly identify the funding associated with each district goal. Yes ☐ No ☐ Unsure ☐

4. The board monitors plan implementation and district success in a formal, scheduled manner.

4.1 Time lines in the plans for reporting to the board are incorporated into the board's annual activity calendar and included on appropriate monthly agendas. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agendas or minutes from the past 12 months indicate the board received and formally discussed at least one report of progress on district goals. Yes ☐ No ☐ Unsure ☐

b. The board's calendar for the coming year lists the months in which reports on goal implementation will be provided. Yes ☐ No ☐ Unsure ☐

Oversight of Management

5. Goals, performance standards, and/or benchmarks have been established for major aspects of district operations.

5.1 The board receives information annually from the superintendent on the goals, standards, or benchmarks the administration uses to assess effectiveness for the major areas of district operations. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials or minutes from the past 12 months indicate the board and superintendent formally discussed goals, standards, or benchmarks the superintendent uses in assessing operational effectiveness in major areas. Yes ☐ No ☐ Unsure ☐

b. The board can point to a document or documents outlining the measures used by the administration to assess success in at least three major areas of district operations. Yes ☐ No ☐ Unsure ☐

5.2 The board receives regular, scheduled updates on operations effectiveness as measured against standards or benchmarks. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials or minutes indicate that the board received a report on operations success relative to established standards or benchmarks within the last 12 months. Yes ☐ No ☐ Unsure ☐

6. The board is familiar with the broad outlines of the systems the superintendent has put in place to manage district operations.

6.1 The board and superintendent have a schedule for periodic updates on major management systems in the district, including presentations on how benchmark data is used to plan improvements. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials or minutes indicate the board received a briefing on at least one major management system within the past 12 months. Yes ☐ No ☐ Unsure ☐

b. The board can point to a document with a schedule for briefings on major management systems. Yes ☐ No ☐ Unsure ☐

7.2 The board has adopted and annually reaffirms an ethics statement or code of conduct for board members. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board can point to a code of conduct or ethics statement that has been formally adopted by the board. Yes ☐ No ☐ Unsure ☐

b. Board agenda materials or minutes indicate the statement has been affirmed by all current members of the board, or the board's calendar of activities includes reaffirmation of the ethics statement or code of conduct as an agenda item within the next six months. Yes ☐ No ☐ Unsure ☐

8. Written operating procedures for the board and superintendent are in place.

8.1 A written annual calendar of board events, outlining major board activities by month, is in place. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. All members of the board have copies of a written, 12-month calendar on which major board responsibilities have been scheduled. Yes ☐ No ☐ Unsure ☐

b. At least 75 percent of the board tasks on the calendar for the past 12 months were performed in the months scheduled or were rescheduled on the calendar for another specific time. Yes ☐ No ☐ Unsure ☐

8.2 Operating procedures are codified in a written board-superintendent procedures document; new board members are oriented to operating procedures within the first 60 days of service. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board can point to written board operating procedures. Yes ☐ No ☐ Unsure ☐

b. The operating procedures are stated in terms of observable actions: what the board, trustee, or superintendent is actually expected to do or not do. Yes ☐ No ☐ Unsure ☐

c. Any members who have joined the board-superintendent team within the last 12 months have copies of all written board operating procedures. Yes ☐ No ☐ Unsure ☐

8.3 An annual review of operating procedures is included on the board activity calendar. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials, minutes, or other documents indicate the board and superintendent have formally discussed operating procedures within the past 12 months. Yes ☐ No ☐ Unsure ☐

b. The review of operating procedures usually occurs in the same month each year. Yes ☐ No ☐ Unsure ☐

Advocacy

9. The board is an active advocate for the district within the community.

9.1 The board has an active plan for its generating support for the district, its vision, and its goals with patrons, the business community, and other organizations in the area. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The plan is written and reviewed each year. Yes ☐ No ☐ Unsure ☐

b. The plan lists activities the board members themselves or the board as a whole will do to generate support and partnerships within the community. Yes ☐ No ☐ Unsure ☐

9.2 The board reviews board and board member success in generating support for the district annually. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board's activity calendar includes a month in which this review takes place. Yes ☐ No ☐ Unsure ☐

b. Agenda materials, workshop materials, or minutes from the last 12 months indicate that board discussed the success of its plan and its efforts. Yes ☐ No ☐ Unsure ☐

10. The board is an active advocate for the district with other elected officials.

10.1 The board has an active plan for advocating for the district's interest with legislators and other elected public officials. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The plan is written and reviewed at least every two years. Yes ☐ No ☐ Unsure ☐

b. The plan lists activities the board members themselves or the board as a whole will do to support the district's interest before legislators and other elected public officials. Yes ☐ No ☐ Unsure ☐

10.2 Every two years, the board reviews board and board member success in advocating for the district with legislators and other elected officials. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. The board's activity calendar includes a month in which this review takes place. Yes ☐ No ☐ Unsure ☐

b. Agenda materials, workshop materials, or minutes from the last 24 months indicate that board discussed the success of its plan and its efforts. Yes ☐ No ☐ Unsure ☐

6.2 The board's evaluation of the superintendent's performance as a manager focuses on the superintendent's establishing appropriate measures and standards of performance for major district operations, monitoring success, and using data for improvement. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Items on the board's evaluation instrument that assess management skills focus on whether appropriate performance standards are in place for major areas of district operations, whether the standards are being monitored, and whether they are being met. Yes ☐ No ☐ Unsure ☐

Board-Superintendent Team Operations

7. The board and superintendent team regularly checks expectations and assesses board-superintendent operations.

7.1 The board and superintendent participate in an annual team-building activity. Yes ☐ No ☐ Unsure ☐

You can check "Yes" for the above item if you check "Yes" to all the criteria below:

a. Board agenda materials or minutes indicate the board and superintendent participated together in a team-building session or self-assessment discussion during the past 12 months. Yes ☐ No ☐ Unsure ☐

b. Written documents or reports from the team-building session indicate the session included review of actual board practices and behaviors and resulted in agreements about future operations. Yes ☐ No ☐ Unsure ☐

c. Board agenda materials, board minutes, or documents related to the most recent team-building session indicate the board formally discussed continuing education needs as a part of its team-building activity. Yes ☐ No ☐ Unsure ☐

d. The board can point to written plans for continuing education for its members that include, at a minimum, the topics to be addressed. Yes ☐ No ☐ Unsure ☐

Appendix 8: Local Government Officer Conflicts Disclosure Statement

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT **FORM CIS**

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

OFFICE USE ONLY

Date Received

1 **Name of Local Government Officer**

2 **Office Held**

3 **Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code**

4 **Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.**

5 **List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds $100 during the 12-month period described by Section 176.003(a)(2)(B).**

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

(attach additional forms as necessary)

6 **SIGNATURE** I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

_____
Signature of Local Government Officer

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

Sworn to and subscribed before me by _____ this the _____ day of _____, 20 _____, to certify which, witness my hand and seal of office.

_____
Signature of officer administering oath | Printed name of officer administering oath | Title of officer administering oath

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

Executed in _____ County, State of _____, on the _____ day of _____ (month), 20_____ (year).

_____
Signature of Local Government Officer (Declarant)

Form provided by Texas Ethics Commission www.ethics.state.tx.us Revised 8/17/2020

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side.

1. Name of Local Government Officer. Enter the name of the local government officer filing this statement.

2. Office Held. Enter the name of the office held by the local government officer filing this statement.

3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code. Enter the name of the vendor described by Section 176.001(7), Local Government Code, if the vendor: a) has an employment or other business relationship with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code; b) has given to the local government officer or a family member of the officer one or more gifts as described by Section 176.003(a)(2)(B), Local Government Code; or c) has a family relationship with the local government officer as defined by Section 176.001(2-a), Local Government Code.

4. Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3. Describe the nature and extent of the employment or other business relationship the vendor has with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code, and each family relationship the vendor has with the local government officer as defined by Section 176.001(2-a), Local Government Code.

5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds $100. List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed $100 in value.

6. Signature. Signature of local government officer. Complete this section after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says "Signature of Local Government Officer" (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say "Signature of Local Government Officer (Declarant)" (an electronic signature is not acceptable), and fill out the unsworn declaration section.

Local Government Code § 176.001(2-a): "Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code.

Local Government Code § 176.003(a)(2)(A):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

***

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

San Elizario ISD Compensation Budget Planning 2025-2026 6.11.25



Agenda

- Possible Compensation Budget Impacts
- TRS-Health Care
- HSA/FSA
- Self-Insurance Health Fund Update
- FY 2026 Budget Development Update

Staffing

Enrollment

2025-2026	Total (24-25)	Difference	Total (25-26)	Grade Level									
Campus	Enrolled		Projected	PK3	PK4	KG	1	2	3	4	5	6	
Borrego	519	5	524						120	142	137	125	
L.G. Alarcon Elementary	300	-5	295						76	73	67	79	
Lorenzo Loya Primary	181	-57	124	43	81								
Sambrano Elementary	556	-35	521			166	164	191					

Class Size Ratios

Elementary:

- 22:1 Teacher & Aide
- 11:1 Teacher

Secondary:

- 30:1 Teacher

Compensation Budget Impacts

SEISD Needs for 2025-2026 Continued Operations			
Type	**Amount $**	**Total Amount $**	**Notes**
Bilingual Stipend	$500. 00	$2,500.00	5 teachers will be included as the bilingual program moves to 6th grade; pending exam
Dual Language Stipend	$4,500.00	$22,000.00	Cuurent: 5 bilingual teachers in 6th grade projected to teach dual language classes
RTAP	$6,867.00	$20,601.00	RTAP participants may be added to the Region 19 Teacher certification program.

Admin Consideration: Counselors, Retention, Masters			
Type	**Amount $**	**Total Amount $**	**Notes**
Counselor Pay Review	Based on scale	$ 19,871.36	There is a variance between the counselor and teacher pay scales created a change in the floor assigned to employees at the time of hire. A proposed fair pay revision will ensure pay group fairness according to number of years of service.
Masters Degree Stipend ($1,200.00)	(+) 458.50	$91.217.50	Regional daily= 10.70 at 187 days SEISD daily = 7.74 daily Difference= 3.37 Proposed SEISD= 10.70 daily at 155 day =1,658.50 New Stipend
	(+) 300.00	$82,500.00	=1,500.00 New Stipend
	(+) 600.00	$110,00.00	=2,000.00 New Stipend
Advanced Placement (AP) Course Stipend	200	$3,000.00	$200.00 a course at current count of 15 AP courses
Teacher Pay increase	Unknown	Unknown	Dependant on June 3rd legislation

*Amounts based on salaries only

RECAP & UPDATE of 5.21.25 mtg:

TRS ACTIVE CARE_ Health Insurance

Known

- Qualifying Employees 558
- District minimum contribution is $225.00
  - District $150.00
  - State $75.00
- Current SEISD contribution $625.00
- Average district contribution amount $355.00 (per TRS)
- TRS does not offer an HSA account.
  - Current SEISD HSA contribution $25.00 a month/ $300 a year.
  - SEISD would be responsible to find a company to manage the HSA account
- Plan year begins Sept. 1, 2025
- Rates for Region 19 released 6/2/25

Unknown

- # of employees who will sign up
- Board approved SEISD contribution
  - Health insurance
  - Possible HSA/FSA

RECAP: Employee Insurance Enrollment History

Year	# Eligible Employees	# Enrolled in Aetna
09/01/2024 - 08/31/2025	536	268
09/01/2023 - 08/31/2024	544	395
09/01/2022 - 08/31/2023	561	451

Decline

***2025-2026 enrolled employees is unknown**

Current Plan

CDHP Plan

$625 District Contribution

	Total Premium
Employee Only	$48.00
Employee & Spouse	$787.00
Employee & Children	$663.00
Employee & Family	$1,498.00

Core Plan

$625 District Contribution

	Total Premium
Employee Only	$278.00
Employee & Spouse	$1,198.00
Employee & Children	$976.00
Employee & Family	$2,452.00

98

RECAP & UPDATE of 5.21.25 mtg: HSA/FSA Planning

- Current district's HSA is administered by Inspira Financial
- Employers must make comparable contributions to all eligible employees.
- Contributions can be one-time contributions or pro-rated contributions.
- Current district contribution $25.00/month or $300.00/year to all employees who are enrolled in an HSA account.
- Employer does not have further control over the account after it is funded.
- Contributions cannot exceed $4300 for the single plan, $8550 for the Family Plan.
- Employees currently contributing
  - 154 in HSA
  - 30 In FSA
- Currently enrolled in health insurance 268
- Admin Fee for HSA is ***$600/month or $7200/year***

UPDATE

SEISD Current Contribution Practice:

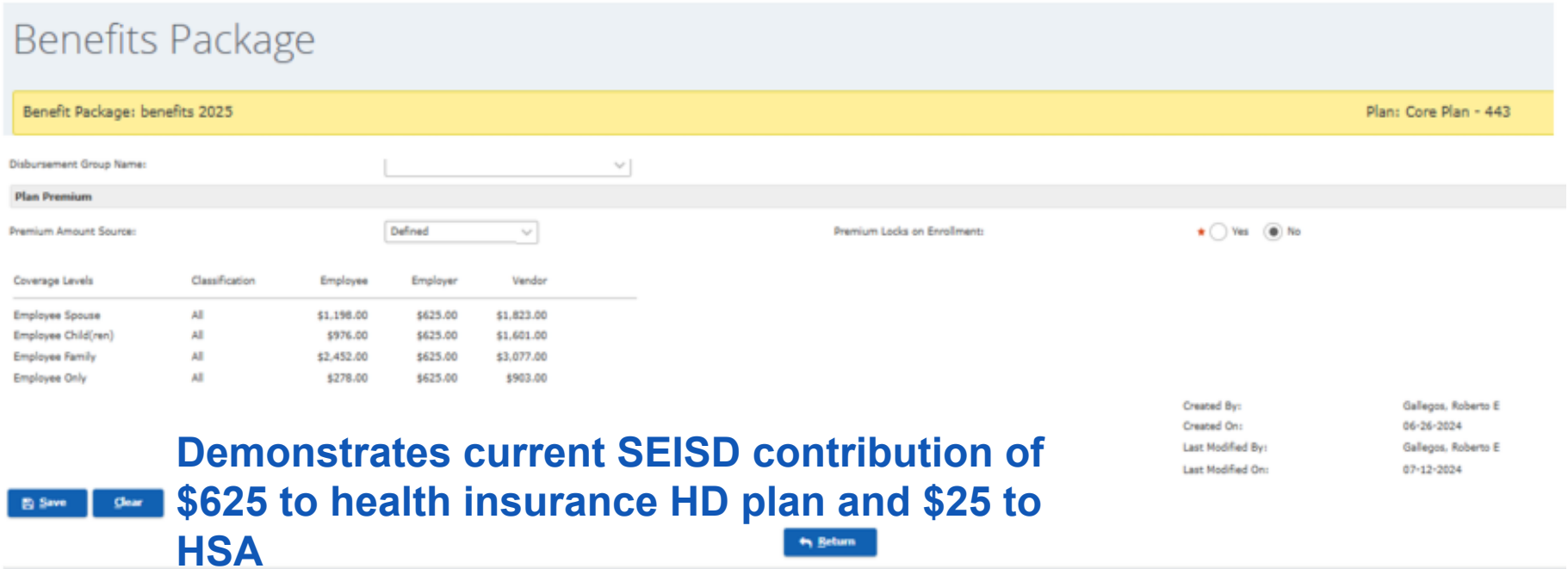
- Standard $625 to all plans
- $25 monthly to HSA for High-Deductible plan

99

Current SEISD Contribution Practice

Standard $625 to all plans

$25 monthly to HSA for High-Deductible plan



Demonstrates current SEISD contribution of $625 to health insurance HD plan and $25 to HSA

Posting ID	Person ID	Name	Benefit Title	Account Type	Account String	Account Year	Amount
			District Provided Life Insuran	Expense	199.11.6142.00.101.23	2025	$4.63
			District Provided Life Insuran	Payable	863.00.2153.12.000.00	2025	$4.63
			HSA-Health Savings Account	Expense	199.11.6142.00.101.23	2025	$25.00
			HSA-Health Savings Account	Payable	863.00.2153.03.000.00	2025	$25.00
			CDHP	Expense	199.11.6142.00.101.23	2025	$625.00
			CDHP	Payable	863.00.2153.01.000.00	2025	$625.00

UPDATE TRS Rates: Released 6/2/25

Rates released 06/02/2025

TRS-Active Care HD

*Same contribution for all plans
$350.00 District Contribution
$75.00 State Contribution
$425.00 Total Contribution

	Total Premium	Employee Contribution
Employee Only	$ 470.00	$ 45.00
Employee & Spouse	$ 1,269.00	$ 844.00
Employee & Children	$ 799.00	$ 374.00
Employee & Family	$ 1,598.00	$ 1,173.00

TRS- Active Care Primary

$350.00 District Contribution
$75.00 State Contribution
$0 District Contribution *$425.00 District Contribution*

	Total Premium	Employee Contribution
Employee Only	$ 452.00	$ 27.00
Employee & Spouse	$ 1,221.00	$ 796.00
Employee & Children	$ 769.00	$ 344.00
Employee & Family	$ 1,537.00	$ 1,112.00

TRS - Care Active Care Primary +

$350.00 District Contribution
$75.00 State Contribution
$0 District Contribution *$425.00 Total Contribution*

	Total Premium	Employee Contribution
Employee Only	$ 530.00	$ 105.00
Employee & Spouse	$ 1,378.00	$ 953.00
Employee & Children	$ 901.00	$ 476.00
Employee & Family	$ 1,749.00	$ 1,324.00

Current Plan
CDHP Plan

$625 District Contribution
TRS $350 VS Current Aetna Plan

	Current Enrollment	Total Premium	Difference	
Employee Only	129	$ 48.00	$ (3.00)	Increase
Employee & Spouse	4	$ 787.00	$ 57.00	Increase
Employee & Children	12	$ 663.00	$ (289.00)	Savings
Employee & Family	2	$ 1,498.00	$ (325.00)	Savings
Total Enrollment	**147**			

No Comperable Plan

Core Plan

TRS $350 VS Current Aetna Plan
$625 District Contribution

	Current Enrollment	Total Premium	Difference	
Employee Only	100	$ 278.00	$ (173.00)	Savings
Employee & Spouse	3	$ 1,198.00	$ (245.00)	Savings
Employee & Children	17	$ 976.00	$ (500.00)	Savings
Employee & Family	1	$ 2,452.00	$ (1,128.00)	Savings
Total Enrollment	**121**			

UPDATE Financial Impact

Straight $350 SEISD contribution to all plans

Financial Impact

Insurance

		District Contribution/Month	District Contriubtion/year per employee	Yearly Impact based on current enrollment
Employees Currently Enrolled Health Insurance	268	$ 350.00	$ 4,200.00	$ 1,125,600.00

Split $350 SEISD to Non HD plans

$325 SEISD to HD plan with $25 HSA

Financial Impact

Insurance

		District Contribution/Month	District Contriubtion/year	Yearly Impact based on current enrollment
Employees Currently Enrolled in HD	147	$ 325.00	$ 3,900.00	$ 573,300.00
Employees Currently Enrolled in Core	121	$ 350.00	$ 4,200.00	$ 508,200.00
				$1,081,500.00

HSA

Employees Currently Enrolled in HD	147
District Yearly HSA Contribution	$ 300.00
Yearly Impact based on currently enrollment	$44,100.00

Plan Highlights: Handout

All TRS-ActiveCare participants have **three plan options**. Each includes a wide range of wellness benefits.

	TRS-ActiveCare Primary	TRS-ActiveCare Primary+	TRS-ActiveCare HD
Plan Summary	• Lowest premium of all three plans • Copays for doctor visits before you meet your deductible • Statewide network • Primary Care Provider referrals required to see specialists • Not compatible with a Health Savings Account • No out-of-network coverage	• Lower deductible than the HD and Primary plans • Copays for many services and drugs • Higher premium • Statewide network • Primary Care Provider referrals required to see specialists • Not compatible with a Health Savings Account • No out-of-network coverage	• Compatible with a Health Savings Account • Nationwide network with out-of-network coverage • No requirement for Primary Care Providers or referrals • Must meet your deductible before plan pays for non-preventive care

UPDATE: Summary Health Care - Projections

- Projection at 12-13% increase to current TRS rates released 6/2/25
  - 268 currently enrolled employees
  - 558 benefit-eligible employees
- SEISD Contribution Health Care: $350 (State Contribution at $75.00)
  - No HSA Contribution
- SEISD Contribution HSA/FSA : Guidance Requested

UPDATE: Summary

- Attrition cost recovery in progress
- There is a variance between the counselor and teacher pay scales created a change in the floor assigned to employees at the time of hire. A proposed fair pay revision will ensure pay group fairness according to number of years of service.
- TRS rates released 6/2/25
- HSA/FSA research is ongoing

UPDATE: Board Guidance Requests

- Counselor Fair Pay Adjustment
- Master’s Degree Stipend Revision
- AP Stipend Addition
- TRS Contribution
- HSA/FSA

Fiscal Year 2025
Health Insurance Update

Self-Insurance Health Fund - 753	
Revenues	2,748,727
Projected Revenues	549,679
Total Revenues	3,298,406
Expenditures	2,486,779
Projected Expenditures	156,577
Total Expenditures	2,643,356
Income (Loss)	655,050
Beginning Net Position - July 1, 2025	(1,037,588)
	(382,538)

Note: Table includes projected amounts

Fiscal Year 2026
General Fund Budget Snapshot

Fiscal Year 2026
General Operating Fund
Proposed Budget Snapshot

Revenue

	FY 2025 Adopted	FY 2025 Amended	FY 2026 Proposed	Variance Adopted vs Proposed
5700 - Local Revenue	3,168,717	3,104,306	3,093,147	(75,570)
5800 - State Revenue	31,951,976	31,329,490	31,231,757	(720,219)
5900 - Federal Revenue	4,305,000	4,305,000	4,305,000	-
Total	$ 39,425,693	$ 38,738,796	$ 38,629,904	$ (795,789)

Expenses

	FY 2025 Adopted	FY 2025 Amended	FY 2026 Proposed	Variance Adopted vs Proposed
11 - Instruction	19,231,854	18,585,540	19,731,074	499,220
12 - Instruction Resources and Media	91,905	94,475	67,426	(24,479)
13 - Curriculum & Instr Staff Develop	876,647	862,837	859,460	(17,187)
21 - Instructional Leadership	771,466	710,560	744,080	(27,386)
23 - School Leadership	2,189,604	2,147,429	2,102,639	(86,965)
31 - Guidance, Counseling, Evaluation	1,477,931	1,465,629	1,523,440	45,509
32 - Social Work Services	64,488	62,511	50,039	(14,449)
33 - Health Services	505,977	488,825	427,494	(78,483)
34 - Student Transportation	1,297,829	1,292,291	1,382,753	84,924
35 - Food Services	3,535,000	3,634,000	3,310,125	(224,875)
36 - Extracurricular Activities	1,153,814	1,155,128	909,279	(244,535)
41 - General Administration	1,811,023	1,870,744	1,722,304	(88,719)
51 - Facilities Maint and Operations	5,321,684	5,500,230	6,317,942	996,258
52 - Security and Monitoring Services	1,621,544	1,546,578	608,150	(1,013,394)
53 - Data Processing Services	1,414,788	1,602,299	1,170,851	(243,937)
61 - Community Services	16,100	16,171	15,030	(1,070)
71 - Debt Service	304,575	304,588	405,374	100,799
81 - Facilities Acquisition & Construction	375,150	351,175		(375,150)
99 - Other Intergovernmental Charges	52,000	52,000	51,700	(300)
Total	$ 42,111,108	$ 41,743,010	$ 41,399,158	$ (714,221)
Revenue Over/Under Expenses	$ (2,687,686)	$ (3,004,214)	$ (2,769,254)	$ (81,568)

*Func 11 increased in 6100- due to health insurance calculated for all employees

Note: Handout included as attachment

Fiscal Year 2026
General Operating Fund
Proposed Budget Snapshot

Revenue

	FY 2025 Adopted	FY 2025 Amended	FY 2026 Proposed	Variance Adopted vs Proposed
5700 - Local Revenue	3,168,717	3,104,306	3,093,147	(75,570)
5800 - State Revenue	31,951,976	31,329,490	31,231,757	(720,219)
5900 - Federal Revenue	4,305,000	4,305,000	4,305,000	-
Total	**$ 39,425,693**	**$ 38,738,796**	**$ 38,629,904**	**$ (795,789)**

Expenses

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53 - Data Processing Services	1,414,788	1,602,299	1,170,851	(243,937)
61 - Community Services	16,100	16,171	15,030	(1,070)
71 - Debt Service	304,575	304,588	405,374	100,799
81 - Facilities Acquisition & Construction	375,150	351,175		(375,150)
99 - Other Intergovernmental Charges	52,000	52,000	51,700	(300)
Total	**$ 42,113,379**	**$ 41,743,010**	**$ 41,399,158**	**$ (714,221)**
Revenue Over/Under Expenses	$ (2,687,686)	$ (3,004,214)	$ (2,769,254)	$ (81,568)

*Func 11 increased in 6100-due to health insurance calculated for all employees

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915872.3900
Fax 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: Financial Reports – Tax Report
Date: June 11, 2025

HISTORY: The primary source of state funding for Texas school districts is the Foundation School Program (FSP). This program ensures that all school districts, regardless of property wealth, receive "substantially equal access to similar revenue per student at similar tax effort." The District's current tax rate was approved at the September 17, 2024 Board meeting for a total rate of $0.8853. The Maintenance & Operations (M&O) rate which pays for items such as staff salaries, supplies, materials, transportation and utilities was $0.7156 while the Interest & Sinking (I&S) rate which pays for bonded debt was $0.1697.

RATIONALE The purpose of this agenda item is to report collections made for the current 2024 tax year which is based on the levy billed on October 1, 2024.

BUDGET: Collections as of April 30, 2025 are summarized below.

	M&O	I&S	Total	Collections
Current Year Levy	$2,294,205	$539,308	$2,833,513	
Current Year Collections	$2,025,952	$480,442	$2,506,393	$2,506,393
Current Year Levy Outstanding	$268,253	$58,867	$327,120	
Prior Year Collections				$119,444
Penalty & Interest Collections				$66,039
Total Collections				$2,691,876

ADMINSTRATIVE RECOMMENDATION: This report is for information only.

For Approval? ☐ Yes ☒ No
If no, please check one: ☐ Presentation ☐ Report ☒ Information
Please check if applicable: ☐ Attachment Included

EL PASO CONSOLIDATED TAX OFFICE
PROPERTY TAX COLLECTION ANALYSIS
9/1/2024 through 4/30/2025

JURISDICTION: 19 SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT

PERIOD	CURRENT TAX YEAR ($) COLLECTED	CURRENT TAX YEAR ($) CUMULATIVE	PRIOR YEARS ($) COLLECTED	PRIOR YEARS ($) CUMULATIVE	ALL YEARS ($) COLLECTED	ALL YEARS ($) CUMULATIVE	ALL YEARS ($) %	COLLECTION FEE ($) COLLECTED	COLLECTION FEE ($) CUMULATIVE
Sep 2024	-	-	29,704.22	29,704.22	29,704.22	29,704.22	1.05%	4,673.87	4,673.87
Oct 2024	33,803.54	33,803.54	29,728.63	59,432.85	63,532.17	93,236.39	3.29%	4,623.32	9,297.19
Nov 2024	164,482.07	198,285.61	6,132.46	65,565.31	170,614.53	263,850.92	9.31%	2,018.36	11,315.55
Dec 2024	875,281.24	1,073,566.85	14,534.49	80,099.80	889,815.73	1,153,666.65	40.72%	2,658.21	13,973.76
Jan 2025	987,709.50	2,061,276.35	11,722.65	91,822.45	999,432.15	2,153,098.80	75.99%	2,352.62	16,326.38
Feb 2025	320,382.72	2,381,659.07	30,733.25	122,555.70	351,115.97	2,504,214.77	88.38%	6,881.44	23,207.82
Mar 2025	95,693.16	2,477,352.23	29,937.24	152,492.94	125,630.40	2,629,845.17	92.81%	3,412.09	26,619.91
Apr 2025	50,271.48	2,527,623.71	11,759.23	164,252.17	62,030.71	2,691,875.88	95.00%	5,657.43	32,277.34
May 2025									
Jun 2025									
Jul 2025									
Aug 2025									

LEVY		CURRENT	PRIOR	ALL YEARS
Levy-Cert	7/25/2024	2,792,044.14	N/A	N/A
Levy-Billed	10/1/2024	2,849,041.41	617,496.50	3,466,537.91
Adjusted Levy YTD		2,833,513.01	572,168.18	3,405,681.19
Increase/Decrease		(15,528.40)	(45,328.32)	(60,856.72)
Levy Outstanding		327,119.89	452,724.10	779,843.99

REVENUE	CURRENT	PRIOR	ALL YEARS
Total Levy Collected	2,506,393.12	119,444.08	2,625,837.20
Total Penalty & Interest	21,230.59	44,808.09	66,038.68
Total Levy + P&I	2,527,623.71	164,252.17	2,691,875.88
Taxes as percent of levy	88.46%	4.22%	92.68%
P&I as percent of levy	0.75%	1.58%	2.33%
Total as percent of levy	89.21%	5.80%	95.01%
Collection Fee	3,336.45	28,940.89	32,277.34
Total Collected YTD	2,530,960.16	193,193.06	2,724,153.22

printed 5/5/2025

FISCAL START: 07/01/2024 END: 06/30/2025 JURISDICTION: 0019 SAN ELIZARIO ISD

	CERT TAXABLE VALUE	ADJUSTMENTS	ADJ TAX VALUE		TAX RATE	TAX LEVY	PAID ACCTS
CURRENT YEAR	331,590,465	1,366,084-	330,224,381	0	00.885300	2,833,513.01	6,124

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
2024	2,849,041.41	11,991.82-	15,528.40-	44,566.24	2,506,393.12	327,119.89	88.46	0.00
2023	214,779.39	3,998.26-	31,432.79-	2,132.19	80,029.13	103,317.47	43.65	0.00
2022	112,172.59	1,519.45-	6,214.97-	835.39	27,608.31	78,349.31	26.06	23.08-
2021	50,379.26	1,054.42	6,460.60	857.29	15,237.85	41,602.01	26.81	23.89-
2020	32,705.13	343.78	799.76	1,001.71	4,987.71	28,517.18	14.89	25.65-
2019	26,006.65	.00	25.12-	487.93	2,887.94	23,093.59	11.12	25.12-
2018	21,168.40	.00	26.88-	189.40	1,724.03	19,417.49	8.15	26.88-
2017	17,901.17	.00	26.88-	193.41	1,405.08	16,469.21	7.86	26.88-
2016	16,124.03	.00	27.32-	255.45	1,353.48	14,743.23	8.41	27.32-
2015	15,448.16	.00	27.06-	20.38	873.76	14,547.34	5.67	27.06-
2014	17,161.83	.00	25.44-	93.05	1,451.86	15,684.53	8.47	25.44-
2013	13,931.92	.00	5,821.82-	2.02	868.13	7,241.97	10.70	7.50-
2012	7,707.33	.00	7.50-	0.00	770.07	6,929.76	10.00	7.50-
2011	6,301.52	.00	7.50-	0.00	770.07	5,523.95	12.23	7.50-
2010	7,740.83	.00	32.40-	0.00	790.06	6,918.37	10.25	7.50-
2009	6,618.78	.00	32.40-	61.32	851.38	5,735.00	12.93	7.50-
2008	7,484.88	.00	11.85-	0.00	770.07	6,702.96	10.30	7.16-
2007	6,394.63	.00	7.23-	0.00	802.59	5,584.81	12.57	7.23-
2006	7,145.15	.00	9.35-	0.00	3.78	7,132.02	.05	9.35-
2005	14,704.33	.00	17.79-	0.00	0.00	14,686.54		10.16-
2004	15,010.51	.00	43.71-	0.00	0.00	14,966.80		10.15-
2003	26,002.75	.00	10,284.22-	14.16	157.97	15,560.56	1.00	39.76-
****	3,491,930.65	16,111.33-	62,350.27-	50,709.94	2,649,736.39	779,843.99		352.63-
CURR	2,849,041.41	11,991.82-	15,528.40-	44,566.24	2,506,393.12	327,119.89		0.00
DELQ	642,889.24	4,119.51-	46,821.87-	6,143.70	143,343.27	452,724.10		352.63-

TC298-D SELECTION: DEPOSIT DEPOSIT DISTRIBUTION INCLUDES AG ROLLBACK

RECEIPT DATE: ALL FROM: 04/01/2025 THRU 04/30/2025

LOCATION: ALL JURISDICTION: 0019 SAN ELIZARIO ISD

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
2024	M & O	.715600	36,023.55	.00	4,611.68	.00	40,635.23	1,845.69	.00	.00	42,480.92
	I & S	.169700	8,542.69	.00	1,093.56	.00	9,636.25	.00	.00	.00	9,636.25
	TOTAL	.885300	44,566.24	.00	5,705.24	.00	50,271.48	1,845.69	.00	.00	52,117.17
2023	M & O	.721900	1,726.40	.00	1,688.20	.00	3,414.60	1,988.06	.00	.00	5,402.66
	I & S	.169700	405.79	.00	396.86	.00	802.65	.00	.00	.00	802.65
	TOTAL	.891600	2,132.19	.00	2,085.06	.00	4,217.25	1,988.06	.00	.00	6,205.31
2022	M & O	.903300	716.63	.00	1,094.93	.00	1,811.56	875.39	.00	.00	2,686.95
	I & S	.149700	118.76	.00	181.44	.00	300.20	.00	.00	.00	300.20
	TOTAL	1.053000	835.39	.00	1,276.37	.00	2,111.76	875.39	.00	.00	2,987.15
2021	M & O	.920700	724.13	.00	312.07	.00	1,036.20	195.37	.00	.00	1,231.57
	I & S	.169300	133.16	.00	57.39	.00	190.55	.00	.00	.00	190.55
	TOTAL	1.090000	857.29	.00	369.46	.00	1,226.75	195.37	.00	.00	1,422.12
2020	M & O	1.015100	869.09	.00	535.25	.00	1,404.34	322.62	.00	.00	1,726.96
	I & S	.154900	132.62	.00	81.68	.00	214.30	.00	.00	.00	214.30
	TOTAL	1.170000	1,001.71	.00	616.93	.00	1,618.64	322.62	.00	.00	1,941.26
2019	M & O	1.028700	437.96	.00	319.71	.00	757.67	167.96	.00	.00	925.63
	I & S	.117400	49.97	.00	36.49	.00	86.46	.00	.00	.00	86.46
	TOTAL	1.146100	487.93	.00	356.20	.00	844.13	167.96	.00	.00	1,012.09
2018	M & O	1.108900	171.27	.00	149.01	.00	320.28	70.84	.00	.00	391.12
	I & S	.117400	18.13	.00	15.78	.00	33.91	.00	.00	.00	33.91
	TOTAL	1.226300	189.40	.00	164.79	.00	354.19	70.84	.00	.00	425.03
2017	M & O	1.108900	174.89	.00	173.09	.00	347.98	2.47	.00	.00	350.45
	I & S	.117400	18.52	.00	18.33	.00	36.85	.00	.00	.00	36.85
	TOTAL	1.226300	193.41	.00	191.42	.00	384.83	2.47	.00	.00	387.30
2016	M & O	1.108900	227.29	.00	244.51	.00	471.80	104.80	.00	.00	576.60
	I & S	.137400	28.16	.00	30.30	.00	58.46	.00	.00	.00	58.46
	TOTAL	1.246300	255.45	.00	274.81	.00	530.26	104.80	.00	.00	635.06
2015	M & O	1.108900	18.30	.00	22.51	.00	40.81	9.10	.00	.00	49.91
	I & S	.125800	2.08	.00	2.56	.00	4.64	.00	.00	.00	4.64
	TOTAL	1.234700	20.38	.00	25.07	.00	45.45	9.10	.00	.00	54.55
2014	M & O	1.108900	88.90	.00	120.01	.00	208.91	43.73	.00	.00	252.64
	I & S	.051800	4.15	.00	5.61	.00	9.76	.00	.00	.00	9.76
	TOTAL	1.160700	93.05	.00	125.62	.00	218.67	43.73	.00	.00	262.40
2013	M & O	1.108956	1.93	.00	2.36	.00	4.29	.83	.00	.00	5.12
	I & S	.051800	.09	.00	.11	.00	.20	.00	.00	.00	.20
	TOTAL	1.160756	2.02	.00	2.47	.00	4.49	.83	.00	.00	5.32

TC298-D SELECTION: DEPOSIT DEPOSIT DISTRIBUTION INCLUDES AG ROLLBACK
RECEIPT DATE: ALL FROM: 04/01/2025 THRU 04/30/2025
LOCATION: ALL JURISDICTION: 0019 SAN ELIZARIO ISD

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
2009	M & O	1.108956	58.58	.00	80.43	.00	139.01	23.05	.00	.00	162.06
	I & S	.051800	2.74	.00	3.76	.00	6.50	.00	.00	.00	6.50
	TOTAL	1.160756	61.32	.00	84.19	.00	145.51	23.05	.00	.00	168.56
1995	M & O	.662720	8.01	.00	24.39	.00	32.40	7.52	.00	.00	39.92
	I & S	.509400	6.15	.00	18.75	.00	24.90	.00	.00	.00	24.90
	TOTAL	1.172120	14.16	.00	43.14	.00	57.30	7.52	.00	.00	64.82
ALL	M & O		41,246.93	.00	9,378.15	.00	50,625.08	5,657.43	.00	.00	56,282.51
ALL	I & S		9,463.01	.00	1,942.62	.00	11,405.63	.00	.00	.00	11,405.63
ALL	TOTAL		50,709.94	.00	11,320.77	.00	62,030.71	5,657.43	.00	.00	67,688.14
DLO	M & O		5,223.38	.00	4,766.47	.00	9,989.85	3,811.74	.00	.00	13,801.59
DLO	I & S		920.32	.00	849.06	.00	1,769.38	.00	.00	.00	1,769.38
DLO	TOTAL		6,143.70	.00	5,615.53	.00	11,759.23	3,811.74	.00	.00	15,570.97
CURR	M & O		36,023.55	.00	4,611.68	.00	40,635.23	1,845.69	.00	.00	42,480.92
CURR	I & S		8,542.69	.00	1,093.56	.00	9,636.25	.00	.00	.00	9,636.25
CURR	TOTAL		44,566.24	.00	5,705.24	.00	50,271.48	1,845.69	.00	.00	52,117.17

TC298-X2 SELECTION: DEPOSIT DEPOSIT DISTRIBUTION INCLUDES AG ROLLBACK
JURISDICTION SUMMARY BY YEAR
FROM: 04/01/2025 THRU 04/30/2025
UPDATE MODE JURISDICTION: 0019 SAN ELIZARIO ISD

	PENALTY	COLLECTED	P & I	DISCOUNT	COMMISSION	AMOUNT
YEAR 2015 TOTAL	3.11	1.24	3.82	1.52	0.00	0.14	6.79
YEAR 2024 TOTAL	1,351.06	165.14	147.26	18.05	0.00	9.17	1,489.15
TOTAL FOR 0019 SAN ELIZARIO ISD	1,354.17	166.38	151.08	19.57	0.00	9.31	1,495.94
BY COUNTY 71	1,354.17	166.38	151.08	19.57	0.00	9.31	1,495.94

San Elizario ISD
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MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: Financial Reports – Financial Statements
Date: June 11, 2025

HISTORY: The district's fiscal year runs from July 1st through June 30th. The district's fiscal accounts are audited annually and the results are presented at the regular meeting in November.

RATIONALE: The purpose of this agenda item is to present unaudited interim financial statements as of April 30, 2025 which are attached to this memo. Included are:

- Exhibit G-1: presents budget and actual amounts for the general fund
- Exhibit J-3: presents budget and actual amounts for the debt service fund
- Exhibit H-4: presents revenues and expenses for internal service funds

BUDGET: There is no budget impact associated with this agenda item.

ADMINSTRATIVE RECOMMENDATION: This report is for information only.

For Approval? ☐ Yes ☒ No
If no, please check one: ☐ Presentation ☐ Report ☒ Information
Please check if applicable: ☒ Attachment Included

EXHIBIT G-1

SAN ELIZARIO ISD
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - GENERAL FUND - UNAUDITED
FOR THE TEN MONTHS ENDING APRIL 30, 2025

Data Control Codes		Budgeted Amounts Original	Budgeted Amounts Final	Actual Amounts (GAAP BASIS)	Variance With Final Budget Positive or (Negative)
	REVENUES:				
5700	Total Local and Intermediate Sources	$ 3,168,717	$ 3,104,306	$ 2,926,009	$ (178,297)
5800	State Program Revenues	31,951,976	31,329,490	20,392,143	(10,937,347)
5900	Federal Program Revenues	4,305,000	4,305,000	3,128,538	(1,176,462)
5020	Total Revenues	39,425,693	38,738,796	26,446,690	(12,292,106)
	EXPENDITURES:				
	Current:				
0011	Instruction	19,231,854	18,585,540	15,613,593	2,971,947
0012	Instructional Resources and Media Services	91,905	94,475	44,186	50,289
0013	Curriculum and Instructional Staff Development	876,647	862,837	636,338	226,499
0021	Instructional Leadership	771,466	710,560	547,647	162,913
0023	School Leadership	2,189,604	2,147,429	1,680,814	466,615
0031	Guidance, Counseling and Evaluation Services	1,477,931	1,465,629	1,209,231	256,398
0032	Social Work Services	64,488	62,511	44,317	18,194
0033	Health Services	505,977	488,825	397,745	91,080
0034	Student (Pupil) Transportation	1,297,829	1,292,291	1,111,140	181,151
0035	Food Services	3,535,000	3,634,000	2,857,806	776,194
0036	Extracurricular Activities	1,153,814	1,155,128	929,516	225,612
0041	General Administration	1,811,023	1,870,744	1,487,947	382,797
0051	Facilities Maintenance and Operations	5,321,684	5,500,230	4,323,834	1,176,396
0052	Security and Monitoring Services	1,621,544	1,546,578	1,101,418	445,160
0053	Data Processing Services	1,414,788	1,602,299	1,258,033	344,266
0061	Community Services	16,100	16,171	7,852	8,319
	Debt Service:				
0071	Debt Service	304,575	304,588	259,439	45,149
	Capital Outlay:				
0081	Facilities Acquisition and Construction	375,150	351,175	285,271	65,904
	Intergovernmental:				
0099	Other Intergovernmental Charges	52,000	52,000	30,912	21,088
6030	Total Expenditures	42,113,379	41,743,010	33,827,041	7,915,969
1100	Excess (Deficiency) of Revenues Over(Under) Expenditures	(2,687,686)	(3,004,214)	(7,380,351)	(4,376,137)
	OTHER FINANCING SOURCES (USES):				
7912	Sale of Real and Personal Property	25,000	25,000	17,482	(7,518)
7915	Transfers In	-	-	-	-
8911	Transfers Out (Use)	-	-	-	-
7080	Total Other Financing Sources (Uses)	25,000	25,000	17,482	(7,518)
1200	Net Changes in Fund Balances	(2,662,686)	(2,979,214)	(7,362,869)	(4,383,655)
0100	Fund Balance - July 1 (Beginning)	-	16,807,886	16,807,886	-
3000	Fund Balance - June 30 (Ending)	$ (2,662,686)	$ 13,828,672	$ 9,445,017	$ (4,383,655)

SAN ELIZARIO ISD
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - DEBT SERVICE FUND - UNAUDITED
FOR THE TEN MONTHS ENDING APRIL 30, 2025

Data Control Codes		Budgeted Amounts Original	Budgeted Amounts Final	Actual Amounts (GAAP BASIS)	Variance With Final Budget Positive or (Negative)
	REVENUES:				
5700	Total Local and Intermediate Sources	$ 580,120	$ 580,120	$ 533,270	$ (46,850)
5800	State Program Revenues	1,091,268	1,091,268	1,039,554	(51,714)
5020	Total Revenues	1,671,388	1,671,388	1,572,824	(98,564)
	EXPENDITURES:				
	Debt Service:				
0071	Debt Service	1,625,207	1,625,207	1,624,707	500
6030	Total Expenditures	1,625,207	1,625,207	1,624,707	500
1100	Excess (Deficiency) of Revenues Over(Under) Expenditures	46,181	46,181	(51,883)	(98,064)
	OTHER FINANCING SOURCES (USES):				
7915	Transfers In	-	-	$ -	-
7916	Premium or Discount on Issuance of Bonds	-	-	-	-
8949	Transfers Out (Use)	-	-	-	-
7080	Total Other Financing Sources (Uses)	-	-	-	-
1200	Net Changes in Fund Balances	46,181	46,181	(51,883)	(98,064)
0100	Fund Balance - July 1 (Beginning)	-	379,738	379,738	-
3000	Fund Balance - June 30 (Ending)	$ 46,181	$ 425,919	$ 327,855	$ (98,064)

EXHIBIT H-4

SAN ELIZARIO ISD
COMBINING STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION
INTERNAL SERVICE FUNDS - UNAUDITED
FOR THE TEN MONTHS ENDING APRIL 30, 2025

	753 Self Insurance Health Fund	770 Self Insurance W/ Comp Fund	Total Internal Service Funds
OPERATING REVENUES:			
Local and Intermediate Sources	$ 2,748,727	$ 59,317	$ 2,808,044
Total Operating Revenues	2,748,727	59,317	2,808,044
OPERATING EXPENSES:			
Professional and Contracted Services	1,667,348	386,583	2,053,931
Other Operating Costs	703,377	-	703,377
Total Operating Expenses	2,370,725	386,583	2,757,308
Operating Income (Loss)	378,001	(327,266)	50,736
NONOPERATING REVENUES (EXPENSES):			
Earnings from Temporary Deposits & Investments	373	52,354	52,727
Total Nonoperating Revenues (Expenses)	373	52,354	52,727
Income (Loss) Before Transfers	378,374	(274,911)	103,463
Transfer In	-	-	-
Change in Net Position	378,374	(274,911)	103,463
Total Net Position - July 1 (Beginning)	(1,037,588)	1,037,125	(463)
Total Net Position - June 30 (Ending)	$ (659,214)	$ 762,214	$ 103,000

San Elizario ISD
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MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: Financial Reports – Investment Report
Date: June 11, 2025

HISTORY: Not less than quarterly, the investment officer shall prepare and submit to the board a written report of investment transactions for all funds covered by the Public Funds Investment Act for the preceding report period in accordance with section 2256.023 of the Texas Government Code.

RATIONALE: The purpose of this agenda item is to present that investment report for the month of April 30, 2025.

BUDGET: Interest earned by fund is summarized in the investment report which is attached.

ADMINSTRATIVE RECOMMENDATION: This report is for information only.

For Approval? ☐ Yes ☒ No
If no, please check one: ☐ Presentation ☒ Report ☐ Information
Please check if applicable: ☒ Attachment Included

San Elizario I.S.D.
Statement of Interest Earned
For The Ten Months Ending April 30, 2025

General Fund	**$**	**517,591.60**
Interest & Sinking (Debt Service) Fund	**$**	**17,201.14**
Capital Projects Fund	**$**	**15,800.05**
Health Insurance Fund	**$**	**372.64**
Workers Compensation Fund	**$**	**52,354.49**
Total	**$**	**603,319.92**

We, the undersigned Investment Officers, do hereby certify that the above investment information, is in compliance with Board Policy (CDA Local) and requirements stated in Sec. 2256.023 of the PFIA.

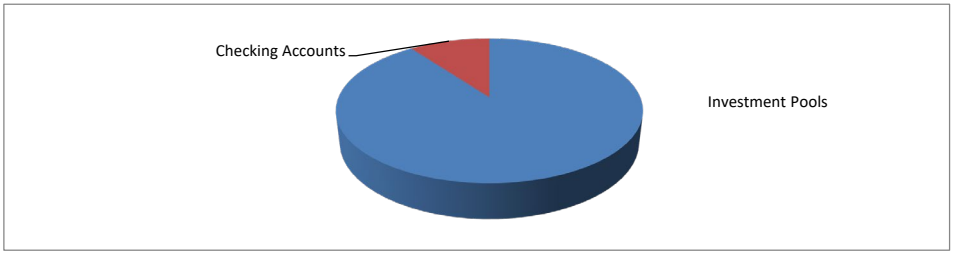
Elizabeth Perez

Chief Financial Officer

May 29, 2025
Date

Portfolio Diversification

By Investment Type	Current Market Value	Portfolio %	Investment Maturity
Investment Pools	$ 11,929,117	89.85%	Overnight
Checking Accounts	$ 1,347,760	10.15%	Overnight
	$ 13,276,878		



General Fund

Wells Fargo- General Operating Checking Account

Beginning Date	*Ending Date*	*Maturity*		*Bank Balance*	*Earnings Allowance*		*Net Earnings Allowance*
01-Jul-24	31-Jul-24	Overnight	$	680,195.28	1.65%	$	925.45
01-Aug-24	31-Aug-24	Overnight	$	723,048.13	1.65%	$	1,106.79
01-Sep-24	30-Sep-24	Overnight	$	644,120.22	1.65%	$	913.63
01-Oct-24	31-Oct-24	Overnight	$	728,333.59	1.65%	$	814.44
01-Nov-24	30-Nov-24	Overnight	$	745,411.84	1.65%	$	1,286.46
01-Dec-24	31-Dec-24	Overnight	$	1,051,834.32	1.65%	$	1,430.90
01-Jan-25	31-Jan-25	Overnight	$	1,128,834.22	1.40%	$	1,498.35
01-Feb-25	28-Feb-25	Overnight	$	1,104,576.60	1.40%	$	1,335.14
01-Mar-25	31-Mar-25	Overnight	$	1,001,895.37	1.40%	$	1,723.53
01-Apr-25	30-Apr-25	Overnight	$	1,175,590.14	1.40%	$	1,328.19
01-May-25	31-May-25	Overnight	$	-	0.00%	$	-
01-Jun-25	30-Jun-25	Overnight	$	-	0.00%	$	-
					Net Earnings Allowance:	**$**	**12,362.88**

Earnings allowance is earned based on the available bank balance and is used to offset monthly bank analyzed charges.

Wells Fargo- Food Service Checking Account

Beginning Date	*Ending Date*	*Maturity*		*Bank Balance*	*Earnings Allowance*		*Net Earnings Allowance*
01-Jul-24	31-Jul-24	Overnight	$	7,061.91	0.00%	$	-
01-Aug-24	31-Aug-24	Overnight	$	19,396.75	0.00%	$	-
01-Sep-24	30-Sep-24	Overnight	$	30,680.17	0.00%	$	-
01-Oct-24	31-Oct-24	Overnight	$	42,304.97	0.00%	$	-
01-Nov-24	30-Nov-24	Overnight	$	69,071.77	0.00%	$	-
01-Dec-24	31-Dec-24	Overnight	$	75,649.22	0.00%	$	-
01-Jan-25	31-Jan-25	Overnight	$	83,562.47	0.00%	$	-
01-Feb-25	28-Feb-25	Overnight	$	93,755.32	0.00%	$	-
01-Mar-25	31-Mar-25	Overnight	$	99,988.38	0.00%	$	-
01-Apr-25	30-Apr-25	Overnight	$	110,927.76	0.00%	$	-
01-May-25	31-May-25	Overnight	$	-	0.00%	$	-
01-Jun-25	30-Jun-25	Overnight	$	-	0.00%	$	-
					Net Earnings Allowance:	**$**	**-**

This bank balance is combined with the general operating account for the purpose of the earning allowance.

Lone Star Investment Pool- Corporate Overnight Plus Fund

Beginning Date	*Ending Date*	*Maturity*		*Bank Balance*	*Interest Rate*		*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$	6,346,218.29	5.44%	$	28,728.68
01-Aug-24	31-Aug-24	Overnight	$	5,372,292.90	5.44%	$	29,523.72
01-Sep-24	30-Sep-24	Overnight	$	5,595,127.97	5.33%	$	22,255.69
01-Oct-24	31-Oct-24	Overnight	$	4,826,834.68	5.08%	$	22,812.83
01-Nov-24	30-Nov-24	Overnight	$	5,865,671.05	4.90%	$	20,762.61
01-Dec-24	31-Dec-24	Overnight	$	5,941,051.01	4.77%	$	23,889.85
01-Jan-25	31-Jan-25	Overnight	$	5,735,055.76	4.59%	$	22,979.87
01-Feb-25	28-Feb-25	Overnight	$	4,477,038.27	4.52%	$	18,395.48
01-Mar-25	31-Mar-25	Overnight	$	4,693,770.66	4.49%	$	16,108.75
01-Apr-25	30-Apr-25	Overnight	$	310,542.73	4.47%	$	13,474.21
01-May-25	31-May-25	Overnight	$	-	0.00%	$	-
01-Jun-25	30-Jun-25	Overnight	$	-	0.00%	$	-
					Interest Earned:	**$**	**218,931.69**

Lone Star Investment Pool- Corporate Overnight Fund

Beginning Date	*Ending Date*	*Maturity*		*Bank Balance*	*Interest Rate*		*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$	207,771.65	5.44%	$	952.82
01-Aug-24	31-Aug-24	Overnight	$	208,727.78	5.43%	$	956.13
01-Sep-24	30-Sep-24	Overnight	$	209,636.91	5.32%	$	909.13
01-Oct-24	31-Oct-24	Overnight	$	210,538.28	5.08%	$	901.37
01-Nov-24	30-Nov-24	Overnight	$	211,380.84	4.88%	$	842.56
01-Dec-24	31-Dec-24	Overnight	$	212,228.26	4.73%	$	847.42
01-Jan-25	31-Jan-25	Overnight	$	213,049.97	4.56%	$	821.71
01-Feb-25	28-Feb-25	Overnight	$	213,781.35	4.48%	$	731.38
01-Mar-25	31-Mar-25	Overnight	$	214,589.12	4.45%	$	807.77
01-Apr-25	30-Apr-25	Overnight	$	215,371.27	4.43%	$	782.15
01-May-25	31-May-25	Overnight	$	-	0.00%	$	-
01-Jun-25	30-Jun-25	Overnight	$	-	0.00%	$	-
					Interest Earned:	**$**	**8,552.44**

Lone Star Investment Pool- Government Overnight Fund

Beginning Date	*Ending Date*	*Maturity*	*Bank Balance*	*Interest Rate*	*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$ 2,901,671.96	5.33%	$ 13,037.20
01-Aug-24	31-Aug-24	Overnight	$ 2,937,988.38	5.32%	$ 13,128.18
01-Sep-24	30-Sep-24	Overnight	$ 2,968,609.60	5.17%	$ 12,483.11
01-Oct-24	31-Oct-24	Overnight	$ 3,017,505.70	4.90%	$ 12,403.04
01-Nov-24	30-Nov-24	Overnight	$ 3,175,351.06	4.70%	$ 11,886.92
01-Dec-24	31-Dec-24	Overnight	$ 3,824,590.16	4.54%	$ 12,943.62
01-Jan-25	31-Jan-25	Overnight	$ 4,587,905.64	4.35%	$ 15,369.07
01-Feb-25	28-Feb-25	Overnight	$ 5,008,936.67	4.35%	$ 16,243.45
01-Mar-25	31-Mar-25	Overnight	$ 5,150,755.81	4.33%	$ 18,697.98
01-Apr-25	30-Apr-25	Overnight	$ 5,233,622.76	4.33%	$ 18,490.09
01-May-25	31-May-25	Overnight	$ -	0.00%	$ -
01-Jun-25	30-Jun-25	Overnight	$ -	0.00%	$ -
				Interest Earned:	**$ 144,682.66**

Texas CLASS Investment Pool- General Fund

Beginning Date	*Ending Date*	*Maturity*	*Bank Balance*	*Interest Rate*	*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$ 3,528,040.21	5.45%	$ 16,239.30
01-Aug-24	31-Aug-24	Overnight	$ 3,544,305.51	5.43%	$ 16,265.30
01-Sep-24	30-Sep-24	Overnight	$ 3,559,709.69	5.29%	$ 15,404.18
01-Oct-24	31-Oct-24	Overnight	$ 3,574,942.10	5.04%	$ 15,232.41
01-Nov-24	30-Nov-24	Overnight	$ 3,589,278.53	4.88%	$ 14,336.43
01-Dec-24	31-Dec-24	Overnight	$ 3,603,735.27	4.75%	$ 14,456.74
01-Jan-25	31-Jan-25	Overnight	$ 3,617,668.52	4.54%	$ 13,933.25
01-Feb-25	28-Feb-25	Overnight	$ 3,630,160.84	4.49%	$ 12,492.32
01-Mar-25	31-Mar-25	Overnight	$ 3,643,867.69	4.44%	$ 13,706.85
01-Apr-25	30-Apr-25	Overnight	$ 3,657,176.48	4.44%	$ 13,308.79
01-May-25	31-May-25	Overnight	$ -	0.00%	$ -
01-Jun-25	30-Jun-25	Overnight	$ -	0.00%	$ -
				Interest Earned:	**$ 145,375.57**

Wells Fargo- San Elizario High School Account

Beginning Date	*Ending Date*	*Maturity*	*Bank Balance*	*Earnings Allowance*	*Net Earnings Allowance*
01-Jul-24	31-Jul-24	Overnight	$ 4,600.71	1.09%	$ 3.95
01-Aug-24	31-Aug-24	Overnight	$ 6,040.32	1.09%	$ 4.56
01-Sep-24	30-Sep-24	Overnight	$ 8,910.89	0.92%	$ 5.89
01-Oct-24	31-Oct-24	Overnight	$ 8,762.59	0.71%	$ 5.27
01-Nov-24	30-Nov-24	Overnight	$ 8,815.13	0.63%	$ 4.56
01-Dec-24	31-Dec-24	Overnight	$ 8,972.46	0.56%	$ 4.22
01-Jan-25	31-Jan-25	Overnight	$ 9,249.82	0.50%	$ 3.86
01-Feb-25	28-Feb-25	Overnight	$ 11,130.67	0.50%	$ 3.67
01-Mar-25	31-Mar-25	Overnight	$ 11,552.28	0.68%	$ 6.67
01-Apr-25	30-Apr-25	Overnight	$ 11,840.12	0.68%	$ 6.59
01-May-25	31-May-25	Overnight	$ -	0.00%	$ -
01-Jun-25	30-Jun-25	Overnight	$ -	0.00%	$ -
				Interest Earned:	**$ 49.24**

Total General Fund Interest Earned	**$ 517,591.60**

Interest & Sinking Fund (Debt Service)

Lone Star Investment Pool- Corporate Overnight Plus Fund

Beginning Date	*Ending Date*	*Maturity*	*Bank Balance*	*Interest Rate*	*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$ 135,225.21	5.44%	$ 620.76
01-Aug-24	31-Aug-24	Overnight	$ 135,847.73	5.44%	$ 622.52
01-Sep-24	30-Sep-24	Overnight	$ 136,441.41	5.33%	$ 593.68
01-Oct-24	31-Oct-24	Overnight	$ 137,028.91	5.08%	$ 587.50
01-Nov-24	30-Nov-24	Overnight	$ 137,579.32	4.90%	$ 550.41
01-Dec-24	31-Dec-24	Overnight	$ 138,135.01	4.77%	$ 555.69
01-Jan-25	31-Jan-25	Overnight	$ 138,673.85	4.59%	$ 538.84
01-Feb-25	28-Feb-25	Overnight	$ 139,154.12	4.52%	$ 480.27
01-Mar-25	31-Mar-25	Overnight	$ 139,684.60	4.45%	$ 530.48
01-Apr-25	30-Apr-25	Overnight	$ 140,197.91	4.47%	$ 513.31
01-May-25	31-May-25	Overnight	$ -	0.00%	$ -
01-Jun-25	30-Jun-25	Overnight	$ -	0.00%	$ -
				Interest Earned:	**$ 5,593.46**

Lone Star Investment Pool- Government Overnight Fund

Beginning Date	*Ending Date*	*Maturity*	*Bank Balance*	*Interest Rate*	*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$ 121,693.88	5.33%	$ 545.93
01-Aug-24	31-Aug-24	Overnight	$ 126,938.07	5.32%	$ 559.81
01-Sep-24	30-Sep-24	Overnight	$ 131,250.64	5.17%	$ 544.47
01-Oct-24	31-Oct-24	Overnight	$ 139,779.45	4.90%	$ 560.80
01-Nov-24	30-Nov-24	Overnight	$ 174,412.55	4.70%	$ 598.48
01-Dec-24	31-Dec-24	Overnight	$ 325,764.91	4.54%	$ 845.06
01-Jan-25	31-Jan-25	Overnight	$ 504,374.83	4.35%	$ 1,498.16
01-Feb-25	28-Feb-25	Overnight	$ 601,448.00	4.35%	$ 1,903.78
01-Mar-25	31-Mar-25	Overnight	$ 629,764.98	4.33%	$ 2,272.14
01-Apr-25	30-Apr-25	Overnight	$ 646,801.46	4.33%	$ 2,279.05
01-May-25	31-May-25	Overnight	$ -	0.00%	$ -
01-Jun-25	30-Jun-25	Overnight	$ -	0.00%	$ -
				Interest Earned:	**$ 11,607.68**

Total Debt Service Fund Interest Earned	**$ 17,201.14**

Capital Projects Fund

2015 Bond Construction Fund - Government Overnight Fund

Beginning Date	*Ending Date*	*Maturity*	*Bank Balance*	*Interest Rate*	*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$ 396,096.68	5.33%	$ 1,780.46
01-Aug-24	31-Aug-24	Overnight	$ 397,880.65	5.32%	$ 1,783.97
01-Sep-24	30-Sep-24	Overnight	$ 399,566.85	5.17%	$ 1,686.20
01-Oct-24	31-Oct-24	Overnight	$ 401,226.35	4.90%	$ 1,659.50
01-Nov-24	30-Nov-24	Overnight	$ 402,772.46	4.70%	$ 1,546.11
01-Dec-24	31-Dec-24	Overnight	$ 404,320.46	4.54%	$ 1,548.00
01-Jan-25	31-Jan-25	Overnight	$ 405,813.46	4.35%	$ 1,493.00
01-Feb-25	28-Feb-25	Overnight	$ 407,167.19	4.35%	$ 1,353.73
01-Mar-25	31-Mar-25	Overnight	$ 408,662.85	4.33%	$ 1,495.66
01-Apr-25	30-Apr-25	Overnight	$ 410,116.27	4.33%	$ 1,453.42
01-May-25	31-May-25	Overnight	$ -	0.00%	$ -
01-Jun-25	30-Jun-25	Overnight	$ -	0.00%	$ -
				Interest Earned:	**$ 15,800.05**

Total Capital Projects Fund Interest Earned	**$ 15,800.05**

Health Insurance Fund

Wells Fargo- Health Insurance

Beginning Date	*Ending Date*	*Maturity*		*Bank Balance*	*Interest Rate*		*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$	67,287.37	1.09%	$	54.70
01-Aug-24	31-Aug-24	Overnight	$	106,672.61	1.09%	$	39.81
01-Sep-24	30-Sep-24	Overnight	$	69,597.86	0.91%	$	39.93
01-Oct-24	31-Oct-24	Overnight	$	73,922.53	0.71%	$	53.75
01-Nov-24	30-Nov-24	Overnight	$	69,341.74	0.62%	$	35.53
01-Dec-24	31-Dec-24	Overnight	$	95,393.88	0.54%	$	40.63
01-Jan-25	31-Jan-25	Overnight	$	40,802.26	0.50%	$	24.35
01-Feb-25	28-Feb-25	Overnight	$	139,795.23	0.50%	$	24.22
01-Mar-25	31-Mar-25	Overnight	$	35,810.94	0.68%	$	40.34
01-Apr-25	30-Apr-25	Overnight	$	24,491.48	0.68%	$	19.38
01-May-25	31-May-25	Overnight	$	-	0.00%	$	-
01-Jun-25	30-Jun-25	Overnight	$	-	0.00%	$	-
					Interest Earned:	**$**	**372.64**

Total Health Insurance Fund Interest Earned **$ 372.64**

Workers Compensation Fund

Wells Fargo- Worker's Compensation

Beginning Date	*Ending Date*	*Maturity*		*Bank Balance*	*Interest Rate*		*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$	24,622.08	1.09%	$	9.80
01-Aug-24	31-Aug-24	Overnight	$	22,968.68	1.09%	$	17.54
01-Sep-24	30-Sep-24	Overnight	$	13,542.93	0.84%	$	36.76
01-Oct-24	31-Oct-24	Overnight	$	3,831.32	0.71%	$	4.95
01-Nov-24	30-Nov-24	Overnight	$	32,059.49	0.61%	$	6.58
01-Dec-24	31-Dec-24	Overnight	$	18,209.46	0.57%	$	12.86
01-Jan-25	31-Jan-25	Overnight	$	23,128.17	0.50%	$	6.78
01-Feb-25	28-Feb-25	Overnight	$	14,467.92	0.50%	$	6.07
01-Mar-25	31-Mar-25	Overnight	$	28,672.36	0.68%	$	11.07
01-Apr-25	30-Apr-25	Overnight	$	24,910.62	0.68%	$	11.73
01-May-25	31-May-25	Overnight	$	-	0.00%	$	-
01-Jun-25	30-Jun-25	Overnight	$	-	0.00%	$	-
					Interest Earned:	**$**	**124.14**

Lone Star Investment Pool- Corporate Overnight Fund

Beginning Date	*Ending Date*	*Maturity*		*Bank Balance*	*Interest Rate*		*Interest Earned*
01-Jul-24	31-Jul-24	Overnight	$	1,268,877.09	5.44%	$	5,818.92
01-Aug-24	31-Aug-24	Overnight	$	1,274,716.26	5.43%	$	5,839.17
01-Sep-24	30-Sep-24	Overnight	$	1,280,268.40	5.32%	$	5,552.14
01-Oct-24	31-Oct-24	Overnight	$	1,285,773.11	5.08%	$	5,504.71
01-Nov-24	30-Nov-24	Overnight	$	1,290,918.67	4.88%	$	5,145.56
01-Dec-24	31-Dec-24	Overnight	$	1,296,093.93	4.73%	$	5,175.26
01-Jan-25	31-Jan-25	Overnight	$	1,301,112.18	4.56%	$	5,018.25
01-Feb-25	28-Feb-25	Overnight	$	1,305,578.76	4.48%	$	4,466.58
01-Mar-25	31-Mar-25	Overnight	$	1,310,511.88	4.45%	$	4,933.12
01-Apr-25	30-Apr-25	Overnight	$	1,315,288.52	4.43%	$	4,776.64
01-May-25	31-May-25	Overnight	$	-	0.00%	$	-
01-Jun-25	30-Jun-25	Overnight	$	-	0.00%	$	-
					Interest Earned:	**$**	**52,230.35**

Total Worker's Compensation Fund Interest Earned : **$ 52,354.49**

San Elizario ISD
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MEMORANDUM

To: Members of the Board of Trustees
From: Troy Enriquez, Principal, San Elizario High School
Subject: FY 2026-Approval of Purchase Over $25,000 - San Elizario High School Early College Progress Update – Imagine Learning $25,600.00
Date: June 11, 2025

HISTORY: The San Elizario Independent School District utilizes programming provided by ImagineLearning. The program is referred to as Edgenuity.

RATIONALE: Edgenuity allows students to retake courses through an online platform to ensure a student remains or can get back on their track with their graduating cohort. The funding will be State Comp. Ed account: 199.11.6396.10.001.30.

BUDGET: **$**25,600.00 – Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: The administration's recommendation is to approve spending for this product.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☐ Attachment Included

San Elizario ISD
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MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: FY 2026-Approval of Purchase Over $25,000 – City of San Elizario
Date: June 11, 2025

HISTORY:
On June 11, 2025, the Board will consider a new interlocal agreement for one school resource officer with the City of San Elizario, Texas for a term commencing on July 1, 2025 and ending on June 30, 2026.

RATIONALE:
As part of the agreement, the City of San Elizario is to provide one (1) School Resource Officer to SEISD and compensation to the City for those services is as follows:

- 7/1/25-6/30/26: $63,500.00 plus $7,000.00 for a vehicle, total of $70,500.

BUDGET:
This is budgeted in the general fund. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is to approve the purchase.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees
From: Aggie Reyes – Executive Director for Child Nutrition Services
Subject: Purchase Approval Over $25,000 for 2025-2026 – Labatt Food Service – Non-Food $75,000.00
Date: June 11, 2025

HISTORY: Child Nutrition Services produces thousands of meals to feed our students through the various school nutrition programs. It is essential that we have a full-service vendor with a large catalog of products to supply our kitchens.

RATIONALE: After competitive bidding conducted by the Region 17 Education Service Center, West Texas Food Purchasing Cooperative, Labatt Food Service was awarded the contract to provide food items to participating school districts. They were determined to provide the best value.

BUDGET IMPACT: $75,000- Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: The administrative recommendation is for the Board to approve the purchase for 2025-2026 – Labatt Food Service – Non-Food

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☐ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees
From: Aggie Reyes, Director, Child Nutrition Services
Subject: Purchase Approval Over $25,000 for School Year 2025-2026 – Segovia's Distributing
Date: June 11, 2025

HISTORY: Fresh fruits and vegetables are needed to produce thousands of meals to feed our students through the various school nutrition programs. It is essential that we have a reliable produce vendor to supply our kitchens.

RATIONALE: After a competitive bidding process conducted by the Region 19 Allied States Cooperative, Segovia's is the vendor that was awarded the contract to supply fresh fruits and vegetables to school districts. They were determined to provide the best value to participating school districts.

BUDGET: $55,000- Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is for the Board to approve this purchase

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees
From: April Soliz Marioni, Director of Special Education
Subject: FY 2026-Purchase Approval Over $25,000 – Sarah Aguilar Perez
Date: June 11, 2025

HISTORY: Sarah Perez will continue to provide contract occupational therapy services to the district. The provider will offer therapy, consult with personnel, complete student assessments, submit occupational therapy reports, and write & monitor the respective goals and objectives. Additionally, the Occupational Therapist may be called upon to assist in Admission, Review and Dismissal (ARD) meetings or to consult with staff regarding other student needs.

RATIONALE: Occupational Therapy is required as part of 34 Code of Federal Regulations § 300.320. Definition of individualized education program, which requires that the ARD committee determine appropriate supplementary aids, services, and other supports that are provided within the educational setting to enable the child with a disability to advance appropriately toward attaining annual goals and to be involved in and make progress with the general education curriculum.

BUDGET: The contracted agreement is for $49,500; this allows the therapist to evaluate/assess referrals, and to provide services for students identified in needs of occupational therapy. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: The administrative recommendation is for the Board to approve this purchase.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: FY 2026-Approval of Purchase Over $25,000: LEAF Capital Funding LLC
Date: June 11, 2025

HISTORY: RFP#23-1133 for copiers, duplicators, equipment and services was approved by the Board on May 10, 2023.

RATIONALE: The lease was approved for 3 years effective July 1, 2023 and the new PO will cover the third year of the lease, July 1, 2025 through June 30, 2026.

BUDGET: The funds to cover the purchase have been allocated under the 199-account budget, $92,000. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: The administrative recommendation is to approve the purchase for LEAF Capital Funding LLC.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only
☐ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees
From: Aggie Reyes, Director, Child Nutrition Services
Subject: Purchase Approval Over $25,000 for School Year 2025-2026 – Labatt Food Service
Date: June 11, 2025

HISTORY: Child Nutrition Services produces thousands of meals to feed our students through the various school nutrition programs. It is essential that we have a full-service vendor with a large catalog of products to supply our kitchens.

RATIONALE: After competitive bidding conducted by the Region 17 Education Service Center, West Texas Food Purchasing Cooperative, Labatt Food Service was awarded the contract to provide food items to participating school districts. They were determined to provide the best value.

BUDGET: $1,400,000- Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is for the Board to approve this purchase.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: FY 2026-Approval of Purchase Over $25,000 – Gibson Ruddock Patterson LLC
Date: June 11, 2025

HISTORY:
The Engagement Letter with Gibson, Ruddock, Patterson, LLC for the Financial Audit for the Fiscal Year Ending June 30, 2025 was approved by the Board of Trustees at the February 12, 2025 Regular Board Meeting.

RATIONALE:
Policy CFC(Legal) requires that the District's fiscal accounts be audited annually at District expense by a Texas certified public accountant holding a permit from the State Board of Public Accountancy.

BUDGET:
The budget impact will be $73,500 funded from the general fund. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is to approve the purchase.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees
From: Aggie Reyes, Director, Child Nutrition Services
Subject: Purchase Approval Over $25,000 for School Year 2025-2026 – GH Dairy
Date: June 11, 2025

HISTORY: Dairy items are needed to produce thousands of meals to feed our students through the various school nutrition programs. It is essential that we have a reliable vendor to supply our kitchens.

RATIONALE: GH Dairy was awarded the contract to supply dairy items to school districts. They were determined to provide the best value to participating school districts.

BUDGET: $145,000- Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is for the Board to approve this purchase.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees
From: Horacio Hernandez, Executive Dirrector Technology
Subject: FY 2026-Approval of Purchase Over $25,000 – Frontline Technologies Group, LLC
Date: June 11, 2025

HISTORY: For the past eithteen years, Frontline Education's ERP/SIS solutions have provided the district with robust Enterprise Resource Planning (ERP) and Student Information System (SIS) capabilities. Each year, the district renews its commitment to these services to ensure continued support and updates.

RATIONALE: To ensure continued support and updates from Frontline, it is in the district's best interest to renew the contract. This renewal will allow stakeholders of Frontline ERP/SIS to submit support tickets as needed and enable the district to receive updates and new modules from Frontline. Additionally, this renewal includes cloud-hosting services.

BUDGET IMPACT: Total cost of this renewal is $98,267.10. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: The administrative recommendation is for the board to approve this renewal purchase to keep support, updates, and hosting for the Frontline ERP/SIS system

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: FY 2026-Approval of Purchase Over $25,000 – El Paso Central Appraisal District
Date: June 11, 2025

HISTORY:
In accordance with CCH(Legal), the county appraisal district is responsible for appraising property in the appraisal district for ad valorem tax purposes of each taxing unit in the appraisal district.

RATIONALE:
In accordance with CCH(Legal), each taxing unit shall pay its allocation in four equal payments to be made at the end of each calendar quarter, and the first payment shall me made before January 1 of the year in which the budget takes effect.

BUDGET:
The purchase order is for $52,000 and is funded from the general fund. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is to approve the purchase.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees
From: Blanca Cruz, Associate Superintendent
Subject: FY 2026-Approval of Purchase Over $25,000 - TEKS Resource System Renewal 2025-2026
Date: June 11, 2025

HISTORY: The TEKS Resource System curriculum is an online curriculum framework supporting grades K-12 in all core content areas. San Elizario ISD subscribes to this curriculum system on an annual basis. This memo is in regards to the renewal purchase for the 2025-2026 academic school year.

RATIONALE: This curriculum system is San Elizario ISD's core curriculum framework for K-12 in the four core content areas of Reading, Math, Science, and Social Studies. This system is the basis for teaching and learning in our district.

BUDGET IMPACT: The cost of the 2025-2026 annual renewal is $25,980.00. The quote from ESC Region 19 is included for your review. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: The recommendation is to approve the purchase.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: FY 2026-Approval of Purchase Over $25,000 – County of El Paso
Date: June 11, 2025

HISTORY:
On March 6, 2024, the district entered into a new interlocal agreement for school resource officers with the County of El Paso, Texas for a term commencing in February of 2024 and ending on December 30, 2029.

RATIONALE:
As part of the agreement, the El Paso County Sheriff's Office is to provide five (5) School Resource Officers to SEISD and compensation to the County for those services is as follows:

- 1/1/25-12/30/25: $399,121.91 plus $8,482.50 for vehicles
- 1/1/26-12/30/26: $419,078.00 plus $8,535.00 for vehicles

This purchase order will be covering a portion of both years 2 and 3 of the agreement.

BUDGET: $427,613.00 for the 2025-2026 School Year. This is budgeted in the general fund. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is to approve the purchase.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

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MEMORANDUM

To: Members of the Board of Trustees

From: Jesus Martinez, Executive Director-Support Services
Leo Benitez Jr., Supervisor Support Services and Transportation

Subject: FY 2026-Approval of Purchase Over $25,000 – Tyler Technologies Inc.

Date: June 11, 2025

HISTORY: The original agreement between Tyler Technologies Inc. and San Elizario Independent School District was approved by the Board on December 8, 2021 (bus routing software only). An amendment was approved by the Board in February 2023, for added hardware, additional software as a service, data plan for buses and white fleet (a total of 77 vehicles). A second amendment was approved in March 2025 to align the contract agreement with our budget year, July 1, 2025, to June 30, 2026.

RATIONALE: The approval of the purchase order is to pay for the cost of the entire 2025-2026 school year.

BUDGET IMPACT: The total budget amount is $42,824.41 and the funds should be available within the transportation department accounts. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: It is recommended that the purchase be approved to ensure uninterrupted access and use of the transportation management system.

For Approval? ☒ Yes ☐ No

If no, please check one: ☐ Presentation ☐ Report ☐ Information

Please check if applicable: ☐ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees

From: Jesus Martinez, Executive Director-Support Services
Leo Benitez Jr., Supervisor Support Services and Transportation

Subject: FY 2026 Approval of Purchase Over $25,000 – Heist Disposal Service Inc.

Date: June 11, 2025

HISTORY: A blanket PO is created at the beginning of the school year based on our yearly expenditure projections.

RATIONALE: A blanket PO expedites the turnaround of trash disposal at all district campuses and facilities. The services are provided throughout the school year. The vendor is familiar with the services and pick up schedules per location.

BUDGET IMPACT: The total budget amount is $44,000.00 and the funds should be available within the Support Services accounts. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: It is recommended that the purchase be approved to address pick up and disposal of trash in a timely manner.

For Approval? ☒ Yes ☐ No

If no, please check one: ☐ Presentation ☐ Report ☐ Information

Please check if applicable: ☐ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees

From: Jesus Martinez, Executive Director-Support Services
Leo Benitez Jr., Supervisor Support Services and Transportation

Subject: FY 2026-Approval of Purchase Over $25,000 – Flyers Energy, LLC

Date: June 11, 2025

HISTORY: A blanket purchase order is created at the beginning of the school year based on our yearly expenditure projections.

RATIONALE: A blanket PO expedites the purchase of fuel for the entire Support Services white fleet. The services will be used to address daily fuel needs.

BUDGET IMPACT: The total budget amount is $27,000.00 and the funds should be available within the Support Services fuel account. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: It is recommended that the blanket purchase be approved to address daily fuel needs.

For Approval? ☒ Yes ☐ No

If no, please check one: ☐ Presentation ☐ Report ☐ Information

Please check if applicable: ☐ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees

From: Jesus Martinez, Executive Director-Support Services
Leo Benitez Jr., Supervisor Support Services and Transportation

Subject: FY 2026-Approval of Purchase Over $25,000 – Flyers Energy, LLC

Date: June 11, 2025

HISTORY: A blanket purchase order is created at the beginning of the school year based on our yearly expenditure projections.

RATIONALE: A blanket PO expedites the purchase of fuel for the entire transportation department fleet. The services will be used to address daily fuel needs.

BUDGET IMPACT: The total budget amount is $132,600.00 and the funds should be available within the Transportation fuel account. Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: It is recommended that the purchase be approved to address daily fuel needs.

For Approval? ☒ Yes ☐ No

If no, please check one: ☐ Presentation ☐ Report ☐ Information

Please check if applicable: ☐ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees

From: Jesus Martinez, Executive Director-Support Services
Leo Benitez Jr., Supervisor Support Services and Transportation

Subject: FY 2026-Approval of Purchase Over $25,000 – Far West Services Inc.

Date: June 11, 2025

HISTORY: A blanket PO is created at the beginning of the school year based on our yearly expenditure projections.

RATIONALE: A blanket PO expedites the turnaround of PM's and repairs of all our school bus fleet. The services are provided throughout the school year. The vendor is familiar with the different types of buses we have on our fleet to include the different model years.

BUDGET IMPACT: The total budget amount is $110,000.00 and the funds should be available within the transportation contracted repairs account**.** Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION: It is recommended that the purchase be approved to address repairs and preventive maintenance in a timely manner.

For Approval? ☒ Yes ☐ No

If no, please check one: ☐ Presentation ☐ Report ☐ Information

Please check if applicable: ☒ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees
From: Aggie Reyes, Executive Director for Child Nutrition Services
Subject: Purchase Order for 2025-2026 – Trejo Commercial Refrigeration
Date: June 11, 2025

HISTORY: Our school kitchens use many pieces of commercial equipment to produce thousands of meals to feed our students through various school nutrition programs. The equipment must be maintained and repaired throughout the year to ensure our kitchens are able to operate reliably.

RATIONALE: After a competitive bidding process conducted by the Region 19 Allied States Cooperative, Trejo Commercial Refrigeration was awarded the contract to supply maintenance and repair services to school districts. They were determined to provide the best value to participating school districts.

BUDGET IMPACT: $65,000 - Contingent upon fiscal year 2026 budget adoption.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is for the Board to approve this purchase.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☐ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: Financial Reports – Budget Amendment
Date: June 11, 2025

HISTORY: The District's 2024-2025 budget was officially approved at the June 25, 2024 special Board meeting.

RATIONALE: In accordance with CE(LOCAL), the Board shall approve amendments to the budget when a change is made increasing any one of the functional spending categories or increasing revenue object accounts and other resources. The purpose of this agenda item is to amend revenues and expenditures in the following areas:

- **Software**
  - **Function 71 (Debt Service):** To increase function 71 by $10,750 to cover services for the bus tracking system and account for costs in the correct function code.
  - **Function 34 (Student Transportation):** To decrease function 34 by $10,750 to cover services for the bus tracking system and account for costs in the correct function code (see function 71 above).

BUDGET: The proposed budget amendment can be seen in the attachment enclosed.

ADMINSTRATIVE RECOMMENDATION: The administrative recommendation is to approve the budget amendment as presented.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT GENERAL FUND	2024-2025 Fund 101	2024-2025 Fund 199	2024-2025 Adopted	2024-2025 Amended	6/11/2025 Software	2024-2025 Proposed
REVENUES			**REVENUES**	**REVENUES**		**REVENUES**
5700 Local and Intermediate Sources	$ 150,000	$3,018,717	$ 3,168,717.00	$ 3,104,306		$ 3,104,306.00
5800 State Sources	15,000	31,936,976	31,951,976	31,329,490		31,329,490
5900 Federal Programs	3,310,000	995,000	4,305,000	4,305,000		4,305,000
Total Revenues	3,475,000	35,950,693	39,425,693	38,738,796		38,738,796
EXPENDITURES			**EXPENDITURES**	**EXPENDITURES**		**EXPENDITURES**
11 Instruction		19,231,854	19,231,854	18,691,262		18,691,262
12 Instructional Resources and Media Services		91,905	91,905	94,478		94,478
13 Curriculum and Instructional Staff Development		876,647	876,647	862,843		862,843
21 Instructional Leadership		771,466	771,466	710,560		710,560
23 School Leadership		2,189,604	2,189,604	2,147,429		2,147,429
31 Guidance, Counseling and Evaluation Services		1,477,931	1,477,931	1,465,629		1,465,629
32 Social Work Services		64,488	64,488	62,511		62,511
33 Health Services		505,977	505,977	488,825		488,825
34 Student (Pupil) Transportation		1,297,829	1,297,829	1,292,291	(10,750)	1,281,541
35 Food Services	3,475,000	60,000	3,535,000	3,634,000		3,634,000
36 Cocurricular/Extracurricular Activities		1,153,814	1,153,814	1,155,128		1,155,128
41 General Administration		1,811,023	1,811,023	1,951,744		1,951,744
51 Facilities Maintenance and Operations		5,321,684	5,321,684	5,502,199		5,502,199
52 Security and Monitoring Services		1,621,544	1,621,544	1,546,607		1,546,607
53 Data Processing Services		1,414,788	1,414,788	1,592,929		1,592,929
61 Community Services		16,100	16,100	16,171		16,171
71 Debt Service		304,575	304,575	311,959	10,750	322,709
81 Facilities Acquisition and Construction		375,150	375,150	351,175		351,175
99 Other Intergovernmental Charges		52,000	52,000	52,000		52,000
Total Expenditures	$ 3,475,000	$38,638,379	42,113,379	$ 41,929,741	$ -	$ 41,929,741
REVENUES OVER(UNDER) EXPENDITURES	$ -	$ (2,687,686)	$ (2,687,686)	$ (3,190,945)		$ (3,190,945)

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone 915.872.3900
Fax 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Elizabeth Perez, Chief Financial Officer
Subject: Consider and possible Board action to approve resolution designating the person responsible for calculating the no-new-revenue tax rate and voter-approval tax rate for the District
Date: June 11, 2025

HISTORY: As part of the tax rate adoption process, the taxing entity is required to calculate the no-new-revenue tax rate and the voter-approval tax rate on the forms prescribed by the Comptroller.

RATIONALE: Texas Tax Code Section 26.04(c) requires the governing body of a taxing unit to designate an officer or employee to calculate the no-new-revenue tax rate and the voter-approval tax rate after the assessor for the taxing unit submits the appraisal roll for the taxing unit to the governing body of the taxing unit as required by Subsection (b).

BUDGET IMPACT: There is no budget impact with this item.

ADMINISTRATIVE RECOMMENDATION: The administrative recommendation is to approve the attached resolution as presented.

Please check one: ☒ For approval ☐ Report / Information only ☐ Recognition only

Resolution of the Board of Trustees of the San Elizario Independent School District

WHEREAS, the Board of Trustees ("Board") of the San Elizario Independent School District ("District") is authorized by the 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. Taxes may not be levied unless authorized by a majority of the qualified voters of the district, voting at an election called for that purpose; 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 SAN ELIZARIO 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. If the Chief Financial Officer position is vacant, the Accountant is hereby designated as the alternate 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 11th day of June, 2025, by the Board of Trustees for the San Elizario Independent School District.

_____

Eduardo Chavez, Board President

_____

Myrna Hernandez, Board Vice-President

San Elizario ISD
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San Elizario, TX 79849
Phone: 915.872.3900
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MEMORANDUM

To: Members of the Board of Trustees
From: Nancy Tinoco, Purchasing Specialist
Subject: Authorization to participate in purchasing cooperatives for the 2025-2026 School Year
Date: June 11, 2025

HISTORY: Resolutions for participation in the various purchasing cooperatives have been approved by the Board of Trustees prior to conducting business with them. Although, annual renewal is not required, we are requesting that the Board of Trustees approve the continued participation in the following purchasing cooperatives:

- Houston-Galveston Area Council Cooperative Purchasing Program (H-GAC)
- BuyBoard Cooperative Purchasing
- Department of Information Resources (DIR)
- Texas Multiple Award Schedule (TXMAS)
- Education Service Center- Region 19 Allied States Cooperative
- West Texas Food Service Cooperative
- Ysleta ISD Inter-local Agreement
- El Paso County Community College Inter-local Agreement
- Texas Industries for the Blind and Handicapped (TIBH Industries)
- Texas Political Subdivisions Inter-local Agreement
- Claims Administrative Services, Inc. (CAS)
- Texas Association of School Boards (TASB)
- TIPS/TAPS The Inter-local Purchasing System
- HCDE Choice Partners Cooperative /Harris County Department of Education
- National Cooperative Purchasing Alliance (NCPA)
- Sourcewell (NJPA)
- TASB Risk Management Fund
- PACE Purchasing Cooperative/Education Service Center, Region 20
- Socorro ISD Inter-local Agreement
- USDA Inter-local Agreement
- Texas Building and Procurement Commission (TBPC)
- Region 4 Education Service Center (Region 4 ESC)
- Region 6 Education Service Center (ESC-Region 6)
- OMNIA Partners formerly TCPN, National IPA and US Communities
- Central Purchasing Alliance (CTPA)
- Region 19 for USDA/TDA Products & Services

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RATIONALE: These various purchasing cooperatives would allow our campuses and departments to purchase resources from any of these purchasing cooperatives while adhering to purchasing requirements

BUDGET IMPACT: There is no cost associated with entering into these Interlocal Agreements, but the budget will be impacted depending on what resources campuses and/or departments choose to purchase from these purchasing cooperatives.

ADMINISTRATIVE RECOMMENDATION: The administrative recommendation is to authorize the school district to continue participating in the purchasing cooperatives listed.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☐ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees

From: Jesus Martinez, Executive Director of Support Services
Elizabeth Perez, Chief Financial Officer

Subject: Consider and possible Board action to approve final payment to City Fence & Pipe Co., for the installation of secured perimeter fencing with emergency egress gates-PO# 51855

Date: June 11, 2025

HISTORY: The City Fence and Pipe Co. has completed all work for the secured perimeter fencing with emergency egress gates around and close to the GEMS campus stand-alone buildings. The funds to cover this project were made available from the Tier 2 Safety Grant we received from the state.

RATIONALE: The purpose of this agenda item is to seek Board acceptance of the work and to approve the release of the remaining balance for the aforementioned project in accordance with CV (LOCAL).

BUDGET: The remaining amount of $3,782.90 which includes any retainage owed to the contractor, will be paid from the allocated funds that were committed for this project.

ADMINISTRATIVE RECOMMENDATION: The recommendation is for the Board of Trustees to approve the final payment as presented.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

915-821-8900

"The Fence Professionals"

CITY FENCE & PIPE CO.

YARD 10845 DYER

P.O. BOX 4166 · EL PASO, TEXAS 79914-4166

915-821-8900

SOLD TO: San Elizario ISD
P.O 920.
San Elizario, Tx 79849-9999

DATE: 5-21-25

INVOICE NO. 052125B

CUSTOMER'S ORDER NO. Po# 51855

TERMS: Net Upon Receipt

Job site GEMS

Final Payment 5% retainage $3,782.90

=

NOTE: PLEASE MAKE ALL PAYMENTS DIRECT TO CITY FENCE AND PIPE COMPANY

BILLS DUE AS PER TERMS STATED ON INVOICE INTEREST OF

San Elizario ISD
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MEMORANDUM

To: Members of the Board of Trustees

From: Gina Ramirez, Executive Director Human Resources, Ms. Aggie Reyes, Executive Director Child Nutrition Services

Subject: Consider and possible Board action to approve the Specialist – Nutrition Services Support Pay Scale Revision

Date: June 11, 2025

HISTORY:

The Child Nutrition Services (CNS) position of Specialist – Nutrition Services Support at (federally funded) pay grade 5 has served the SEISD since its last update on June 12, 2020.

RATIONALE:

Due to the district's right-sizing and recent vacancy of the Specialist – Nutrition Services Support position, the job description has been updated to reflect duties resulting from the various right-sizing changes over the past years. The position is responsible for supporting the food service operations on each campus to ensure they have the food, supplies, staff, and materials needed for daily operations. This position also contributes to the program's financial integrity by properly managing cash and deposits. Additionally, the position administers and complies with USDA donated foods program rules, coordinates catering events, and provides training and technical assistance on applications and nutrition software.

BUDGET IMPACT:

Federally funded position.

ADMINISTRATIVE RECOMMENDATION:

The administrative recommendation is that the Board of Trustees approve the pay grade of the federally funded position of Specialist—Nutrition Services Support, administrative technical pay scale 6. When calculated at the midpoint on pay grade 6, the projected budget for federal funds is $41,040.00. The difference from the administrative technical pay scale 5 to 6 is approximately $3,727.80 at the midpoint.

For Approval? ☒ Yes ☐ No

If no, please check one: ☐ Presentation ☐ Report ☐ Information

Please check if applicable: ☒ Attachment Included

SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT

A Proud Community of Champions – Soaring to Excellence

Human Resources Department

2024-2025 Administrative Technical Pay Scale

Pay Grade	Job Title	Calendar	HOURLY Minimum	Midpoint	Maximum
1			$12.00	$14.79	$17.47
	Clerk-General Office	190			
2			$13.89	$17.16	$20.27
	Caseworker-Special Education	168			
	Clerk-Attendance ES	163			
	Clerk-Attendance MS	163			
	Clerk-Attendance HS	163			
	Clerk-Campus Clerk	190			
	Clerk-Special Education Campus	190			
3			$15.00	$18.53	$21.89
	Clerk II-Attendance/PEIMS ES	184			
	Registrar MS	184			
	Registrar PS	184			
4			$16.30	$20.01	$23.54
	Clerk-Student Services	190			
	Registrar HS	190			
	Secretary-Campus ES	184			
	Secretary-Campus MS	184			
	Secretary-Campus PS	184			
Current Scale 5			$17.78	$21.82	$25.67
	Secretary-Department	190			
	Secretary-High School	190			
	Specialist-Accounts Payable	190			
	Specialist-Nutrition Services Support	190			
New Scale 6			$19.67	$24.00	$28.12
	Specialist-HR	190			
	Specialist-Payroll	190			
7			$23.23	$28.33	$33.19
	Specialist-IT Field	190			
8			$24.78	$30.03	$35.03
	Secretary-Superintendent	190			
	Specialist-IT Support	190			
	Specialist-IT Systems	190			

This salary plan is for the 2024-2025 school year only. Future salaries cannot be predicted from this schedule.

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El Distrito escolar de San Elizario no discrimina en base a raza, color, religion, sexo, nacionalidad, edad, y/o discapacidad en sus programas, actividades, o empleo.

Board Approved
03/06/2024

SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT

JOB DESCRIPTION

JOB TITLE:	Specialist – Nutrition Services Support	**WAGE/HR STATUS:**	Non – Exempt (*Federally Funded)*
REPORTS TO:	Director – Child Nutrition Services	**PAY GRADE:**	Administrative Technical 6
DEPT/CAMPUS:	Child Nutrition Services Department	**DATE APPROVED/REVISED:**	May 27, 2025

PRIMARY PURPOSE:

This position is to provide support to the food service operations in each campus to ensure they have the foods, supplies, staff, and materials needed for daily operations. This position also contributes to the financial integrity of the program by ensuring the proper management of cash and deposits. Administer and comply with rules pertaining to the USDA donated foods program. Coordinates catering events, provides training and technical assistance on applications, and nutrition software.

QUALIFICATIONS

EDUCATION/CERTIFICATION:

High school diploma or GED
Thirty semester hours of college coursework preferred
Food Management Certification
Professional Standards Hours (or obtain within 30 days of hire)

SPECIAL KNOWLEDGE/SKILLS

Strong organizational, communication, and interpersonal skills
Ability to obtain quality service from vendors by using persuasion and negotiation skills.
Ability to assess problems and determine solutions
Ability to collect and analyze detailed information
Basic math and accounting skills
Skilled in the use of Microsoft Office products and nutrition software
Good public relations skills
Basic knowledge of the TEAMS System
Knowledge of menu planning, food purchasing, and USDA guidelines

PREFERRED EXPERIENCE

Three (3) years administrative experience.

MAJOR RESPONSIBILITIES AND DUTIES

1. Evaluates selected food samples before purchase for acceptability, assuring that nutrient guideline standards are met.
2. Participates in professional development, training, and conducts orientation for guest workers.
3. Communicates with campus-based Nutrition Services staff to identify food items and supplies needed to prepare meals.
4. Reviews orders for food and supplies for each campus to ensure the requests are appropriate and necessary.
5. Collaborates with the Nutrition Services Courier to manage campus inventory levels and allocate USDA foods.
6. Determines the best vending source by reviewing bid information.
7. Places orders for food and supplies with a wide variety of vendors.
8. Contacts vendors to resolve problems related to the purchase and delivery of food and supplies.
9. Identifies and utilizes alternate vendors as needed to ensure availability of food and supplies.
10. Checks invoices to ensure accurate pricing and charges; routes invoices to appropriate departments for payment.

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11. Checks a sample of completed transactions to ensure payment agrees with the invoice.
12. Tabulates all Nutrition Services invoices to provide real-time information on expenditures.
13. Receives, coordinates, and processes catering requests. Determines charges assigns to district cafeterias, participates in the setup of catering events.
14. Tracks the delivery of catering services and ensures payment is received, recorded and deposited.
15. Collects unpaid debts.
16. Processes money bags and deposits for each cafeteria to ensure accuracy and adherence with established procedures.
17. Provides technical assistance to managers and cashiers with daily deposits.
18. Posts Nutrition Services deposits to allocate the income to a specific campus.
19. Creates and inputs purchase orders.
20. Communicates regularly with the Nutrition Services Director to provide program information.
21. Upholds and adhere to safety rules and policies of the SEISD safety program.
22. Supports the goals and objectives of the school district and follows all district policies.
23. Performs any other assignments made by the supervisor.

EQUIPMENT USED

Computer, printer, copier, calculator, cash register, and telephone system

WORKING CONDITIONS

Physical Demands:
Extended time sitting; limited stooping, walking, interruptions, and occasional lifting up to 50 lbs

Environment:
Well lit, air-conditioned office with customary sounds of telephones, computer, printer, file drawers, conversation, low outside noise, and occasional exposure to campus kitchens

TERMS OF EMPLOYMENT: 190 days

FUNDING SOURCE: 101-35-6129-XX-XXX-XX

EVALUATION: Performance of this job will be evaluated in accordance with the provisions of board policy.

The above statements are intended to describe the general purpose and responsibilities assigned to this job and are not intended to represent an exhaustive list of all responsibilities, duties, and skills required.

In the event school operations are disrupted or modified, your job location, duties and responsibilities along with related tools and equipment may also be modified as necessary at the discretion of the district. Any such modifications are a condition to continued employment with the district.

I HAVE READ AND UNDERSTAND THIS BOARD-APPROVED JOB DESCRIPTION. I ALSO UNDERSTAND THAT MY PERFORMANCE EVALUATION WILL BE BASED ON THESE DUTIES AND RESPONSIBILITIES.

_____ _____

Employee Signature Date

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San Elizario ISD
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San Elizario, TX 79849
Phone: 915.872.3900
Fax: 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Gina Ramirez, Executive Director of Human Resources
Subject: Consider and possible Board action to approve the Social Work Maryville University Agreement
Date: June 11, 2025

HISTORY: San Elizario ISD continues to support future educators and education-related careers through providing opportunities for students to intern and gain field experience in collaboration with exemplary SEISD employees to complete respective degrees and programs.

RATIONALE: San Elizario Independent School District will serve as the agency and Field Instructor, Sylvia Graves, for a student of Maryville University over the Summer and Fall of 2025, to complete 400 hours of practicum. San Elizario ISD continues to support future generations in educational support careers. The practicum in this agreement is in the field of social work and will support the field of education through teaching pedagogy for social work.

BUDGET IMPACT:
Nonpaid internship. No SEISD budget impact.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is that the Board of Trustees approve the agreement for the SEISD to serve as the agency to allow an intern to work with the current social worker, Sylvia Graves.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

Maryville University Social Work Program
Field Education Academic Affiliation Agreement

This ACADEMIC AFFILIATION AGREEMENT is effective Summer 2025 through Fall 2025 by and between Maryville University of St. Louis ("Maryville") and San Elizario Independent School District, a Texas independent school district and a political subdivision of the State of Texas, and for purposes of this Affiliation Agreement shall be the Social Service Agency, referenced as "Social Service Agency".

Maryville, in conferring credentials upon its social work students, must provide and certify completion of certain practical learning experiences; and the Social Service Agency recognizes the need for and desires to aid in the educational development of social work students, and is willing to permit student participation in some of those practical learning experiences in the form of an internship on its premises to the extent it is reasonable, proper, and professionally acceptable for them to do so.

Maryville and Social Service Agency agree to the following:

1. Duties of Maryville:

   Prior to permitting students to engage in an internship at the Social Service Agency, Maryville will:

   a) Designate a member of its faculty as Faculty Coordinator to coordinate this Agreement with the Social Service Agency. The coordination shall include a continuing exchange of information with the Social Service Agency on progress of the program;

   b) Recommend for internship only those students who have successfully completed the majority of all necessary requirements of Maryville's Social Work program; who have knowledge and skills consistent with an ability to engage in functions associated with a Social Service Agency; and have complied with any requirements set forth by the Social Service Agency;

   c) Be responsible for orienting students to applicable policies and procedures provided by the Social Service Agency, including production of a student's criminal history record check, students' responsibilities for the cost of his/her food, transportation, clothing and medical expenses, and to such other policies, procedures, rules and regulations as Maryville deems appropriate;

   d) Advise students to maintain the confidential nature of all information which may come to them during the duration of the program;

   e) Keep all records and reports on each Student's experience.

   f) Require participating students to review the applicable Social Agency Policies and complete the Student Intern Compliance Form.

2. Duties of Maryville Seminar Instructor/Director of Field Education.

   a) Verify in cooperation with designated Social Service Agency personnel, the appropriate experiences for students;

   b) Guide, coordinate and evaluate students' performance at all times while students are affiliated with Social Service Agency;

   c) Communicate with Social Service Agency personnel prior to, during, and following students' internships, to evaluate students' performance.

3. Duties of Social Service Agency:

   a) Select students for internship opportunities according to policies and procedures set by Social Service Agency;

   b) Provide practical learning experiences to students involved in internships;

   c) Cooperate with the Seminar Instructor/Director of Field Education in the selection of any appropriate experiences for Students.

   d) Provide Maryville with any applicable policies and procedures and inform the Seminar Instructor/Director of Field Education of any new applicable procedures and/or policies;

   e) Allow students to be assigned various duties within the Social Service Agency subject to the approval and discretion of the Social Service Agency. These assignments must be under an assigned field instructor. The purpose of various assignments is to familiarize the students with all facets of department standards and operations. Social Service Agency requires that student interns follow the directions and guidelines set out by Social Service Agency's policy and ethical standards.

   f) Students shall be treated as trainees who have no expectation of receiving compensation or future employment from Social Service Agency.

4. Immediate Removal of Student.

   Social Service Agency can immediately remove a student from the internship at its sole discretion, with or without cause; however, Maryville's Seminar Instructor/Director of Field Education will be notified immediately following the removal. In addition, Maryville reserves the right to remove students from the internship at any time, for reasons related or unrelated to the internship. Maryville agrees to provide prompt notice to the Social Service Agency of any student removed from the internship.

5. Insurance.

Maryville will maintain for each student completing an internship at Social Service Agency professional liability insurance in minimum amounts of One Million Dollars ($1,000,000.00) per occurrence, Three Million Dollars ($3,000,000.00) annual aggregate. Maryville also maintains general liability insurance on an occurrence basis for Maryville students participating in internships at Social Service Agency. The limits for general liability shall be One Million Dollars ($1,000,000.00) per occurrence, Three Million Dollars ($3,000,000.00) annual aggregate. Maryville shall furnish a certificate of insurance before the beginning date of each student's internship.

6. Term and Termination.

This Agreement shall commence on the Effective Date for an initial term of two years unless earlier terminated as provided herein. Thereafter, this Agreement may be renewed for successive terms of two (2) years each upon written (email is acceptable) agreement of the parties at the time of each renewal. Notwithstanding the foregoing, either party may terminate this Agreement without cause at any time during a term by giving sixty (60) days prior notice, provided that all students currently participating in an internship shall be given the opportunity to continue such participation subject to approval of the Social Service Agency and the parties may continue to perform under the terms of this Agreement with regard to the students, until the sooner of each student's individual completion of the internship or three (3) months from the date of the notice of termination. Both parties agree to meet in person or electronically at least thirty days prior to the expiration of the initial term of this Agreement and annually thereafter to evaluate the affiliation program and to review this Agreement. In the event the parties fail to appropriately document an extension, and Maryville students continue to be accepted to complete internships, the term of this Agreement shall be deemed to be automatically extended on a day-to-day basis until terminated by either party.

8. Miscellaneous.

a. Maryville University and Social Service Agency agree that no individual will be discriminated against on the basis of age, race, religion, creed, sex, national origin, disability, sexual orientation or veteran's status.

b. This Agreement shall not prevent Social Service Agency from accepting students for internships from other educational institutions.

c. Social Service Agency shall protect the confidentiality of information in Students' education records as dictated by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g and 34 C.F.R. Part 99 ("FERPA").

d. This Agreement shall not be construed to create any rights in any third-party beneficiary.

e. Maryville and Social Service Agency are independent entities and neither shall have, nor exercise, any control over the means, manner, or method by which the other performs its obligations under this Agreement. Nothing in this Agreement is intended or shall be construed to create an agency relationship, employment relationship, or joint venture between the parties. Furthermore, neither party intends for this Agreement to alter in any way their respective rights or their legal obligations.

f. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof. This Agreement supersedes any and all prior or contemporaneous representations, negotiations, promises, covenants, or discussions between the parties relating to the subject matter herein.

g. This Agreement may be signed in one or more counterparts including email, or by electronic signature.

Each person signing below represents and warrants that he or she is fully authorized to sign and deliver this Agreement in the capacity set forth beneath his or her signature and the parties hereto have signed this Agreement as of the date and year written below.

Maryville University of St. Louis	Social Service Agency
By:	By: San Elizario Independent School District
Name: Title: Address: 650 Maryville University Drive St. Louis, MO 63141 Email: Date:	Name: Title: Address: 1050 Chicken Ranch Road Email: Date:

MARYVILLE UNIVERSITY OF ST. LOUIS
STUDENT INTERN COMPLIANCE FORM

Internship Agreement with San Elizario Independent School District

Student Intern Information

Full Name: _____

Telephone Number: _____

Address: _____

Internship Start Date: _____ End Date: _____

SEISD Campus/Department Assigned : _____

Name of University Seminar Instructor: _____

School District Supervisor (if known): _____

Student Intern Compliance Requirements

1. Background Check Clearance
   I will provide proof of a cleared criminal background check, as required under Texas Education Code §22.0835 or other applicable law, prior to my first day on campus.
2. Confidentiality and FERPA Compliance
   I will maintain strict confidentiality regarding all student records and educational information in accordance with the Family Educational Rights and Privacy Act (FERPA) and school district policy.
3. Professional Conduct
   I agree to conduct myself in a professional manner, including appropriate attire, communication, and behavior aligned with the SEISD Board Policy DH (Series) and the San Elizario ISD Employee Handbook.
4. Mandatory Reporting Obligations
   I understand my legal obligation to report suspected child abuse or neglect under Texas Family Code Chapter 261 and will follow district protocol in doing so.
5. Compliance with District Policies
   I will familiarize myself with and follow all applicable School District policies and administrative procedures, including but not limited to:
   - Acceptable Use of Technology
   - Anti-Discrimination and Harassment
   - Student Safety and Emergency Procedures
6. Health and Safety Protocols
   I agree to follow all campus-specific safety procedures, including any public health requirements related to communicable diseases, emergency drills, and visitor sign-in/out procedures.

7. Orientation and Training
   I will attend any mandatory orientation or training sessions required by the School District prior to or during my placement.
8. Use of School District Resources
   I will use district resources (e.g., devices, software, materials) only for authorized internship activities and not for personal or unauthorized use.
9. Liability and Insurance
   I understand that I am participating in this internship as a student of Maryville University of St. Louis and not as an employee of the San Elizario Independent School District. I acknowledge that I am responsible for maintaining my own health and liability insurance coverage, if applicable.

Acknowledgment and Signature

I hereby acknowledge that I have read and agree to comply with the above requirements as a condition of my internship placement with San Elizario Independent School District (SEISD). I further acknowledge that the school district may immediately remove me from the campus at its sole discretion. I further acknowledge that I am a volunteer and there is no expectation of compensation. I will comply with all reasonable directives of the school district personnel. I have reviewed the San Elizario ISD employee handbook and Board Policy DH (Series).

Intern Signature: _____Date: _____

Maryville University of St. Louis Representative: _____

San Elizario ISD Representative: _____ Date: _____

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MEMORANDUM

To: Members of the Board of Trustees
From: Edgar Ponce, Research & Evaluation Administrator
Subject: Student Outcome Goals and Goal Progress Measures for 2025-2026
Date: June 11, 2025

HISTORY:

House Bill 3 (HB 3), enacted in 2019, requires districts to have 5-year plans for early childhood literacy, math, and CCMR (college, career, and military readiness). The requirements include STAAR progress monitoring for grade 3 reading and math and a plan to track and increase CCMR points.

RATIONALE:

We are tracking 3 board goals related to HB 3. They focus on math (Goal 1), reading (Goal 2), and CCMR (Goal 3). These are 5-year goals that encompass the years 2023-2028 and remain the same for the full 5 years.

Beneath each main goal is a goal progress measure (GPM), which is an annual measure intended to gauge progress toward meeting the larger goal. Goal progress measures are reviewed, revised, and approved annually.

The goals and GPM's have been reviewed in advance of the 2025-2026 school year and are ready for approval. The 3 main goals have not changed; they are 5-year goals with annual targets.

The GPM's have been examined and revised for the upcoming year. As the new year begins and knowing that we will no longer be using MAP assessments, the district will be using CIRCLE, iReady, mClass and interim state assessments, upon which most GPM's are based, we have made some tweaks to the reports that will be used for the GPM's beneath Goals 1 and 2. For the GPM targets set for 2025-2026, score histories were examined to determine targets that are both attainable and represent significant improvement. For new assessment software, their diagnostic placement tables were used to determine this year's grade thresholds.

For GPM's 1.1 and 2.1, the CIRCLE School Average Growth Report will be used in 2025-2026 since that report considers the weighting of various skills in reading and math for Pre-K students. Additionally, there will be GPM targets for both English and Spanish since the CIRCLE reports keep these separate.

GPM 1.2 will be moving to use iReady to determine how many students are at grade level based on the composite score by grade level.

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GPM's 1.3 and 2.3 the Interim STAAR will be used to help identify how close students are to the annual Targets and who needs further interventions.

For GPM 2.2 we will be moving to mClass and determine how many students are at grade level based on the recommended composite score by grade level. English and Spanish language test have a different target.

BUDGET IMPACT:
There are no budgetary considerations for this item.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is for the Board to review and approve the Student Outcome Goals and Goal Progress Measures for 2025-2026.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

HB 3 Student Outcome Goals and Goal Progress Measures; 2024-2028
Revised May 30, 2025

MATHEMATICS

Student Outcome Goal 1 (HB 3; 5-year Goal)

- The percentage of all 3rd grade students that score at the Approaches level on STAAR mathematics will increase from 58% in June 2022 to ≥ 85% by June 2028.

Goal 1 Annual Targets

2023	2024	2025	2026	2027	2028
64% (Target met! Actual: 70%)	69% (Since we already exceeded 69% in 2023, we hope to reach 75% in 2024).	73%	77%	81%	85%

Goal Progress Measure (GPM) 1.1 (District; 1-year Goal)

- The Overall Measure of Math Growth for all Pre-K students (English) will increase from 97% at Wave 2 in January of 2025 (MOY) to ≥ 98% in January of 2026 (MOY) as measured by the CIRCLE School Average Growth Report.

- The Overall Measure of Math Growth for all Pre-K students (Spanish) will increase from 91% at Wave 2 in January of 2025 (MOY) to ≥ 93% in January of 2026 (MOY) as measured by the CIRCLE School Average Growth Report.

Goal Progress Measure (GPM) 1.2 (District; 1-year Goal)

- The iReady MOY Math(English/Spanish) assessment will help identify what percent of students are at grade level based on the recommended composite score. K ≥ 362, 1st ≥ 402, 2nd ≥ 428

Goal Progress Measure (GPM) 1.3 (District; 1-year Goal)

- The percentage of Approaches of all 3rd graders which take the Math STAAR Interim Assessment early Spring of 2026 will be at 75%.

READING

Student Outcome Goal 2 (HB 3; 5-year Goal)

The percentage of 3rd grade students that score at the Approaches level on STAAR reading will increase from 57% in June 2022 to ≥ 80% by June 2028.

Goal 2 Annual Targets:

2023	2024	2025	2026	2027	2028
60% (Target met! Actual: 64%)	64% (Since we already reached 64% in 2023, we hope to reach 69% in 2024).	68%	72%	76%	80%

HB 3 Student Outcome Goals and Goal Progress Measures; 2024-2028
Revised May 30, 2025

Goal Progress Measure (GPM) 2.1 (District; 1-year Goal)

- Each of the nine pre-reading skills (English) for all Pre-K students will increase by ≥ 4% from BOY Wave 1 in Sept. of 2025 to MOY Wave 2 in Jan. of 2026 as measured by the CIRCLE School Average Growth Report.

- Each of the eight pre-reading skills (Spanish) for all Pre-K students will increase by ≥ 4% from BOY Wave 1 in Sept. of 2025 to MOY Wave 2 in Jan. of 2026 as measured by the CIRCLE School Average Growth Report.

Goal Progress Measure (GPM) 2.2 (District; 1-year Goal)

- The mClass MOY (DIBELS) reading assessment will help identify what percent of students are at grade level based on the recommended composite score. (English) K ≥ 371, 1st ≥ 389, 2nd ≥ 389

- The mClass MOY (Lectura) reading assessment will help identify what percent of students are at grade level based on the recommended composite score. (Spanish) K ≥ 352, 1st ≥ 390, 2nd ≥ 388

Goal Progress Measure (GPM) 2.3 (District; 1-year Goal)

- The percentage of Approaches of all 3rd graders which take the Reading STAAR Interim Assessment (English) early Spring of 2026 will be ≥70%.

- The percentage of Approaches of all 3rd graders which take the Reading STAAR Interim Assessment (Spanish) early Spring of 2026 will be at ≥68%.

CCMR

Student Outcome Goal 3 (HB 3; 5-year Goal)

SEISD will increase the percentage of College, Career, and Military Readiness (CCMR) points earned annually by SEHS seniors from 30% in May 2023 to ≥ 88% by June 2028 as measured by the A-F Accountability System.

Goal 3 Annual Targets:

2023	2024	2025	2026	2027	2028
30% (Target met! Actual: 50%)	40% (Since we already reached 50% in 2023, we hope to reach 60% in 2024).	52%	64%	76%	88%

Goal Progress Measure (GPM) 3.1 (District; 1-year Goal)

The percentage of SEHS seniors earning a CCMR point by meeting any of the CCMR criteria will increase from 52% in May of 2025 to ≥ 64% by May of 2026 as measured by the OnData Suite CCMR Early Warning System.

GPM 3.1 Note: CCMR points in May are always lower than the final A-F result since credits for point-earning courses haven't posted yet.

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MEMORANDUM

To: Members of the Board of Trustees
From: Edgar Ponce, Research & Evaluation Administrator
Subject: Board Monitoring Calendar
Date: June 11, 2025

HISTORY:
The Board of Trustees follows a yearly monitoring calendar to track student progress related to HB 3 requirements. This calendar also shows when campuses are scheduled to present during the year and when the Board can anticipate their required training.

RATIONALE:
There is a monitoring calendar for the Board to review and approve. The revisions considered not utilizing MAP testing and adjusting to iReady, mClass and Interim State Testing.

Monitoring calendar included changes that were initially done to the 2024-2025 calendar and were also included in the 2025-2026 calendar. There are district-level reports that are included in addition to the reports required by HB 3.

BUDGET IMPACT:
There is no associated budget.

ADMINISTRATIVE RECOMMENDATION:
It is recommended that the Board review and approve the 2025-2026 Board Monitoring Calendar.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

Board Monitoring Calendar
2025-2026

Month	HB 3 or other Progress Monitoring--District	Campus Progress Monitoring + Campus Happenings Video	Board Training Information (Dates Subject to Change)
July 2025—No BOT Meeting			FWTSBA Meeting July 12, 2025
August 2025	Analysis of STAAR/EOC Results from Spring 2025 Testing • Subgroup data TELPAS Results from Spring 2025 Testing • Subgroup data		Team of 8 Training (TBA)
September 2025	Goal 3 (HB 3): • Overall CCMR Percentages for SEHS Campus and District Improvement Plans for 2025-2026	SEHS	TASA|TASB September 11 – 14, 2025
October 2025	A-F Accountability Ratings for 2025		MASBA October 2 – 3, 2025
November 2025	Goal 1 (HB 3): • Overall Performance in 3rd Grade STAAR Math • Subgroup data	GEMS	
December 2025—No BOT Meeting			
January 2026	Goal 2 (HB 3): • Overall Performance in 3rd Grade STAAR Reading • Subgroup data		
February 2026	GPM 1.1 (HB 3) • PK--Meeting Wave 2 Math Targets • PK--Wave 1 to Wave 2 Math Growth • Subgroup data GPM 1.2 (HB 3): • K-2--Meeting Math Targets for MOY • Subgroup data		

Board Monitoring Calendar
2025-2026

Month	HB 3 or other Progress Monitoring--District	Campus Progress Monitoring + Campus Happenings Video	Board Training Information (Dates Subject to Change)
March 2026	GPM 1.3 (HB 3): • Grade 3—Meeting Math Targets based on Interim Assessment • Subgroup data Mid-Year Academic Growth Check-in: • PK-HS reading and math academic Interim Assessment Data	Loya Primary	
April 2026	GPM 2.1 (HB 3): • PK--Meeting Wave 2 Reading Targets • PK--Wave 1 to Wave 2 Reading Growth • Subgroup data GPM 2.2 (HB 3): • K-2--Meeting Reading Targets for MOY • Subgroup data	Alarcon Elementary	NSBA26 April 10 – 12, 2026
May 2026	GPM 2.3 (HB 3): • Grade 3—Meeting Reading Targets based on Interim Assessment • Subgroup data	Sambrano Elementary	FWTSBA/TASB Spring Workshop (TBA)
June 2026	GPM 3.1 (HB 3): • Progress towards meeting CCMR criteria for 2026 and 2027 cohorts	Borrego Elementary	

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MEMORANDUM

To: Members of the Board of Trustees
From: Sandra Sanchez, CTE Administrator
Subject: Consider and possible Board action to approve the Effective Advising Grant (EAF) – Counseling Coach position and stipend
Date: June 11, 2025

HISTORY: On August 14, 2024, the San Elizario ISD (SEISD) Board approved participation in the Effective Advising Framework (EAF) with ESC Region 19. This grant approval allowed the designated EAF Steering Committee to evaluate the SEISD counseling program and identify targeted areas for improvement in counseling advising to better serve students.

Primary areas identified for support includes the school counselor advising program. Specific needs include managing advising caseloads, enhancing CCMR efforts, and providing training and materials that align with the Texas Model for Comprehensive School Counseling Programs, which focuses on four key components: Guidance Curriculum, Individual Planning, Responsive Services, and System Support.

The EAF Steering Committee has convened and determined that it is a critical component in effectively supporting school counselors is the implementation of a counselor coaching position be opened. The stipend would be paid from the EAF Grant. This position would provide the necessary resources to ensure counselors receive targeted, ongoing support.

RATIONALE: With the support of the EAF Grant, counselors will benefit from in-depth, targeted coaching. This deep dive support will involve evaluating current counseling systems, enhancing those systems, and developing standardized written procedures. The support received from Counseling Coach will further provide our counselors with the tools and support necessary to elevate counseling services and students' outcomes district wide.

BUDGET IMPACT: Stipend paid through the EAF Grant = $12,000

ADMINISTRATIVE RECOMMENDATION: It is recommended that the Board of Trustees approve the Counseling Coach position and stipend that will be paid through the Effective Advising Framework Grant to ensure our counselors receive the necessary support to be more effective in the areas of Guidance Curriculum, Individual Planning, Responsive services, and System Supports.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

When hiring or assigning duties to a Counselor Coach, it is important to focus on responsibilities that go beyond typical counseling tasks. A counselor coach takes on leadership, guidance, monitoring, and program development roles. Below are the key duties to consider:

1. Program Development and Oversight

- Develop, plan, implement, and evaluate a comprehensive school counseling program aligned with district, state, and national standards.
- Ensure the counseling program addresses academic, career, and social-emotional development for all students.
- Develop, and coordinate an activation and assignment guide of crisis counselor leads and response teams.
- Regularly assess the effectiveness of the counseling program and make data-driven improvements.

2. Leadership and Advocacy

- Advocate for policies that support the mental health and academic success of all students.
- Function as a liaison between school administrators, faculty, and counselors to promote a positive school climate.
- Lead efforts to address equity, inclusion, and diversity in the counseling program.
- Assist with recruiting, interviewing, selection, of guidance and counseling personnel and make recommendations about placement and assignments.
- Attend EPADOSC regional meetings to advocate, represent San Elizario ISD and provide feedback to the counselors on upcoming events and trainings.

3. Guidance and Mentoring

- Provide guidance, and professional development for other counselors, interns, and counseling staff supporting professional growth and ethics.
- Conduct regular team meetings to ensure consistency in service delivery, academic histories are accurate and are following ethical standards.
- Support the growth of new counselors through mentorship and coaching.
- Monitor goals and curriculum for academic counseling through assessments.
- Monitor and provide guidance to counselors to ensure accuracy of transcripts.
- Manage and monitor the comprehensive guidance and measurable goals of each campus.

4. Collaboration and Communication

- Collaborate with teachers, administrators, and support staff to integrate counseling goals with schoolwide initiatives.
- Maintain effective communication with parents, community partners, and external mental health providers.
- Facilitate partnerships with outside agencies to provide additional student services.

5. Crisis Management and Intervention

- Lead crisis response efforts and provide guidance in developing crisis protocols.
- Assist in identifying at-risk students and developing intervention plans.
- Provide leadership during emergencies and support staff in managing critical incidents.

6. Data Management and Reporting

- Analyze and interpret student data to assess the needs of the school community.
- Prepare and present reports on program outcomes, student progress, and counseling services.
- Use data to advocate for additional resources or adjustments to counseling programs.

7. Compliance and Ethical Standards

- Ensure that the counseling program follows ethical standards established by organizations such as ASCA (American School Counselor Association).
- Oversee compliance with federal, state, and local laws regarding student records, confidentiality, and mandated reporting.

8. Professional Development and Training

- Lead ongoing professional development for counselors and school staff on best practices in counseling, mental health, and student support.
- Stay current on new counseling techniques, technologies, and evidence-based practices.

9. Resource Management

- Manage and allocate resources effectively to support counseling initiatives.
- Identify and apply for grants or funding opportunities to enhance student services.

These duties ensure that the lead counselor plays a critical role in enhancing the counseling program, supporting students, and fostering a safe and supportive school environment.

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MEMORANDUM

To: Members of the Board of Trustees
From: Sandra Sanchez, CTE Administrator
Subject: Engineering Drone Program of Study – Introduction to Aerospace and Aviation (N1304672), and Introduction to Unmanned Aerial Vehicles (UAV) (N1304670)
Date: June 11, 2025

HISTORY: On May 27, 2025, the region was informed that NJROTC will now fall under the umbrella of Career and Technical Education (CTE). On May 30, 2025, arrangements were made via email to discuss this transition. A meeting was held on June 3, 2025, at 1:00 PM with Commander Young and Chief Muñoz. During this meeting, we discussed their professional backgrounds, CTE endorsements, and potential Programs of Study. After review, it was determined that the most appropriate Program of Study, aligning with their experience and expertise, would be under the STEM Endorsement**,** Engineering Career Cluster**,** Regional Program of Study: Drone (Unmanned Vehicle)**.**

PROGRAM OF STUDY – Drone (Unmanned Vehicle)

 Level 1 (2025–2026) **–** Introduction to Aerospace and Aviation ***(New Cohort)***

 Level 2 (2026–2027) **–** Introduction to Unmanned Aerial Vehicles (UAV)

 Level 3 (2027–2028) **–** Engineering Science

 Level 4 (2028–2029) **–** Career and Technical Education Project-Based Capstone

CERTIFICATION:

FAA Part 107 Remote Drone Pilot **(To be earned during Senior Year, 2028-2029)**

RATIONALE: With drone technology experiencing rapid expansion, there is a growing demand for skilled drone pilots and specialists. This program will provide students with foundational and advanced knowledge in drone aviation technology, fostering interest in STEM and engineering careers. Students will gain hands-on experience operating and designing unmanned aircraft using ground-based controllers. Additionally, the curriculum includes critical instruction on communication systems between the aircraft and controller, ensuring understanding and compliance with federal aviation safety regulations.

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BUDGET IMPACT: There is no budget impact for to approve the implementation of this Program of Study.

ADMINISTRATIVE RECOMMENDATION: It is recommended that the Board of Trustees approve the implementation of the Engineering Program of Study: Drone. This program will offer students real-world applications that are current with industry demands.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

Texas Education Agency

Introduction to Aerospace and Aviation

PEIMS Code: N1304672
Abbreviation: INTAEAVI
Grade Level(s): 9–11
Award of Credit: 1.0

Approved Innovative Course

- Districts must have local board approval to implement innovative courses.
- In accordance with Texas Administrative Code (TAC) §74.27, school districts must provide instruction in all essential knowledge and skills identified in this innovative course.
- Innovative courses may only satisfy elective credit toward graduation requirements.
- Please refer to TAC §74.13 for guidance on endorsements.

Course Description:

The *Introduction to Aerospace and Aviation* course will provide the foundation for advanced exploration in the areas of professional pilot, aerospace engineering, and unmanned aircraft systems. Students will learn about the history of aviation, from Leonardo da Vinci's ideas about flight to the Wright brothers and the space race. Along the way students will learn about the innovations and technological developments that have made today's aviation and aerospace industries possible. The course includes engineering practices, the design process, aircraft structure, space vehicles past and present, and a look toward future space exploration.

Students will also learn about the wide variety of exciting and rewarding careers available to them. The Introduction to Aerospace and Aviation course will inspire students to consider aviation and other aerospace careers while laying the foundation for continued study in grades 10-12.

Essential Knowledge and Skills:

(a) General Requirements: This course is recommended for students in grade 9-11. Students shall be awarded one credit for successful completion of this course.

(b) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Transportation, Distribution, and Logistics Career Cluster focuses on planning, management, and movement of people, materials, and goods by road, pipeline, air, rail, and water and related professional support services such as transportation infrastructure planning and management, logistics services, mobile equipment, and facility maintenance.

(3) The *Introduction to Aerospace and Aviation* course will provide the foundation for advanced exploration in the areas of professional pilot, aerospace engineering,

and unmanned aircraft systems. Students will learn about the history of aviation, from Davinci's ideas about flight to the Wright brothers and the space race, along the way students will learn about the innovations and technological developments that have made today's aviation and aerospace industries possible. The course includes engineering practices, the design process, aircraft structure, space vehicles past and present, and a look toward future space exploration.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(c) Knowledge and Skills.

(1) The student demonstrates professional standards/employability skills as required by and the aerospace and aviation industries. The student is expected to:

(A) demonstrate the principles of group participation and leadership related to citizenship and career preparation;

(B) identify and demonstrate employers' expectations and appropriate work habits;

(C) differentiate between professional and unprofessional behaviors;

(D) identify and demonstrate effective communication and appropriate interaction in a professional setting;

(E) research aviation resources, information systems, and technology;

(F) demonstrate awareness of the technical knowledge and skills related to health and safety in the workplace, as specified by appropriate governmental regulations and an understanding of personal responsibility in this area;

(G) explain the role of the employee in creating a successful and profitable workplace, including personal responsibility; and

(H) apply reasoning skills to a variety of simulated workplace situations in order to make ethical decisions.

(2) The student applies academic skills to the requirements of aerospace and aviation. The student is expected to:

(A) demonstrate oral and written communication skills needed to communicate effectively with individuals from various cultures such as fellow workers, management, and customers;

(B) explain the documents related to aviation and aerospace, including aeronautical charts, graphs, aircraft system diagrams; and

(C) demonstrate understanding of standard Aviation measurement systems (Statute and Nautical).

(3) The student examines the history of aviation from its primitive beginnings to early powered flight. The student is expected to:

(A) investigate and describe how the earliest attempts of human flight were based on images of animals in flight;

(B) summarize how inventors used gliders and balloons to further their knowledge of flight;

(C) explain how engineering practices can be applied to Davinci's earliest flying inventions and to recent aircraft models;

(D) describe the scientific method the Wright brothers used to solve the power, control, and lift problems they encountered;

(E) differentiate between early and more modern airfoil designs of wings and propeller blades and identify the strengths and weaknesses in each; and

(F) identify aviation manufacturing pioneers such as Glen Curtis, Bill Boeing, Clyde Cessna, Lloyd Stearman, Walter Beech, and Olive Ann Mellor and their contributions that improved on the work of the Wright Brothers.

(4) The student analyzes innovations in aircraft design and manufacture and traces the practical applications that lead to the establishment of aircraft as an essential military tool. The student is expected to:

(A) explain the influence of World War I on aviation and aircraft design;

(B) identify and describe aviation innovations brought about by World War II; and

(C) analyze and interpret data to draw conclusions about early engine design and airplane performance in World War I versus engine design and airplane performance in WWII.

(5) The student analyzes technological advancements and events in space exploration. The student is expected to:

(A) explain the origins of practical rocket design and how World War II started the early race between the United States and the Soviet Union toward space;

(B) describe and summarize events and innovations, such as Warner Von Braun's V1 and V2 rockets, that were key to the advancement of space exploration;

(C) summarize key objectives of National Aeronautics and Space Administration's (NASA) three space programs that led to a man on the moon;

(D) explain how NASA engineers and the crew of Apollo 13 used basic engineering principles to solve the multiple related system failures that resulted from explosions aboard the spacecraft and enabled the craft and crew to return to earth safely; and

(E) describe the challenges that must be solved by engineers for the colonization of Mars to become a reality.

(6) The student researches events and explains innovations that led to the jet age. The student is expected to:

(A) explain how Newton's Third Law related to the creation of thrust from a jet engine;

(B) describe the five main components of a jet engine and explain the significance of each;

(C) identify and describe features of a jet aircraft that came about as a result of jet engines;

(D) identify and summarize the origins of commercial airline service;

(E) summarize developments and innovations in navigation systems that occurred as aircraft began to be used for commercial purposes;

(F) summarize how lessons learned from the first failed airline services pointed the way to modern commercial airline flight; and

(G) analyze the impact of the jet engine on world travel and the social changes that came about as a result of international travel.

(7) The student describes innovations of modern aircraft navigation and how these innovations impact the industry. The student is expected to:

(A) explain how the “glass cockpit” and fly-by-wire innovations helped pilots fly airplanes more safely;

(B) investigate and identify features of Visual Flight Rules (VFR) on aeronautical charts;

(C) explain criteria for the use of composites in aircraft design;

(D) define various composite structural materials and identify ways in which composites are used in aviation and aerospace; and

(E) explain current navigational technology and predict what it might look like in the future.

(8) The student summarizes current and possible future impact of the aviation and aerospace industry on the environment. The student is expected to:

(A) describe aviation’s current impact on the environment such as noise, air quality, and carbon footprint;

(B) identify the connection between advancements in technology and the potential to positively impact the environment;

(C) identify and summarize several major developments in aviation that will reduce aviation’s impact on the environment such as electric aircraft, fan blade technology, biofuels, and noise abatement practices;

(D) summarize the challenges and opportunities related to supersonic commercial travel; and

(E) explain potential benefits to society from autonomous aircraft.

(9) The student describes current and future challenges to the aerospace and aviation industries due to new and emerging technologies. The student is expected to:

(A) summarize how innovation and technology help solve airspace capacity and integration limitations and increase safety;

(B) describe the challenges to integrating unmanned aircraft systems into the national airspace system; and

(C) summarize how modern aircraft use innovations in autonomy to help flight crews manage their flights and issues that come with automation of aircraft.

(10) The student identifies the federal regulatory guidelines, safety organizations that are essential to today's aviation and space environment. The student is expected to:

(A) define aviation safety;

(B) examine concepts such as perceived and accepted risk;

(C) construct a basic safety management system; and

(D) compare the Federal Aviation Administration (FAA)'s responsibilities and functions against its mandate to keep aviation and private space travel safe and more efficient.

(11) The student examines a variety of aerospace and aviation careers. The student is expected to:

(A) summarize the career opportunities for pilots in general aviation, commercial aviation, and military aviation;

(B) describe the process for becoming a career manned aircraft or unmanned aircraft pilot;

(C) explain the skills and abilities required to be a professional aircraft or UAS pilot;

(D) compare personal strengths and interests with the skills and abilities required for various professional manned aircraft and unmanned aerial systems (UAS) pilots;

(E) identify and summarize career opportunities available with the FAA and National Transportation Safety Board (NTSB);

(F) explain the essential skills and abilities required to be an aerospace engineer;

(G) compare personal strengths and interests with the skills and abilities required to be an aerospace engineer;

(H) explain the essential skills and abilities required to be an air traffic controller; and

(I) compare personal strengths and interests with the essential skills and abilities required to be an air traffic controller.

(11) The student creates a plan for a career in aviation and aerospace. The student is expected to:

(A) construct a personal mission statement to serve as a guide in preparation for a career in aviation or aerospace;

(B) analyze various education, training, and certifications requirements in pursuit of a career in aviation, unmanned aerial vehicles, or aerospace; and

(C) determine the positives and negatives of a particular job based on skills needed and education or training required.

Recommended Resources and Materials:

Aircraft Owners and Pilots Association (AOPA) High School Aviation STEM Curriculum Project. Retrieved February 8, 2019 from https://youcanfly.aopa.org/high-school/high-school-curriculum

Federal Aviation Administration (Free downloadable PDF Aviation Handbooks) Retrieved February 8, 2019 from https://www.faa.gov/regulations_policies/handbooks_manuals/aviation/

- Pilot Handbook of Aeronautical Knowledge FAA-H-8083-25B
- Airplane flying Handbook FAA-H-8083-3B
- Aeronautical Information Manual (AIM)
- Weather Services AC 00-45H
- Aviation Weather AC 00-6B
- Aeronautical Chart Users Guide
- Pilot Controller Glossary (with change 3) (Vocabulary)

National Aeronautics and Space Administration (NASA)

Various curriculum Ideas. Retrieved February 8, 2019 from https://www.nasa.gov/offices/education/about/index.html

NASA Johnson Space Center (Houston)

Various curriculum Ideas and tour information. Retrieved February 8, 2019 from https://www.nasa.gov/offices/education/centers/johnson/home/index.html

Organizations that support Youth in Aviation Education:

Experimental Aircraft Association (EAA). Retrieved February 8, 2019 from https://www.eaa.org/eaa

Commemorative Air Force (CAF).Retrieved February 8, 2019 from https://commemorativeairforce.org/pages/CAF-Education

Civil Air Patrol. Retrieved from https://www.gocivilairpatrol.com/programs/aerospace-education/join-as-an-aem

Integrating Technology into classroom
The use of Commercially available full-sized motion, non-motion or desktop flight simulation equipment, or a desktop flight simulator using off the shelf products and software can enhance the learning of aviation concepts. Reinforcing that students should use simulation equipment as they would a real aircraft enhances learning of how pilots fly safely and instills good aeronautical decision making.

Recommended Course Activities:

- written papers
- industry interviews
- multimedia videos
- visits to industry sites

Suggested methods for evaluating student outcomes:

- Tests, projects, and presentations.

- independent and group projects.
- Presentations and written reports

Teacher qualifications:

- Trade and Industrial Education: Grades 6-12
- Trade and Industrial Education: Grades 8-12
- Vocational Trades and Industry

Recommended experience in aviation such as Pilot Certificate, Airline Transport Certificate, Advanced Ground Instructor or Certified Flight Instructor certificate would be very helpful in teaching this course.

Additional information:

Introduction to Unmanned Aerial Vehicle (UAV) Flight

PEIMS Code: N1304670
Abbreviation: PRINUAV
Grade Level(s): 10-12
Award of Credit: 1.0

Approved Innovative Course

- Districts must have local board approval to implement innovative courses.
- In accordance with Texas Administrative Code (TAC) §74.27, school districts must provide instruction in all essential knowledge and skills identified in this innovative course.
- Innovative courses may only satisfy elective credit toward graduation requirements.
- Please refer to TAC §74.13 for guidance on endorsements.

Course Description:

The Introduction to Unmanned Aerial Vehicle (UAV) Flight course is designed to prepare students for entry-level employment or continuing education in piloting UAV operations. Principles of UAV is designed to instruct students in UAV flight navigation, industry laws and regulations, and safety regulations. Students are also exposed to mission planning procedures, environmental factors, and human factors involved in the UAV industry.

Essential Knowledge and Skills:

(a) General Requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Transportation Systems. Students shall be awarded one credit for successful completion of this course.

(b) Introduction

(1) The Transportation, Distribution, and Logistics Career Cluster focuses on planning, management, and movement of people, materials, and goods by road, pipeline, air, rail, and water and related professional support services such as transportation infrastructure planning and management, logistics services, mobile equipment, and facility maintenance.

(2) The Introduction to Unmanned Aerial Vehicle (UAV) Flight course is designed to prepare students for entry-level employment or continuing education in piloting UAV operations. Principles of UAV is designed to instruct students in UAV flight navigation, industry laws and regulations, and safety regulations. Students are also exposed to mission planning procedures and environmental and human factors involved in the UAV industry.

(3) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.

(4) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(c) Knowledge and Skills

(1) The student demonstrates employability characteristics that lead to success in the Unmanned Aerial Vehicle (UAV) industry. The student is expected to:

(A) determine strategies for effective decision making in the UAV industry;

(B) demonstrate effective communication skills; and

(C) demonstrate effective leadership styles.

(2) The student discusses the professional standards required by the UAV industry. The student is expected to:

(A) identify current and emerging careers in the UAV industry;

(B) examine UAV industry information during the career planning process;

(C) identify the credentials and certification requirements for careers in the UAV industry such as licensed pilot;

(D) create personal career plans;

(E) research and compile health and safety policies, procedures, regulations, and practices of the UAV industry; and

(F) use UAV technological resources in diverse and changing personal, community, and workplace environments.

(3) The student researches and discusses professional, legal, ethical, and organizational norms of the UAV industry. The student is expected to:

(A) define legal terminology that is used in the UAV industry;

(B) discusses professional responsivity as it relates to the FAA part 107 license;

(C) discusses ethical UAV operation as it relates to current regulations; and

(D) identify common organizational norms present within the UAV industry;

(4) The student understands the terminology and regulations governing remote pilots in command. The student is expected to:

(A) define terminology applicable to the operation of UAVs in FAA documentation, including remote pilot in command;

(B) explain and analyze the application of emergency powers of a remote pilot in command.

(5) The student analyzes visibility requirements for UAV operation. The student is expected to:

(A) define visual line of sight in relation to the operation of an UAV;

(B) define and examine the role of visual observer flight operations, including observing the airspace around the pilot and aircraft;

(C) identify and interpret operational requirements for using a visual observer;

(D) evaluate the factors that impact visibility such as daylight time, weather, obstacles, and right of way as they relate to the operation of an unmanned aerial vehicle; and

(E) examine which additional technology or conspicuity requirements may exist in a given operational situation, such as automatic dependent surveillance-broadcast (ADS-B), transponders, traffic control avoidance system (TCAS), radio equipment, and conspicuity.

(6) The student applies the principles of containment and loss of positive control. The student is expected to:

(A) apply the concepts of confined area of operation and operational boundaries;

(B) apply the principles of loss mitigation and positive control risk of UAV operation using a flight simulator; and

(C) examine the uses of geo-fencing in real-world applications such as mapping obstacle avoidance routes or restricted air spaces.

(7) The student understands the rules and regulations on operational limitations in certain airspaces. The student is expected to:

(A) define and discuss extra-operational requirements, including pre-flight inspection and mission plan;

(B) identify geographical locations subject to extra-operational requirements such as the use of a visual observer or airspace restrictions;

(C) explain the differences between prohibited or restricted areas of UAV operation;

(D) compare the differences between class A, B, C, D, and G air space; and

(E) determine if a given area is designated by notice to airmen by using aeronautical sectional charts.

(8) The student understands the rules and regulations on external loads and dropping objects. The student is expected to:

(A) explain the rules and regulations related to dropping objects from a UAV;

(B) calculate appropriate external load for a given UAV; and

(C) explain the towing of objects with an UAV, including safety or risk assessment.

(9) The student interprets inspection, maintenance, and airworthiness directives. The student is expected to:

(A) define airworthiness and discuss the factors that impact airworthiness;

(B) perform inspections and maintenance of common UAV systems; and

(C) interpret airworthiness directives issued by governmental bodies.

(10) The student analyzes responsible UAV operator provisions. The student is expected to:

(A) discuss careless operation and methods to prevent careless operation; and

(B) explain restrictions on UAV operators, including the prohibition on drug and alcohol usage by UAV operators.

(11) The student analyzes the effects of weather on small unmanned aircraft performance. The student is expected to:

(A) explain the concepts of visibility, ceiling, and density altitude as they relate to UAV operation;

(B) define atmospheric stability and describe its impact on UAV operation;

(C) discuss the effects of and determine best practices when encountering weather conditions such as clouds, fronts, tornadoes, icing, hail, lightning, fog, and thunderstorms on UAVs;

(D) identify and explain the potential effects of structural icing on operational components; and

(E) interpret measurements of atmospheric pressure and temperature/dew point.

(12) The student applies standard radio communication procedures. The student is expected to:

(A) explain and employ the North Atlantic Treaty Organization (NATO) phonetic alphabet;

(B) monitor manned aircraft communications via the common traffic advisory frequency;

(C) operate the automatic terminal information service;

(D) propose traffic advisory procedures for manned aircraft pilots, such as self-announcing or position and intentions; and

(E) distinguish between airport radio communication procedures when operating with and without a control tower.

Recommended Resources and Materials:

Online Curriculum Resources:

Edu-Drone. *Drones: Airborne Innovation*. Retrieved February 8, 2018, from www.edudrone.org

U.S. Federal Aviation Administration. *Federal Aviation Administration Safety Team: Safer Skies Through Education.* Retrieved February 1, 2018, from https://www.faasafety.gov/

U.S. Federal Aviation Administration. *Pilot's Handbook of Aeronautical Knowledge.* (2016, August 24). Retrieved February 1, 2018 from https://www.faa.gov/regulations_policies/handbooks_manuals/aviation/phak/

Printed Curriculum Resources:

U.S. Federal Aviation Administration (2016). *Remote Pilot – Small Unmanned Aircraft Systems Study Guide*. Flight Standards Service.

U.S. Federal Aviation Administration (2018). Federal Aviation Administration Safety Team. *Remote Pilot Knowledge Test Guide*.

Recommended Course Activities:

- flight simulator time
- written papers
- industry interviews
- flight time with UAV's
- multimedia videos
- visits to industry sites

Suggested methods for evaluating student outcomes:

- classroom/homework assignments
- independent and group projects
- teacher-developed assessments

Teacher qualifications:

Computer Science: Grades 8-12

Mathematics/Physical Science/Engineering: Grades 8-12

Technology Applications: Grades 8-12

Trade and Industrial Education: Grades 6-12.

Trade and Industrial Education: Grades 8-12.

Additional information:

While there is material that is not covered in this class listed on the exam objectives, the omitted material has historically not been addressed on the FAA exam.

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915872.3900
Fax 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Sandra Sanchez, CTE Administrator
Subject: UTEP Play Therapy with Dr. Shin and Dr. Dosal
Date: June 18, 2025

HISTORY:

As part of the Effective Advising Framework (EAF) Grant, our committee members contacted the University of Texas at El Paso (UTEP) College of Education to inquire about a training opportunity related to Play Therapy for school counselors. We were referred to Dr. Shin and Dr. Dosal, who provided the proposed Play Therapy training span of two days for both elementary and secondary levels:

- Day One will focus on theoretical instruction.
- Day Two will involve hands-on practice of Play Therapy techniques.

Additionally, Dr. Shin and Dr. Dosal have requested to conduct a research study with the participating counselors. The purpose of this study is to explore the experiences of rural school counselors participating in the Play Therapy training. The research will be titled, *"Experiences of Rural School Counselors Working with Children through a Play Therapy Training,"* which will involve pre- and post-training interviews.

Some key points of the research:

- Participation is entirely voluntary.
- No student information or sensitive data will be collected.
- Participants will be asked to complete an online demographic questionnaire prior to the training.

The following documents have been submitted for review and approval by our district administration:

- Institutional Review Board (IRB) approval
- IRB Letter of Collaboration
- Contract Services Agreement between Contractor and District
- Contracted Services Agreement for District Use

We are looking forward to this collaborative initiative.

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915872.3900
Fax 915.872.3903

RATIONALE: With the support of the Effective Advising Framework Grant, our counselors will participate in an in-depth, two-day Play Therapy training led by Dr. Shin and Dr. Dosal from UTEP. This training will introduce a new perspective on supporting students through play-based therapeutic techniques. The therapy is designed for both elementary and secondary school counselors**.** The training aims to enhance our counseling services by equipping our counselors with expanded tools, strategies, and support systems that will improve the quality of care and support provided to our students.

BUDGET: Stipend paid through the Effective Advising Framework Grant = $2,880

ADMINISTRATIVE RECOMMENDATION: It is recommended that the Board of Trustees approve the Play Therapy training conducted by UTEP's Dr. Shin and Dr. Dosal**,** designed for both elementary and secondary counselors. This training will enhance our counselors' ability to support students' social and emotional learning needs. The training will be fully funded through the Effective Advising Framework Grant**.**

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

CONTRACTED SERVICES AGREEMENT – District Use Section Only

To be used with Federal, State & Local Funds

Project/Program Name: Experiences of Rural School Counselors Working with Children Through a Play Therapy Training
Campus/Dept: San Elizario Independent School District
Date of Service: August 21 - 22, 2025
Total Cost: $2,880 **(Board Approval needed for $25,000 and above)**
Account Number: 244.31.6244.44.844.22

Approval Routing

All applicable signatures are needed on this form to approve the requisition. Incomplete agreements will be Voided

Name of Employee Requesting Services	Title of Employee Requesting Services
Sandra Sanchez	CTE Administrator

Signature and date of Employee Requesting Services (also responsible for evaluating services) Digitally signed by Sandra Sanchez Date: 2025.05.30 17:20:16 -06'00'
Signature and date of Budget Authority (Principal or Department Supervisor) For Funds Being Used Digitally signed by Sandra Sanchez Date: 2025.05.30 17:20:40 -06'00'
Signature and date of Administrator of Instructional Programs (if applicable)
Signature and date of Fund/Grant Authority Personnel Digitally signed by Sandra Sanchez Date: 2025.05.30 17:21:06 -06'00'
Signature and date of Associate Superintendent
Signature and date of Superintendent

Purchase Order Compliance Form

Purchasing Level	Requirements (Federal)	Requirements (Local & State)	Additional Approval
$0 - $24,999	1 quote needed from a vendor on a purchasing cooperative whom **was awarded an EDGAR compliant contract**	3 quotes needed from vendors offering the same or similar type of service or 1 quote from a vendor on a purchasing coop	Regular PO routing in Frontline
$25,000 - $49,999	3 quotes needed from vendors on different purchasing cooperatives whom **were awarded EDGAR compliant contracts**	3 quotes needed from vendors offering the same or similar type of service or from vendors on a purchasing coop	Regular PO routing in Frontline **plus** Board approval of PO at a Board meeting
$50,000 or greater	Formal solicitation is needed	Formal solicitation is needed	Regular PO routing in Frontline **plus** Board approval of PO at a Board meeting **plus** Board approval of solicitation

What goal, objective and strategy in your CIP/DIP are you addressing with this purchase?

DIP 1.1.4

What EDGAR compliant purchasing cooperative contract are you using? ***(For federal funds only)***

W9 and New Vendor Form submitted approved by Ms. Tinoco

What purchasing cooperative contract are you using? ***(For local and state funds only)*** **If not using a purchasing cooperative contract, then attach 3 quotes describing the services or 1 quote from a vendor on a purchasing coop.**

How is it reasonable? **REASONABLE:** *A cost is reasonable if sound business practices were followed and price is comparable to current market price. You need to document the basis used for determining that this is a fair and reasonable price.*

PD is to enhance our counseling services by equipping our counselors with tools, strategies and support systems for our students.

How is it allowable? **ALLOWABLE:** *A cost is allowable on the basis of demonstrated competence and qualifications to perform the services.*

Professional development funds were allocated for counselor external consultants, contractors or service providers.

How is it necessary? **NECESSARY:** *A cost is necessary if needed to achieve an important program objective (not considered "nice to have".)*

This training will expand our counselors knowledge to give them the ability to support students' social and emotional learning needs.

NEW VENDOR PACKET: *if vendor is not setup in Frontline, have vendor complete the new vendor packet and attach it to this contracted services agreement*

- ■ Yes (vendor is already an approved vendor in the system)
- ☐ No – (new vendor packet attached)

By signing below, individual attests that purchases are reasonable, allowable and necessary per the criteria designated above.

Sandra Sanchez	CTE Administrator
Print Name	Title
Digitally signed by Sandra Sanchez Date: 2025.05.30 17:14:52 -06'00'	5-30-25
Signature of Staff Member	Date

Fraud and Financial Impropriety & Ethics Disclosure

DISCLOSURE OF SUBSTANTIAL INTEREST IN A BUSINESS ENTITY
Chapter 176, Local Government Code applies to employees, vendors and potential vendors acting under delegated authority. More specifically, any government employee may not have an interest in or in any manner be connected with a contract or bid for a purchase of goods or services by an agency of the state; or in any manner, including by rebate or gift, accept or receive from a person to whom a contract may be awarded, directly or indirectly, anything of value or a promise, obligation, or contract for future reward or compensation. Entities who are interested in seeking business opportunities with the district must be mindful of these restrictions when interacting with public purchasers.

Note: “Gift to a Public Servant” is a Class A misdemeanor offense if the recipient is a government employee who exercises some influence in the purchasing process of the governmental body. I further hereby acknowledge that:

1. I have read policy CAA (LOCAL) Fiscal Management Goals and Objectives
2. I have not engaged in fraud or financial impropriety as defined in CAA (LOCAL)
3. I shall act with integrity and diligence in duties involving the District’s fiscal resources
4. I understand that if I am found to have committed fraud or financial impropriety, I shall be subject to disciplinary action, which may include termination of employment.

Sandra Sanchez	CTE Administrator
Print Name	Title
Digitally signed by Sandra Sanchez Date: 2025.05.30 17:16:15 -06'00'	5-30-25
Signature of Staff Member	Date

EVALUATION

(To be submitted after completion of services for payment processing along with event agenda, attendee sign-in sheets, event handouts and presentation documents if applicable)

Project/Program Name:
Campus/Dept:
Date of Service:

EVALUATION: *Contracted services should be provided to determine whether the services agreed upon were provided and whether the outcome desired was achieved.*

Please evaluate the contract upon completion of the services and remit this page along with the invoice for payment.

Print Name

Title

Signature of Staff Member

Date

CONTRACTED SERVICES AGREEMENT

To be completed by district and contractor

Whereas, the DISTRICT is in need of services for the use and benefit of public education in Texas.

Whereas, the CONTRACTOR is specially trained and experienced and competent to perform the special services required by the DISTRICT.

Now, therefore, the Parties hereby agree as follows:

This Agreement is hereby entered into this 19 day of May, by and between San Elizario ISD, hereinafter designated as DISTRICT and

CONTRACTOR Information
Name: UTEP College of Education
Address: 500 W. University Ave. El Paso TX 79968
Contact Information: ijrojas@utep.edu
Website: utep.edu/education

, hereinafter designated as CONTRACTOR.

1. Scope of Work.

Project/Program Name: Two Day Play Therapy Training
Specify Services to be Provided: Two day play therapy training with Dr. Sang Min Shim $240 per day for 11 counselors and 1 social worker
Duration for Services (i.e. days, hours): August 21-22, 2025
# of Attendees (i.e. per day/grade level): 11 counselors and 1 social worker

2. Term of Agreement. This Agreement shall commence on 6/3/2025, and end on 6/4/2025, subject to termination as set forth in this Agreement.

3. Payment. For the performance, satisfactory to the DISTRICT, of the services described Section 1.0 above, the DISTRICT shall pay to the CONTRACTOR as follows:

Fee for providing services: $2,880
Additional costs: Travel: _____ Materials: _____ Other: _____
Total Cost: $2,880

The total amount payable to the CONTRACTOR by the DISTRICT pursuant to this contract shall in no event exceed total cost itemized above. All services will be invoiced monthly after services are received and paid on receipt of a proper invoice and verification of satisfactory performance. CONTRACTOR shall not be paid in advance. All payments due to the CONTRACTOR shall be made in accordance with DISTRICT payment schedules upon receipt of CONTRACTOR invoice. **This Agreement does not constitute an authorization to begin work or provide services. An approved purchase order and a formal notice to commence work will be provided by the DISTRICT to the CONTRACTOR based on the terms in this Agreement.**

4. **Independent Contractor.** CONTRACTOR, in the performance of this Agreement, shall be and act as an independent contractor. CONTRACTOR understands and agrees that he/she and all of his/her employees shall not be considered officers, employees or agents of the DISTRICT, and are not entitled to benefits of any kind or nature normally provided to employees of the DISTRICT and/or to which the DISTRICT'S employees are normally entitled to, including, but not limited to, fringe benefits, pension, retirement, state unemployment compensation, or worker's compensation. The DISTRICT shall not deduct any federal taxes or any other taxes required to be deducted by an employer, as this is the responsibility of the CONTRACTOR.

5. **Expenses.** The DISTRICT shall not be liable to the CONTRACTOR for any costs or expenses paid or incurred by the CONTRACTOR in performing services for the DISTRICT, except as follows: Payment as described in Section 3 above.

6. **Assignment.** The CONTRACTOR may not assign this contract to a third party without the written consent of the DISTRICT.

7. **Copyright/Trademark/Patent.** CONTRACTOR understands and agrees that all information, materials, and products developed under this Agreement shall become the property of the DISTRICT and the CONTRACTOR shall not assert any claim in law or equity or assert any claim to statutory copyright or patent in such information, materials and products without the prior written permission of the DISTRICT.

8. **Confidentiality.** Neither the DISTRICT or CONTRACTOR shall disclose any confidential information which comes into possession of the DISTRICT or CONTRACTOR at any time during the Agreement, including but not limited to, the location and deployment of security devices, security access codes, student likenesses, student record information or employee information.

9. **Texas Public Information Act.** The Parties acknowledge that, as a public entity in the State of Texas, the DISTRICT is subject to, and must comply with, the provisions of the Texas Public Information Act, Texas Government Code Section 552, *et seq.*

10. Termination. This Agreement shall be in effect through the term of Agreement specified in Section 2 above unless terminated by either party at any time, with or without cause. In the event of termination by the DISTRICT or CONTRACTOR prior to completion of the agreement, compensation for services shall be prorated on the basis of actual work performed by the CONTRACTOR. The CONTRACTOR shall only be entitled to receive just and equitable compensation for any satisfactory work completed up to the date of termination. This agreement may be cancelled by either party with 30 days written notice via U.S. Mail, mailed either by registered or certified mail, return receipt requested, with postage prepaid.

11. Non-Appropriation. This Agreement will not automatically renew and is subject to appropriation of funds as determined by the Board of Trustees.

12. Indemnification. To the fullest extent allowed by law, CONTRACTOR shall, during the term of this Agreement, indemnify and hold the DISTRICT and its employees, agents, directors, officers and affiliated entities corporations and their respective officers, directors and employees harmless from all legal liability, injury or damage, for injuries, public liabilities, and property damage arising out of the negligent acts of the CONTRACTOR in connection with the Professional Services provided however, that CONTRACTOR will not indemnify or hold the DISTRICT harmless for any claims or damages arising from the negligence or willful misconduct of the DISTRICT or any. This indemnification provision shall survive the termination of this Agreement for acts that arose while this Agreement was in effect.

13. Negligence. Each party shall be responsible for its own wrongful or negligent acts or omissions or those of its officers, agents, or employees to the full extent allowed by law. Nothing in this Agreement is intended to nor shall it operate as a waiver of sovereign immunity or governmental immunity and these defenses are specifically reserved by the DISTRICT.

14. Severability. If any term, condition or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect, and shall not be affected, impaired or invalidated in any way.

15. Governing Law. The terms and conditions of this Agreement shall be governed by the laws of the State of Texas with venue in El Paso County.

16. Entire Agreement/Amendment. This Agreement and any exhibits attached hereto constitute the entire Agreement among the Parties to it and supersede any prior or contemporaneous understanding or Agreement with respect to the services contemplated, and may be amended only by a written amendment executed by both Parties to the Agreement.

17. Additional Required Forms. The following forms are to be filled out by the CONTRACTOR and submitted to the DISTRICT prior to the commencement of work:

a. Required Forms
   i. IRS Form W-9
   ii. Certification Regarding Debarment, Suspension, Ineligibility and Other Responsibility Matters
   iii. Felony Conviction Notice
   iv. Prohibition on Lobbying or Solicitation
   v. Criminal History Record Information Review of Certain Contract Employees
   vi. Certificate of Non-Collusion
   vii. House Bill 89 Verification Form
   viii. Conflict of Interest Questionnaire
   ix. Local Government Officer Conflicts Disclosures
   x. Senate Bill 252 Certification
   xi. Vendor EDGAR Certification Forms
   xii. Form 1295 Certificate of Interested Parties (Only applicable if the contract will exceed $24,999)
   xiii. Experience and References
      - Shall include 3 current reference letters and contact information
      - Shall include professional resume of CONTRACTOR

AGREED and ACCEPTED on behalf of the:

CONTRACTOR: UTEP College of Education

BY: _____
Authorized Signature

PRINTED NAME: Ileana Rojas

TITLE: Director of COED Business

DATE: 5/19/2025

DISTRICT: San Elizario Independent School District

BY: _____
Authorized Signature

PRINTED NAME: Dr. Jeannie Meza-Chavez

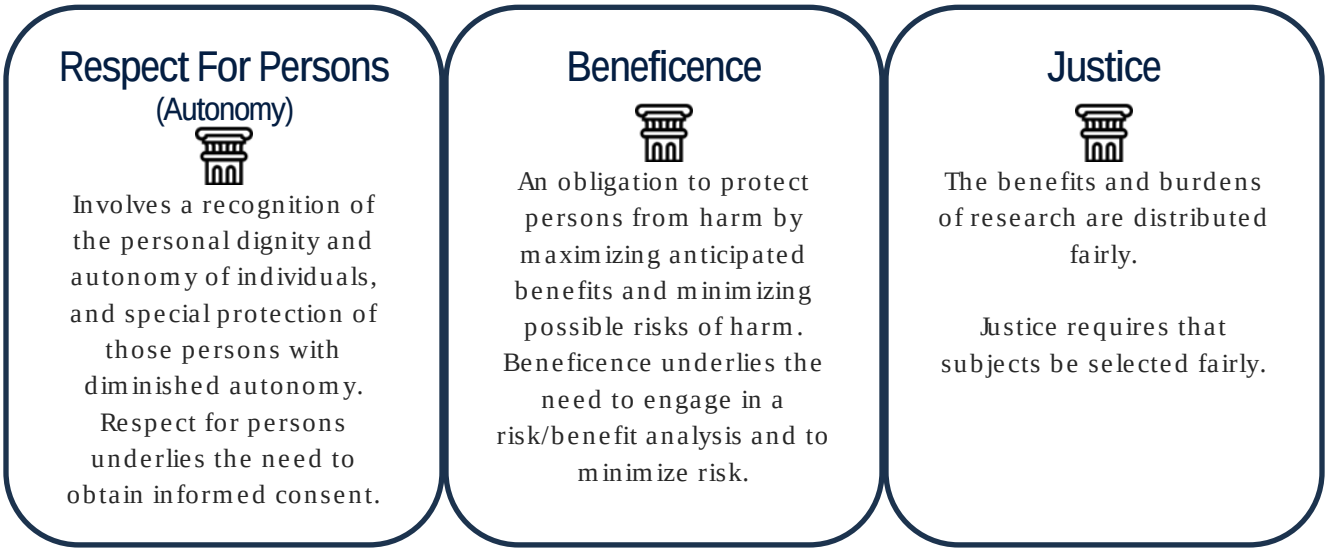
TITLE: Superintendent

DATE: _____

Research Protocol Application

This form must be reviewed and completed in its entirety. A complete description of planned research, in laymen's terms (non-scientific and non-technical language understood by someone with no scientific background), needs to be submitted to determine if all regulatory policy requirements are met. All fields should contain information. Descriptions should be limited to two to three paragraphs. **Avoid technical jargon.** Indicate **N/A** when not applicable.

The IRB will not consider any research that does not fulfill ethical principles reflected in the Belmont Report. These three basic ethical principles are:



Please type and submit this form along with **final** copies of all project related materials via IRBNet. Attention to these details will facilitate the IRB's review of your project.

Additional revisions to this document after submission should be in **red**. You may compose revisions in a separate document then copy and paste into the applicable field.

For further guidance or assistance, please contact the IRB office at (915) 747-6590 or by email at irb@utep.edu.

For more information, please see the **Investigator Manual for Human Subjects Research.**
(Ctrl+click to follow the link)

UTEP IRB

Research Protocol Application

(A) Project Information

Principal Investigator: Daniel Dosal-Terminel, PhD	
University Title: ☒ Faculty/Staff ☐ Student	
Department: Counseling and Special Education	
Email Address: ddosaltermine@utep.edu	**Phone Number:** 9157477638
Protocol Title: Experiences of Rural School Counselors Working with Children through a Play Therapy Training	
Human Subjects Research Training Completed: ☒ Yes ☐ No	
Anticipated Start Date: 6/2/2025 **Anticipated End Date:** 8/2/2025	

If the **Principal Investigator is a student,** the faculty advisor must indicate knowledge and approval of this submission. By electronically signing the package in IRBNet, the faculty advisor certifies that the study is under their direct supervision and that the faculty advisor is responsible for ensuring that all provisions of the IRB approval are complied with by the investigator.
Remember to electronically share the submission package with this person.

Faculty Advisor: Click or tap here to enter text.	
University Title: Click or tap here to enter text.	
Department: Click or tap here to enter text.	
Email Address: Click or tap here to enter text.	**Phone Number:** Click or tap here to enter text.
Human Subjects Research Training Completed: ☐ Yes ☐ No	

(B) Type of Project

☒ Faculty Research	☐ Thesis	☐ Dissertation
☐ Presentation/Conference	☐ Capstone	☐ Internal Evaluation Non-Publishing
☐ Publication Click or tap here to enter text.	☐ Other Click or tap here to enter text.	
☐ Funded	☐ Federal* ☐ Non-Federal ☐ Other	
Source: Click or tap here to enter text.	*All federally funded human subjects research studies must comply with the U.S. Department of Health and Human Services (DHHS) human subjects research regulations. **Principal Investigators (PIs) are responsible for notifying the IRB if there is a change in funding.**	

(C) Project Site(s)

Check all that apply. This includes subject **recruitment**, subject **enrollment**, **data collection**, and **data analysis**.

*Please include the Site Authorization Letter indicating permission to conduct project in the submission package

☒	Project will be conducted at UTEP.
☒	Research will be conducted at another institution.*
	☒ Project will be reviewed by other institution IRB and/or Ethics Committee
	Provide the institution name and contact person Click or tap here to enter text.
	Has permission(s) and/or IRB review been obtained? ☐ Yes ☐ No
	If NO, expand on the status: Click or tap here to enter text.
☐	Multi-Site Study*
	Is UTEP the lead institution? ☐ Yes ☐ No
	If NO, list the lead institution: Click or tap here to enter text.
☐	Other* Click or tap here to enter text.
☐	International-Please complete section below.

Identify where the research will be conducted. Provide information regarding local customs, laws, and regulations of the site(s). Clarify if your research requires local ethics committee review and approval and/or if permission is required from a government entity.

Click or tap here to enter text.

(D) Additional Study Personnel

Project Team Members- UTEP affiliation

Name	Title	Email	Role (Check all that apply)				
			1	2	3	4	5
Sang Min Shin	Associate Professor	sshin2@utep.edu	☒	☒	☒	☒	☐
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(E) External Personnel

Please list external study team members who will interact with participants or access identifiable data.

Name	Title	Email	Role (Check all that apply)				
			1	2	3	4	5
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Project team member's role on the project (1-5)

1) Involved in the recruitment process of participants.
2) Involved in the consent process of participants.
3) Involved in the monitoring of or interaction with participants.
4) Involved in raw data collection, entry, or analysis.
5) No human subject interaction. Working with de-identified data.

(F) Ethical Considerations

1	Will this project be conducted anonymously? **(In person studies and/or collection of personal identifying information are not anonymous)**	☐ Yes ☒ No
If YES, how will anonymity be preserved throughout the duration of the study? Click or tap here to enter text.		
2	Will you attempt to re-identify participants or link a key to identifiers?	☐ Yes ☒ No
3	Does the project include children as research subjects?	☐ Yes ☒ No
4	Does the project include a protected group(s)? **(UTEP employees, UTEP students)**	☐ Yes ☒ No
5	Does the project focus on **prisoners**, **fetuses**, **pregnant women, human in vitro fertilization**, or persons with **impaired decision making**?	☐ Yes ☒ No
6	Does the project **specifically** select economically/educationally disadvantaged individuals?	☐ Yes ☒ No
7	Does the project involve more than minimal risk? **(As defined in 45 CFR 46.102(j) (July 19, 2018))**	☐ Yes ☒ No
8	Does the project involve deception?	☐ Yes ☒ No
If YES, upload a Request for a Waiver of Documentation or Alteration of Consent form to alter consent and explain your compliance with 45 CFR 46.116(f).		
9	For research conducted **outside** of the **UTEP** campus, is the Principal Investigator (PI) and/or member(s) of the research team affiliated with the external site, institution, or organization?	☐ Yes ☒ No
If YES, explain: Click or tap here to enter text.		

The following sections outline types of research activities. Please check the box(es) **ONLY** if **ALL** activities involving human subjects fall into one or more of the applicable categories.

(G) Behavioral Study Activities

☒	Research conducted in established or commonly accepted educational settings, involving normal educational practices. **(EX1)** This category may include research on effectiveness as well as comparisons about educational strategies, techniques, curricula, or classroom management. Educational tests, such as cognitive, diagnostic, aptitude, achievement tests Notes: The research must **not** adversely impact students' opportunity to learn required educational content. The research must **not** adversely impact the assessment of educators who provide instruction. A study information sheet or abbreviated consent document should be used.
☒	Research that **ONLY** includes surveys, interviews, focus groups, or observation of public behavior with adults who can consent for themselves and covering **benign** topics. **(EX2) (LIM)** Notes: The term "benign" describes activities that are brief, not expected to cause physical or emotional harm, persistent discomfort, be experienced by the subject as embarrassing, or be offensive, and not likely to have a lasting adverse impact. Interventions are **not** allowed. A study information sheet or abbreviated consent document should be used.
☐	Research involving **benign** behavioral interventions in conjunction with the collection of information from an **adult** subject through verbal or written responses (including data entry) or audiovisual recording if the subject prospectively agrees to the intervention and information collection. **Benign** research on perception,

	cognition, motivation, communication, social behavior, behavioral games, or **minimal risk** performance tasks. **(EX3) (LIM)** Notes: A study information sheet or abbreviated consent document should be used.
☐	Secondary research not requiring consent. Secondary research use of identifiable private information or identifiable biospecimen originally collected for other purposes. **(EX4)** Notes: When the identifiable private information or biospecimens are publicly available. The information is recorded by the investigator in such a way that the identity of subjects **cannot readily be ascertained**, and the investigator **does not** contact the subjects or try to re-identify subjects.
☐	Taste/Food quality evaluation and consumer acceptance. **(EX6)**

General Notes: The above research may involve randomization between groups if disclosed to participants. The above research may be recorded on **audio only** or **video**, if the subject agrees, if identities are not shared, and the confidentiality of the information is properly protected.

Exempt category 5 is not listed as it applies to projects conducted or supported by, or subject to, the approval of Federal department and agency heads. Please contact the IRB office if you feel your project meets these criteria. UTEP will not implement exemption categories 7 & 8 at this time.

(H) Biomedical Study Activities

☐	Prospective collection by **non-invasive procedures** such as ultrasound, MRI without contrast, Doppler, MEG, EEGs, ECGs, eye tracking that requires hardware.
☐	Clinical studies of drugs and medical devices where an investigational application is not required or that are cleared for marketing and being used as directed. **(XP1)**
☐	Collection of blood samples by finger stick, heel stick, ear stick, or venipuncture. **(XP2)**
☐	Non-invasive collection of biospecimens for research purposes. **(XP3)**
☐	Moderate exercise, muscular strength testing, body composition assessment in healthy adults **(XP4)**
☐	Non-invasive tests, not including x-rays or microwaves, used in clinical practice (BP, pulse) **(XP4)**
☐	Research involving materials (data, documents, records, or specimens) that have been, or will be, collected solely for non-research purposes (such as medical treatment or diagnosis). **(XP5)**

(I) Use of Medical Devices

Medical devices must be cleared/approved for marketing by FDA. Approvals may be in the form of Premarket Notification [510(k)], Premarket Approval (PMA), Humanitarian Device Exemption (HDE), or De Novo classification.

Are you using devices as part of a clinical intervention or patient outcome?	☐ Yes ☐ No

If **yes**, list all devices below

Device Name	Manufacturer	Approval Number
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If the above doesn't apply, is your device investigative?		☐ Yes ☐ No*
Is it a Nonsignificant Risk (NSR) Device?		☐ Yes ☐ No*

*Answering no to questions marked by an asterisk requires you to contact the FDA.

Device Name	Manufacturer	IDE Number
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(J) Project Hypothesis, Objectives, or Goals

Briefly state the purpose of the study (research questions and/or study objectives).

The purpose of this qualitative study is to describe and compare how rural school counselors describe their experiences using play in counseling children and adolescents before and after a play therapy training. The overall research question guiding this inquiry is as follows: "How do rural school counselors describe their experiences working with children and using play in their counseling work?" This question can be further broken down to three specific research questions: (1) How do rural school counselors describe their work with children and using play in their counseling work before play therapy training? (2) How do rural school counselors describe their experiences of a two-day play therapy training? (3) How do rural school counselors describe their work with children and using play in their counseling work after play therapy training?

(K) Background

Briefly describe why the study is important to individual subjects or society at large in **laymen's terms** (non-scientific and non-technical language understood by someone with no scientific background). Do not describe experimental procedures in this section. Description should be limited to no more than two to three paragraphs. **Avoid technical jargon**.

School counselors play a pivotal role in providing counseling services for their school community. School counselors may be the only counselor providers in rural settings. Therefore, it is essential to examine how they perceive their counseling work. Play therapy is a counseling paradigm that has shifted how counselors operationalize their counseling work with children, focusing on using play as the medium of communication and the source of therapeutic change, rather than traditional talk therapy. However, investigations into the use of play therapy, especially with school counselors and those in rural settings, are limited. This study is crucial as it will illuminate how school counselors perceive their work with children and utilize play in counseling before and after receiving play therapy training.

(L) References/Literature Review

List 10, or less, references that are pertinent to the study.

Boulden, R., & Schimmel, C. (2022). Factors that affect school counselor retention in rural settings-An exploratory study. *The Rural Educator*, *43*(4), 1-14.

Hann-Morrison, D. (2011). The Varied Roles of School Counselors in Rural Settings. *Georgia School Counselors Association Journal*, *18*(1), 26-33.

Shen, Y. J. (2016). A descriptive study of school counselors' play therapy experiences with the culturally diverse. *International Journal of Play Therapy*, *25*(2), 54.

Shen, Y. J. (2017). Play therapy with adolescents in schools: Counselors' firsthand experiences. *International Journal of Play Therapy*, *26*(2), 84.

(M) Research Method, Design, & Proposed Statistical Analysis

Brief overview of research methodology (e.g., experimental, correlational, qualitative) and specific study design and proposed analysis of the research data.

Subjects will be asked to complete an online demographic questionnaire using QuestionPro before completing the training. Subjects will be invited to participate in two in-depth, semi-structured interviews, each of which will take no more than 60 minutes to complete. The questionnaire results will be used for descriptive statistics. Interviews will be analyzed using Reflective Thematic Analysis.

(N) Sample

Identify the sources of potential participants, derived materials, or data.

Define the study sample (number of subjects to be enrolled, characteristics of subjects, inclusion, and exclusion criteria).

The target sample is N=5-8 at a minimum. The participation criteria include identifying as a rural school counselor. They work with children/adolescents. They participate in the play therapy training. Participants will be invited to complete the demographic questionnaire via email. They will be invited to participate in the interview via email and in person. Participants do not need to participate in the study to participate in the training. Participation is voluntary and will not affect their training status.

Recruitment Methods	☒ **Email**	☒ **Face to face**	☐ **Flyers**	☐ **Phone**	☐ **Online ads**
	☒ **Presentation**	☐ **Social media**	☐ **SONA**	☐ **Other:** Click or tap here to enter text.	

Explain how you will recruit, screen, and follow study participants.

Participants will be recruited through email. They will be emailed with a participation email and the study informed consent. The consent will also be available as the first page in the demographic questionnaire. They will consent by clicking next. Moreover, when invited to participate in the interview, they will be asked to provide verbal consent before the interview begins.

Is there a possibility of coercion or undue influence?	☐ Yes ☒ No

If YES, describe whether some, or all, the participants are likely to be vulnerable to coercion or undue influence, and if so, what additional safeguards are included to protect their rights and welfare.

N/A

What is your rationale for using participants whose ability to give voluntary informed consent may be in question.
Participants include students in one's class, people currently undergoing treatment for an illness or problem that is the topic of the research study, people who are cognitively impaired, and vulnerable populations.

N/A

(O) Informed Consent

The formal consent of each subject must be obtained before that subject is subjected to any study procedure.

Describe how participants will be fully informed of this research prior to their participation and how their voluntary consent will be documented.

When participants click on the questionnaire link, they are redirected to the informed consent page that outlines the entire study. Informed consent will be given by clicking Next on the informed consent page. This direction is in bold. Waiver is submitted. For the interviews, there will be an informed consent form which is attached. They will give verbal consent before participating in each interview.

If you anticipate enrolling subjects whose primary language is not English, how will you obtain informed consent in the language of those participants.

N/A

Identify who will be involved in the consent process and where this will occur.

N/A

You must request a waiver to add, change or remove parts of informed consent; provide verbal consent; post consent online with an option to consent by checking a box or clicking a button; or use deception or incomplete disclosure. Select only one option below then upload a Request for a Waiver of Documentation or Alteration of Consent form.

☐	Waiver of the requirement to obtain informed consent **[45 CFR 46.116(f)(1)]**
☐	Alteration of one or more of the required elements of informed consent. **[45 CFR 46.116(f)(2)]**
☒	Waiver of the requirement to obtain documentation of informed consent **[45 CFR 46.117(c)(1)]** **(Signature)**

(P) Detailed Study Procedures

Outline step-by-step what will happen to the human subjects in this study.

What will you ask your participants to do?

Complete ademographic questionnaire and participate in two online interviews.

When and where will they do it?

The questionnaire will be housed in QuestionPro, software licensed by UTEP. The interviews will be conducted in a closed virtual format by invitation only.

How long will it take them to do it?

The demographic questionnaire takes roughly 15 minutes. Each interview will be at most 60 minutes, or at most 120 minutes in total.

Describe the type of research information that you will be gathering from your subjects, i.e., the data that you will collect.

Data will be collected from questionnaire questions and semi interview questions.

Identify the measurement/instrumentation. For surveys, focus groups, or interviews – clarify whether question items and measures are standardized, published, or designed specifically for this project.

Questions are designed specifically for this project.

Will you be audio or video recording during any portion of this project?	☒ Yes ☐ No

If **yes**, this information must be described in all pertinent sections and the ICF(s).

Will subjects be **compensated** (payment, incentives, extra credit, etc.)?	☒ Yes ☐ No

If **yes**, details should be included here.

Participants will be compensated $30 for participating in the project

(Q) Privacy & Confidentiality

Describe how the project team will protect the privacy and confidentiality of study participants.

Privacy can be defined in terms of having control over the extent, timing, and circumstances of sharing oneself (physically, behaviorally, or intellectually) with others. **Confidentiality** pertains to the treatment of information or data that an individual has disclosed in a relationship of trust with the expectation that it will not be divulged to others in ways that are inconsistent with the understanding of the original disclosure. Ensuring privacy of participants is different from confidentiality of data.

When participants click on the questionnaire link, they are redirected to the informed consent page that outlines the entire study. Informed consent will be given by clicking next on the informed consent page. This direction is in bold. Waiver is submitted. For the interviews there will be an informed consent which is attached.

(R) Data Handling, Record Keeping, & Data Analysis

Describe how the project team will collect, manage, and analyze data.

Data collection for the questionnaire will be done via QuestionPro. Responses will be analyzed using descriptive statistics. The interviews will be recorded. The video will be destroyed, and the audio will be the only recording used for analysis. Reflective Thematic Analysis will be used to analyze and triangulate participant responses to the interview questions.

Describe the type of research information that you will be gathering from your subjects, i.e., the data that you will collect.

Responses to the questionnaire and interview questions

Describe provisions that will be made to maintain **confidentiality** of the data. Will it contain subject names or images? (e.g., surveys, video, audio tapes, database).

The questionnaire will only ask for an email to send compensation to, and if they would like to participate in the interview. This information is publicly available. Any other identifiable data will be destroyed. Participants will be assigned pseudonyms for the interview before they enter the virtual format.

Describe the security plan for data, including **where** data will be stored, and **for how long**, noting that you may not keep identifiable data indefinitely (i.e., password protection, encrypted, locked filing cabinet, etc.)

Data will be kept in a password protected UTEP computer locked in the PI office. Data will be kept for 1 year for analysis. Video will be destroyed. Audio will be transcribed without identifiers and destroyed after analysis.

Will you maintain a subject list that has direct identifiers linked to a unique study ID/code?	☐ Yes ☒ No

If **yes**, how will you secure this linked subject list?

N/A

Will **UTEP study personnel** electronically transmit identifiable **data** or identifiable **samples** to a **non-UTEP recipient**?

If **yes**, provide the type of data and plans to secure them.	☐ Yes ☒ No

N/A

What will happen to the **identifiable data** at the end of the study?

[redacted]	☒	Identifiers permanently removed and destroyed.
[redacted]	☒	Recordings transcribed without identifiers and destroyed.
[redacted]	☐	Identifiable or coded (that can be linked) data are retained.

(S) Risks

Most studies pose some degree of risk, even if the risk is minimal. A common risk is the loss of the confidentiality of participants' responses.

Describe **any** potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness

There are no potential risks

Describe the procedures for protecting against (or minimizing) any potential risks and include an assessment of their effectiveness.

Questionnaire will be confidential, IP address will not be collected, interview participants will have pseudonyms

If the study involves a procedure that introduces a physical risk, specify arrangements for providing medical treatment if it should be needed.

N/A

If the study involves a procedure that introduces a psychological risk, such as the recall of a traumatic event, specify arrangements for providing psychological treatment if it should be needed.

N/A

Were there alternate and potentially less risky methods that were considered as possible methods; why were they not used?
N/A
If the research methods impose risks on the subjects, include evidence that may justify their use (such as previous experience with the procedures).
N/A

Could the information obtained or recorded about subjects place them at risk of criminal or civil liability or be damaging to the participants' financial standing, employability, insurability, or reputation?	☐ Yes ☐ No

(T) Benefits

Describe and assess the **potential benefits** to be gained by participants (if any) and the benefits that may accrue to society in general because of the planned work. Discuss the risks in relation to the anticipated benefits to the participants and to society.

Benefits will help inform better play therapy trainings for school counselors
Note: Monetary compensation and extra credit **are not** a benefit.

(U) Research Resources

Please describe your research resources.

Discuss the staff, space, equipment, and time necessary to conduct research and how these needs are met.
PI startup funds
Please include a description of the proximity of any resources such as emergency facilities, emergency care or medical/psychological care, and any support services.
N/A
If the study necessitates Environmental Health & Safety (EHS) or Institutional Biosafety Committee (IBC) oversight and approval, please describe here.
N/A

(V) Assurances- Conflict of Interest and Fiscal Responsibility

All UTEP researchers (faculty, staff, and students) and outside collaborators who will be conducting human subjects' research (intervention and/or interaction) must complete human subject research ethics training to conduct research with human participants.

Do you or any person responsible for the design, conduct, or reporting of this project have an economic interest in, or act as an officer or director of any outside entity whose financial interests may reasonably appear to be affected by this project?	☐ Yes ☒ No
If **yes**, explain any potential conflict of interest.	
N/A	
Do you or any person responsible for this project have existing financial holdings or relationships with the sponsor of this study?	☐ Yes ☒ No
If **yes**, explain any potential conflict of interest.	
N/A	

(W) Principal Investigator Certifications:

With this submission I certify that:

☒	I agree to fully comply with the ethical principles and regulation regarding the protection of human subjects in research.

☒	I agree that the information provided in this form and all other supporting documents are accurate and complete.
☒	I accept responsibility for making sure all study personnel involved in the project have been appropriately trained. PI affirms responsibility for keeping training records on file for all study personnel.
☒	I understand that any changes in procedure with affect to participants must be submitted to the IRB for written approval prior to their implementation. Furthermore, I understand that any adverse events and significant changes in risk for participants must be immediately reported in writing to the UTEP IRB.

Copies of all required documentation of consent (if applicable) and any related to this research are securely stored as outlined above in Click or tap here to enter text. (UTEP building and office number).
College of Education Building Or ce number 705

UTEP IRB

Request for a Waiver of Documentation or Alteration of Consent

(A) Project Information

Principal Investigator: Daniel Dosal-Terminel

Project Title: Experiences of Rural School Counselors Working with Children through a Play Therapy Training

(B) Request Type

(Choose ONE)

1	☒ Waiver of the requirement to obtain documentation of informed consent **[45 CFR 46.117(c)(1)]**
2	☐ Waiver of the requirement to obtain informed consent **[45 CFR 46.116(f)(1)]**
3	☐ Alteration of one or more of the required elements of informed consent. **[45 CFR 46.116(f)(2)]**

(B1) Documentation of Informed Consent

A waiver of documentation does not waive the requirement to obtain informed consent.
A written statement regarding the research (Information Sheet) may be required.

Choose only one reason to support a waiver of documentation.

☒	The only record linking the subject and the research would be the informed consent form and the principal risk would be potential harm resulting from a breach of confidentiality. Each subject (or legally authorized representative) will be asked whether the subject wants documentation linking the subject with the research, and the subject's wishes will govern.
☒	The research presents no more than minimal risk of harm to subjects and involves no procedures for which written consent is normally required outside of the research context.
☐	If the subjects or legally authorized representatives are members of a distinct cultural group or community in which signing forms are not the norm, that the research presents no more than minimal risk of harm to subjects and provided there is an appropriate alternative mechanism for documenting that informed consent was obtained.

This request is for (Choose ONE)

☒	All Subjects
☐	Some Subjects. **Identify group of subjects and explain.**

Click or tap here to enter text.

How will consent be obtained? (Choose all that apply)

☐	Subject will get an Information Sheet to read and provides consent verbally. **(Submit document for review)**
☒	An Information Sheet and a survey will be mailed, and the return of the survey indicates consent. **(Submit document for review)**
☐	Subject is told verbally about the study and will provide verbal consent. **(Submit a script for review)**
☐	Subject will read consent online and indicate consent by making an "I agree" selection. **(Submit consent text for review)**

UTEP IRB

Request for a Waiver of Documentation or Alteration of Consent

(B2) Waiver of Informed Consent

For an IRB to waive or alter consent as described in 45 CFR 46.116(f) the IRB must find that:

- **The research involves no more than minimal risk to the subjects;**
- **The research could not practicably be carried out without the requested waiver or alteration;**
- **If the research involves using identifiable private information or identifiable biospecimens, the research could not practicably be carried out without using such information or biospecimens in an identifiable format;**
- **The waiver or alteration will not adversely affect the rights and welfare of the subjects; and**
- **Whenever appropriate, the subjects or legally authorized representatives will be provided with additional pertinent information after participation.**

This request is for (Choose ONE)

☐	All Subjects
☐	Some Subjects. **Identify group of subjects and explain.**

Click or tap here to enter text.

(B3) Alteration of Informed Consent

For an IRB to waive or alter consent as described in 45 CFR 46.116(f) the IRB must find that:

- **The research involves no more than minimal risk to the subjects;**
- **The research could not practicably be carried out without the requested waiver or alteration;**
- **If the research involves using identifiable private information or identifiable biospecimens, the research could not practicably be carried out without using such information or biospecimens in an identifiable format;**
- **The waiver or alteration will not adversely affect the rights and welfare of the subjects; and**
- **Whenever appropriate, the subjects or legally authorized representatives will be provided with additional pertinent information after participation.**

Identify the elements of informed consent that you will alter.

☐	All basic elements of informed consent. **[45 CFR 46.116(b)]**
☐	All additional elements of informed consent. **[45 CFR 46.116(c)]**
☐	Other **(Explain below)**

Click or tap here to enter text.

Use this section to explain what you are doing to meet requirements for B2 or B3

Explain how your project is no more than minimal risk

Click or tap here to enter text.

Explain how your project cannot practicably be carried out without the requested waiver

Click or tap here to enter text.

Explain why your project needs identifiable personal information or biospecimens.

Click or tap here to enter text.

Explain how your project will not adversely affect the rights and welfare of participants.

Click or tap here to enter text.

Explain how you will provide additional pertinent information to participants or LAR after participation. (if appropriate)

Click or tap here to enter text.

University of Texas El Paso
Department of Counseling and Special Education

Informed Consent
Experience of Rural School Counselors Working with Children through a Play Therapy Training

Principal Investigators: Daniel Dosal-Terminel, PhD, NCC, UTEP; Sang Min Shin, PhD, LPC, RPT, UTEP

Purpose: This study seeks to explore how do rural school counselors describe their experiences working with children and using play in their counseling work.

Participants: To participate, participants must meet the following criteria:

1. Identify as a practicing school counselor
2. Be working with children/adolescents
3. Participate in a play therapy training provided by the principle investigators

Procedure:

Summary: You will be asked to complete a brief demographic questionnaire and participate in two interviews (one before the training and one after the training). This study has been approved by the University Texas El Paso's Institutional Review Board. Upon completion of the entire study, participants will be compensated with a **$30 Amazon e-gift card**. You may withdraw from the study at any time. Choosing to not participate in the study will not affect your participation in the play therapy training. Data collected through this study will be kept confidential. Email will be collected after the survey to receive compensation. No other identifying information will be collected. The survey data will be stored in a password-encrypted file. Only the principal investigator and research team members will have access to the research data.

Demographic Questionnaire: Participants are asked to complete a **13-item** survey through QuestionPro, including two open-ended and nine multiple choice demographic questions before participating in the play therapy training. One additional question will help schedule interviews, and the last question will ask you to provide an email address to send your $30 e-gift card. The survey should take approximately 10-15 minutes to complete,

Two Interviews: Participants will also be asked to complete two virtual interviews that will each take no more than 60 minutes for a total of no more than 120 minutes. The interviews will be hosted via Zoom and will not record video. Only Audio will be used for analyzation. You will be provided with a pseudonym to use during the interviews. The first interview consists of 9 questions that focus on your experience working with children and using play in counseling. The first interview will be completed prior to the play therapy training and should take no more than

60 minutes. The second interview consists of 6 questions asking about your experience in the training and how things may or may not have changed regarding your work with children and play. The second interview will be conducted after the play therapy training and should take no more than 60 minutes.

Compensation: After completing the survey, participants will see a separate survey link. They will then be redirected to a compensation link, where they will provide their email address to receive a **$30 Amazon e-gift card.**

Risks: Participating in this survey has no risks other than the potential inconvenience of the time it takes to complete.

Benefits: There are no benefits to participants who complete the survey, but their participation can contribute to further research regarding the supervision of SEB counselors and SEB CITs. If you have any questions or concerns, please contact Daniel Dosal-Terminel, Ph.D., University of Texas El Paso; ddosaltermine@utep.edu, 915-747-7638

You consent to participate in this research study by clicking next and continuing to the survey.

You will be asked to give verbal consent prior to participating in the virtual interviews.

These interviews are semi-structured; the interview questions below will guide the individual in-depth interviews.

Pre-Training Interview Questions

1. Can you tell me your experiences working with children/adolescents in a school counseling setting?
2. What skills, knowledge, attitudes are needed to work with children/adolescents?
3. What challenges do you face when working with children/adolescents in your counseling practice?
4. What supports do you have when working with children/adolescents in your counseling practice?
5. Can you tell me about your experience providing or using play when counseling to children/adolescents?
6. What challenges have you faced when using play when providing counseling to children/adolescents?
7. What supports do you have when using play when providing counseling to children/adolescents?
8. What skills, knowledge, or attitudes are needed to use play in counseling?
9. What would you like to learn about play therapy?

Post-Training Interview Questions

1. What was your experience with the play therapy training?
    a. Probe: What were some strengths of your training experience?
    b. Probe: What were some of the challenges of your training experience?
2. What was most salient or beneficial from the training to your work when it comes to working with children/adolescents?
3. How did the training influence your perceptions of the skills, knowledge or attitudes needed to work with children/adolescents?
    a. Probe: Did your perception of children stay the same?
    b. Probe: Did you perception of children change? If so, how?
4. What was most salient or beneficial from the training to your work when it comes to integrating or using play?
5. How did the training influence your perceptions of the skills, knowledge or attitudes needed to use play with children/adolescents?
    a. Probe: Did your perception of play stay the same?
    b. Probe: Did you perception of play change? If so, how?
6. How did the training influence your understanding or perception of children's/adolescents play?

<Informed Consent>

By clicking next you agree to participate in this study

<Demographic Questionnaire>

The following questions ask about your demographic background.

1. What is your age?

Please indicate your age: ( )

① Under 18

② 18–24

③ 25–34

④ 35–44

⑤ 45–54

⑥ 55–64

⑦ 65 or older

2. How do you identify your gender? ( )

① Female

② Male

③ Nonbinary

④ Prefer to self-describe: _____

⑤ Prefer not to say

3. What is your racial/ethnic background?

① White

② Black or African American

③ Hispanic/Latine

④ Asian

⑤ Indigenous Peoples/Native American

⑥ Native Hawaiian/Pacific Islander

⑦ Two or more

⑧ Other : _____

⑨ Unknown

⑩ Prefer not to say

4. Please select your highest academic degree you have obtained in the mental health field:

① Bachelor's degree in counseling or a related field

② Master's degree in counseling or a related field

③ Doctoral degree (e.g., Ph.D., Ed.D.) in counseling or a related field

④ None of the above

⑤ Other:

5. In which specific discipline within the mental health field is your highest academic degree? (e.g., social work, psychology, special education, etc.)? Select all that apply

: _____

(1) Counseling (i.e., counseling, school counseling, rehabilitation counseling, counselor education, counselor education, etc.)
(2) Marriage and family
(3) Social work
(4) Psychology
(5) Special education

6. Mental Health Credentials :**Which credentials do you currently hold in the mental health field? (Select all that apply)**

☐ Certified School Counselor

☐ Licensed Professional Counselor (e.g., LPC/LPC-S, LMHC/LMHC-S, LCMHC)

☐ Licensed Marriage and Family Therapist (LMFT),

☐ School Psychologist / Psychologists / Special education diagnostician

☐ Social Worker (e.g., LCSW, LCSW-C)

☐ Other: _____

7. Where do you currently work? (Select all that apply)

☐ Elementary School (PK-5/6)

☐ Middle School

☐ High School

☐ College / University

☐ I previously worked in a school setting, but currently work elsewhere: _____

☐ Other: _____

8. How many years of professional experience do you have working as a school counselor or mental health professional school setting?

① Less than 1 year

② 1–3 years

③ 4–6 years

④ 7–10 years

⑤ More than 10 years

9. What do you find most challenging when working with children/adolescents in a school setting?

10. What would you like to learn from this play therapy training?

11. How have you previously engaged in training or education related to play therapy or related approaches (e.g., sand tray therapy)? (Select all that apply)

☐ Completed a graduate-level course

☐ Attended a professional workshop (CEU) or seminar (in-person or online)

☐ Participated in a session at a professional conference

- [ ] Completed an online training or webinar
- [ ] Other: _____
- [ ] I have not participated in any training related to play therapy or related approaches

12. Please select the best days to schedule two interviews that will each take no more than 60 minutes. One interview will be completed before the play therapy training and the other will be completed after the training.

Su

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13. Please provide the best email address to send your $30 gift card after completing the interviews.

Dear _____,

Our names are Drs. Daniel Dosal-Terminel and Sang Min Shin; I am emailing to invite you to participate in our inquiry titled: *Experiences of Rural School Counselors Working with Children through a Play Therapy Training.* This IRB-approved study seeks to explore how do rural school counselors describe their experiences working with children and using play in their counseling work.

Dear School Counselor,

You are invited to participate in an IRB-approved survey and participate in two virtual interviews (one before and one after the training). Upon completion of the study, you will be eligible to receive a **$30 e-gift-card** from Amazon. This study aims to learn about how school counselors experience their counseling work using play with children/adolescents.

The participation criteria include identifying as a practicing school counselor, working with children/adolescents, and be a participating in a two day play therapy training provided by the principle investigators. The demographic survey will take no more than 10-15 minutes. Each interview will take no more than 60 minutes for a total of no more than 120 minutes.

If you choose to participate in this study, your information will be kept confidential, and no names or email addresses will be identified with your responses. You may withdraw or decline without penalty at any time.

You can access the survey through this link: [LINK]

Your participation and time are greatly appreciated.

¡Gracias! Thank you!

Daniel Dosal-Terminel, PhD, NCC & Sang Min Shin, PhD, NCC, LPC, RPT
University of Texas El Paso
Counseling and Special Education Department

Thursday, May 8, 2025

The University of Texas at El Paso
Research & Innovation
Institutional Review Board
500 W. University Avenue
El Paso, Texas 79968

Dear UTEP IRB:

The purpose of this letter is to grant Drs. Daniel Dosal-Terminal and Sang Min Shin, a professor at The University of Texas at El Paso, permission to conduct research at San Elizario Independent School District. The project, "Experiences of Rural School Counselors Working with Children through a Play Therapy Training" entails exploring the rural school counselors experiences through a play therapy training. The participants will be asked to complete an online demographic questionnaire before completing the training. The two day play therapy training will be conducted at the San Elizario Independent School District on June 3 and 4, 2025. After the training, the participants will be invited to participate in two semi-structured interviews via Zoom. San Elizario Independent School District was selected because it serves a diverse population of students in rural and its demonstrated commitment to supporting students mental health -- along with its focus on professional development opportunities for school counselors -- makes it an idenal setting to explore this study topic. . San Elizario Independent School District has an ongoing collaborative resionship with UTEP, including partnerships with multiple programs in the College of Education. .. I, Dr. Jeannie Meza-Chavez, San Elizario Independent School District superintendent do hereby grant permission for Drs. Daniel Dosal-Terminal and Sang Min Shin to conduct Experiences of Rural School Counselors Working with Children through a Play Therapy Training at San Elizario

Print on Company Letterhead

Independent School District.

Sincerely,

[Director name and title below signature.
Finished letter on company letterhead.]

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915872.3900
Fax 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Sandra Sanchez, CTE Administrator
Subject: Consider and possible Board action to approve the implementation of the Special Education CTE Innovative Student to Industry Connection course (N1270154)
Date: May 28, 2025

HISTORY: On May 9, 2025, I met with Ms. Ofelia Torres, Transition Contractor from Workforce Solutions that works with our Special Education Department, to discuss the development of a 4-year plan for Special Education. On May 15, 2025, Ms. Torres introduced me to Ms. Tara Burton, Transition Administrator for Workforce Solutions for Special Education. During this meeting, I also introduced Ms. Burton to Ms. Ana Luna from Workforce Solutions for General Education. Together, we explored opportunities to better connect our Special Education students with industry partners.

One key area of focus is the integration of work-based learning opportunities was to ensure a smooth transition from high school to employment or post-secondary education. The proposed course, Student to Industry Connection, will provide targeted support during students' senior year, a capstone experience that will include internships or direct employment with the assistance of our industry partners.

RATIONALE: The Student to Industry Connection course is designed to support Special Education students in developing workplace skills through a structured work-based learning curriculum. Participation in this course during their senior year will strengthen their competencies and facilitate a smoother transition into the workforce or further education, ultimately helping close the gap between high school and post-secondary success.

BUDGET: None.

ADMINISTRATIVE RECOMMENDATION: It is recommended that the Board of Trustees approve the implementation of the Student to Industry Connection course. This course will serve as a critical component in supporting Special Education students through work-based learning, equipping them with the skills necessary to achieve meaningful post-secondary outcomes.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

Texas Education Agency

Student to Industry Connection

PEIMS Code: N1270154
Abbreviation: ST2INDCN
Grade Level(s): 11–12
Award of Credit: 1.0

Approved Innovative Course

- Districts must have local board approval to implement innovative courses.
- In accordance with Texas Administrative Code (TAC) §74.27, school districts must provide instruction in all essential knowledge and skills identified in this innovative course.
- Innovative courses may only satisfy elective credit toward graduation requirements.
- Please refer to TAC §74.13 for guidance on endorsements.

Course Description:

The *Student to Industry Connection* course provides students with the opportunity to develop professional relationships with experienced individuals within the student's chosen program of study and to demonstrate necessary skills for an online virtual workplace. Students will learn acceptable virtual etiquette and professionalism for a teleworking environment. The central focus of this course is to prepare students to be 21st century career ready through interaction with a seasoned workplace mentor. The course may include a work-based learning component. Instruction will support students with marketable skills attainment. The course is recommended for students 16 years of age or older.

Essential Knowledge and Skills:

(a) General Requirements. This course is recommended for students in grades 11 and 12. Recommended prerequisite: successful completion of two career and technical education courses. The course may include a work-based learning component. Students shall be awarded one credit for successful completion of this course.

(b) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) Career development is a lifelong pursuit of answers to the questions: Who am I? Why am I here? What am I meant to do with my life? It is vital that students have a clear sense of direction for their career choice. Career planning is a critical step and is essential to success.

(3) The Student to Industry Connection course provides opportunities for students to participate in a work-based learning experience that combines instruction with business and industry employment experiences. The goal is to provide students with a variety of skills for a changing workplace. This course preparation is

relevant and rigorous, supports student attainment of academic standards, and effectively prepares students for college and career success.

(4) Students are encouraged to participate in extended learning experiences such as career and technical organizations and other leadership or extracurricular organization.

(5) Statements that contain the word “including” reference content that must be mastered, while those containing the phrase “such as” are intended as possible illustrative examples.

(c) Knowledge and Skills.

(1) The student demonstrates professional employability skills for the workplace. The student is expected to:

(A) discuss how personal integrity affects human relations in the workplace;

(B) research characteristics of successful working relationships such as teamwork, conflict resolution, self-control and ability to accept criticism;

(C) discuss and analyze employer expectations;

(D) identify and demonstrate ways to respect the rights of others in the workplace;

(E) explain the importance of applying effective listening skills in the workplace;

(F) identify ethical standards that can be demonstrated in the workplace; and

(G) describe the importance of complying with organization policies and procedures.

(2) The student understands the importance of developing professional relationships with industry mentors who provide career guidance related to the student’s career pathway. The student is expected to:

(A) describe appropriate professional interaction, both online and face to face, with an industry mentor;

(B) describe successful meeting facilitation strategies for industry mentor interactions;

(C) describe how the guidance provided by an industry mentor can affect the student’s career;

(D) describe the role of a mentor in a job search;

(E) explain the importance of having a career plan with actionable targets and next steps that can be shared with an industry mentor; and

(F) explain how conducting periodic reviews/updates with an industry mentor can affect career success.

(3) The student analyses effective meeting facilitation strategies necessary to be successful in a face to face or a virtual workplace. The student is expected to:

(A) identify and apply technical writing skills through electronic communication;

(B) discuss and roleplay effective virtual and face to face meeting management strategies such as agenda creation, establishment of meeting norms, and inclusion of interactive activities;

(C) identify and describe group meeting facilitation strategies such as team building skills, managing break-out sessions, and conducting ice breaker activities;

(D) identify and apply effective telephone and virtual meeting etiquette; and

(E) describe appropriate use and care of company technology and equipment used in a virtual workplace setting.

(4) The student exhibits growth mindset strategies for career success. The student is expected to:

(A) identify and describe the differences between a growth mindset and a fixed mindset;

(B) discuss growth mindset in relation to the occupation of interest;

(C) discuss how persistence affects career growth opportunities; and

(D) describe how grit can be demonstrated in a workplace setting.

(5) The student describes various payroll practices. The students is expected to:

(A) describe payroll options such as hourly compensation, commission-based compensation and salaried (exempt) compensation;

(B) distinguish between withholding and deductions; and

(C) describe the relationship between hours worked and wages earned.

(6) The student evaluates how an employer's mission and priorities lead to business success. The student is expected to:

(A) identify and evaluate a company mission statement;

(B) describe how a company mission statement drives employee actions; and

(C) develop a list of company priorities based on the company mission statement.

(7) The student understands how work-life balance affects employee morale. The student is expected to:

(A) explain the principles of a flexible work schedule and how a flexible work schedule contributes to employee morale in the workplace;

(B) describe workplace policies/standards that lead to enhanced work-life balance for employees; and

(C) describe workplace benefits that contribute to employee morale such as family leave or company provided childcare and food services.

(8) The student understands the effect of management style on employee performance. The student is expected to:

(A) discuss the different management styles and identify exemplars of each style;

(B) discuss how different management styles may influence employee productivity, morale, motivation, and job satisfaction;

(C) analyze various leadership styles in relation to different personality traits;

(D) evaluate personal leadership style strengths and opportunity areas; and

(E) develop a plan of action to strengthen the student's leadership style.

(9) The student identifies and describes common financial documents used in the workplace. The student is expected to:

(A) identify primary sources of expenses and revenue for the business from reviewing financial documents such as an operating statement;

(B) interpret business financial documents such as balance sheet, income statement, or cash flow statement; and

(C) hypothesize recommendations for increased profitability.

(10) The student understands workplace organizational culture and practices including department/teams and their responsibilities. The student is expected to:

(A) describe the workplace structure and hierarchy;

(B) identify the various departments or teams of a workplace and describe how their duties and responsibilities are interrelated; and

(C) describe how collaboration among departments or teams impacts work productivity and quality of work.

(11) The student understands professional workplace exit strategies. The student is expected to:

(A) explain the importance of advance written notice and professional ways of submitting notice;

(B) describe proper return of worksite resources;

(C) describe the elements of an exit interview with a supervisor;

(D) compose departure email and voice mail messages as appropriate; and

(E) create follow-up correspondence after exiting a company.

(12) The student investigates the impact of community involvement on the success of the business. The student is expected to:

(A) identify ways in which the company engages with the community; and

(B) connect community service opportunities to the success of the business.

Recommended Resources and Materials:

Skills to Succeed is a free resource that supports many young job seekers as possible with the right skills to understand career choices, find a job, and sustain employment.

Skills to Succeed Academy Brought to you by Accenture. (n.d.). Retrieved June 24, 2020, from https://s2sacademy.org/.

Anderson, L.E., & Bolt, S. B. (2016). Professionalism: Skills for workplace success. Boston: Pearson.

Lindsell-Roberts, S. (2011). New rules for today's workplace. Boston: Houghton Mifflin Harcourt.

Recommended Course Activities:

- Performance simulations
- Learning by doing
- Company case studies
- Professional Portfolio
- Projects

Suggested methods for evaluating student outcomes:

- Tests/quizzes
- Projects with rubrics
- Student self-evaluation
- Mentor evaluation

Teacher qualifications:

An assignment for Student to Industry Connection is allowed with one of the following certificates.

- any vocational or career and technical education (CTE) classroom teaching certificate
- Special Education: Early Childhood-Grade 12.
- Special Education Supplemental (Valid at grade level and subject area of the base certificate).

Teacher of record must attend the mandatory Work-Based Learning Training required for work-based learning courses

Additional information:

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915.872.3900
Fax: 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Blanca I. Cruz, Associate Superintendent
Subject: Shared Services Agreement (SSA) – ESC Region 19, Migrant Program
Date: June 11, 2025

HISTORY: The district receives federal funding to serve the needs of our students identified under the Migrant Education Program. Within the program, several areas of compliance must be met including Identification and recruitment of migrant students, data entry into the TX-New Generation System, direct academic support to identified students (Facilitating Summer Programs/Intercession enrichment, supplemental instruction, progress monitoring for grades and attendance, maintaining progress review forms and action plans for Priority for Service (PFS) students, and Out of School Youth (OSY) Action Plans.

RATIONALE: All districts have the option to administer the program or to enter a shared services agreement with the Education Service Center, Region 19, to support and distribute the services required by the Migrant Education Program. Our current interlocal agreement with Region 19 will expire at the end of the current school year.

Given the recent decrease in federal funding for this program, the district does not have a dedicated position for the migrant program. The planning amount for the Migrant Program is approximately $22,000 for the 2025-2026 school year. This amount is not sufficient to cover salaries and related student services for the current year. The Administration finds it more efficient and cost-effective to collaborate with ESC 19 in these efforts so that our students can continue to benefit from this federally funded program. Services include recruitment and direct academic services, compliance, as well as parent involvement and engagement opportunities such as the Parent Advisory Council (PAC).

BUDGET: The planning amount for the Migrant Grant is $22,000. The ESC Region 19 would be the fiscal agent responsible for serving our students and families.

ADMINISTRATIVE RECOMMENDATION: The administrative recommendation is to approve the shared services agreement with the Educational Service Center, Region 19, as presented.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

EDUCATION SERVICE CENTER
REGION 19 •EL PASO, TX

Migrant Education
6611 Boeing Drive
El Paso, Texas 79925-1010

Phone: (915) 780-5319
www.esc19.net

COUNTY DISTRICT NO. 071-904

AGREEMENT NUMBER: _____

AGREEMENT

BETWEEN THE EDUCATION SERVICE CENTER - R19

AND

SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT

THIS AGREEMENT WILL BE IN EFFECT FOR THE PERIOD

July 31, 2025, through September 30, 2026

NAME OF PROGRAM: MIGRANT EDUCATION PROGRAM
SHARED SERVICES ARRANGEMENT

THE AUTHORIZED SIGNATURES BELOW INDICATE ACCEPTANCE OF ALL THE TERMS OF THIS AGREEMENT.

Dr. Armando Aguirre
Executive Director
Education Service Center – R19

Dr. Jeannie Meza-Chavez
Superintendent
San Elizario Independent School District

COUNTY DISTRICT NO. 071-904

AGREEMENT

TO: SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT

FROM: EDUCATION SERVICE CENTER – REGION 19

SUBJECT: FISCAL AGENT SERVICES FOR THE MIGRANT SHARED SERVICES ARRANGEMENT 2025 - 2026

When duly completed and signed by appropriate authority this agreement between the SAN ELIZARIO Independent School District and the Education Service Center – Region 19 becomes effective July 31, 2025, through September 30, 2026.

Education Service Center – Region 19 will provide Migrant Education fiscal agent services to SAN ELIZARIO Independent School district to include the following:

- Annual audit of Shared Services Arrangement (SSA) funds
- Quarterly accounting of expenditures, reports, to include compliance report be submitted to TEA.
- Application preparation
- Preparation of amendments/revisions to SSA budget/program
- Accountability for The New Generation System (NGS) student record database
- Payroll of Migrant Personnel
- Coordination of Migrant Program

Education Service Center-Region 19 will be compensated for its services rendered hereunder only if, as, and to the extent, Title I Migrant Education Funds are received; the San Elizario ISD has no obligation to make payment from any other source to ESC-Region 19. This Agreement is made subject to the receipt of said Title I Migrant Education Funds and may be curtailed or terminated to the extent such funds are not received.

This AGREEMENT is for the dates specified above and will be renewed only upon mutual consent and agreement. Any digressions from the services to be provided will be only upon mutual consent and agreement.

Dr. Armando Aguirre Executive Director Education Service Center – R19	Date	Dr. Jeannie Meza-Chavez Superintendent San Elizario Independent School District

Agreement for Participation in the ESSA, Title 1 Migrant

EDUCATION SERVICE CENTER – R19 MIGRANT EDUCATION
SHARED SERVICES ARRANGEMENT

2025 - 2026

In cooperation with the Education Service Center – Region 19, the San Elizario Independent School District agrees to:

1. Provide supporting documentation to the fiscal agent on the preparation of the application as requested.
2. Assign appropriate personnel to assist the Education Service Center.
3. Provide office space, meeting rooms, equipment and utilities as needed for the Summer Program and Migrant Parent Advisory Council Meetings.
4. Provide release time for district personnel working with the migrant students to attend in-service training on a need basis.
5. Request expenditures for migrant purposes only.
6. Appoint San Elizario Independent School District Migrant Education Program Designee and provide the leadership necessary.
7. Designate an administrative contact for the coordination of services for all migrant students.
8. Upon the end of this agreement, materials and equipment located at San Elizario ISD will remain the responsibility of the district to use and dispose. Carry-over amounts will remain with the ESC Migrant Education Program.

In cooperation with school districts in the Education Service Center – Region 19 Migrant Education Shared Services Agreement, the Education Service Center agrees to:

1. Serve as fiscal agent and coordinate services for migrant students.
2. Prepare and submit applications, budgets, amendments, and compliance report to the Texas Education Agency, and keep files on supporting documents provided by participants.
3. Coordinate all project activities with the Division of Migrant Education, Texas Education Agency.
4. Employ qualified migrant personnel as defined by the guidelines of the Texas Migrant Program and approved in the SAS 478.
5. Maintain applicable records and data for personnel employed by the Shared Services Arrangement as described in TEA's Financial Accounting and Reporting System.
6. Maintain payroll records of employees to support data.
7. Establish salaries of migrant personnel in accordance with the ESC-Region 19 salary schedule and maintain this information as the fiscal agent.
8. Prorate salaries of any personnel hired after the initiation of the project according to the number of days remaining in the school year.
9. Maintain records for student eligibility on the New Generation System student record database.
10. Generate an ESC-Region 19 purchase order for P.O. requisitions with shipment and billing to ESC. Maintain an audit trail of all purchases and deliver material to appropriate personnel.
11. Organize and coordinate in-service training for personnel working with migrant students.
12. Provide migrant consultant service, to the SSA school district in the form of:
    a. Inservice training for administrators, teachers, aides, recruiters, counselors, and nurses.
    b. Professional and technical assistance in project planning, evaluation, and design
    c. Assistance in reviewing student eligibility forms and records transfer system forms.
    d. Professional and technical assistance in the selection of instructional materials and supplies.
    e. Orientation and explanation of the Texas Migrant program to community groups.
    f. Assistance in the identification and recruitment of migrant students, including an annual verification of certificates of eligibility for a sample of eligible students.

13. Coordinate the establishment of the Shared Service Arrangement Parent Advisory Council. Maintain files of supporting documents of training provided for participants.
14. Provide clerical support services to meet the needs of the San Elizario ISD Migrant Parent Advisory Council.
15. Coordinate with the San Elizario ISD a need-based migrant parent and staff development program to meet the needs of migrant students ages 3 through Pre-K on an as needed basis.
16. Purchase, use and dispose of all equipment and materials for the program as required by TEA's Financial Accounting and Reporting System. Upon the end of this agreement, equipment and materials located at the ESC will remain the responsibility of the fiscal agent. Equipment and materials purchased for use at San Elizario ISD will remain the responsibility of the district, balances of unspent funds remain with the ESC Region19.
17. In the event this arrangement is terminated by either party, all unspent funds remain with ESC Region 19. When a new district enters the SSA and comes with roll forward monies, those funds will be flowed back to the district for use in the current year.
18. Provide pre and post test data for all migrant children identified age 3 through grades 12 as needed for the migrant application.
19. Use Title I Migrant funds to supplement, not supplant, local and state funds.

SCHOOL DISTRICT

San Elizario Independent School District

_____

Superintendent Signature
Dr. Jeannie Meza-Chavez

_____

Date

EDUCATION SERVICE CENTER – REGION 19

_____

Executive Director Signature
Dr. Armando Aguirre

_____

Date

MEMORANDUM

Action Required:____

To: Dr. Jeannie Meza-Chavez, Superintendent
San Elizario ISD
From: Barbara O. Amaya, Director
District Leadership/Accountability Support and Educator Certification
ESC 19 Migrant Education Program
Date: May 12, 2025
Subject: Assignment of Designees

In order to improve communication and coordination please complete this form by designating a specific person(s) for listed assignments. Please return to 6611 Boeing Dr., El Paso, Texas 79925.

ASSIGNMENT	NAME OF PERSON ASSIGNED
Superintendent Designee	_____ Name Title

Role/Function: Superintendent Designee will serve in an advisory capacity to assist in planning the Education Service Center Region 19 Migrant Education Program regional events. This representative is invited to attend the monthly Migrant Advisory Council (MAC) meetings held at the education Service Center Region 19.

Migrant Advisory Council Representative (MAC)	Laura Zuniga, Migrant Specialist Name Title

Role/Function: The Migrant Services Coordination Leader/Eligibility Reviewer will review and sign the Migrant Certificate of Eligibility (COE) to verify that the information is complete and correct. The COE is an auditable record and has a five-day turnaround timeline. The Eligibility Reviewer must receive mandatory training on completing COEs provided by the Texas Education Agency.

Migrant Parent Advisory Council Representative	_____ Name of Migrant Parent Address Phone Number

Role/Function: The Migrant parent representing the Education Service Center Region 19 Shared Services Arrangement will be involved in the planning implementation and evaluation of the Co-op. Shared Service Arrangement Members is required to have a representative. This representative will meet on monthly basis at the Education Service Center Region19 to serve as a member of the MEP focus group.

By strengthening our collaboration, we will improve the quality of services for the Migrant students. Thank you for collaborating with us as we strive towards the achievement of excellence and equity for all students. Should you have any questions please contact Laura Zuniga (915) 780-6567.

EDUCATION SERVICE CENTER REGION 19
MIGRANT EDUCATION PROGRAM

SHARED SERVICES ARRANGEMENT

Superintendent Designee Authorization

As a member of the Education Service Center Region 19 Shared Service Arrangement, I authorize Barbara Amaya, Director for the Migrant Education Program at the Education Service Center Region 19, to sign as Superintendent Designee for the District Performance Report.

Mrs. Barbara Amaya will respond to any questions regarding the Performance Report.

_____

Dr. Jeannie Meza-Chavez, Superintendent

_____

Date

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915.872.3900
Fax: 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Blanca I. Cruz, Associate Superintendent
Subject: Communities in School Contract – 2025-2026 School Year
Date: June 11, 2025

HISTORY: Communities in Schools (CIS) is a multi-service dropout prevention program in the El Paso area. CIS of El Paso provides opportunities for students to improve in the areas of academics, behavior, and attendance, resulting in a higher stay-in-school rate. Since 1985, they have been and continue to be the only school-based, not-for-profit organization providing dropout prevention services in El Paso County.

RATIONALE: The San Elizario ISD administration was contacted by Communities in Schools personnel and invited to apply to the National Scaling for Success Grant. The 3-Year Grant Initiative helps cover a portion of the cost of the Communities in Schools Coordinator. San Elizario ISD was approved for the grant to cover a portion of the cost for two Communities in Schools Coordinators.

The proposed plan would place one coordinator at Alfonso Borrego Sr. Elementary and another one at San Elizario High School. To qualify for the grant, the coordinators could not be assigned to a campus where CIS had previously served the district. Therefore, the placement was made strategically, considering the district's needs. The CIS Coordinators are housed at the campus to which they are assigned.

Please note that the CIS Coordinators would not be considered employees of San Elizario ISD. They are hired by CIS and contracted by the school through the attached agreement. Although the grant was approved for three years, the contract between CIS and San Elizario ISD is contingent upon the district's funding availability each year.

BUDGET IMPACT: The budget impact for the 2025-2026 school year is $50,000 for both coordinators, which will be paid in twelve monthly installments starting in July 2025.

ADMINISTRATIVE RECOMMENDATION: The administrative recommendation is to approve the contract as presented.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☒ Report ☐ Information
Please check if applicable: ☒ Attachment Included

Communities In Schools
El Paso

Administrative Office
1401 Pendale Rd, Suite #300
El Paso, Texas 79936
Phone: (915) 593-7317
www.ciselpaso.org

To: Dr. Jeannie Meza-Chavez, Superintendent, San Elizario ISD

From: Delia Sanchez, Director of Operations, CIS of El Paso, Inc

Date: April 14, 2025

Subject: Notification of CIS National Grant Award

Dear Dr. Meza-Chavez,

We are excited to share that CIS of El Paso has been selected for the CIS National Scaling For Success 3-Year Grant Initiative! This grant will allow the organization to expand its services into the San Elizario Independent School District beginning in the 2025-2026 school year with an attempt to continue services for the following school years. Below are the current logistics for this grant:

CIS of El Paso, Inc. will serve the following campuses for the 2025-2026 school year:

- San Elizario High School
- Alfonso Borrego Sr. Elementary School

To facilitate this work, San Elizario ISD agrees to pay Communities In Schools of El Paso, Inc. as follows for the 3-year scale commitment:

- Year 1 2025-2026: $50,000 on July 1, 2025 ($25,000 per campus)

With an attempt to continue for:

- Year 2 2026-2027: $60,000 on July 1, 2026 ($30,000 per campus)
- Year 3 2027-2028: $70,000 on July 1, 2027 ($35,000 per campus)

*Contingent upon the availability of funding

We are excited to have been selected for this grant and for the opportunity to return the CIS Program to the San Elizario Independent School District!

Sincerely,

Delia Sanchez
Director of Operations
Communities In Schools of El Paso, inc.

CONTRACT BETWEEN
SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT
AND
COMMUNITIES IN SCHOOLS OF EL PASO, INC.

This Agreement, made this 1st day of July 2025, defines the rights and obligations of the San Elizario Independent School District (SEISD), 1050 Chicken Ranch Road, San Elizario, Texas 79849 and Communities In Schools of El Paso, Inc., a non-profit organization, organized under the laws of the State of Texas with offices at 1401 Pendale, Suite #300, El Paso, Texas, 79936 (CIS, or CIS of El Paso, or Contractor).

THE ABOVE-MENTIONED PARTIES AGREE TO:

The San Elizario Independent School District agrees to contract with Communities in Schools of El Paso, Inc. for the implementation of the CIS program at the following campuses:

1. **San Elizario High School,** 13981 Socorro Rd, San Elizario, TX 79849
2. **Alfonso Borrego Sr. Elementary School,** 13300 Chicken Ranch Rd., San Elizario, Texas 79849

CIS of El Paso will provide a total of 2 Program Coordinators for one for each campus.

I. A. Scope of Services:

CIS will provide to the SEISD the following services during the term of this agreement:

1. Develop an annual CIS campus agreement at each school site in collaboration with campus administrators.
2. Develop an annual CIS Campus Plan in collaboration with Campus Administrators, CIS Identified School Support Team, and any other Campus Personnel deemed necessary to integrate a customized CIS program for the benefit of campus, students, and their families.
3. CIS will identify at minimum one campus goal in collaboration with campus administrators.
4. A highly qualified, college degree, and trained staff member assigned at each campus to implement the CIS program.
5. Development of working relationships with service agencies, businesses, and organizations to provide vital resources/support to at-risk youth in need of extra support to stay on the path to graduation.
6. Integrated student supports developed to increase student achievement as measured by student improvement, student promotion, student graduation, and reduction of dropout rate by keeping students in school.
7. Provide effective assistance to students at risk of dropping out through the following CIS Service Categories: Mental and Behavioral Heath Referral Services, Health and Human Referral Services, Parental and Family Engagement Services, College and Career Readiness Services, Enrichment Services, Academic Enhancement & Support Services, Case Management and Site Coordination Services, Attendance & Engagement Services.

8. Encourage parental involvement to help students succeed in their academic endeavors.
9. Compile CIS information as required for district reports.
10. Also see Performance Measures in Part I. B below.

B. Performance Goals

The following are the statewide goals and performance measures for the CIS program which support the legislative intent and requirements as well as the Texas Education Agency (TEA) overarching goal that all students will graduate and be college or career ready.

Student Goals

TEA sets a goal for case-managed students' growth:

Academic Growth-85% of CMS assessed students identified as having an academic need will show improvement in academics.
Attendance Growth-70% of CMS assessed students identified as having an attendance need will show improvement in attendance.
Behavioral Growth-75% of CMS assessed students identified as having a behavior need will show improvement in behavior.

TEA sets end of school goals for case managed students:

Retention Rate-90% of case-managed students in grades 7-12 will stay in school.
Promotion Rate-85% of case managed students will be promoted to the next grade level.
Graduation Rate-90% of case-managed students eligible to graduate will receive a high school diploma or a Texas Certificate of High School Equivalency (TxCHSE)

CIS El Paso agrees to work to meet these performance goals.

CIS personnel will provide services to SEISD on a 40-hour work week schedule reporting to assigned campuses with time off provided for sick, personal, holiday and vacation leave, as stipulated by CIS of El Paso, Inc. The 40 hours per week can be adjusted **only** during the same work week. **CIS Program Coordinators cannot work more than 40 hours per week to include Saturdays.**

CIS El Paso Employee Personnel Policies on leave are as follows:

Sick Days:
1 sick day per month for a total of 12 days per fiscal year
(Sick days are accrued)

Personal Days:
3 personal days per fiscal year (September — May)

Vacation Days (based on length of employment):

Length of Employment With CIS	Vacation Days Earned
0 Years – Less Than 1 Year	0 Days
1 Year – Less Than 2 Years	5 Days

2 Years – Less Than 3 Years	10 Days
3 Years – Less Than 10 Years	15 Days
10 Years – Less Than 20 Years	20 Days
20 Years – Less Than 30 Years	25 Days
30 Years or More	30 Days

II. SEISD Responsibilities

1. SEISD agrees to provide an office assigned only to CIS, to ensure confidentiality at each campus listed above. Additional items that are to be provided include a telephone, operating computer and printer, desk, chair, a filing cabinet with lock and key, and supplies such as copy paper, ink/laser cartridges for printers.
2. SEISD agrees to provide a district email address to CIS staff within one week of campus placement.
3. SEISD agrees to provide access to district student data base/information within one week of campus placement i.e., student demographics, TEA at-risk list, STAAR scores, EOC scores, Benchmark data, GPA, core course grades, student attendance rate, attendance history, disciplinary action, conduct grades, free/reduced lunch status, and any other pertinent information necessary.
4. SEISD agrees to provide an ID Badge to the Program Coordinator within one week of campus placement.
5. The SEISD Administrative personnel at each campus agree to collaborate with the CIS staff to ensure the process of service delivery for students and parents is a priority from assigned duties.
6. SEISD Administrative personnel agree to ensure that campus/district support assignments do not overshadow the delivery of student services.
7. CIS will be a partner in addressing the dropout issue and will be written into the Campus and District Improvement Plans.
8. SEISD will ensure that campuses will allow CIS staff to fulfill TEA contract obligations regarding documentation and accountability.

III. CIS Personnel

State law requires school districts to conduct criminal history background checks for employees and other persons who have contact with students at school. Texas Education Code §22.0831 and §22.0834. Contractor employees with certain convictions are prohibited from working in a school district. The District will contact Communities in Schools with the appropriate documentation.

IV. Insurance Coverage

General Requirements: Contractor will procure and maintain the applicable insurance coverage described below, as well as any other insurance SEISD may require. Such insurance is to be primary with respect to any other similar insurance available to SEISD regardless of the provisions of such insurance and is to name SEISD as additional insured. All policies on which SEISD is named additional insured must contain (i) a breach of warranty provision guaranteeing that SEISD will be insured regardless of breach by contractor, and (ii) a waiver of subrogation by the insurers in favor of SEISD. The contractor will furnish to SEISD certificates and additional insured endorsements evidencing the specified insurance prior to beginning the Work and, if requested by SEISD, copies of the

insurance policies themselves. Such certificates must be provided within 30 days of written notice of any policy cancellation or material change that is given to SEISD. All insurance must be obtained from insurance carriers with a Best's rating of at least "A-10" and that are otherwise acceptable to SEISD.

The contractor will require Subcontractors also to maintain all such insurance set forth below and to provide to SEISD such certificates of insurance, additional insured endorsements, breach of warranty provisions and, if requested, certified copies of the policies themselves. The failure of the Contractor to comply with the requirements of this paragraph prior to the commencement of the Work will be grounds for cancellation or suspension of this contract by SEISD without notice at any time during such failure of compliance. Any losses incurred by SEISD arising from the performance of the Work, whether or not covered by the insurance described below or within the deductible of such insurance, will be the responsibility of contractor to the extent they are covered by the indemnity provisions or any other provisions of the Contract Documents.

1. **Automobile Liability Insurance:**
    a. Combined Bodily Injury and Property Damage Liability limits of not less than $1,000,000 per occurrence.
    b. This insurance must apply to all owned, leased, non-owned or hired vehicles used by or on behalf of Contractor in connection with the Work. The policy shall include an Additional Insured Endorsement naming SEISD as an additional insured with respect to the operation of Approved Contractor's and Subcontractors' autos.

2. **General Liability Insurance:**
    a. Limit of liability is not less than $2,000,000 per occurrence.
    b. Broad form property damage coverage.
    c. Contractual liability for obligations assumed in the Contract with SEISD.
    d. Products and completed operations liability.
    e. Bodily injury and property damage resulting from incidental professional liability.

3. **Worker's Compensation Insurance:**
    The policy will be written in accordance with the laws of the State in which the work will be performed. The Worker's Compensation policy shall also include the following Employer's Liability coverage with limits not less than the following:
    a. $1.000,000 Bodily Injury by Accident
    b. $1,000,000 Bodily Injury by Disease
    c. $1,000,000 Policy Limit by Disease

4. **Errors and Omissions Insurance with limits of liability of not less than $1,000,000 per occurrence.**

V. Duration of Services

This Agreement shall become effective on July 1, 2025, and shall terminate on June 30, 2026, at which time SEISD and CIS will have the option to renew the agreement.

VI. Compensation and Method of Payment

For and in consideration of the services to be performed by Communities In Schools of El Paso, Inc. under this Agreement, the San Elizario Independent School District shall pay to Communities In Schools of El Paso, Inc. the amount of $50,000.00. Such an amount shall be paid in twelve (12) monthly installments of $4,166.66. The first payment is due no later than July 31, 2025; the final payment is due no later than June 30, 2026.

VII. Additional Provisions

A. *CIS Employees.* All persons assigned to SEISD under this Contract by CIS shall be the employees of CIS and shall not be employees of SEISD. CIS shall be responsible for payment of all salary, compensation, and benefits of all its employees, and shall have all liability and responsibility with respect to its Employees. SEISD shall not have any responsibility or liability regarding any CIS employees.

B. *Risk Allocation.* SEISD shall not be liable to CIS for any claims, causes of action, liability, expense, attorney's fees, costs, injuries, damages, or other losses arising from the conduct of CIS employees and the services provided by CIS employees pursuant to this Contract. Each party shall bear its own risk of loss and shall not be liable for any acts or omissions of the employees of the other party. CIS agrees at all times to defend, indemnify, and hold harmless SEISD, its trustees, officers, employees, and agents from and against any and all claims for damages for injuries and other losses, including costs and attorneys' fees, resulting directly or indirectly from any act or omission of CIS's officials, employees, agents, subcontractors or volunteers arising out of the performance of this Agreement, whether such claims are asserted before or after the termination of the Agreement.

C. *Governmental Immunity.* SEISD hereby reserves, and does not waive, its right to governmental and sovereign immunity from litigation or liability arising out of the Texas Tort Claims Act, the Texas Constitution and applicable common law. This Contract is not consented to suit by SEISD. This Contract shall not constitute the agreement by SEISD to pay attorney's fees in the event of litigation between the parties.

D. *Compliance with FERPA.* CIS and its employees assigned to SEISD schools pursuant to this Contract shall comply with all terms and conditions of the Family Educational Rights and Privacy Act, 20 USC 1232g and applicable state law which requires that all personally identifiable student records be kept confidential and not released except as provided under applicable law. Any violation of the terms of federal or state law by CIS employees relating to personally identifiable student records shall constitute grounds for immediate termination of this Contract.

VIII. Termination of Services

This agreement may be terminated prior to the expiration of the term hereof by mutual Agreement of the parties or by either party giving (30) days written notice. Upon termination of the Agreement, SEISD shall be liable only for payment for services performed up to the date of termination. Notice shall be delivered in writing to the following:

a. To SEISD: Dr. Jeannie Meza-Chavez

b. To CIS: Mr. Robert Shaw

COMMUNITIES IN SCHOOLS OF EL PASO

By: _____

Title: Executive Director

Date: 04/28/2025

SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT

By: _____

Title: _____

Date: _____

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915.872.3900
Fax: 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Ms. Blanca Cruz, Associate Superintendent
Subject: Consider and possible Board action to approve Memorandum of Agreement between the San Elizario ISD and the Boys & Girls Club of El Paso
Date: June 11, 2025

HISTORY: The Boys & Girls Clubs of El Paso (BGCEP) has been awarded the federal Nita M. Lowey 21st Century Community Learning Centers grant funds from the Texas Education Agency to provide Texas Afterschool Centers for students in Lorenzo G. Alarcon Elementary, Alfonso G. Borrego, Sr. Elementary, Josefa L. Sambrano Elementary and Ann M. Garcia-Enriquez Middle School. The afterschool center is intended to improve the academic performance of participating students in core academic subjects, such as reading and math, and offer students a broad array of enrichment activities (MOA, 2022).

RATIONALE: The BGCEP wills serve approximately 245 students, with each child completing sixty days or more of attendance. The children are identified and recruited through coordinated consultation with SEISD Leadership.

BUDGET IMPACT: All costs are covered by the Nita M. Lowey 21st Century Community Learning Centers grant. The SEISD will commit to provide the facilities to operate the program.

ADMINISTRATIVE RECOMMENDATION: It is the administrative recommendation that the Board of Trustees approve the Memorandum of Agreement between the SEISD and the BGCEP to start the afterschool centers for the 2025 – 2026 school year.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

BOYS & GIRLS CLUBS OF EL PASO

Memorandum of Agreement

This Memorandum of Agreement (Agreement) is entered effective July 22, 2025, through July 31, 2026, between the San Elizario Independent School District (SEISD) and the Boys & Girls Clubs of El Paso (BGCEP), collectively "Parties."

Whereas, BGCEP has been awarded the federal Nita M. Lowey 21st Century Community Learning Centers (21st CCLC) grant funds from the Texas Education Agency (TEA) to provide Texas Afterschool Centers on Education (Texas ACE) afterschool programs for students in three SEISD elementary schools and one middle school;

Whereas, this funding will establish community learning centers that provide academic enrichment opportunities during afterschool hours; and

Whereas, BGCEP will serve 395 or more children, with each child completing sixty days or more of attendance. BGCEP will identify and recruit children through coordinated consultation with SEISD leadership, with SEISD staff and coordinate outreach for parents;

NOW THEREFORE, in consideration of the mutual promises herein contained, the Parties agree as follows:

I. Scope of Work:

The BGCEP afterschool program at SEISD is intended to improve the academic performance of participating students in core academic subjects, such as reading and math, and offer students a broad array of enrichment activities that complement their regular academic programs. BGCEP will provide services at the following school sites:

- Lorenzo G. Alarcon Elementary School
- Alfonso G. Borrego, Sr. Elementary School
- Josefa Sambrano Elementary School
- Ann M. Enriquez-Garcia Middle School

BGCEP will provide services at each of these locations Monday through Friday. The hours of operation will be from 4:05 P.M. – 6:30 P.M. at Sambrano 4:05 P.M. – 7:05 P.M. at Alarcon and Borrego and 4:50 P.M. – 7:50 P.M. at the middle school.
SEISD will provide bussing for children in need of transportation from the sites back to their homes at a cost reimbursable through this grant. Parents will also be made aware of their responsibility to arrange child transportation from program sites.

SEISD agrees to:

- Provide workspace for the BGCEP program, determined by mutual verbal agreement between BGCEP staff and school principal and approved by the Associate Superintendent of Elementary Schools.
- Provide an SEISD point of contact to facilitate program implementation and operation.
- Allow BGCEP to provide a summer component program at one or more SEISD campuses or a BGCEP location. SEISD and BGCEP will determine the location of the summer program a minimum of forty-days prior to the program.

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- Provide grade, attendance, STAAR scores, and discipline information for students enrolled in the 21st CCLC afterschool program required for grant reporting, ensuring data sharing adheres to all FERPA guidelines and applicable law. SEISD will release STAAR scores for the 2024-2025 school year.
- Work with BGCEP to align student interventions with SEISD curriculum and academic goals.
- Provide monthly activity reports for SEISD staff providing operational support to the BGCEP staff or program, detailing specific work and time spent on BGCEP program-specific needs or grant requirements.

BGCEP 21st CCLC Staff agree to:

- Provide grant administration and monitoring for 21st CCLC grant.
- Implement and administer the BGCEP program within the guidelines set forth by TEA.
- Provide ongoing communication related to program progress with SEISD and all partners.
- Obtain current parent consent forms for all participating students in BGCEP program for the purpose of releasing student data necessary for grant compliance.
- Manage any elevated disciplinary issues with participating students and staff.
- Provide administrative oversight to ensure shared space is cared for appropriately.
- Prepare performance reports for TEA and provide data to campus administration for evaluation and feedback.
- Submit a budget to TEA to include indirect funding for SEISD program support staff; indirect funding may include funding for facility usage, cleaning, maintenance, supplies or equipment as SEISD deems necessary to allow the execution of the BGCEP program at designated SEISD sites.

BGCEP agrees to obtain from Creative Kids the following:

- Provide fine arts programming that integrates with academics to a total of 75 children, serving each of the four program sites.
- Provide art-based curriculum that will reinforce academic concepts, such as reading, science and math.

BGCEP agrees to obtain from Kids Excel El Paso, Inc. the following:

- Provide a dance program for 40 students using the award-winning National Dance Institute teaching methodology, serving the elementary program sites.
- Align dance-based curriculum with SEISD Social Emotional Learning (SEL) Initiative.

BGCEP further agrees that:

Implementation and operation of this program may not conflict, compete or interfere with any established SEISD program or partnership program. BGCEP shall ensure all program staff, students from UTEP/EPCC, as well as program staff from Creative Kids and Kids Excel El Paso, Inc., shall comply with background check and other requirements pursuant to the Texas Education Code, SEISD Policies, and other applicable law before working on SEISD campuses and must display identification badges at all times. BGCEP shall certify that criminal background search records have been completed and that no employees, program staff, or subcontractors/third parties have been convicted of a felony, or misdemeanor involving moral turpitude, or of any crime involving harm to a child. The criminal background checks must be performed before any new employee, program staff, or subcontractor/third party is permitted to

enter SEISD property and at least annually for all such individuals providing services under this Agreement. BGCEP shall provide SEISD with copies of said criminal background checks within twenty-four (24) hours of written demand. SEISD shall be the final arbiter of what constitutes a location where students are regularly present.

BGCEP agrees any student release or consent forms used must be current and approved by SEISD.

The Parties further agree: To follow the guidelines as set by TEA and this Agreement.

II. Term and Termination

1. This Agreement will begin on July 22, 2025 and shall continue in full force for the 2025-2026 school year through July 31, 2026 subject to any limitation set forth herein, unless terminated in accordance with this section. This Agreement may be extended beyond the original term by mutual Agreement signed by both Parties.
2. Termination:
   a. Either party may, without penalty, terminate this Agreement at the end of any budget year of such party during the term of the Agreement if funds required to fulfill this Agreement have not been appropriated, and with written notice to the other party. Such notice shall be effective thirty (30) calendar days from the date of receipt.
   b. This Agreement may be terminated by mutual written agreement of the Parties upon such terms as agreed.

III. Contractual Relationship

Nothing contained herein shall be construed as creating an employer/employee relationship, a partnership, a joint venture, or joint obligations between the parties hereto. Each party retains the right to conduct its businesses as it sees fit. BGCEP shall, at all times, be deemed an independent contractor.

IV. Reservation of Rights and Immunity

Nothing herein or in the performance of this Agreement shall be construed as a waiver of sovereign/governmental immunity or similar rights. SEISD does not waive any immunity or defense that would otherwise be available to it pursuant to the Texas Tort Claims Act or other applicable statutes, laws or regulations against claims arising from the exercise of its power or functions. No provision of this Agreement that imposes an obligation or restriction on SEISD not permitted by applicable law shall be enforceable. Records relating to this Agreement may be subject to disclosure pursuant to the Texas Public Information Act, Section 552.001 et. seq. of the Texas Government Code.

V. General Provisions

1. Disputes: If any dispute concerning any fact, interpretation, allowable costs, etc. arise during performance of this Agreement, reasonable efforts shall be made to resolve said dispute(s) through informal discussions between the Parties.

2. Amendment and Assignment: Any changes to this Agreement may only be made by mutual written agreement of the Parties. This Agreement may not be assigned by either party to the Agreement without the express written consent of the other party. Any attempt to assign without such consent shall be void and shall be deemed a material breach of this Agreement.

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3. Entire Agreement: This Agreement and any subsequent amendments constitute the entire and only agreement between the Parties relating to the matters described herein, and supersedes all prior agreements and discussion, whether written or oral. Unless expressly stated, this Agreement confers no rights on any person(s) or business (entity(s) that is not a party hereto.

4. Notice to Parties: Any notice required by this Agreement shall be given by prepaid first-class certified mail, return receipt requested to:

SEISD at: San Elizario Independent School District
Attn: _____
1050 Chicken Ranch Rd.
San Elizario, TX 79849

BGCEP at: Boys & Girls Clubs of El Paso
Attn: Anthony Tomasheski
801 S. Florence
El Paso, Texas 79901

5. Applicable Law and Venue: This Agreement shall be construed and enforced in accordance with the laws of the State of Texas, as well as any applicable federal law and policy of SEISD. If any legal action or dispute resolution is necessary to enforce the terms of this Agreement, exclusive venue shall lie in El Paso County, Texas. Further, and for any project that is in whole or in part funded through the Federal government, the applicable program or appropriation statute(s), federal agency regulations, and Circulars of the U.S. Office of Management and Budget shall apply.

6. **Indemnification: BGCEP agrees to indemnify, defend, and hold harmless SEISD and its trustees, officers, agents, representatives and employees (collectively, the "Indemnified Parties") from and against, any and all claims, causes of actions, liability, lawsuits, judgments, costs, liens, losses, expenses, liability and suits of any kind and nature, including but not limited to, personal injury (including death), property damage, or other harm for which recovery of damages is sought that may arise out of or be occasioned or caused by BGCEP's negligent or intentional act, error, or omission, or that of any agent officer, representative, employee, or sub-consultant of BGCEP (collectively "BGCEP Affiliate") while in the exercise of performance of the rights or duties under this Agreement.** The indemnity provided for in this paragraph shall not apply to any liability resulting from the negligence of the Indemnified Parties, in instances where such negligence causes personal injury, death, or property damage. In the event BGCEP and/or a BGCEP Affiliate and any Indemnified Party are found jointly liable by a Court of competent jurisdiction, liability shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to SEISD, its employees/officials under the Texas Tort Claims Act or other Texas law. BGCEP shall promptly advise SEISD, in writing, of any claim or demand against an Indemnified Party, BGCEP and/or BGCEP Affiliated under this Agreement. The provisions of this Section are solely for the benefit of the Parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

7. Binding Effect: This Agreement, and every provision thereof, shall be binding upon and shall inure to the benefit of the Parties and their respective successors and permitted assigns.

8. No Waiver: The consent or waiver, express or implied, by a party to a breach of any provision, or the failure, or apparent failure, of either party at any time to require performance by the other of any

provision of this Agreement, shall in no way affect the right of such party to require performance of that provision or any other provision of this Agreement.

9. Mutual Negotiation: This Agreement has been prepared at the joint request, direction, and construction of the Parties, at arms' length, and shall be construed without favor to any party.

10. Contract Language: Wherever the context shall require, the singular shall include the plural and the female gender shall include the male, the neuter, and vice versa. This Agreement may be executed in original or facsimile signatures, in multiple counterparts. The headings, captions, and arrangements used in this Agreement are for convenience only and shall not affect the interpretation of this Agreement.

11. Severability: All agreements and covenants contained in this Agreement are severable. Any provision, or part thereof, of this Agreement held by a court of competent jurisdiction to be illegal, invalid, or unenforceable shall not impair or invalidate the remainder of this Agreement and the effect thereof shall be confined to the provision, or part thereof, so held to be illegal, invalid, or unenforceable. In lieu of any provision so held, there will be added a provision that preserves the intention of the unenforceable provision and complies with the law.

12. Warrant of Capacity to Execute Contract: The person signing this Agreement on behalf of each party warrants that he/she has the authority to do so and to bind their respective party to this Agreement.

13. Survival: A party shall remain obligated to the other party under all clauses of this Agreement that expressly or by their nature extend beyond the expiration or termination of this Agreement.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duty-authorized representatives.

_____	_____
Dr. Jeannie Meza-Chavez, Superintendent San Elizario Independent School District	Anthony Tomasheski, Chief Executive Officer Boys & Girls Clubs of El Paso
_____	06/03/2025 _____
Date	Date

Approved to form:

_____
_____, SEISD General Counsel

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San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915.872.3900
Fax: 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Blanca I. Cruz, Associate Superintendent
Subject: Consider and possible Board action to approve the Bluebonnet Math Curriculum Adoption Transition Plan
Date: June 11, 2025

HISTORY:
A transition plan is required when initially adopting or expanding implementation of SBOE-approved instructional materials for any grade level or subject/course (TEA, 2025).

RATIONALE:
As per the Texas Education Agency, the transition plan components must include:

- Clear communication and stakeholder change management planning
- Timely access to print materials and related manipulatives
- Sufficient planning and instructional time
- Clear expectations for the implementation of the materials, protocols, and assessments
- Processes for stakeholder communication and public posting if materials have been modified
- Maintenance of instructional flexibility through clear guidance for acceptable teacher modifications
- Sufficient professional learning and development for school leaders, instructional coaches, and teachers

The planning and instruction team has completed the plan which includes goals for the successful implementation of the Mathematics curriculum. The plan is a fluid document and can be adjusted depending on the needs of the district. A copy of the transition plan is included for your review.

BUDGET IMPACT:
There is no budget impact directly tied to the creation of the plan. However, some professional development activities may require a financial investment.

ADMINISTRATIVE RECOMMENDATION:
The administrative recommendation is to approve the transition plan as presented.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☒ Report ☐ Information
Please check if applicable: ☒ Attachment Included

Open Education Resources (OER) Transition Plan for Bluebonnet Learning Instructional Materials

Overview

The OER Transition Plan for Bluebonnet Learning Instructional Materials is designed to support local educational agencies (LEAs) in the planning, execution, monitoring, and evaluation of the adoption and implementation of State Board of Education (SBOE)-approved, state-developed OER instructional materials known as Bluebonnet Learning. The OER Transition Plan for Bluebonnet Learning Instructional Materials complies with Texas Administrative Code (TAC) §67.1315 for access to the funding entitlement in Texas Education Code (TEC), §48.308.

Each section of this transition plan provides context for action items, key questions to consider, and additional resources to support the development of a strong and effective transition plan. Read all the information provided carefully and provide clear, detailed responses under each 'TAKE ACTION' area.

Table of Contents

Overview 1

Table of Contents 1

Before Getting Started 2

Transition Plan Approval and Submission 3

ACTION 1: Setting Implementation Goals 4

- 1A: Implementation Framework 4
- 1B. Implementation Goals 4

ACTION 2: Creating the Conditions for Success 6

- 2A. Materials Access 6
- 2B. Schedules and Calendars 7
- 2C. Aligned Expectations 8
- 2D. Professional Learning Plan 10
- 2E. Adaptive Change and Communication 11

ACTION 3: Leading Internalization and Professional Learning Communities (PLCs) 14

- 3A. Analyzing PLC Practices 14

3B. Structures for Internalization and PLCs 15
3C. Supporting All Learners 16
ACTION 4: Establishing Observation and Feedback Practices 18
4A. Observation Expectations 18
4B. Observation and Feedback Cycles 20
ACTION 5: Aligning Assessment Strategy 22
5A. Analyzing Assessment Practices 22
5B. Structures for Assessment Practices 22

Before Getting Started

Before getting started on the transition plan, it is highly recommended to review the following resources:

OER Transition Plan for Bluebonnet Learning Instructional Materials Webinar

The OER Transition Plan for Bluebonnet Learning Instructional Materials webinar is an extensive resource with information about House Bill (HB) 1605, an overview of the transition plan, and a step-by-step breakdown of the transition plan template.

- Webinar [VIDEO]
- Webinar Slide Deck [PDF]

Crofton ISD Sample Transition Plan

The transition plan is intended to prepare LEAs for the successful implementation of Bluebonnet Learning. From goal setting to the procurement of instructional materials to student assessment strategy, successful implementation requires an extensive review of processes and procedures to ensure alignment across the district.

A completed sample of the OER Transition Plan for Bluebonnet Learning Instructional Materials has been created as a model for districts to use in understanding the purpose and expectations of each action item response. The completed sample document has been created using a sample district named Crofton ISD.

Please note that this sample document is just an example; each local educational agency (LEA) developing and adopting a transition plan needs to reflect and review its own district needs and respond accordingly.

- Crofton ISD Sample Transition Plan [PDF]

Bluebonnet Learning Access

Some Action Items require information (like instructional minutes and internalization protocols) from the Bluebonnet Learning instructional materials. Any information needed about Bluebonnet Learning K–5 Math, Bluebonnet Learning Secondary Mathematics, or Bluebonnet Learning Reading Language Arts (RLA) can be found in a ShareFile folder.

- OER Transition Plan for Bluebonnet Learning Instructional Materials ShareFile Folder

If you have trouble accessing any documents or cannot find the information you need, please submit an Instructional Materials Helpdesk Ticket.

Bluebonnet Learning Pre-Launch Phase

Before broad implementation begins, district and school leaders work together to invest stakeholders in shared goals and establish conditions for successful implementation throughout the system. They ensure that all instructional staff have ready access to all necessary Bluebonnet Learning instructional materials and effective training, including onboarding and orientation, on how to use them. They establish clear expectations for who will do what with the materials and ensure that school and district structures–including scheduling, staffing, professional learning offerings, assessment practices, and more–support those expectations.

Key leadership actions during the pre-launch phase include:

- The development and communication of an implementation plan that clearly defines, roles, responsibilities, expectations, decision-making structures, and progress monitoring mechanisms
- Ensuring all instructional staff have received onboarding and orientation training on the Bluebonnet Learning instructional materials
- Alignment of systems, structures, and practices by establishing schedules, professional learning plans, and assessment practices consistent with the design of Bluebonnet Learning and district expectations for its use.
- Establishing structures and routines that prioritize Bluebonnet Learning implementation, including protected time for instructional coaches and teachers to plan collaboratively and for coaches and school leaders to observe and provide feedback to teachers on use of the materials.

Transition Plan Approval and Submission

Transition plans are adopted by the local Board of Trustees before the start of the academic school year and are locally maintained by the LEA. The adopted plan will not need to be submitted; however, plans could be requested for review by the commissioner. LEAs will report the completion of the transition plan through EMAT.

ACTION 1: Setting Implementation Goals

1A: Implementation Framework

Review the **Implementation Framework** and the **Fidelity of Implementation (FOI) Look-Fors** to identify the phase of implementation (initial or deeper) and become familiar with key actions to support successful implementation efforts.

Key Questions to Consider:

- What are the key actions and tasks associated with each phase of implementation?
- How do responsibilities compare across various stakeholder roles?
- Are we entering the upcoming school year at the initial or deeper phase of implementation?
- Which outcomes and look-fors are most relevant to our context?
- How might we use these two resources to engage stakeholders?

Resources:

- Implementation Framework - This framework highlights essential tasks associated with different stakeholder groups across the three phases of implementation.
- Fidelity of Implementation (FOI) Look-Fors - This chart identifies key fidelity of implementation outcomes and look-fors associated with those outcomes.
- Implementation Best Practices - This resource provides guiding information to system leaders new to implementation on best practices that support effective implementation.

TAKE ACTION: Implementation Framework

Describe the phase of Bluebonnet Learning implementation (initial or deeper) for the start of the upcoming school year:

San Elizario ISD is in the initial phase of implementation. The district will be adopting BL K-Alg 1. Through the direction of Ms. Cruz who noted a need for alignment across the district. This decision was made after robust research that included campus visits, high school math teachers access to RBIS training and looking through the data from adopted districts. Walkthroughs also provided information showing a lack of training. The Landscape Analysis Data provided by Region 19 (along with site visits) and ESF diagnostics showed the need for an HQIM.

SBOE approved vendors were invited to the district. Stakeholders and committees were invited to present recommendations. Teachers were given access to materials to preview. Parent input was also gathered during parent nights. The district will continue to collect input at upcoming meetings with parents. Resources will be provided to parents.

The district is creating a teacher pd calendar with coaching supports and will be ready after board approval of Implementation Plan. San Elizario is a 4 day week school. Pacing and calendars have been adjusted in Bluebonnet Learning to reflect this.

1B. Implementation Goals

Based on the implementation phase and local context, develop a specific goal for each implementation goal area: Bluebonnet Learning Implementation, Stakeholder Investment, Teacher Practice, and Student Outcomes. Identify the continuous improvement process that will be followed and develop a progress monitoring timeline.

Please note that using the SMART (specific, measurable, achievable, relevant, and time-bound) goal format is recommended.

Key Questions to Consider:

- Which look-for(s) associated with each goal area will we focus on this year?
- What needs to be added to format the goals as SMART goals?
- For Progress Monitoring: How will data be collected and analyzed?
- For Progress Monitoring: When will goals be reviewed and adjusted?

Resources:

- Fidelity of Implementation (FOI) Look-Fors - This chart identifies key fidelity of implementation outcomes and look-fors associated with those outcomes.
- Sample Implementation Goals - This resource provides an example of implementation goals and progress monitoring.
- FOI Learning Walk Tools - Aligned with the Fidelity of Implementation Look-Fors, this resource can be used to evaluate the degree of fidelity and progress toward implementation goals.
- FOI Learning Walk Companion Guide - The companion guide provides leaders with a step-by-step process for conducting learning walk cycles.

TAKE ACTION: Implementation Goals

Goal Area: Bluebonnet Learning Implementation

- Goal: *100% of teachers will be onboarded before the first day class (by July 22, 2025), have access to and will implement the materials with fidelity the first week.*
- Measure(s): *Classroom observations by Instructional Officers and coaches*
- Frequency: *by July 25, 2025*
- Progress Monitoring: *Performance management debriefs with Instructional Leadership Team and others as requested.*

Goal Area: Stakeholder Investment

- Goal: *50% of teachers feel comfortable navigating and using the materials by end of 1st nine weeks, 75% by semester and 90% by end of year*

- Measure(s): *surveys created by L&A at Region 19*
- Frequency: *3 surveys (1st nine weeks, 2nd semester and end of year)*
- Progress Monitoring: *Cabinet and L&A will review data and will inform both PD and PLC topics*

Goal Area: Teacher Practice

- Goal: *100% of teachers submit weekly internalization notes*
- Measure(s): *lesson plan submissions*
- Frequency: *weekly*
  Progress Monitoring: *Monthly debriefing during PLCs*

Goal Area: Student Outcomes

- Goal: *After first semester, 100% students will comfortable with the routines embedded into the Bluebonnet learning*
- Measure(s): *classroom observations and student surveys*
- Frequency: *Once a nine weeks, 4 times a year*
- Progress Monitoring: Leadership meetings and principals meetings along with instructional meetings. Debriefs with individual teachers will happen on an individual basis.

ACTION 2: Creating the Conditions for Success

2A. Materials Access

Develop a plan for timely access to print materials and related manipulatives through Bluebonnet Learning procurement and distribution.

Key Questions to Consider:

- Is there a procurement plan that will ensure timely and accurate ordering of Bluebonnet Learning instructional materials?
- Is there a distribution plan that will ensure an efficient and organized delivery of materials?
- Do all teachers (including specialized teachers), instructional coaches, and school leaders have clear directions on accessing and navigating the materials?

Resource:

- Bluebonnet Learning Resources - This repository includes helpful leadership focused materials from Bluebonnet Learning instructional materials.
- Technical Conditions Checklist - This checklist provides a list of specific action steps that establish the technical conditions necessary to effectively launch and implement Bluebonnet Learning.
    - The term, technical conditions, refers to the defined systems, structures, and procedures that must be in place to support Bluebonnet Learning implementation.

TAKE ACTION: Materials Access Planning

Task: Order Bluebonnet Learning instructional print materials. Identify quantity by grade level and campus. If applicable, procure instructional materials through requisitions in EMAT.

- Task owner/manager: *Ponce and Gomez*
- Timeline: *By April 17, 2025 for BL Math in English with the latest date being mid May for other math materials*
- Key Actions/Steps: *Elementary discuss over continued departmentalizing, currently have a projected anticipated student count and class sections (with understanding of elementary scenario), order through EMAT*

Task: Order or secure any related manipulatives needed. Identify items and quantity by grade level and campus. If applicable, procure related manipulatives in EMAT.

- Task owner/manager: *Ponce and Gomez*
- Timeline: *By April 17, 2025 for BL Math in English with the latest date being mid May for other math materials*
- Key Actions/Steps: *Elementary discuss over continued departmentalizing, currently have a projected anticipated student count and class sections (with understanding of elementary scenario), order through EMAT*
-

Task: Determine the process for receiving and distributing materials to campuses and classrooms.

- Task owner/manager: *Ponce*
- Timeline: *Delivery date for receipt and Delivery date to campus*
- Key Actions/Steps:
    - Delivery Date
        - Ponce will ensure to there is space in the warehouse
        - Ponce will communicate with campus APs about the date of delivery to their campus
        - AP will agree to delivery date
    - Date to Campus
        - APs will submit a plan of distribution to Ms Cruz and Mr Ponce by the beginning of June
        - APs will ensure teachers have all materials by the end of week of the 16th

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Task: Communicate the Bluebonnet Learning printed instructional materials and related manipulatives ordering and distribution process with appropriate stakeholders.

- Task owner/manager: Ponce

- Timeline: As information is being received, being end of May with latest first week of June
- Key Actions/Steps:
    - Ponce will communicate with APs
    - APs will submit plan 1 week of notice

Task: Determine the process for ensuring all teachers, instructional coaches, and school leaders who will be involved in the implementation of Bluebonnet Learning have access to all the necessary instructional materials and manipulatives.

- Task owner/manager: Campus Leadership
- Timeline: By end of the week of the 16th of July
- Key Actions/Steps: Campus leadership carries the inventory of materials (to include notes below) being distributed through sign out sheets. The P & I team will be tasked with checking to make sure materials have been distributed.

Task: Ensure that all teachers, instructional coaches, and school leaders can access essential Bluebonnet Learning planning and support resources including scope and sequences, internalization protocols, student work analysis protocols, and observation tools.

- Task owner/manager: P&I and Tech dept
- Timeline: Week of July 16, 2025
- Key Actions/Steps:
    - Inventory will include a check for access to resources, online resources and support documents.
    - P&I team will monitor its progress

Task: If applicable, determine the process and timeline for digital access and related technology support resources.

- Task owner/manager: P&I and Tech dept
- Timeline: Week of July 16, 2025
- Key Actions/Steps:
    - Inventory will include a check for access to resources, online resources and support documents.
    - P&I team will monitor its progress

2B. Schedules and Calendars

Design master schedules and instructional calendars to 1) meet the required instructional minutes as outlined in Bluebonnet Learning, and 2) ensure time for teacher planning and lesson preparation is provided within the normal teacher workday.

Key Questions to Consider:

- Does the daily instructional time allocated to meet the requirements outlined in the Bluebonnet Learning instructional material?
- Does the master schedule provide time for individual and collaborative lesson planning and preparation for teachers during the regular workday?
- Is the instructional calendar aligned with the Bluebonnet Learning instructional material pacing/scope and sequence guidance?
- Are specific windows of time designated for module/unit internalization before each curriculum-embedded assessment?

Resource:

- Bluebonnet Learning Resources - This repository includes helpful leadership focused materials from Bluebonnet Learning instructional materials.
- Technical Conditions Checklist - This checklist provides a list of specific action steps that establish the technical conditions necessary to effectively launch and implement Bluebonnet Learning.
    - The term, technical conditions, refers to the defined systems, structures, and procedures that must be in place to support Bluebonnet Learning implementation.

TAKE ACTION: Schedules and Calendars

Master Schedule(s): Describe expectations and guidelines for development of master schedule that meet the requirements outlined in Bluebonnet Learning instructional materials. Include resources/links, as necessary, of master schedules that reflect instructional minute allocations for daily instruction.

Response/Resource:

Each campus will develop a master schedule based on the guidelines set forth by the district. Conversations will be held by district leadership to ensure the complete curriculum is covered by the end of the year. Because SEISD is on a 4 day week, Scopes and Sequences will need to be adjusted. Link will be provided when finished.

Instructional Calendar(s): Describe expectations and guidelines for the development of an instructional calendar that includes time allocations for teacher planning and preparation including routine time for collaborative planning and preparation with an instructional coach and/or school leader. Include resources/links, as necessary, of instructional calendars that reflect instructional minute allocations for teacher planning and preparation, including opportunities for collaboration.

Response/Resource:

Calendar is in development and will be linked below once it has reached a phase of development that can be shared.

2C. Aligned Expectations

Develop and communicate clear expectations for using Bluebonnet Learning instructional materials with fidelity.

Please note that Action Items 3A-C and 5A-B complement and support this action item (2C).

Key Questions to Consider:

- How will fidelity of implementation be communicated and monitored? Refer to **Fidelity of Implementation (FOI) Look-Fors** for examples of implementation with fidelity.
- What are the expectations for Bluebonnet Learning as the core instructional material?
- What planning expectations require internalization and student work analysis protocols?
- What are the assessment expectations that prioritize the use of the curriculum-embedded assessments over other assessments not included in the Bluebonnet Learning instructional material?

Resources:

- Technical Conditions Checklist - This checklist provides a list of specific action steps that establish the technical conditions necessary to effectively launch and implement Bluebonnet Learning.
    - The term, technical conditions, refers to the defined systems, structures, and procedures that must be in place to support Bluebonnet Learning implementation.
- Fidelity of Implementation (FOI) Look-Fors - This chart identifies key Bluebonnet Learning fidelity of implementation outcomes and look-fors associated with those outcomes.

TAKE ACTION: Aligned Expectations

Alignment Item: Use of Bluebonnet Learning instructional materials.

- Expectations:
    - *BL will be used as the Tier 1 instruction on a daily basis with fidelity as written. There will be access to IReady for practice.* ***For Tier 2 and 3, supplemental materials will be used.*** *Academic review showed a gap in on-grade level materials in the classroom.*
- Plan for Communication:
    - *Communication has already begun with teachers. The teacher committees have been shown the expectations, and they have been received well. Expectations will be outlined during onboarding and reinforced during the PLCs. Data will be used to reinforce the use of the importance of using the BL as the Tier 1 with fidelity. There will be a Lead PLC (for elementary) prior to the teacher PD for leaders to understand the expectations as well. Messaging will be consistent across the district in order for there to be more buy-in. Secondary will look into PD for their leadership.*
- Timeline:
    - *Before the beginning of the school year there will be a Lead PLC for leaders*
    - *Teachers will be onboarded the week of July 15, 2025.*

Alignment Item: Internalization protocol and process.

- Expectations:
    - *Phase 1- Teachers will attend the PLCs with all materials ready to annotate and internalize for the upcoming Module and/or topic, for the following week. Annotations will demonstrate an understanding of the lesson requirements and the math problems will be worked out.*
    - *Phase 2- Teachers will come to PLC with modules or topics already internalized, the lesson review will be internalized as a grade level or department. . During the PLC, teachers will demonstrate understanding of use of the differentiation pieces*
    - *Phase 3- Teachers will come with the previous phases work completed. PLC will be used to take the internalization process through conversations on topics.*
- Plan for Communication: All requirements for protocol use will be communicated to stakeholders as part of the onboarding and orientation training.
- Timeline: Timeline: Onboarding and orientation training will be scheduled in May of 2025 and continue the week of July 15, 2025.

Alignment Item: Student work analysis protocols and process.

- Expectations: Teachers, coaches, and leaders use the Bluebonnet Learning protocol to review and analyze student work during common planning time at least once a month, starting in August 2025..
- Plan for Communication: All protocol requirements will be shared with stakeholders during onboarding and orientation training. Instructional coaches and school leaders will model the student work analysis protocol and review usage expectations during all PLCs in early September.
- Timeline: Onboarding and orientation training will be scheduled in May of 2025 and continue the week of July 15, 2025.

Alignment Item: Curriculum-embedded assessment expectations.

- Expectations: Teachers will consistently administer the embedded assessments provided by Bluebonnet Learning. In the first year of implementation, all assessments will be delivered as designed. Modifications or accommodations may be provided to support individual student needs, as outlined in IEPs or other educational plans. School leaders will oversee and monitor the fidelity of assessment administration throughout the modules.
- Plan for Communication: Expectations for embedded-assessment use will be integrated into Bluebonnet Learning onboarding training for all stakeholders.
- Timeline: Principals will report on the fidelity of the use of Bluebonnet Learning assessments at principal meetings.

2D. Professional Learning Plan

Develop a professional learning plan for teachers, instructional coaches, and school leaders that includes 1) product onboarding and orientation, and 2) ongoing job-embedded, curriculum-based professional development.

Key Questions to Consider:

- Do general education teachers, specialized teachers, instructional coaches, and school leaders have opportunities to sufficiently orient themselves to the Bluebonnet Learning instructional materials?
- Is professional learning scheduled throughout the year grounded within the Bluebonnet Learning instructional material?
- Are systems in place to monitor and support professional learning attendance and efficacy?
- What are the expectations for routine observation and feedback cycles that focus on prioritizing fidelity of implementation, leveraging the Bluebonnet Learning observation tools, and providing feedback to teachers to support professional learning and growth?

Resources:

- Technical Conditions Checklist - This checklist provides a list of specific action steps that establish the technical conditions necessary to effectively launch and implement Bluebonnet Learning.
    - The term, technical conditions, refers to the defined systems, structures, and procedures that must be in place to support Bluebonnet Learning implementation.
- Professional Learning Plan Template - This optional resource supports the development of a more comprehensive professional learning plan.

TAKE ACTION: Professional Learning Plan

Professional Learning Experience: Training on Research-based Instructional Strategies (RBIS) and how Bluebonnet Learning instructional materials support RBIS.

- When will this happen?
    a. *HS was trained in the 2024-2025 school year*
    b. *Middle School: #1: Balance Conceptual Understanding (7/16/25), #2 Procedural Fluency & Depth of Key Concepts & #3: Coherence of Key Concepts (10/31/25), Productive Struggle (1/6/25)*
    c. *Elementary- #1: Balance Conceptual Understanding and #2 Procedural Fluency & Depth of Key Concepts (8/8/25).#3: Coherence of Key Concepts and #4 Productive Struggle (9/12/25)*
- Who will lead/participate? All K-8th grade math teachers
- What materials or resources are needed? Region 19 has coordinated the training sessions during the school year. The Math IOs will communicate with the ESC to organize the sessions and arrange any materials or resources needed.

Professional Learning Experience: Training that focuses on communicating expectations, implementation goals, and change management.

- When will this happen? *Communication about transition has begun in winter. Systems have been streamlined. In May, teachers will get initial planning started by looking at the pacing calendar. By the end of STAAR, the planning will begin. Samples will be used for Carnegie. P&I meetings will focus on summer planning days. Week of July 15th (15 and 17) PD will be the official roll out date. Sept 26th will be day 2 of implementation for follow-up.*

- Who will lead/participate? *Teachers/IOs lead Bluebonnet and Carnegie*
- What materials or resources are needed? *hard copies of materials, online resources*

Professional Learning Experience: Bluebonnet Learning instructional material onboarding and orientation.

- When will this happen? *Onboarding will happen in May after the TEA BL portal opens. Elementary ISs and IO will be provided with an overview of the elementary curriculum. ISs and IOs will present this information to all K-5 teachers during their May PLCs (Borrego-5/9, Alarcon-5/21, Sambrano - 5/22).*
    a. *Elementary: In July 2025, the elementary leadership and instructional team will be provided with the initial "Lead" training from Great Minds. On July 17, 2024, all K-5 elementary teachers will be provided with the "Launch" training and Lesson Internalization session.*
- Who will lead/participate? *Teachers/IOs/ISs/Administrators, Great Mind & Carnegie Trainers*
- What materials or resources are needed? *Online portal provided by TEA, Presentation slides created by elementary IS and IO, Great Minds Training materials*

Professional Learning Experience: Training and intentional work time dedicated to understanding the design principles of Bluebonnet Learning instructional materials.

- When will this happen? *Onboarding will happen in May after the TEA BL portal opens during PLCs. Onboarding will happen in May after the TEA BL portal opens. Elementary ISs and IO will be provided with an overview of the elementary curriculum. ISs and IOs will present this information to all K-5 teachers during their May PLCs (Borrego-5/9, Alarcon-5/21, Sambrano - 5/22).*
- *Elementary: In July 2025, the elementary leadership and instructional team will be provided with the initial "Lead" training from Great Minds. On July 17, 2024, all K-5 elementary teachers will be provided with the "Launch" training and Lesson Internalization session.*
- Who will lead/participate? *Teachers/IOs/ISs/Administrators, Great Mind & Carnegie Trainers*
- What materials or resources are needed? *Online portal provided by TEA, Presentation slides created by elementary IS and IO, Great Minds Training materials*

Professional Learning Experience: Regular unit and lesson internalization in collaborative teams and/or individually with an instructional coach or school leader.

- When will this happen?
    a. Secondary: *2 PLCs periods a week for planning/unit/lesson internalization, data and rehearsing in the 2nd semester, there will be added the intervention conversations. Data will be student work analysis, district provided assessments and curriculum embedded assessments.*
    b. *Elementary: The instructional team will participate in the Texas Lesson Study which will structure our PLCs and lesson internalization protocols. This PLC structure will be an expectation at the campuses. The Fall semester will consist of IOs and ISs facilitating lesson internalization PLCs. The spring semester will consist of gradually releasing the facilitating of PLCs to the teachers.*
- Who will lead/participate?
    a. *Secondary: There will be a gradual release by Ulises transitioning it over to the teacher lead PLCs. Ulises for the first 9 weeks, IS- 2nd nine weeks with teacher lead by beginning of second semester.*
    b. *Elementary Lead: IO-Debbie Cortez, elementary ISs, Elementary administrators, and teachers*

- What materials or resources are needed? Curriculum components (print and digital), pacing calendar, video tutorials and lesson internalization documents,

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Professional Learning Experience: Regular student work analysis in collaborative teams and/or individually with an instructional coach or school leader.

- When will this happen? *Will begin the 3rd nine weeks*
- Who will lead/participate? *IOs and ISs will lead initially with a gradual shift to the PLC lead.*
- What materials or resources are needed? *SW Protocol, minimally supplemented BL curriculum, TCR, Leadership will choose the student work then by the teachers. FIrst there will be calibration.*

Professional Learning Experience: Regular observation and feedback cycles with an instructional coach or school leader.

- When will this happen? *Will happen bi-weekly with each being observed at least one time; with the goal of being weekly. Elementary will use the pd at a glance document to do learning walks with the principal starting in the first semester*
- Who will lead/participate? IOs, ISs*, Great minds and elementary campuses*
- What materials or resources are needed? *There is a district and campus feedback observation tool that will embed a BL fidelity of use checkbox. There is a consideration of tracker usage.*

Professional Learning Experience: Additional ongoing, job-embedded, curriculum-based professional learning opportunities.

- When will this happen?
    a. *Sec- will start with the 2 days in July/Sept. Initial 9 wks teachers will get support from Ulises during PLC. Region 19 will provide coaching on the use of Bluebonnet Lesson Internalization during PLC. RBIS training will also be embedded throughout the year for those who still need that training.*
    b. Elem- initial PD for lesson internalization starting in July with additional sessions scheduled for September/October. Monthly PLCs will provide professional growth in areas of need.
    c. Who will lead/participate? Great Minds, Carnegie Learning, & Region 19
- What materials or resources are needed? School leaders will need specific training on facilitation and coaching with Bluebonnet Learning instructional materials (which will be provided prior to the start of the school year), protocols, and observation tools.

2E. Adaptive Change and Communication

Develop a communication plan that supports adaptive change management and ensures stakeholder understanding and commitment to the purpose of adopting and implementing Bluebonnet Learning. Include a plan for stakeholder communication and public posting if the materials are modified as outlined in TEC §26.006.

Key Questions to Consider:

- **Messages:** What are the key messages we need to frame and communicate?
- **Audience:** Who needs to hear and buy into each of the messages?
- **Timeline:** How and when will we communicate each message initially and throughout implementation?
- **Considerations:** What are the connected technical conditions that must also be in place for this to go smoothly? What are other important aspects to consider regarding stakeholder change management?

  The term, technical conditions, refers to the defined systems, structures, and procedures that must be in place to support Bluebonnet Learning implementation.

Resources:

- Reflective Questions and Strategies for Adaptive Change This resource outlines various adaptive strategies, questions, and considerations that support effective communication and change management.
- Key Messages for Maintaining High Expectations for Students - This resource from Instruction Partners (https://instructionpartners.org/) provides ideas to support conversations about high expectations for students.

TAKE ACTION: Adaptive Change and Communication

Key Message 1: What is our purpose for implementing Bluebonnet Learning?

Message: Providing students with grade-level materials is essential. When students receive assignments that are aligned with the TEKS, appropriate for their grade level, and paired with effective instruction, meaningful engagement, and high expectations, they are more likely to succeed. The materials we use—assignments, texts, and assessments—communicate our expectations for student learning. Students tend to meet the challenges we set for them. High expectations lead to higher achievement. Adopting rigorous instructional materials does not prevent teachers from offering the support and accommodations that individual learners may need.
Audience: All district instructional and leadership staff, all instructional staff
Timeline: End of 2024-2025 training sessions, back-to-school in-service events, and ongoing throughout the school year

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Key Message 2: What is our plan for stakeholder communication and public posting if any aspect of the materials is modified, as outlined in TEC §26.006?

Message: Modifications to components of Bluebonnet Learning instructional materials, sequencing, and/or assessments will be available for parent review as outlined in statutes (TEC §26.006). Any modifications must be reported to the campus principals, Curriculum & Instruction Coordinators and made available for parent access through any classroom using an LMS or in another manner specified before the start of the school year.

Audience: All instructional staff, families, and external stakeholders
Timeline: Timeline: Summer communication to all stakeholder groups; ongoing communication with internal stakeholders and families.

Key Message 3: Which adaptive strategies will we use to support positive change management?

Message: San Elizario ISD is committed to ensuring alignment across stakeholders, communicating for clarity, focusing on positive aspects of implementation, and gathering and responding to stakeholder feedback.
Audience: The San Elizario ISD community - all internal and external stakeholders
Timeline: On-going beginning in the spring before implementation
Considerations: District and campus leadership teams will prioritize the following strategies to support successful implementation:

- Foster strong relationships and lead with empathy.
- Offer clear guidance on implementation expectations and the rationale behind selecting Bluebonnet Learning instructional materials, ensuring consistent messaging—including providing presentation templates for principals to use during faculty meetings.

ACTION 3: Leading Internalization and Professional Learning Communities (PLCs)

3A. Analyzing PLC Practices

Analyze the current state of PLCs/teacher planning and preparation practices to prioritize high-impact changes and next steps.

Key Actions to Consider:

- Review the resource **Internalization Keys to Success**. Annotate and take notes regarding the current state of each listed key to success.
    - Think about each element: *vision, protected time and frequency, ownership, use of time,* and *educational practices*. Note which elements of teacher planning and preparation practices are established, clear, and consistent across all grade levels and schools.

Key Questions to Consider:

- What is the current state of PLCs and planning practices in our system and at specific schools?
- Identify strengths: What is effective about PLCs and planning practices, and which characteristics of successful PLCs are already evident?
- Do we have special considerations such as departmentalized grade levels or one teacher per grade level where collaborative planning opportunities might not be available?
- How will specialized teachers engage in internalization along with general education teachers?
- What needs to be prioritized?
- Which, if any, of the potential next steps might be applicable?

Resources:

- Internalization Keys to Success - This resource provides a list of criteria that are the keys to successful internalization and PLC practices; Strategies and potential action steps are also included.
- Deciding What to Teach Versus How Best to Teach - This handout provides a comparative description of lesson internalization and how it differs from lesson design.
- Characteristics of Successful PLCs - This resource describes the four adaptive characteristics of successful PLCs.

TAKE ACTION: Analyzing

Task: Conduct a current state analysis of PLC/teacher planning and preparation practices and summarize the takeaways. What is working well? What is an area for improvement? What might be a short-term area of focus?

Response: *A survey has been deployed for rating/gauging teachers feelings toward the adoption and implementation support needs. There will be a similar survey at the beginning of the second semester.. This will be used to inform next steps.*

No current surveys specific to PLCs have been conducted but qualitative data has been gathered. There is the current model that needs to be restructured to go from planning to internalization. Process will continue as previously but focus will shift.

Task: Identify which **Keys to Success** are currently in place, which are not, and which ones need refining.

Response: *Qualitative data reveals the following. Data from TSL will also be reflected here.*

- Vision: The vision for PLCs will be refined to support the use of Bluebonnet Learning instructional materials by engaging all internal stakeholders in the process.
- Protected Time and Frequency: Common planning time is protected and currently in place for once weekly, but refinement may be necessary to accommodate the additional 30 minutes weekly (or 3 hours every six weeks) that will be allocated for student work and data analysis.
- Ownership: Since the previous PLC structures were not focused on Bluebonnet Learning instructional materials, the roles and responsibilities of the participants should be clearly defined for all stakeholders.
- Use of Time: The use of an agenda focused on the Bluebonnet Learning protocols and outlining any required pre-work or post-work for teachers will ensure the most effective use of time.
- Educative Practices: Addressing the other Keys to Success that need revision will lead to collaborative PLCs for San Elizario ISD.

3B. Structures for Internalization and PLCs

Develop structures and systems to support internalization practices that include a vision, roles and responsibilities, and technical conditions needed.

> The term, technical conditions, refers to the defined systems, structures, and procedures that must be in place to support Bluebonnet Learning implementation.

Key Questions to Consider:

- What is the vision for unit and lesson internalization?
- What are the roles and responsibilities of key stakeholders (e.g., general education teachers, specialized teachers, instructional coaches, school leaders) to realize the vision for internalization?
- What technical conditions, systems, and structures must be in place to realize the vision for internalization?
- What is the plan for communicating the intended structure and systems for internalization?

Resources:

- Deciding What to Teach Versus How Best to Teach - This handout provides a comparative description of lesson internalization and how it differs from lesson design.
- Internalization Keys to Success - This resource provides a list of criteria that are the keys to successful internalization and PLC practices; Strategies and potential action steps are also included.
- Example: Internalization Vision, Roles, and Structures - This example includes a detailed plan for internalization structures.
- Guidelines and Considerations for Mapping Out PLC Topics - This resource provides considerations and recommendations for curriculum-embedded PLC activities.
- Bluebonnet Learning Resources - This repository includes helpful leadership focused materials from Bluebonnet Learning instructional materials.

TAKE ACTION: Structures for Internalization and PLCs

Task: Explain the vision for unit and lesson internalization.

Response:

Unit: Teachers will have a strong understanding of the Scope of work through internalization of the TEKS, ELPS and student engagement with

Lesson: Teachers will understand individual lessons, the TEKS involved, how it fits into STAAR and the foundational needs for future math classes. Teachers will also be able to make the pedagogical decisions to engage all students including EB students, SPED students and advanced learners. Teachers will be able to use all portions of the lesson to provide a strong TIER 1 first teach. Teachers will be using all the resources and rehearsing the lessons without the addition of outside resources or teacher created materials.

Specific to elementary, teachers will effectively and regularly use the models and manipulatives that are an essential part of the daily lessons.

Proof of internalization will be through the annotations on the TEs, per teacher not grade level.

Support for internalization will be provided through the year-long PLCs and professional learnings provided internally and externally by Region 19 (TXLS, TIL). There is a vision for Strong Foundations Grant to provide support the following year.

Task: Name the roles and responsibilities of the school leaders, instructional coaches, and teachers to support the vision for internalization.

Response:

School Leaders- *SLs will be attending the TXLS for year long support. Calendars are being adjusted to meet these needs. The coaching model will be integrated by the SLs. AP will create time to guide educators on BL through internalization (for example- Wed-*

Instructional coach- *Will understand the curriculum. Streamlined walks will yield immediate feedback. Follow ups will be conducted to ensure recommendations are being turned around by the teacher. ICs will attend the TXLS align with their leaders to build capacity building, consistency and alignment for the PLC system*

Teachers- *Will be responsible for their learning. The expectation will be to deliver the process that is being provided for them. Semester 1 will focus on the practice and implementation of the curriculum. Teachers will receive training on RBIS and the curriculum prior to the beginning of the year with follow up support through PLCs and additional trainings.*

Task: Identify priorities based on the current state analysis conducted in Action 3A to support effective internalization.

Response: There will be two priorities

1. Change management- RBIS will help teachers and educators understand the shift in curriculum and way of teaching
2. Going from planning to internalization will require teachers to understand the new curriculum, process for internalization and difference between planning and internalization
3. PLCs will remain the same with IOs leading and campus IS learning the process to eventually take over after the 2nd weeks with complete ownership of PLCs
4. A strong master calendar will reflect and protect internalization time. Protection of time will also be for observations, feedback and follow-up.

Task: Name the technical conditions, systems, and structures that need to be in place to support the identified priorities and the vision.

Response:

A 4-day week will affect the scope and sequence with bundling and adjusting. This work will be the responsibility of the IOs using tools such as the TCMP and feedback from teachers. This will include working with teachers to understand the importance of working off the current sequence.

For elementary, the assessment cycle will need to be adjusted based on the current district assessment cycle (4 & 8 week touch point data collection).

3C. Supporting All Learners

Develop and communicate clear guidelines for teachers to support all learners and maintain instructional flexibility that outline acceptable teacher modifications to address student needs.

Key Questions to Consider:

- How will we support teachers utilizing engagement strategies, Bluebonnet Learning embedded supports, and differentiating and adjusting with fidelity to meet student needs?
- What guidance is needed to support teachers with fidelity of implementation while maintaining instructional flexibility?

Resources:

- Texas SPED Support - This website features special education resources and learning opportunities from experts in the field.
- Specially Designed Instruction Field User Guides - Texas SPED Support provides specially designed instruction field user guides for instructional materials. Field Guides for Bluebonnet Learning are under development and will be available on the Texas SPED Support website in the 2025–26 school year.
- The Opportunity Myth (TNTP) - This resource examines the importance of ensuring equitable access to grade-appropriate content for all learners.

TAKE ACTION: Supporting All Learners

Support: Bluebonnet Learning Embedded Supports

Guidelines:

IOs will identify the embedded supports that will be used on a daily basis. The district will also leverage the bilingual professionals and strategies already in place at the district with the expectation that teachers will eventually be identifying the supports that best serve their students.

Support: Engagement Strategies

Guidelines:

Teachers will be able to embed district adopted strategies such as Lead4ward and Seidlitz strategies into the daily routines of the classroom as they have been annotated during the internalization process. As the year progresses, teachers can make those shifts outside of the internalization process.

Support: Instructional Flexibility

Guidelines:

Because of the 4-day week, there will be a need to be as close to the pacing as possible. This means teachers will be within 2 days of the pacing calendar. Pacing calendar will be shared at the beginning of the year. It will be visited during the PLCs.

For secondary, the pacing calendar is already in development. Teachers will have the calendar prior to the start of the new school year.

ACTION 4: Establishing Observation and Feedback Practices

4A. Observation Expectations

Develop observation expectations for Bluebonnet Learning implementation.

Key Questions to Consider:

- What is the purpose of implementation observations?
- What are the roles and responsibilities of school leaders and instructional coaches regarding observations?
- Which observation tool(s) will be used?
- What are the expectations for observation cadence, frequency, required participants, pre-work requirements, documentation requirements, and follow-up requirements?
- Who will coordinate and schedule observations?

Resources:

- Fidelity of Implementation (FOI) Look-Fors - This resource identifies key Bluebonnet Learning fidelity of implementation outcomes and look-fors associated with those outcomes.
- Example: Observation Roles and Responsibilities - This example provides a detailed list of responsibilities related to observation practices for various leadership roles.
- Bluebonnet Learning Resources - This repository includes helpful leadership-focused materials from Bluebonnet Learning instructional materials.

TAKE ACTION: Observation Expectations

Action: Clearly define the purpose of observations.

Decision/Expectations:

Observations will be conducted to collect data on fidelity of use, evidence of internalization depth, [redacted] in order to collect data, identify trends/gaps that will steer the PLC conversations.

Next Steps:

Coordinate with TSL to align walkthrough tools. Onboarding for data analysis will happen through TSL as well. Resources from TSL will be used to build the strong PLC practices and feedback cycle.

Action: Name the observation expectations and responsibilities for school leaders.

Decision/Expectations:

Principal & APs, IS and IOs - *will be able to lead the observations through their understanding of the curriculum, the procedures embedded in the curriculum and be able to lead those conversations that are data (walk-though) based with growth being the overall goal.*

Next Steps:

Norming on the observation tool, calibrating and ensuring all leaders receive the same training with the same expectation for amount of walkthrough and turn around time for teachers to receive feedback.

Action: Name the observation expectations and responsibilities for instructional coaches.

Principal & APs, IS and IOs - *will be able to lead the observations through their understanding of the curriculum, the procedures embedded in the curriculum and be able to lead those conversations that are data (walk-though) based with growth being the overall goal.*

Next Steps:

Norming on the observation tool, calibrating and ensuring all leaders receive the same training with the same expectation for amount of walkthrough and turn around time for teachers to receive feedback.

Action: Explain which observation tool(s) will be used.

Decision/Expectations:

The observation tool from BL and TSL have not been integrated. This conversation and decision will happen during the summer with the final walkthrough tool being decided upon prior to the beginning of the school year.

Next Steps:

Coordinate time for the tools to be reviewed with the TSL team and decide on the correct tool for the district.

Train the leadership team on the tool with opportunities to calibrate.

Tool will be shared with classroom teachers.

Action: Decide on the planning regarding the cadence, frequency, and scheduling of observations.

Decision/Expectations: All school leaders, instructional coaches and C & I personnel will conduct weekly observations of Bluebonnet Learning instruction using the Bluebonnet Learning observation tools with each teacher receiving at least one observation and feedback cycle session each nine weeks.

Action: Name the requirements for documentation and follow-up.

Decision/Expectations: All Bluebonnet Learning observations will be documented using the Bluebonnet Learning observation tool and provided to the respective teachers. Documentation can be completed either electronically or on paper.

Next Steps: School leaders, instructional coaches, and C & I personnel will receive information about documentation and follow-up for Bluebonnet Learning observations during the leader training on Bluebonnet Learning observation and feedback.

4B. Observation and Feedback Cycles

Develop a plan that supports professional learning and development for school leaders, instructional coaches, and teachers through observation and feedback cycles.

Key Questions to Consider:

- How will school leaders and instructional coaches receive training and practice with the observation tool(s) including opportunities for calibration and norming?
- What coaching model will be used to support Bluebonnet Learning implementation?
- What are the expectations for when/how teachers will receive feedback and coaching in response to an observation?
- How will school leaders and instructional coaches receive ongoing support?
- How will the impact of coaching efforts on teacher practice be monitored and measured?

Resource:

- Bluebonnet Learning Resources - This repository includes helpful leadership focused materials from Bluebonnet Learning instructional materials.
- SFI Action Step Guides - The Action Step Guides feature a process for giving teachers feedback following observation with concrete next steps that will improve teacher practice and fidelity of implementation.

TAKE ACTION: Observation and Feedback Cycle Planning

Topic: School leader and instructional coach training and practice

Decision/Expectations: Leadership teams will participate in the Texas Lesson Study provided by Region 19 throughout the 2025-2026 school year.

Topic: Coaching Model

Decision/Expectations: The Leadership team will use the See It, Name It, Do It coaching model to provide feedback and ongoing professional learning and development to teachers implementing Bluebonnet Learning.

Next Steps: The Leadership team will receive training for the See It, Name It, Do It coaching model beginning in the 2025-2026 school year.

Topic: Feedback Cycle Process

Decision/Expectations: Teachers will receive feedback, in person, from their observer at least once each six weeks using the See It, Name It, Do It protocol to provide actionable,concrete next steps to support teacher delivery of Bluebonnet Learning instructional materials. Each observer will follow up to observe the action steps in play within ten school days.

Next Steps: *Pending initial training in the coaching model

Topic: Ongoing, Job-embedded Support

Decision/Expectations: *Pending initial training in the coaching model

Next Steps:

Topic: Measuring Impact

Decision/Expectations: *Pending initial training in the coaching model

Next Steps:

ACTION 5: Aligning Assessment Strategy

5A. Analyzing Assessment Practices

Conduct a current state analysis of assessment practices to prioritize high-impact changes and next steps.

Key Actions to Consider:

- Review the resource **Assessment Keys to Success.** Annotate and take notes on the resource regarding the current state of each listed key to success.
    - Think about each element: *vision, protected time and frequency, assessment integrity, integration of other assessments, and analysis of student work* and *assessment data*. Note which assessment elements are established, clear, and consistent across all grade levels and schools and which are not.

Key Questions to Consider:

- What existing strengths and areas of alignment were identified?
- How can areas of strength be leveraged and reinforced?
- What areas of misalignment were identified?
- Which, if any, of the potential next steps might be applicable?

Resource:

- Assessment Keys to Success - This resource provides a list of criteria that are the keys to successful prioritization of curriculum-embedded assessments and an aligned assessment strategy.

TAKE ACTION: Analyzing Assessment Practices

Task: Conduct a current state analysis of assessments and summarize the takeaways. What is working well? What is an area(s) for improvement?

Response:The Administrator of Research & Accountability creates comprehensive assessment calendars that track universal screeners, district benchmarks, interim assessments, and 4 & 8 week assessments across the district including STARR, End of Course, and college readiness related assessments.

• Campuses follow a process of administering common unit assessments developed at the district level for each grade level and course in the required curriculum.

• Teachers and leaders frequently review student data from assessments to determine instructional adjustments and/or student support needed.

Task: Identify which **Keys to Success** are currently in place, which are not, and which ones need refining.

Response: A key to success is the practice of maintaining an assessment calendar. San Elizario ISD will refine this to create assessment calendars that include the Bluebonnet Learning unit assessments.

5B. Structures for Assessment Practices

Develop and communicate expectations that prioritize curriculum-embedded assessments and student work analysis.

Key Questions to Consider:

- What are the most impactful changes that must be made to effectively prioritize curriculum-embedded assessments and engage in student work analysis using Bluebonnet Learning protocols?
- What technical challenges (e.g., time) might be encountered, and how will these be overcome?
- What adaptive challenges (e.g., mindsets) might be encountered and how will these be navigated?
- What are a few high-leverage changes or adjustments that can be made?
- How are student assessment expectations going to be communicated?

Resource:

- Assessment Keys to Success - This resource provides a list of criteria that are the keys to successful prioritization of curriculum-embedded assessments and an aligned assessment strategy.
- Bluebonnet Learning Resources - This repository includes helpful leadership focused materials from Bluebonnet Learning instructional materials.

TAKE ACTION: Structures for Assessment Practices

Task: Identify a priority action for **curriculum-embedded assessments** based on the current state analysis conducted in Action 5A.

Response: Revise the district assessment calendars to incorporate Bluebonnet Learning's embedded assessments in place of the previously used district benchmarks or campus-developed common unit assessments.

Task: Identify a priority action for **student work analysis** based on the current state analysis conducted in Action 5A.

Response: Facilitated student work analysis sessions will begin no later than October. All instructional staff will receive initial training on student work analysis protocols during the Bluebonnet Learning onboarding and orientation training.

Task: Plan next steps that focus on high-impact changes to support effective assessment practices.

Response: The Administrator of Research and Accountability will revise the district assessment calendars to include Bluebonnet Learning unit assessments, replacing campus common assessments and district benchmarks.

Task: Explain the communication plan for ensuring all school leaders, instructional coaches, and teachers are on the same page regarding curriculum-embedded assessments.

Response: All teachers and other instructional staff will receive training and detailed information on expectations for Bluebonnet Learning assessments during onboarding and orientation training. Principal supervisors will communicate regularly with school principals the expectation for prioritization of Bluebonnet Learning embedded-assessments, maintenance of assessment integrity, and the use of student work analysis as the primary data analysis process for formative assessments.

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San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915.872.3900
Fax: 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Blanca I. Cruz, Associate Superintendent
Subject: Consider and possible Board action to approve the Bluebonnet Spanish Math Pilot Curriculum
Date: June 11, 2025

HISTORY:
San Elizario ISD was part of a pilot grant that allowed us to implement and adopt HQIM math materials. Over the last few months, the instructional team has been previewing the new Bluebonnet Learning curriculum for math as well as the Spanish pilot program. The Board has approved the adoption of Bluebonnet Math for the district. San Elizario ISD has also applied to be a pilot District for the Bluebonnet Spanish resources for Mathematics. Board approval is required for the implementation of the pilot program.

RATIONALE:
San Elizario ISD will be implementing the following:

Level	**Math Curriculum**
K-5 English	Bluebonnet Learning
K-5 Spanish	Bluebonnet Learning Pilot

BUDGET IMPACT:
There is no budget impact.

ADMINISTRATIVE RECOMMENDATION:
The Administration recommends that the Board approve the Spanish Bluebonnet Pilot Program as presented.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☐ Attachment Included

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915872.3900
Fax 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees

From: Jesus Martinez, Executive Director of Support Services
Elizabeth Perez, Chief Financial Officer

Subject: Consider and possible Board action to approve interlocal agreement of school resource officer with the City of San Elizario, Texas commencing on July 1, 2025, and ending on June 30, 2026

Date: June 11, 2025

HISTORY: During the March 6, 2024, regular Board meeting, the board instructed administration to work with the City of San Elizario Marshal's office in acquiring one more SRO to complete all campuses. One June 12, 2024, administration provided an agreement for the Board's consideration and possible approval, the interlocal agreement was approved by the Board. The agreement ends on June 30, 2025

RATIONALE: The rationale is to renew the interlocal agreement and remain compliant with H.B. 3, which states that an armed officer must be present at every school campus during school hours.

BUDGET: The one-year term and fee for one SRO is seen below. The cost remains the same from last year.

Term	Amount
July 1, 2025 – June 30, 2026	$63,500 plus $7,000 for vehicle Total=$70,500

ADMINISTRATIVE RECOMMENDATION: The administrative recommendation is to approve the interlocal agreement with the City of San Elizario, Texas for a school Resource Officer. The agreement has been reviewed by the district's legal counsel.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

INTERLOCAL AGREEMENT
FOR THE PROVISION OF LAW ENFORCEMENT SERVICES
BY AND BETWEEN THE CITY OF SAN ELIZARIO, TEXAS AND THE
SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT

RECITALS

WHEREAS, Chapter 791, Texas Government Code, allows local governments and public-school districts to enter into Interlocal Cooperation Agreements for governmental purposes;

WHEREAS, the provision of police protection and detention services is included in the definition of governmental functions and services in Sec. 791.003, Texas Government Code;

WHEREAS, pursuant to Section 37.081(2) of the Texas Education Code, a school district may enter into an agreement with a local law enforcement agency for the provision of school resource officer;

WHEREAS, the San Elizario Independent School District (hereinafter "School District") believes that the presence of a law enforcement officer on its campuses is necessary to ensure an orderly, peaceful, and safe academic environment;

WHEREAS, the City of San Elizario (hereinafter "City") desires to reduce the incidence of juvenile crime, provide enhanced security at school campuses; and

WHEREAS, the City and the School District wish to enter into this Interlocal Agreement to work towards the safety of local schools.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the City and the School District, acting by and through their governing bodies and the authority granted in Chapter 791, Texas Government Code, do hereby covenant and agree as follows:

I. PURPOSE

The purpose of this Agreement is to document the respective roles and responsibilities of the City and the School District regarding the hiring, equipping, supervising, and other logistical considerations for School Resource Officer(s) assigned to the School District. The mission of the School Resource Officer program is to place community policing officers in designated schools within the School District to build working relationships with schools, students, and parents; to address on-site security; to combat school violence; to provide drug abuse and crime prevention education; to serve as positive role-models for students; and to provide a direct link with City law enforcement.

II. TERM

This Agreement shall commence on July 1, 2025 and shall terminate on June 30, 2026.

III. SCOPE OF SERVICES

The City, through the San Elizario Marshal's Office ("SEMO"), shall assign one (1) uniformed San Elizario Marshal's Deputy as School Resource Officer ("Officer") to the School District, to be selected by the SEMO, during the term of this Agreement, when schools are in session and in accordance with the schedule provided herein. The City and the School District shall be referred to individually as "Party" and collectively as the "Parties," herein.

The Officer shall provide the following law enforcement services to his or her assigned campus(es) during the term of the Agreement:

A. Maintain a routine presence in campus buildings and parking areas during school hours, as agreed to by the Parties, to provide a deterrent to crime as well as to provide a sense of safety and security to students, parents, families, visitors, and School District staff.

B. Gather information related to criminal activity.

C. Provide emergency response to crimes or emergencies in progress.

D. Identify gang members, associates and activities and generate documentation regarding same.

E. Arrest/detain, as appropriate, and transport to the appropriate detention facility. Arrests/detentions shall be reported to school officials as required by law, and in accordance with the School District's policies.

F. As necessary, provide radar coverage of respective school zones to promote the safety of educators and students.

G. Respond to non-emergency calls for assistance.

H. Provide intervention counseling as appropriate.

I. Enforce the Texas Transportation Code, Texas Code of Criminal Procedure, Texas Penal Code, Texas Education Code, Texas Health and Safety Code, Texas Family Code, and any other applicable federal, state, county, or City law on School District property.

J. Collaborate with campus principals and district administration on school safety and security efforts as established by the Texas Education Agency ("TEA") and the Texas School Safety Center ("TxSSC").

K. Maintain the integrity, professionalism, values, and goals of the SEMO and School District by assuring that all rules and regulations are followed and that accountability and public trust are preserved.

L. Protect the safety and welfare of any person in the jurisdiction of the School District.

M. Protect the property of the School District.

N. Communicate with the principal and/or facility administrator of the Officer's assigned school(s) on a daily basis and take reasonable steps to address any security concerns raised by these officials.

Officer shall only perform the tasks of a licensed peace officer. Officer shall not be assigned tasks of a disciplinarian, administrator, or teacher. Officer shall at no time act as a substitute teacher or provide sole supervision of a class of students.

IV. AUTHORITY OF OFFICER

Officer assigned to the School District by the City shall be empowered to enforce all laws and ordinances applicable in the City and School District including the power to arrest/detain and execute search warrants.

While functioning as a law enforcement officer assigned to the School District, Officer shall have all the law enforcement power of a regular law enforcement officer.

Officer retains the authority to refuse any instruction or task that Officer considers to be unlawful, an infringement on an individual's constitutional rights, or otherwise in violation of the Agreement. In performing his or her work, Officer shall follow all policies, procedures, rules, and regulations of the City and the SEMO. This includes procedures and requirements relating to such things as detention of individuals, use of force, and search and seizure of property and individuals. Officer shall serve as an informative resource for the School District regarding issues involving the Texas Penal Code, traffic laws, juvenile laws, other Texas statutes, and the United States Constitution. Officer must also comply with law enforcement regulations pursuant to the Texas Education Code. Assigned SEMO personnel shall supervise Officer.

V. CONSIDERATION

The School District shall reimburse the City for all wages and benefits paid to the assigned Officer while working for the School District including any overtime pay. The School District shall pay the City the annual base rate of Sixty Three Thousand and Five Hundred Dollars ($63,500.00) for the services of the Officer and Seven Thousand Dollars ($7,000.00) for each vehicle assigned to the School District during the term of this Agreement.

VI. SCHEDULE

This Agreement is based on a 365-day calendar year and payments shall be due, payable, and owing regardless of whether school is in session. Officer may be made available to patrol areas within the School District's boundaries during summer break and school holidays.

Officer shall be scheduled to work a regular shift of 10 hours for each day that they are scheduled to work for the School District, as determined by the School District.

As part of the Officer's regular work schedule, the Officer shall be scheduled to work Tuesday through Friday from 7:00 a.m. until 5:00 p.m. The Officer will be entitled to a one-half (1/2) hour, paid lunch period and will be subject to emergency calls during lunch. The Officer's work schedule is subject to change based on the School District's operational needs.

The Officer will attend school events, as requested by the School District.

The Officer shall be scheduled to work 40 hours per 7-day work period. However, the Officer may be scheduled to work additional hours as determined by the School District.

For hours worked in excess of 40 hours per 7-day work period, the School District shall be responsible and billed for overtime costs at a rate of one and a half (1.5) times the Officer's regular rate of pay for each hour worked in excess of 40 hours per work period. Any overtime must be authorized, in advance, by the School District.

The Officer may take Paid Time Off and any other time off that Officer is allowed or required to take, as determined by the SEMO, including but not limited to time off for any required training.

VII. FURNISHING OFFICE, EQUIPMENT, AND SUPPLIES

The School District agrees to provide the Officer, at no cost to the City, office space and necessary equipment to enable the Officer to perform the services and responsibilities under this Agreement, including but not limited to: a school computer, access to school software, and office supplies. The Officer's office space may be shared with School District Administration. The School District shall also provide, at no cost to the City, any portable radios, pagers, or other portable communications equipment to the Officer. The School District agrees to provide and install a secure safe at the Officer's assigned campus to safely store the Officer's weapon(s). The School District shall bear all costs related to the purchase and installation of the safe. All office space, equipment, and supplies provided under this Agreement shall remain the property of the School District.

VIII. ASSIGNMENT OF OFFICER

The City shall have the sole authority to select the assigned Officer. In the event that the assigned Officer is absent for any reason (including because of illness, personal time off, military or emergency leave, etc.), City shall assign another deputy to serve as Officer. The School District will not be billed for any days on which the City cannot provide a replacement deputy to serve as an Officer.

IX. OFFICER TRAINING

The City is responsible for paying the cost of training as required by the Texas Education Code, including the National Association of School Resource Officer 40-hour basic training course. The City shall be responsible for all other training for the Officer. The School District shall permit the Officer to attend and participate in mandatory training as set out by law, policy, or grant requirements. The Officer may also participate in reasonable training programs that directly affect the Officer's ability and skills as a School Resource Officer or that enhance the Officer's law enforcement career. During training, the Officer will be absent from his/her assigned school.

X. ROVER OPTION

Upon the Parties' mutual agreement, the City shall provide an additional Deputy to serve as a School Resource Officer for the School District (the "Rover Officer"), to be compensated at the same annual base rate of pay as the Officer under this Agreement, and subject to the same terms and conditions as provided herein. The Rover Officer may be scheduled on an as-needed basis as determined by the School District.

XI. PAYMENT PROCESSING PROCEDURE

The City shall bill the School District on a quarterly basis. The City shall provide itemized billing for payroll to the School District. Invoices should include backup documentation showing wages and benefits paid for the Officer for School District activities. The City shall keep all records, including timesheet logs, to substantiate the City's billing which shall be made available to the School District for inspection upon request. The School District shall review each monthly billing and provide payment to the City within 30 days of receipt of the bill.

Payments submitted under this Agreement shall be made payable to:

The City of San Elizario
Attn.: Accounting Department
12710 Church St.
P.O. Box 1723
San Elizario, Texas 79849

XII. INFORMATION SHARING BETWEEN PARTIES

Communication and information sharing is essential to the success of School Based Law Enforcement and the Officer's fulfillment of his or her duties under this Agreement. Sharing of information between the Parties will be in compliance with federal, state, and local laws, as well as the policies and procedures of the School District, the City, and the SEMO. The Officer may share information with School District officials regarding arrests, detentions, and investigations, as required or permitted by law and/or applicable policies and procedures; provided that the sharing of information will not interfere with the detection, investigation, or prosecution of a crime. The Officer may also share information with School District officials regarding a student in violation of school policies. Additionally, the Officer shall have access to public records maintained by the School District to the extent allowed by law. The Officer may need access to confidential information in emergency situations based on a serious threat to a person's health or safety, time sensitivity, and the direct relationship of the information to the emergency.

XIII. INVENTIONS MADE UNDER AGREEMENT

The Parties acknowledge and agree that any intellectual property, processes, procedures, or products developed in furtherance of this Agreement belong to the developing Party as work-for-hire and all rights are reserved by the developing Party and or/the federal government, as applicable, in accordance with applicable federal law.

XIV. NOTICE

Any notice required or permitted to be given under this Agreement by one Party to the other Party shall be in writing and shall be given and deemed to have been given immediately if delivered in person to the recipient's address set forth in this section or on the date of certified receipt if placed in the United States mail postage prepaid by registered or certified mail with return receipt requested, addressed to the receiving Party at the address hereinafter specified.

City of San Elizario

The address of the City for all purposes under this Agreement and for all notices hereunder shall be:

City of San Elizario
Attn: Mayor
P.O. Box 1723
12710 Church St.
San Elizario, Texas 79849

Copy to:

San Elizario Marshal's Office
Attn: Marshal Jose A. Soliz
12004 Socorro Rd., Suite B
San Elizario, Texas 79849
jsoliz@cityofsanelizario.com

San Elizario Independent School District

The address of the San Elizario Independent School District for all purposes under the Agreement and for all notices hereunder shall be:

San Elizario Independent School District
Dr. Jeannie Meza-Chavez – Superintendent
P.O. Box 920
1050 Chicken Ranch Rd.
San Elizario, Texas 79849

XV. LIAISON

The City and the School District each agree to maintain specifically identified liaison personnel for their mutual benefit during the term of the Agreement. The liaison(s) named by the City shall serve as the initial point(s) of contact for any inquiries made pursuant to this Agreement by the School District and respond to any such inquiries by School District. The liaison(s) named by the School District shall serve as the initial point(s) of contact for any inquiries made pursuant to this Agreement by the City and respond to any such inquiries by the City. The liaison(s) shall be named in writing at the time of the execution of this Agreement. Subsequent changes in liaison personnel shall be communicated by the respective Parties in writing.

XVI. BACKGROUND CHECKS

The City must request its employees assigned as an Officer to comply with the applicable requirements of Texas Education Code § 22.0834 by working with the Texas Department of Public Safety to conduct fingerprint checks on Officer (see Exhibit 1 as incorporated herein by reference). The City's representatives will have continuing duties under this Agreement and will have direct contact with students. No employee, agent, representative, volunteer, applicant for employment, or other person associated with the City who has been convicted of a felony or misdemeanor involving moral turpitude shall be permitted to perform services for the School District. The City will certify that it will ensure that this requirement is met. Fingerprinting records and records of compliance with Texas Education Code § 22.0834 will be available to the School District for inspection and review during normal business hours of the City and upon request of the School District or governmental authorities.

XVII. RELEASE AND INDEMNIFICATION

To the extent allowed by applicable law, the School District agrees to defend, hold harmless and indemnify the City and its officers, employees, agents, and independent contractors of, from, and against any and all claims, demands, liabilities, actions or causes of action, losses, damages, expense (including legal fees), penalties, fines, costs and judgments of either of them, their officers, employees or agents arising in whole or in part out of the condition of the premises or vehicles owned, operated or controlled by School District, or resulting from or arising out of, in whole or in part, any negligent act or omission or any intentional or willful misconduct by the School District, its officers, employees, agents or independent contractors.

To the extent allowed by applicable law, the City agrees to defend, hold harmless and indemnify, to the extent allowed by law not to create a sinking fund, School District and its officers, employees, agents and independent contractors of, from and against any and all claims, demands, liabilities, actions or causes of action, losses, damages, expenses (including legal fees), penalties, fines, costs, and judgments of any type or nature that may be claimed, brought or had against either of them, their officers, employees or agents arising in whole or in part of the condition of the premises or vehicles owned, operated or controlled by the City, or resulting from or arising out of in whole or in part any negligent act or omission, or any intentional or willful misconduct by the City, its officers, employees, agents or independent contractors.

Each Party hereto agrees to carry and maintain workers' compensation, general comprehensive liability, and motor vehicle liability insurance covering the conditions and operations of the premises, vehicles, and actions or failures to act of any officer, employee, agent, or independent contractor of the respective Party.

XVIII. TERMINATION

The Agreement automatically terminates at the end of the Term. Upon termination of this Agreement, each Party shall immediately deliver to the other Party all property in its possession or under its care and control belonging to the other Party.

Either Party to this Agreement shall have the right to terminate this Agreement by notifying the other Party in writing of such termination and the proposed date of the termination no later than thirty (30) days prior to the effective date of such termination.

If payment is not timely received by the due dates referenced herein, the assignment of Officer to the School District shall be suspended until all amounts due are received. If payment is not received within thirty (30) days of the due date, the Agreement shall terminate, and the School District shall pay the prorated amount then due and owing.

Either Party may terminate the Agreement immediately upon written notice of breach of any Party by the other Party. For purposes of this Agreement, the School District will be in breach if any of

the following occur: (i) the School District fails to make any payment when due; (ii) the School District fails to perform promptly at the time and in the specified manner provided by this Agreement; or (iii) the School District makes any representation or statement to the City that is false or misleading in any material aspect. The City will be in breach if any of the following occur: (i) the City and/or its employees or agents fail to perform promptly at the time and in the manner specified in this Agreement; (ii) the City and/or its employees or agents make any representation or statement to the School District that is false or misleading in any material aspect; or (iii) the City and/or its employees have a disqualifying criminal history.

XIX. SOURCE OF FUNDING

Each Party paying for the performance of services required by this Agreement shall make those payments from current revenues available to the paying Party.

XX. CHANGES IN THE LAW

Any alterations, additions, or deletions to the terms of this Agreement that are required by changes in federal or state law are automatically incorporated into this Agreement without written amendment to this Agreement and shall be effective on the date designated by said federal or state law.

XXI. AMENDMENTS

Any changes to this Agreement, except those changes so designated in this Agreement, shall be in writing and executed by both Parties to this Agreement.

XXII. ENTIRE AGREEMENT

This instrument constitutes the entire agreement between the Parties hereto, and all oral or written agreements between the Parties hereto relating to the subject matter of this contract that were made prior to the execution of this contract have been reduced to writing and are contained herein.

XXIII. VENUE

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. The venue of any suit brought by either Party for any breach of this Agreement is fixed in any court of competent jurisdiction in El Paso County, Texas. All payments shall be due and payable in San Elizario, Texas.

XXIV. SEVERABILITY

If any term or provision of this Agreement or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each and every term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

XXV. FORCE MAJEURE

Neither Party hereto will be deemed in default of the Agreement be liable or responsible to the other Party for any loss or damage (including payment of fees), or for any delays or failure to perform, resulting from any condition beyond either Party's reasonable control, (including but not limited to) acts of God; flood; fire; earthquake; explosion; order, requisition, or necessity of the government; war, invasion, or hostilities (whether war is declared or not); terroristic threats or acts, riot, or other civil unrest; regional or national emergency; revolution; insurrection; epidemic or pandemic; lock-outs, strikes, or other labor disputes (whether or not relating to either Party's workforce); restraints or delays affecting carriers or inability or delay in obtaining supplies of adequate or suitable materials; failure of Internet service; any third-party service; any telecommunication breakdown or power outage; and or any other circumstances of like character. Should performance of any obligation created under the Agreement become illegal, impossible, impracticable, not reasonably possible, or if a Party is otherwise prevented or hindered from complying due to a force majeure incident as described in this Section or any other cause not enumerated herein but which is beyond the reasonable control of the Party whose performance is affected, then the performance of any such obligation is suspended during the period of, and only to the extent of, such prevention or hindrance, provided the affected Party provides reasonable notice as soon as practicable following an event of force majeure and exercised all reasonable diligence to remove the cause of force majeure.

XXVI. IMMUNITY

No provision of this Agreement shall affect or waive any sovereign or governmental immunity available to either Party and/or its elected officials, officers, employees, and agents under Federal or Texas law nor waive any defenses or remedies at law available to either Party and/or its elected officials, officers, employees, and agents under Federal or Texas law.

XXVII. ASSIGNMENT

This Agreement may not be assigned by either Party without the prior written consent of both Parties.

XXVIII. WAIVER

The waiver by any Party of any breach of any term, covenant or condition contained herein shall not be deemed a waiver of such term, covenant, condition, or any subsequent breach of the same or any other term, covenant, or condition contained herein.

XXIX. EXECUTION

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same instrument.

This Agreement shall be executed in duplicate originals and be effective on the date of last signature hereto:

[*SIGNATURES ON THE FOLLOWING PAGE*]

SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT:

By:_____
Dr. Jeannie Meza-Chavez, Superintendent

Date:_____

CITY OF SAN ELIZARIO, TEXAS:

By:_____
Mayor

Date:_____

ATTEST:

By:_____
Rene Rosales, City Clerk

APPROVED AS TO FORM:

By: Desiree Duarte
Desiree M. Duarte
City Attorney

APPROVED AS TO CONTENT:

By: _____
Marshal Jose A. Soliz
San Elizario Marshal's Office

Exhibit 1 – Criminal History Review of Contractor Employees

Texas Education Code § 22.0834 requires entities that contract with school districts or charter schools to provide services to obtain named based criminal history and/or fingerprinting record information regarding "covered employees."

Definitions:

"*Covered Employees*": Any employee of a contractor or subcontractor who (1) has or will have continuing duties related to the contracted services and (2) has or will have direct contact with students. San Elizario Independent School District (the "School District" or "District") retains the discretion to determine what constitutes direct contact with students.

"*Disqualifying Criminal History*": Any conviction or other criminal information designated by THE SCHOOL DISTRICT, including one or more of the following offenses:

1. A felony or misdemeanor offense that would prevent a person from obtaining certification as an educator under Texas Education Code § 21.060, including:
    a. Crimes involving moral turpitude;
    b. Crimes involving any form of sexual or physical abuse or neglect of a student or minor or other illegal conduct with a student or minor;
    c. Crimes involving felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481, Texas Health and Safety Code;
    d. Crimes involving school property or funds;
    e. Crimes involving any attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
    f. Crimes occurring wholly or in part on school property or at a school-sponsored activity; and
    g. Felonies involving driving while intoxicated.
2. A felony offense under Title 5, Penal Code.
3. An offense on conviction of which a defendant is required to register as a sex offender.
4. An offense under the laws of another state or federal law that is equivalent to an offense under items (2) and (3) above where, at the time the offense occurred, the victim of the offense was under 18 years of age or was enrolled in a public school.
5. Any other offense that the School District believes might compromise the safety of students, staff, or property.

Any contractor seeking to enter into a service agreement with the School District must comply with the requirements of Texas Education Code § 22.0834 by working with the Texas Department of Public Safety to conduct fingerprint checks on employees prior to beginning services. Contractors who fail to follow this process will not be allowed to provide services to the School District.

CRIMINAL HISTORY REVIEW OF CONTRACTOR EMPLOYEES

Please complete the information below:

I, the undersigned agent for City of San Elizario, Texas (the "City"), certify that [check one]:

[_____] None of the employees of the City and any subcontractors are "covered employees" as defined above. If this box is checked, I further certify that the City has taken precautions or imposed conditions to ensure that the employees of the City and any subcontractor will not become covered employees. The City will maintain these precautions or conditions throughout the time the contracted services are provided.

Or

[_____] Some or all of the employees of City and any subcontractor are "covered employees." If this box is checked, I further certify that:

1. The City has obtained all required criminal history and/or fingerprinting record information regarding its covered employees through the Texas Department of Public Safety as required by law.
2. If The City receives information that a covered employee subsequently has a reported criminal history, The City will immediately remove the covered employee from contract duties and notify the School District in writing within three business days.
3. Upon request, the City will provide the School District with the name and any other requested information regarding covered employees so that the School District may obtain criminal history record information on the covered employees.
4. If the School District objects to the assignment of a covered employee on the basis of the covered employee's criminal history record information, the City agrees to discontinue using that covered employee to provide services to the School District.
5. All covered employees hired after January 1, 2018 have completed the required background check process prior to performing any duties related to the School District or having any direct contact with students.

I understand that non-compliance with this certification by the City may be grounds for contract termination and/or barring disqualified persons from performing the work.

_____ _____

Signature of City Official Date

Localized Policy Manual Update 125

071904 San Elizario ISD

Update 125 contains local policies that require board action and adoption notification before we can incorporate the revisions into your district's Policy Online® manual. Local policies are completely within the control of each local school board. You may use the draft local policies provided, amend them, or write your own policy to meet your district's unique needs.

Please note that legal framework documents, which are not adopted by the board, will not be published on Policy Online until the board acts on the local policies or the district specifically requests earlier publication.

What should I do to prepare for board adoption?

1. Log in to Policy Online,[1] select **Local Manual Updates** from the **My Policy Manual** menu, click **Numbered Updates**, then click **UPDATE 125**.
2. Download and save the numbered update resource materials for Update 125.
3. Present the local policies to your board for adoption. Provide your board with the explanatory notes and encourage them to review those along with the local policies.

How do I notify Policy Service that the board has adopted the update?

1. Following board action, go to **Numbered Updates**,[2] select the appropriate numbered update, then click **Notify TASB of Board Action**.
2. Fill out and submit the electronic form so we can incorporate the adopted policies into your district's Policy Online manual.
3. If there are additional changes, submit the annotated changes with your adoption notification.

Questions?

- For questions about Policy Online, visit the User's Guide[3] or contact pol-support@tasb.org.
- For questions about policy text, contact your district's assigned policy consultant.[4]

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[1] Policy Online: https://pol.tasb.org/
[2] Policy Online Numbered Updates: https://pol.tasb.org/Member/LocalManualUpdates
[3] Policy Online User's Guide: https://www.tasb.org/resources/policy-online-user-guide
[4] Policy Consultant contact information: https://pol.tasb.org/Member/PolicyConsultant/Details

Localized Policy Manual Update 125

San Elizario ISD

You can download a PDF of this update packet, annotated copies of the local policies, editable local policy text, and more under Local Manual Updates on Policy Online®.[1]

Other materials, including an overview video of the local policy changes, are also available in Local Manual Updates.

Need help? Please contact your policy consultant,[2] or call Policy Service at 800-580-7529 or email policy.service@tasb.org.

Overview

Update 125 includes revisions to legal framework documents based on regulatory changes, including amendments to the Texas Administrative Code. Changes to local policies offered for consideration address the following topics:

- Election of board officers
- Board committees
- Advisory committees
- Partial academic credit
- School safety transfers
- Attendance for credit

Please see the Explanatory Notes included in this update packet for a description of the specific changes for each policy.

Board action on the local policies included in the update must occur within a properly posted, open meeting of the board. Instructions for placing policy changes on the agenda for board action and keeping minutes are included with the Update 125 materials under Local Manual Updates[3] on Policy Online.

For more guidance on reviewing and adopting TASB numbered updates, including information on incorporating the update into the district's policy manual and maintaining a historical record of policies, please refer to *The Administrator's Guide to Policy Management*,[4] available in the Policy Online Governance and Management Library[5] (TASB login required).

Scope of Work

Numbered updates involve timely monitoring of statutory sources and regulations, comprehensive review of affected policies, and revisions that are both substantive and related to format, to ensure the legal framework reflects current laws and regulations.

The legal framework documents are drafted and revised by TASB Policy and Legal Services, including attorneys who spend many hours monitoring, researching, analyzing, and drafting. Update 125 took more than 125 legal hours to complete. At a conservative cost of $250 per hour, this legal work provides an approximate value of $31,250. This estimate does not take into consideration the consulting, editing, and production hours that go into providing customized local policy recommendations.

The price of the update is calculated based on pages that are substantively edited, not on the total page count. When changes are made to correct typographical errors or style modifications, there is no charge. TASB Policy Service always endeavors to provide updates to you at the lowest cost possible while maintaining high-quality standards.

(LEGAL) vs. (LOCAL): Remember the Difference

Legal framework documents:

- Reflect the ever-changing legal context for governance and management of the district
- Inform local decision making
- Are NOT adopted, but only reviewed

Local policies:

- Require close attention by the administration and the board
- Reflect the practices of the district and the intentions of the board
- Are changed only by board action (adopt, revise, or repeal)

Keep Your Administrative Regulations Current

Inspect your district's administrative procedures and documents — including exhibits, regulations, handbooks, and guides — that may be affected by Update 125 policy changes. If you need to make changes to the regulations or exhibits contained in your board policy manual, please notify your policy consultant.

The *Regulations Resource Manual*[6] contains model regulations and forms and is available in the Governance and Management Library (TASB login required).

Copyright and Disclaimer

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This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.

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[1] Policy Online: https://pol.tasb.org/
[2] Policy Consultant contact information: https://pol.tasb.org/Member/PolicyConsultant/Details
[3] Local Manual Updates: https://pol.tasb.org/Member/LocalManualUpdates
[4] *The Administrator's Guide to Policy Management*: https://pol.tasb.org/Member/Collections/Details?id=10
[5] Governance and Management Library: https://pol.tasb.org/Member/Collections
[6] *TASB Regulations Resource Manual*: https://pol.tasb.org/Member/Collections/Details?id=21

Instruction Sheet

TASB Localized Policy Manual Update 125

San Elizario ISD

Code	Type	Action To Be Taken	Note
AIA	(LEGAL)	Replace policy	Revised policy
AIE	(LEGAL)	Replace policy	Revised policy
B	(LEGAL)	Replace table of contents	Revised table of contents
BBD	(LEGAL)	Replace policy	Revised policy
BDAA	(LOCAL)	Replace policy	Revised policy
BDB	(LEGAL)	Replace policy	Revised policy
BDB	(LOCAL)	Replace policy	Revised policy
BDF	(LEGAL)	Replace policy	Revised policy
BDF	(LOCAL)	ADD policy	See explanatory note
BJB	(LEGAL)	Replace policy	Revised policy
CBA	(LEGAL)	Replace policy	Revised policy
CKA	(LEGAL)	Replace policy	Revised policy
CKC	(LEGAL)	Replace policy	Revised policy
CLA	(LEGAL)	Replace policy	Revised policy
CMD	(LEGAL)	Replace policy	Revised policy
CNB	(LEGAL)	Replace policy	Revised policy
CNC	(LEGAL)	Replace policy	Revised policy
DEAB	(LEGAL)	Replace policy	Revised policy
DMA	(LEGAL)	Replace policy	Revised policy
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAD	(LEGAL)	Replace policy	Revised policy
EHBAF	(LEGAL)	Replace policy	Revised policy
EHBE	(LEGAL)	Replace policy	Revised policy
EHDE	(LEGAL)	Replace policy	Revised policy
EI	(LOCAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
FDA	(LEGAL)	Replace policy	Revised policy
FDE	(LOCAL)	Replace policy	Revised policy
FEC	(LOCAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy
FFAC	(LOCAL)	No policy enclosed	See explanatory note
FFB	(LEGAL)	Replace policy	Revised policy
FOC	(LEGAL)	Replace policy	Revised policy
FOF	(LEGAL)	Replace policy	Revised policy

Explanatory Notes

TASB Localized Policy Manual Update 125

San Elizario ISD

AIA(LEGAL) ACCOUNTABILITY: ACCREDITATION AND PERFORMANCE INDICATORS

Revisions to 19 Administrative Code 97.1003(f)(3), effective February 10, 2025, prompted edits at Local Accountability Plan — Submission and Audit Standards.

AIE(LEGAL) ACCOUNTABILITY: INVESTIGATIONS

A citation to the Administrative Code has been adjusted at the end of the policy.

B(LEGAL) LOCAL GOVERNANCE

The Section B Table of Contents has been updated to reflect revised names for policies BDB, Board Committees, and BDF, Advisory Committees.

BBD(LEGAL) BOARD MEMBERS: TRAINING AND ORIENTATION

19 Administrative Code 61.1051 was repealed on December 6, 2024, but 19 Administrative Code 61.1(b)(7), which references the repealed rule, was not amended. The requirements in the repealed provision were moved to 19 Administrative Code 103.1401. A Note has been added at Identifying and Reporting Abuse to clarify the location of the requirements.

BDAA(LOCAL) OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS

Revisions are recommended to this local policy on board officer duties and requirements. At Board Officers, the sentence indicating that the board may assign a district employee to provide clerical assistance is recommended for deletion since the superintendent, rather than the board, manages staff assignments, including providing support to the board.

BDB(LEGAL) BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES

To coordinate with the recommended changes to the local policy at this code, the subtopic has been changed from Internal Committees to Board Committees.

BDB(LOCAL) BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES

This policy has been revised in coordination with BDF(LOCAL) to clarify the difference between board committees and advisory committees. Accordingly, the subtopic of this code has been changed from Internal Committees to Board Committees, and new provisions are recommended to establish how board committees are formed and outline their purpose. Text addressing Dissolution of board committees is also recommended for inclusion. The language previously at Special Committees has been moved to BDF(LOCAL).

BDF(LEGAL) BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES

To coordinate with the recommended changes to the local policy at this code, the subtopic has been changed from Citizen Advisory Committees to Advisory Committees.

BDF(LOCAL) BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES

This new local policy is recommended for inclusion to coordinate with the changes at BDB. The subtopic of this code has been changed from Citizen Advisory Committees to Advisory Committees. Language has been moved here from BDB(LOCAL) and updated to clarify how advisory committees are formed and the parameters of their responsibilities. A section on Dissolution of the committees is also recommended for inclusion.

San Elizario ISD

BJB(LEGAL) SUPERINTENDENT: RECRUITMENT AND APPOINTMENT

New rules at 19 Administrative Code 103.1213 regarding the Sentinel system were adopted on December 13, 2024, and a new section on required reporting in that system after a superintendent change has been added to this legal framework.

CBA(LEGAL) STATE AND FEDERAL REVENUE SOURCES: STATE

Revisions reflect amendments at 19 Administrative Code 61.1034, effective April 13, 2025, to clarify the criteria a district must meet to be eligible for the New Instructional Facility Allotment (NIFA). Additional information about NIFA has also been included to outline eligibility provisions and the application process. NIFA was created in 1999 for districts to provide for operational expenses associated with the opening of a new instructional facility and is available to all public school districts that meet the requirements of the statute and rule.

CKA(LEGAL) SAFETY PROGRAM/RISK MANAGEMENT: SAFETY AND SECURITY AUDITS AND MONITORING

New rules at 19 Administrative Code 103.1213, effective December 15, 2024, relating to the Sentinel system prompted revisions to this legal framework on safety and security audits and monitoring. A section on Reporting Through Sentinel has been added, and additional changes reflecting new reporting requirements for vulnerability assessments and intruder detection audits have been made.

CKC(LEGAL) SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS

The new rules regarding the Sentinel system necessitated additional language regarding the Texas School Safety Center's uploading of multihazard emergency operation plans to that system. The new rules became effective December 15, 2024, and are found at 19 Administrative Code 103.1213.

CLA(LEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: SECURITY

New requirements have been added at Human Trafficking Warning Signs to reflect a new rule adopted at 19 Administrative Code 103.1403, effective December 11, 2024.

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

Changes at 19 Administrative Code 67.1315, effective December 15, 2024, prompted revisions relating to the requirement for districts to adopt an open education resource instructional materials plan unless otherwise exempt.

CNB(LEGAL) TRANSPORTATION MANAGEMENT: DISTRICT VEHICLES

A cross-reference to CNC has been added at School Bus Advertising for clarity regarding reporting requirements for crashes involving buses with advertising.

CNC(LEGAL) TRANSPORTATION MANAGEMENT: TRANSPORTATION SAFETY

At Annual Report to TEA, revisions to this legal framework were required after 19 Administrative Code 61.1028 was repealed and provisions moved to the new 19 Administrative Code 103.1231, effective March 10, 2025. Other revisions have been made for clarity.

San Elizario ISD

DEAB(LEGAL) COMPENSATION PLAN: WAGE AND HOUR LAWS

At Exempt Employees — Academic Administrators, the salary/fee rate has been removed and replaced with a reference to the established weekly threshold to prevent the need for continuous updating as the Fair Labor Standards Act rules are amended over time.

DMA(LEGAL) PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT

A citation change at Child Abuse, Trafficking, and Maltreatment reflects provisions from the Administrative Code that were repealed on December 11, 2024, and moved to 19 Administrative Code 103.1401. At Mental Health, provisions have been added to reflect the adoption of 19 Administrative Code 153.1015, effective December 2, 2024.

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

At Evaluation for Change in Eligibility, provisions have been removed to reflect amendments to 19 Administrative Code 89.1070, adopted November 1, 2024. A cross-reference to EIF has been added for clarity.

EHBAD(LEGAL) SPECIAL EDUCATION: TRANSITION SERVICES

Provisions at Graduation have been revised to reflect amendments to 19 Administrative Code 89.1070, adopted November 1, 2024.

EHBAF(LEGAL) SPECIAL EDUCATION: VIDEO/AUDIO MONITORING

19 Administrative Code 61.1051 was repealed on December 6, 2024, but 19 Administrative Code 103.1301, which references the repealed rule, was not amended. The requirements in the repealed provision were moved to 19 Administrative Code 103.1401. A Note has been added at Confidentiality — Duty to Report to clarify the location of the requirements.

EHBE(LEGAL) SPECIAL PROGRAMS: BILINGUAL EDUCATION/ESL

Extensive revisions throughout this legal framework reflect amendments to numerous Administrative Code rules, effective February 7, 2025, relating to bilingual and ESL programs.

EHDE(LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: DISTANCE LEARNING

Changes throughout this legal framework reflect amendments to the Administrative Code adopted on February 14, 2025.

EI(LOCAL) ACADEMIC ACHIEVEMENT

At Partial Credit, recommended revisions replace the phrase "combined grade for" with "average of" to more accurately reflect the determination of awarding credit when a student earns a passing grade in only half of a course.

EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

Revisions to this legal framework are a result of amendments to 19 Administrative Code 89.1070, adopted November 1, 2024.

FDA(LEGAL) ADMISSIONS: INTERDISTRICT TRANSFERS

A paragraph has been added at Discipline and Threat Assessment Records as a result of the new Sentinel rules found at 19 Administrative Code 103.1213, effective December 15, 2024.

San Elizario ISD

FDE(LOCAL) ADMISSIONS: SCHOOL SAFETY TRANSFERS

At Safe Schools Data, “bullying” is recommended for inclusion as an offense for which the district must collect and maintain data. The revision aligns with the Unsafe School Choice Option Guidance Handbook.

FEC(LOCAL) ATTENDANCE: ATTENDANCE FOR CREDIT

Revisions throughout this policy are recommended for clarity.

The information in the first sentence of the policy has been incorporated at Absences Considered for improved readability. Rather than directing the board to establish attendance committees, the policy now authorizes the establishment of those committees by the administration. At Methods for Regaining Credit or Awarding a Final Grade, specifics regarding petitions for credit are recommended for deletion in favor of a reference to administrative regulations.

Revisions at Imposing Conditions for Awarding Credit or a Final Grade are recommended to clarify requirements regarding "seat time." For more information, see the TASB.org article TEKS Mastery, Not Seat Time, Required for Attendance for Credit.

The Legal Tips for Policy Development, available in the Policy Online® Governance and Management Library (TASB login required), describe common legal concerns and best practices specific to this policy's topic.

FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

Extensive changes throughout this legal framework have been made for clarity and to reflect new Department of State Health Services rules on Maintenance and Administration of Medication for Respiratory Distress.

FFAC(LOCAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

The revisions to the legal framework at this code reflect the new Department of State Health Services rules on unassigned medication for respiratory distress. If your district currently maintains medication that can be used when a person is experiencing respiratory distress, please contact your policy consultant for appropriate text to include in your local policy.

FFB(LEGAL) STUDENT WELFARE: CRISIS INTERVENTION

A section on Use of Sentinel Assessment Instrument, Manual, and Field Guide has been added to reflect the new Sentinel rules found at 19 Administrative Code 103.1213, effective December 15, 2024.

FOC(LEGAL) STUDENT DISCIPLINE: PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

Revisions to this legal framework at Determination of Violent Conduct reflect new language at 19 Administrative Code 103.1205, effective October 29, 2024.

FOF(LEGAL) STUDENT DISCIPLINE: STUDENTS WITH DISABILITIES

A new section on Peace Officer or Security Personnel Use of Restraint or Taser has been added to reflect new language at 19 Administrative Code 89.1053, effective October 7, 2024.

Accreditation

Each district must be accredited by Texas Education Agency (TEA). A district that is not accredited may not receive funds from TEA or hold itself out as operating a public school of this state. *Education Code 11.001, 39.052(f)*

District accreditation is determined in accordance with Education Code Chapter 39, Subchapter C and rules adopted by the commissioner of education at 19 Administrative Code, Chapter 97, Subchapter EE (Accreditation Status, Standards, and Sanctions). *Education Code 39.051*

Statuses

The commissioner shall determine criteria for the following accreditation statuses:

1. Accredited. Accredited means TEA recognizes the district as a public school of this state that meets the standards determined by the commissioner under Education Code 39.052(b) and (c), and specified in 19 Administrative Code 97.1059; and is not currently assigned an accreditation status of Accredited-Warned or Accredited-Probation;

2. Accredited-Warned. Accredited-Warned means the district exhibits deficiencies in performance, as specified in 19 Administrative Code 97.1055(b), that, if not addressed, will lead to probation or revocation of its accreditation status;

3. Accredited-Probation. Accredited-Probation means the district exhibits deficiencies in performance, as specified in 19 Administrative Code 97.1055(c), that must be addressed to avoid revocation of its accreditation status; and

4. Not Accredited-Revoked. Not Accredited-Revoked means TEA does not recognize the district as a Texas public school because the district's performance has failed to meet standards adopted by the commissioner under Education Code 39.052(b) and (c), and specified in 19 Administrative Code 97.1055(d).

Education Code 39.051; 19 TAC 97.1055(a)(1)

Annual Evaluation

Each year, the commissioner shall determine the accreditation status of each district. In determining the accreditation status of a district, the commissioner:

1. Shall evaluate and consider performance:

    a. On achievement indicators under Education Code 39.053 [see Performance Indicators, below]; and

b. Under the financial accountability rating system developed under Education Code, Chapter 39, Subchapter D [see CFA].

2. May evaluate and consider:

a. The district's compliance with statutory requirements and requirements imposed by rule of the commissioner or State Board of Education that relate to:

(1) Reporting data through the Public Education Information Management System (PEIMS) or other reports required by state or federal law or court order;

(2) High school graduation requirements; or

(3) Extracurricular activities, student health and safety, purchasing, elementary class size limits, removal of a disruptive student from the classroom, at-risk programs, and prekindergarten programs;

b. The effectiveness of the district's programs for special populations; and

c. The effectiveness of the district's career and technology program.

Based on a district's performance, the commissioner shall assign each district an accreditation status or revoke the accreditation of the district and order closure of the district.

A district's accreditation status may be raised or lowered based on the district's performance or may be lowered based on the performance of one or more campuses in the district that is below a standard required by Education Code Chapter 39, Subchapter C.

Education Code 7.056(e)(3)(C)-(I), 39.052; 19 TAC 97.1055

For additional information on the commissioner process for assigning accreditation status, see 19 Administrative Code 97.1055.

Notice of Status

The commissioner shall notify a district if the district has received an accreditation status of accredited-warned or accredited-probation, or a campus's performance is below standard. *Education Code 39.052(e)*

To Parents and Property Owners

A district assigned an accreditation status of accredited-warned, accredited-probation, or not accredited-revoked shall notify the parents of students enrolled in the district and property owners in the district as specified in 19 Administrative Code 97.1055. The district's notice must contain information about the accreditation status, the implications of such status, and the steps the district is tak-

ing to address the areas of deficiency identified by the commissioner. The district's notice shall use the format and language determined by the commissioner.

The district's notice must:

1. Not later than 30 calendar days after the accreditation status is assigned, appear on the home page of the district's website, with a link to the required notification, and remain until the district is assigned the accredited status; and

2. Appear in a newspaper of general circulation, as defined in 19 Administrative Code 97.1051 (Definitions), in the district for three consecutive days as follows:

    a. From Sunday through Tuesday of the second week following assignment of the status; or

    b. If the newspaper is not published from Sunday through Tuesday, then for three consecutive issues of the newspaper beginning the second week following assignment of the status; or

3. Not later than 30 calendar days after the status is assigned, be sent by first class mail addressed individually to each parent of a student enrolled in the district and each property owner in the district; or

4. Not later than 30 calendar days after the status is assigned, be presented as a discussion item in a public meeting of the board of trustees conducted at a time and location that allows parents of students enrolled in the district and property owners in the district to attend and provide public comment.

To TEA

A district required to act under this subsection shall send the following to TEA via certified mail, return receipt requested:

1. The universal resource locator (URL) for the link to the notification required above; and

2. Copies of the notice in the newspaper showing dates of publication, or a paid invoice showing the notice content and its dates of publication; or

3. Copies of the notice sent by mail and copies of all mailing lists and postage receipts; or

4. Copies of the notice presented at a public meeting and copies of the board of trustees meeting notice and minutes for the

board meeting in which the notice was presented and publicly discussed.

19 TAC 97.1055(f)

Performance Indicators

The commissioner shall adopt a set of indicators of the quality of learning and achievement, including three domains of achievement indicators. [See Achievement Indicators, below] *Education Code 39.053(a)*

The indicators must measure and evaluate districts and campuses with respect to:

1. Improving student preparedness for success in subsequent grade levels and entering the workforce, the military, or post-secondary education;
2. Reducing, with the goal of eliminating, student academic achievement differentials among students from different racial and ethnic groups and socioeconomic backgrounds; and
3. Informing parents and the community regarding campus and district performance.

Education Code 39.053(a-1)

Achievement Indicators

Districts and campuses must be evaluated based on indicators of achievement grouped in three domains:

1. Student achievement domain;
2. School progress domain; and
3. Closing the gaps domain.

Education Code 39.053(c)

Performance on the achievement indicators in the three domains shall be compared to state-established standards. The indicators must be based on information that is disaggregated by race, ethnicity, and socioeconomic status. *Education Code 39.053(b)*

Each school district shall submit the data required for the indicators to the commissioner. *Education Code 39.053(i)*

A-F Performance Ratings

Except when the commissioner determines the assignment of an overall performance rating would be inappropriate [see Assignment of Not Rated, below], the commissioner shall adopt rules to evaluate district and campus performance and assign each district and campus an overall performance rating of A, B, C, D, or F.

In addition to the overall performance rating, the commissioner shall assign each district and campus a separate domain perfor-

mance rating of A, B, C, D, or F for each domain under Education Code 39.053(c) [see Achievement Indicators, above].

An overall or domain performance rating of:

1. A reflects exemplary performance.
2. B reflects recognized performance.
3. C reflects acceptable performance.
4. D reflects performance that needs improvement.
5. F reflects unacceptable performance.

A district may not receive an overall or domain performance rating of A if the district includes any campus with a corresponding overall or domain performance rating of D or F.

For purposes of assigning districts and campuses an overall and a domain performance rating, the commissioner shall ensure that the method used to evaluate performance is implemented in a manner that provides the mathematical possibility that all districts and campuses receive an A rating.

Not later than August 15 of each year, the following information shall be made publicly available as provided by rules adopted by the commissioner:

1. The performance ratings for each district and campus; and
2. If applicable, the number of consecutive school years of unacceptable performance ratings for each district and campus.

Education Code 39.054(a), (a-3), (b)

Assignment of Not Rated

Notwithstanding any other law, the commissioner may assign a district or campus an overall performance rating of “Not Rated” if the commissioner determines that the assignment of a performance rating of A, B, C, D, or F would be inappropriate because:

1. The district or campus is located in an area that is subject to a declaration of a state of disaster under Government Code Chapter 418 and due to the disaster, performance indicators for the district or campus are difficult to measure or evaluate and would not accurately reflect quality of learning and achievement for the district or campus;
2. The district or campus has experienced breaches or other failures in data integrity to the extent that accurate analysis of data regarding performance indicators is not possible;

3. The number of students enrolled in the district or campus is insufficient to accurately evaluate the performance of the district or campus; or

4. For other reasons outside the control of the district or campus, the performance indicators would not accurately reflect quality of learning and achievement for the district or campus.

Education Code 39.054(a-4)

Calculating Consecutive Years

Notwithstanding any other law, an overall performance rating of "Not Rated" is not included in calculating consecutive school years of unacceptable performance ratings and is not considered a break in consecutive school years of unacceptable performance ratings for purposes of any provision of the Education Code. *Education Code 39.054(a-5)*

Acceptable Performance

A reference in law to an acceptable performance rating or acceptable performance includes an overall or domain performance rating of A, B, or C or performance that is exemplary, recognized, or acceptable. A reference in law to an unacceptable performance rating or unacceptable performance includes an overall or domain performance rating of F. For the purposes of public reporting requirements, an overall or domain performance rating of D shall be referred to as performance that needs improvement. *Education Code 39.0543(a)*

D Rating

A reference in law to an acceptable performance rating or acceptable performance for a district or campus includes an overall performance rating of D if, since previously receiving an overall performance rating of C or higher, the district or campus has not previously received more than one overall performance rating of D or has not received an overall performance rating of F. *Education Code 39.0543(b)*

Local Accountability System

The local accountability system standards established by the commissioner under Education Code 39.0544 shall be used by districts to develop a plan to locally evaluate the performance of their campuses. *19 TAC 97.1003(a)*

Local Accountability Plan

A local accountability plan created by a district must include domain performance ratings assigned by the commissioner under Education Code 39.054, and performance ratings based on locally developed domains or sets of accountability measures. *19 TAC 97.1003(b)*

A district must create its local accountability plan based on school type. The four school types are elementary school, middle school, high school, and kindergarten-grade 12. The plan must include all campuses within a school type. The district may also request to

identify an additional school group within a school type for which to customize its local accountability plan. Otherwise, all campuses within a school type must be evaluated on a common set of components determined by the district. A district may also request to identify a campus rated under alternative education accountability provisions as a unique school type. *19 TAC 97.1003(b)(4)*

Plan Components

A locally developed domain or set of accountability measures is referred to as a plan component. Plan components must describe each item and the reason for its inclusion in the plan. A district must assign each component to one of the following five domains: academics, culture and climate, extra- and co-curricular, future-ready learning, and locally determined. The weight of all plan components must equal 100 percent. *19 TAC 97.1003(b)(1)*

A district may assign weights to each plan component, as determined by the district, provided that the plan components must in the aggregate account for no more than 50 percent of the combined overall performance rating. A local accountability plan may include no fewer than two and no more than 10 components weighted between 5 percent and 60 percent. *19 TAC 97.1003(c)*

Each plan component must contain levels of performance that allow for differentiation, with assigned standards for achieving the differentiated levels that are aligned to a letter grade of A, B, C, D, or F and meet the requirements of 19 Administrative Code 97.1003(d)(1)-(3). *19 TAC 97.1003(d)*

Each plan component measure must meet standards for reliability and validity as required by 19 Administrative Code 97.1003(e)(1)-(3). *19 TAC 97.1003(e)*

Campuses without STAAR or State Ratings

For the purposes of assigning state accountability ratings, a campus that does not serve any grade level for which a State of Texas Assessments of Academic Readiness (STAAR) examination is administered is paired with a campus in its district that serves grade levels for which STAAR examinations are administered.

A campus not rated under the state accountability system is not eligible to combine state and local ratings. Local accountability data for a campus without state ratings may be displayed on TEA, district, and campus websites but will not be combined with state accountability data. The state accountability manual adopted under 19 Administrative Code 97.1001 (Accountability Rating System) provides information about campus ratings and eligibility for applicable years.

19 TAC 97.1003(b)(3)

Campus Performance Ratings

A district authorized to assign campus performance ratings shall evaluate the performance of each campus and assign each campus a performance rating of A, B, C, D, or F for overall performance and for each locally developed domain or set of accountability measures. Not later than a date established by the commissioner, the district shall:

1. Report the performance ratings to the agency; and
2. Make the performance ratings available to the public as provided by commissioner rule.

Education Code 39.0544(e)

Each campus with an approved district plan is eligible to receive a local accountability rating. A campus with an overall state accountability rating of C or higher based on ratings derived from student performance at the campus is eligible to combine an overall local accountability rating with the overall state accountability rating to determine the combined rating. *19 TAC 97.1003(b)(2); Education Code 39.054(a)*

Submission and Audit Standards

Calculations for each plan component and overall performance ratings must be capable of being audited by a third party.

A district must use a one-to-one correspondence when converting campus grades based on plan component measures to a standard scale of 30-100 where A=90-100, B=80-89, C=70-79, D=60-69, and F=30-59.

Categorical data, or data not on a continuous scale, must be converted to the standard scale of A=90-100, B=80-89, C=70-79, D=60-69, and F=30-59 by assigning the maximum value for each scaled score interval with the corresponding category used in the campus rating scale.

A district is required to submit a local accountability plan that includes components, domains, and overall scaled scores and ratings to TEA on a timeline determined by the commissioner. The timeline will be published on the TEA website.

All scaled scores and letter grades submitted by a school district are subject to audit. Any data discrepancies or any indication that data have been compromised may result in verification and audit of district and campus data used to assign local accountability ratings. The audit process may include requests for data used for campus-level calculation of component and domain scaled scores.

On an annual basis, TEA will randomly select districts for local accountability audits, and, for each such audit, TEA will randomly se-

lect components for review. Selected districts must submit the requested data for review within the timeframe specified. A district must maintain documentation of its local accountability plan, along with all associated data used to assign campus ratings, for two years after the end of the plan implementation period.

Responsibility for the accuracy and quality of data used to determine local accountability ratings rests with each district. Superintendent certification of data accuracy during the ratings submission process shall include an assurance that calculations have been verified to ensure that all data were included as appropriate for all components.

19 TAC 97.1003(f)(1)-(6)

Scorecard and Website

A district must produce a campus scorecard and make available on the district website an explanation of the methodology used to assign local accountability performance ratings. The campus scorecard shall include, at a minimum, the scaled score and rating for each component and domain along with the overall rating. A link to the local accountability ratings posted by the district must be provided to TEA and may be included on the agency-developed school report card. *19 TAC 97.1003(g)*

Appeal and Revision

An appeal of a local accountability rating may be submitted by the superintendent once ratings are released. The local accountability appeals timeline follows the appeal deadline dates and processes as described in the state accountability manual adopted under 19 Administrative Code 97.1001 of this title for the applicable year. *19 TAC 97.1003(f)(7)*

Ratings may be revised as a result of investigative activities by the commissioner as authorized under Education Code 39.057(d) and (e) (redesignated to Education Code 39.003). *19 TAC 97.1003(h)*

Distinction Designations for Outstanding Performance

The commissioner shall award distinction designations for outstanding performance. A distinction designation awarded to a district or campus shall be referenced directly in connection with the performance rating assigned to the district or campus and made publicly available together with the A-F performance ratings.

A district or campus may not be awarded a distinction designation unless the district or campus has acceptable performance under the A-F performance ratings.

Education Code 39.201

Academic Distinction

The commissioner shall establish an academic distinction designation for districts and campuses for outstanding performance in at-

tainment of postsecondary readiness based on the commissioner's adopted criteria. *Education Code 39.202*

Campus Distinction

The commissioner shall award a campus a distinction designation for outstanding performance in:

1. Improvement in student achievement;
2. Closing student achievement differentials; and
3. Academic achievement in English language arts, mathematics, science, or social studies.

Education Code 39.203

The commissioner may award a distinction designation for outstanding performance in advanced middle or junior high school student achievement. *Education Code 39.203(d)*

Excellence Exemptions

Except as listed below, a district or campus that is rated A (exemplary) is exempt from requirements and prohibitions imposed under the Education Code, including regulations adopted under the Education Code.

An exemplary campus or district is not exempt from:

1. A prohibition on conduct that constitutes a criminal offense;
2. Requirements imposed by federal law or rule, including requirements for special education or bilingual education programs;
3. A requirement, restriction, or prohibition relating to:
    a. Curriculum essential knowledge and skills or high school graduation requirements;
    b. Public school accountability;
    c. Extracurricular activities;
    d. Health and safety;
    e. Purchasing;
    f. Elementary class size limits;
    g. Removal of a disruptive student from the classroom;
    h. At-risk programs;
    i. Prekindergarten programs;
    j. Rights and benefits of school employees;

k. Special education programs; or

l. Bilingual education programs.

The commissioner may exempt an exemplary campus from class size limits if the campus submits a written plan showing steps that will be taken to ensure that the exemption will not be harmful to the academic achievement of the students on the school campus. If granted, the exemption remains in effect until the commissioner determines that achievement levels of the campus have declined.

Education Code 39.232

Special Investigations

The commissioner may authorize a special investigation:

1. When excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;
2. When excessive numbers of allowable exemptions from the required state assessment are determined;
3. In response to complaints to the Texas Education Agency (TEA) of alleged violations of civil rights or other requirements imposed on the state by federal law or court order;
4. In response to established compliance reviews of the district's financial accounting practices and state and federal reporting requirements;
5. When extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Education Code 37.006 and 37.007, are determined;
6. In response to an allegation involving a conflict between members of the board or between the board and the district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by the Education Code. If TEA's findings indicate the board has observed a lawfully adopted policy, TEA may not substitute its judgment for that of the board;
7. When excessive numbers of students in special education programs are assessed through modified assessment instruments;
8. In response to an allegation regarding, or an analysis using a statistical method result indicating, a possible violation of an assessment instrument security procedure;
9. When a significant pattern of decreased academic performance has developed as a result of the promotion in the preceding two school years of students who did not perform satisfactorily on the state assessments;
10. When excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner;
11. When resource allocation practices indicate a potential for significant improvement in resource allocation;
12. When a disproportionate number of students of a particular demographic group is graduating with a particular endorsement;

13. When an excessive number of students is graduating with a particular endorsement;

14. When a school district for any reason fails to produce, at the request of TEA, evidence or an investigation report relating to an educator who is under investigation by the State Board for Educator Certification;

15. When 10 percent or more of the students graduating in a particular school year from a particular high school campus are awarded a diploma based on the determination of an individual graduation committee under Education Code 28.0258;

16. In response to a complaint with respect to alleged inaccurate data that is reported through PEIMS or through other reports required by state or federal law or rule or court order and that is used by TEA to make a determination relating to public school accountability, including accreditation, under Education Code Chapter 39;

17. In response to repeated complaints submitted to TEA concerning imposition of excessive paperwork requirements on classroom teachers; or

18. As the commissioner otherwise determines necessary.

Education Code 39.003(a), (c)

TEA shall adopt written procedures for conducting special investigations, including procedures that allow TEA to obtain information from district employees in a manner that prevents a district or campus from screening the information. *Education Code 39.004(a)*

Note: The procedures for conducting a special investigation, holding a hearing following an investigation, the process for commissioner determinations, and judicial appeal are described in Education Code 39.004-.007.

Commissioner Action

Based on the results of a special investigation, the commissioner may:

1. Take appropriate action under Education Code Chapter 39A, [see AIC];

2. Lower the district's accreditation status or a district's or campus's performance rating; or

3. Take action under both items 1 and 2 above.

Education Code 39.003(d)

At any time before issuing a report with the TEA's final findings, the commissioner may defer taking the above action until:

1. A person who is a third party, selected by the commissioner, has reviewed programs or other subjects of a special investigation and submitted a report identifying problems and proposing solutions;
2. A district completes a corrective action plan developed by the commissioner; or
3. The completion of actions under both items 1 and 2 above.

Education Code 39.003(e)

Based on the results of an action taken above, the commissioner may decline to take the deferred action. *Education Code 39.003(f)*

Note: The procedures for an informal review or hearing following an investigation are described in 19 Administrative Code Chapter 157, Subchapter EE.

Monitoring Reviews

In accordance with Education Code 7.028(a), TEA may monitor compliance with requirements applicable to a process or program provided by a district, campus, or program, only as necessary to ensure:

1. Compliance with federal law and regulations;
2. Financial accountability, including compliance with grant requirements;
3. Data integrity for purposes of:
    a. The Public Education Information Management System (PEIMS); and
    b. Accountability under Education Code Chapter 39 and 39A; and
4. Qualification for funding under Education Code Chapter 48.

The board has primary responsibility for ensuring that the district complies with all applicable requirements of state educational programs.

Education Code 7.028

Compliance Monitoring Activities

Districts are subject to general supervision and monitoring activities for compliance with state law and federal regulation, implemented by TEA under 34 C.F.R. 300.600-.609 [see Supervision

Under IDEA, below], and review of program implementation and effectiveness within certain special populations of students.

Activities may include:

1. Random, targeted, or cyclical reviews authorized under Education Code 39.056 (monitoring reviews), conducted remotely or on-site to identify problems implementing state and federal requirements and to provide support for development of reasonable and appropriate strategies to address identified problems; and/or

2. Intensive or special investigative remote or on-site reviews authorized under Education Code 39.003 and 39.004.

Activities described above are applicable for compliance with requirements for reading diagnosis in Education Code 28.006 [see EKC], dyslexia and related disorders in Education Code 38.003 and 19 Administrative Code 74.28 [see EHB], and program effectiveness for emergent bilingual students in Education Code 29.062.

19 TAC 97.1071(b)-(d)

Notice

TEA shall give written notice to the superintendent and the board of trustees of any impending monitoring review. *Education Code 39.056(d)*

Conducting the Review

A monitoring review may include desk reviews and on-site visits, including random on-site visits. In conducting a monitoring review, TEA may obtain information from administrators, other district employees, parents of students enrolled in the district, and other persons as necessary. *Education Code 39.056(c), (g)*

Converting to a Special Investigation

The commissioner may at any time convert a monitoring review to a special investigation under Education Code 39.003, provided the commissioner promptly notifies the district of the conversion. *Education Code 39.056(h)*

Improvements

TEA shall report in writing to the superintendent and president of the board and shall make recommendations concerning any necessary improvements or sources of aid such as regional education service centers. A district that takes action with regard to the recommendations provided by TEA shall make a reasonable effort to seek assistance from a third party in developing an action plan to improve district performance using improvement techniques that are goal-oriented and research-based. *Education Code 39.056(e)-(f)*

Appeals

A decision by the commissioner under Education Code Chapter 39 or 39A is final and may not be appealed unless an applicable provision of Chapter 39 or 39A provides otherwise. *Education Code 39A.906* [See AIC]

Compliance Investigation

A compliance investigation is an investigation by TEA of a state education grant recipient to determine compliance with the statutory or rule requirements of a state education program. A compliance investigation is not a special investigation subject to Education Code 39.003 and 39.004 (above). *19 TAC 102.1401(a)(1)*

Supervision Under IDEA

In exercising its general supervision authority under 34 C.F.R. sections 300.149 and 300.600, TEA has established a process that provides for the investigation and issuance of findings regarding credible allegations of violations of the Individuals with Disabilities Education Act (IDEA), Part B, or a state statute or administrative rule created to implement IDEA, that arise from an area of concern. The following guidelines shall apply to this process.

Definitions

"Area of concern" means that TEA has been made aware of an allegation regarding a violation of, or noncompliance with, a requirement of IDEA, Part B, or a state special education law or administrative rule.

"Credible allegation" means that TEA has determined that an allegation arising from an area of concern is credible enough to investigate further to determine if a violation or noncompliance has occurred.

Credibility Determination

Information and awareness of an area of concern may arise directly from TEA or from external sources.

TEA will engage in a process to determine if an area of concern is determined to be a credible allegation, and, if determined credible, TEA will initiate an investigation to determine if findings of noncompliance will be issued.

TEA will generally not engage in the process described below to determine if an area of concern is a credible allegation if it is a media report, social media post, or an anonymous report, unless TEA receives corroborating information and facts that a specific violation of state or federal law or rule has occurred if the allegation were to be confirmed true.

When an individual or organization reports a special education area of concern, TEA may direct the individual or organization to the established dispute resolution processes. Depending on the frequency or specificity of the type of allegation made, TEA may engage in a process to determine credibility of the allegation.

Process

The process to determine if an area of concern is a credible allegation may include one or more of the following actions:

1. Reviewing existing citations of noncompliance or any noncompliance identified within the last two school years on the same or similar alleged violation;
2. Reviewing filed state complaints that are in process of being investigated or that have been substantiated within the last two school years on the same or similar alleged violation;
3. Reviewing due process hearing decisions issued within the last two years in which the hearing officer's final written decision contains a finding of noncompliance on the same or similar alleged violation;
4. Gathering evidence from groups that represent or advocate for families and communities served by the district;
5. Reviewing and analyzing available student- or district-level data that relate to the alleged violation;
6. Reviewing and analyzing fiscal and program information, such as grant applications, contracts, self-assessments, and other special education documents submitted to TEA by the district; and
7. Any other activity or measure used to gather evidence within TEA's general supervision and monitoring authority.

The investigation to determine if a credible allegation will result in the issuance of findings will include contacting the school district that is the subject of the allegation and requesting a response from the school district. Additional investigative actions may include one or more of the following:

1. Conducting interviews with the district, staff, parents, or students;
2. A referral for review or investigation by any other appropriate unit or division within TEA;
3. Utilizing the review and analysis of the activities conducted during the review process in this provision to determine if noncompliance is found; and
4. Any other activity or measure within TEA's general supervision and monitoring authority.

Intervention and Sanction	TEA may apply any intervention or sanction within its authority if noncompliance or a violation is substantiated, including those described in 19 Administrative Code 89.1076 [see AIC]. *19 TAC 97.1071(l)*

Please Note: *This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.*

SECTION B: LOCAL GOVERNANCE

BA	BOARD LEGAL STATUS
BAA	Powers and Duties
BB	BOARD MEMBERS
BBA	Eligibility/Qualifications
BBB	Elections
BBBA	Conducting Elections
BBBB	Post-election Procedures
BBBC	Campaign Finance
BBBD	Campaign Ethics
BBC	Vacancies and Removal from Office
BBD	Training and Orientation
BBE	Authority
BBF	Ethics
BBFA	Conflict of Interest Disclosures
BBFB	Prohibited Practices
BBG	Compensation and Expenses
BBH	Conventions, Conferences, and Workshops
BBI	Technology Resources and Electronic Communications
BC	BOARD MEMBERSHIPS
BD	BOARD INTERNAL ORGANIZATION
BDA	Officers and Officials
BDAA	Duties and Requirements of Board Officers
BDAE	Duties and Requirements of Depository
BDB	Board Committees
BDD	Attorney
BDE	Consultants
BDF	Advisory Committees
BE	BOARD MEETINGS
BEC	Closed Meetings
BED	Public Participation
BEE	News Coverage
BEF	Staff Participation
BF	BOARD POLICIES
BG	BOARD SELF-EVALUATION
BI	ADMINISTRATIVE GOALS AND OBJECTIVES

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SECTION B: LOCAL GOVERNANCE

BJ	SUPERINTENDENT
BJA	Qualifications and Duties
BJB	Recruitment and Appointment
BJC	Contract
BJCA	Travel
BJCB	Professional Development
BJCC	Consulting
BJCD	Evaluation
BJCE	Suspension/Termination During Contract
BJCF	Nonrenewal
BJCG	Resignation
BK	ADMINISTRATIVE ORGANIZATION
BKA	Organization Charts
BKB	Line and Staff Relations
BM	ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES
BP	ADMINISTRATIVE REGULATIONS
BQ	PLANNING AND DECISION-MAKING PROCESS
BQA	District-Level
BQB	Campus-Level
BR	REPORTS

Open Meetings Act Training

Not later than the 90th day after taking the oath of office, each board member shall complete training of not less than one and not more than two hours regarding the responsibilities of the board and its members under Government Code Chapter 551 (Open Meetings Act).

The attorney general may provide the training and may also approve other acceptable sources of training.

The board shall maintain and make available for public inspection the record of its members' completion of the training. The failure of one or more members of the board to complete the training does not affect the validity of an action taken by the board.

Gov't Code 551.005

Public Information Act Training

Not later than the 90th day after taking the oath of office, each board member shall complete training of not less than one and not more than two hours regarding the responsibilities of the board and its officers and employees under Government Code Chapter 552 (Public Information Act [PIA]). A board member may designate a public information coordinator to satisfy the training for the board member if the public information coordinator is primarily responsible for administering the responsibilities of the board member or board under the PIA. The attorney general may require a board member to complete the course of training if the attorney general determines that the district has failed to comply with a requirement of the PIA. *Gov't Code 552.012(b), (b-1), (c)* [See GBAA regarding public information coordinator training.]

SBOE-Required Training

A trustee must complete any training required by the State Board of Education (SBOE). *Education Code 11.159*

The SBOE's framework for governance leadership [see BBD(EXHIBIT)] shall be distributed annually by the board president to all current board members and the superintendent. *19 TAC 61.1(a)*

The continuing education required under Education Code 11.159 applies to each member of the board. To the extent possible, an entire board shall participate in continuing education programs together. *19 TAC 61.1(b), (i)*

No continuing education shall take place during a board meeting unless that meeting is called expressly for the delivery of board member continuing education. Continuing education may take place prior to or after a legally called board meeting in accordance with Government Code 551.001(4) (definition of "meeting"). *19 TAC 61.1(e)*

A regional education service center (ESC) board member continuing education program shall be open to any interested person, including a current or prospective board member. A district is not responsible for any costs associated with individuals who are not current board members. *19 TAC 61.1(f)*

Annually, the SBOE shall commend those board-superintendent teams that complete at least eight hours of the continuing education specified at Team Building and Additional Continuing Education, below, as an entire board-superintendent team.

Annually, the SBOE shall commend board-superintendent teams that effectively implement the commissioner of education's trustee improvement and evaluation tool developed under Education Code 11.182 [see BG] or any other tool approved by the commissioner.

19 TAC 61.1(k), (l)

Verification

For each training described below, the provider of continuing education shall provide verification of completion of board member continuing education to the individual participant and to the participant's school district. The verification must include the provider's authorization or registration number. *19 TAC 61.1(h)*

Reporting

At the last regular board meeting before an election of trustees, the board president shall announce the name of each board member who has completed the required continuing education, who has exceeded the required hours of continuing education, and who is deficient in meeting the required continuing education as of the anniversary of the date of each board member's election or appointment to the board or two-year anniversary of his or her previous training, as applicable. The announcement shall state that completing the required continuing education is a basic obligation and expectation of any board member under SBOE rule. The minutes of the last regular board meeting held before an election of trustees must reflect whether each trustee has met or is deficient in meeting the training required for the trustee as of the first anniversary of the date of the trustee's election or appointment or two-year anniversary of his or her previous training, as applicable. The president shall cause the minutes to reflect the announcement and, if the minutes reflect that a trustee is deficient in training as of the anniversary of his or her joining the board, the district shall post the minutes on the district's internet website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements. *19 TAC 61.1(j); Education Code 11.159(b)*

Local District Orientation

Each board member shall complete a local district orientation session. The purpose of the local orientation is to familiarize new

board members with local board policies and procedures and district goals and priorities.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The orientation shall:

1. Be at least three hours in length.
2. Address local district practices in the following, in addition to topics chosen by the local district:
    a. Curriculum and instruction;
    b. Business and finance operations;
    c. District operations;
    d. Superintendent evaluation; and
    e. Board member roles and responsibilities.

Each board member should be made aware of the continuing education requirements of 19 Administrative Code 61.1 and those of the following:

1. Open meetings act in Government Code 551.005 [see Open Meetings Act Training above];
2. Public information act in Government Code 552.012 [see Public Information Act Training above]; and
3. Cybersecurity in Government Code 2054.5191 [see CQB].

The orientation shall be open to any board member who chooses to attend.

19 TAC 61.1(b)(1)

Education Code Orientation

Each board member shall complete a basic orientation to the Education Code and relevant legal obligations. The orientation shall have special, but not exclusive, emphasis on statutory provisions related to governing Texas school districts.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The orientation shall be at least three hours in length. Topics shall include, but not be limited to, Education Code Chapter 26 (Parental Rights and Responsibilities) and Education Code 28.004 (Local School Health Advisory Council and Health Education Instruction).

The orientation shall:

1. Be provided by an ESC.

2. Be open to any board member who chooses to attend.

The continuing education may be fulfilled through online instruction, provided that the training incorporates interactive activities that assess learning and provide feedback to the learner and offers an opportunity for interaction with the instructor.

19 TAC 61.1(b)(2)

Legislative Update

After each session of the Texas Legislature, including each regular session and called session related to education, each board member shall complete an update to the basic orientation to the Education Code.

The update session shall be of sufficient length to familiarize board members with major changes in statute and other relevant legal developments related to school governance.

The update shall be provided by an ESC or a registered provider [see Registered Provider, below].

A board member who has attended an ESC basic orientation session described at Education Code Orientation, above, that incorporated the most recent legislative changes is not required to attend an update.

The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

19 TAC 61.1(b)(3)

Team Building

The entire board shall participate with their superintendent in a team-building session.

The purpose of the team-building session is to enhance the effectiveness of the board-superintendent team and to assess the continuing education needs of the board-superintendent team.

The session shall be held annually and shall be at least three hours in length.

The session shall include a review of the roles, rights, and responsibilities of the board as outlined in the framework for governance leadership. [See BBD(EXHIBIT)] The assessment of needs shall be based on the framework for governance leadership and shall be used to plan continuing education activities for the year for the governance leadership team.

The team-building session shall be provided by an ESC or a registered provider [see Registered Provider and Authorized Provider, below].

19 TAC 61.1(b)(4)

Additional Continuing Education (Based on Assessed Needs)

In addition to the continuing education requirements set out above, each board member shall complete additional continuing education based on the framework for governance leadership. [See BBD(EXHIBIT)]

The purpose of continuing education is to address the continuing education needs referenced at Team Building above.

The continuing education shall be completed annually.

At least 50 percent of the continuing education shall be designed and delivered by persons not employed or affiliated with the board member's school district. No more than one hour of the required continuing education that is delivered by the district may use self-instructional materials.

The continuing education shall be provided by an ESC or a registered provider [see Registered Provider, below].

The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

First Year

In a board member's first year of service, he or she shall complete at least 10 hours of continuing education in fulfillment of assessed needs.

Subsequent Years

Following a board member's first year of service, he or she shall complete at least five hours of continuing education annually in fulfillment of assessed needs.

Board President

A board president shall complete continuing education related to leadership duties of a board president as some portion of the annual requirement.

19 TAC 61.1(b)(5)

Evaluating Student Academic Performance

Each board member shall complete continuing education on evaluating student academic performance and setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness.

The purpose of the training on evaluating student academic performance is to provide research-based information to board members that is designed to support the oversight role of the board of trustees outlined in Education Code 11.1515. [See BAA]

The purpose of the continuing education on setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness is to facilitate boards meeting the requirements of Education Code 11.185 and 11.186.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The continuing education shall be completed every two years and shall be at least three hours in length.

The continuing education required by this provision shall include, at a minimum:

1. Instruction in school board behaviors correlated with improved student outcomes with emphasis on:
    a. Setting specific, quantifiable student outcome goals; and
    b. Adopting plans to improve early literacy and numeracy and college, career, and military readiness for applicable student groups evaluated in the Closing the Gaps domain of the state accountability system established under Education Code Chapter 39;
2. Instruction in progress monitoring practices to improve student outcomes; and
3. Instruction in state accountability with emphasis on the Texas Essential Knowledge and Skills, state assessment instruments administered under Education Code Chapter 39, and the state accountability system established under Chapter 39.

The continuing education shall be provided by an authorized provider [see Authorized Provider, below].

If the training is attended by an entire board and its superintendent, includes a review of local school district data on student achieve-

ment, and otherwise meets the requirements described at Team Building above, the training may serve to meet a board member's obligation to complete training described at Team Building and at Evaluating Student Academic Performance, above, as long as the training complies with the Open Meetings Act.

19 TAC 61.1(b)(6)

Identifying and Reporting Abuse

Each board member shall complete continuing education on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children in accordance with Education Code 11.159(c)(2).

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The training shall be completed every two years and shall be at least one hour in length.

The training must familiarize board members with the requirements of Education Code 38.004 and 38.0041, and 19 Administrative Code 61.1051 (relating to Reporting Child Abuse or Neglect, Including Trafficking of a Child).

Note: 19 Administrative Code 61.1051 was repealed and the requirements were recodified at 19 Administrative Code 103.1401.

The training required by this provision shall include, at a minimum:

1. Instruction in best practices of identifying potential victims of child abuse, human trafficking, and other maltreatment of children;

2. Instruction in legal requirements to report potential victims of child abuse, human trafficking, and other maltreatment of children; and

3. Instruction in resources and organizations that help support victims and prevent child abuse, human trafficking, and other maltreatment of children.

The training sessions shall be provided by a registered provider [see Registered Provider, below].

This training may be completed online, provided that the training is designed and offered by a registered provider, incorporates inter-

active activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

19 TAC 61.1(b)(7)

School Safety

The SBOE shall require a trustee to complete training on school safety. *Education Code 11.159(b-1)*

The continuing education required under Education Code 11.159(b-1) applies to each member of an independent school district board of trustees.

Each member shall complete the training on school safety adopted by the SBOE. The training requirement shall be fulfilled by completing the online course adopted by the SBOE and made available by the commissioner of education. The training shall be completed every two years.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed trustee who did not complete the training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

A district shall maintain verification of completion for each trustee.

19 TAC 61.3

Training Provider

Registered Provider

For the purposes of 19 Administrative Code 61.1, a registered provider has demonstrated proficiency in the content required for a specific training. A private or professional organization, school district, government agency, college/university, or private consultant shall register with the Texas Education Agency (TEA) to provide the board member continuing education required by 19 Administrative Code 61.1(b)(3), (5), and (7) [see Legislative Update, Additional Continuing Education, and Identifying and Reporting Abuse, above].

A district that provides continuing education exclusively for its own board members is not required to register under 19 Administrative Code 61.1(c)(1)-(2).

19 TAC 61.1(c)

Authorized Provider

An authorized provider meets all the requirements of a registered provider and has demonstrated proficiency in the content required by 19 Administrative Code 61.1(b)(4) and (6). Proficiency may be demonstrated in accordance with 19 Administrative Code 61.1(d).

A private or professional organization, school district, government agency, college/university, or private consultant may be authorized

by TEA to provide the board member training required in 19 Administrative Code 61.1(b)(4) and (6).

An ESC shall be authorized by TEA to provide the board member training required in 19 Administrative Code 61.1(b)(4) and (6).

19 TAC 61.1(d)

[See above for 19 Administrative Code 61.1(b)(4) on Team Building and (b)(6) on Evaluating Student Academic Performance.]

Note: For cybersecurity training requirements, see CQB(LEGAL).

Board Officers The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. Officers shall be elected by majority vote of the members present and voting.

Vacancy A vacancy among officers of the Board shall be filled by majority action of the Board.

Term and Duties Board officers shall serve for a term of two years or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.

President In addition to the duties required by law, the President of the Board shall:

1. Preside at all Board meetings unless unable to attend.
2. Have the right to discuss, make motions, propose resolutions, and vote on all matters coming before the Board.

Vice President The Vice President of the Board shall:

1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.
2. Become President only upon being elected to the position.

Secretary The Secretary of the Board shall:

1. Ensure that an accurate record is kept of the proceedings of each Board meeting.
2. Ensure that notices of Board meetings are posted and sent as required by law.
3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.
4. Sign or countersign documents as directed by action of the Board.

Government Code Chapter 551 (Open Meetings Act) applies to board committee meetings if:

1. At least a quorum of the board is on the committee;

2. A quorum of the board is present at the committee meeting, even though less than a quorum is actually on the committee; or

3. Less than a quorum of the board is on the committee, but the committee is authorized to make final decisions or control or supervise public business.

A committee that includes less than a quorum of board members is not subject to the Open Meetings Act if it serves a purely advisory function, with no power to supervise or control public business.

Atty. Gen. Op. Nos. GA-0957 (2012), JC-0060 (1999), JH-0994 (1977); Willmann v. City of San Antonio, 123 S.W.3d 469 (Tex. App.—San Antonio 2003, pet. denied) [See BE]

Note: For advisory committees that include staff, parents, community members, or students, see BDF.

Board Committees

For purposes of this policy, a Board committee is a committee composed only of current Board members.

Formation of a Board committee shall be by Board action. When establishing a Board committee, the Board action shall, at a minimum, specify the:

- Number of Board members on the committee;
- Process to appoint Board members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

A Board committee shall be fact-finding, deliberative, and advisory, and shall make recommendations in the areas of their responsibility. Board committees shall report their findings and recommendations to the Board and shall not assume administrative duties or responsibilities.

Transacting Business

Unless specified by the Board, a Board committee shall not have final decision-making authority. Board committee recommendations must be reported to the Board at a regular or special meeting. The Board shall not accept a Board committee's recommendation without due consideration of the matter.

Dissolution

A Board committee shall be dissolved upon Board action.

School Health Advisory Council

The board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction. *Education Code 28.004(a)* [See EHAA regarding duties of the SHAC.]

Meetings

The SHAC shall meet at least four times each year. For each meeting the SHAC shall:

1. At least 72 hours before the meeting post notice of the date, hour, place, and subject of the meeting on a bulletin board in the central administrative office of each campus in the district; and ensure that the required notice is posted on the district's internet website, if the district has an internet website;
2. Prepare and maintain minutes of the meeting that state the subject and content of each deliberation and each vote, order, decision, or other action taken by the council during the meeting;
3. Make an audio or video recording of the meeting; and
4. Not later than the tenth day after the meeting, submit the minutes and audio or video recording of the meeting to the district.

As soon as practicable after receipt of the minutes and audio or video recording, the district shall post the minutes and audio or video recording on the district's internet website, if the district has an internet website.

Education Code 28.004(d-1), (d-2)

Composition

The board shall appoint at least five members to the SHAC. A majority of members must be persons who are parents of students enrolled in the district and who are not employed by the district. One of those members shall serve as chair or co-chair of the SHAC.

The board also may appoint one or more persons from each of the following groups or a representative from a group other than a group specified:

1. Classroom teachers employed by the district;
2. School counselors certified under Education Code Chapter 21, Subchapter B, employed by the district;
3. School administrators employed by the district;
4. District students;
5. Health-care professionals licensed or certified to practice in this state, including medical or mental health professionals;

6. The business community;
7. Law enforcement;
8. Senior citizens;
9. The clergy;
10. Nonprofit health organizations; and
11. Local domestic violence programs.

Education Code 28.004(d)

Physical Activity and Fitness Planning Subcommittee

The SHAC shall establish a physical activity and fitness planning subcommittee to consider issues relating to student physical activity and fitness and make policy recommendations to increase physical activity and improve fitness among students. *Education Code 28.004(l-1)*

Annual Report

In addition to its other duties, the SHAC shall submit to the board, at least annually, a written report that includes:

1. Any SHAC recommendation concerning the district's health education curriculum and instruction or related matters that the SHAC has not previously submitted to the board;
2. Any suggested modification to a SHAC recommendation previously submitted to the board;
3. A detailed explanation of the SHAC's activities during the period between the date of the current report and the date of the last prior written report; and
4. Any recommendations made by the physical activity and fitness planning subcommittee.

Education Code 28.004(m)

Public Statement

A district shall publish in the student handbook and post on the district's internet website, if the district has an internet website, a statement of:

1. The policies and procedures adopted to promote the physical health and mental health of students, the physical health and mental health resources available at each campus, contact information for the nearest providers of essential public health services under Health and Safety Code Chapter 121, and the contact information for the nearest local mental health authority;
2. The policies adopted to ensure that elementary school, middle school, and junior high school students engage in at least

the amount and level of physical activity required by Education Code 28.002(l) [see EHAB and EHAC];

3. The number of times during the preceding year the SHAC has met;

4. Whether the district has adopted and enforces policies to ensure that district campuses comply with the Texas Education Agency's vending machine and food service guidelines for restricting student access to vending machines;

5. Whether the district has adopted and enforces policies and procedures that prescribe penalties for the use of e-cigarettes, as defined by Education Code 38.006, and tobacco products by students and others on school campuses or at school-sponsored or school-related activities [see DH and GKA];

6. Notice to parents that they can request in writing their child's physical fitness assessment results at the end of the school year [see FFAA]; and

7. Whether each campus in the district has a full-time nurse or full-time school counselor.

Education Code 28.004(k)

Note: For committees composed only of current Board members, see BDB.

Advisory Committees

For purposes of this policy, an advisory committee is a committee composed primarily of District staff, parents, other community members, and/or students. An advisory committee may also include Board members in numbers less than a quorum of the Board.

Formation of an advisory committee shall be by Board action. When establishing an advisory committee, the Board action shall, at a minimum, specify the:

- Number of members on the committee;
- Process to appoint members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

An advisory committee shall be fact-finding, deliberative, and advisory and shall not assume administrative duties or responsibilities. Advisory committees shall report their findings and recommendations to the Board.

Transacting Business

An advisory committee may transact business only within the specific authority granted by the Board. To be binding, all such committee recommendations must be reported to the Board at a regular or special meeting for approval and entry into the minutes as a public record.

Dissolution

An advisory committee shall be dissolved upon completion of the assigned task or Board action.

Vacancy Posting

A district's employment policy must provide for notice to each current district employee of a vacant position for which a certificate is required. Notice must be provided not later than the 10th school day before the date on which a district fills the position. Notice shall be posted on:

1. A bulletin board at:
    a. A place convenient to the public in the district's central administrative office, and
    b. The central administrative office of each campus during any time the office is open; or
2. The district's internet website, if the district has a website.

A district shall provide each current district employee a reasonable opportunity to apply for the position.

Education Code 11.1513(d)

Names of Applicants

The name of an applicant for superintendent is excepted from disclosure under Chapter 552, Government Code (Public Information Act). However, a board must give public notice of the name or names of the finalists being considered for superintendent at least 21 days before the date of the meeting at which a final action or vote is to be taken on the employment of the person. *Gov't Code 552.126*

Required Reporting After Superintendent Change

Subsequent to a school system superintendent change, the direct contact information of the superintendent (or person acting in that capacity) must be updated in Sentinel within three business days of a corresponding board meeting. *19 TAC 103.1213(e)(3)(F)* [See CKA]

Available School Fund

The available school fund is apportioned annually to Texas counties according to the scholastic population of each. *Education Code 43.001(b)*

Foundation School Program

The purposes of the Foundation School Program (FSP) set forth in Education Code Chapter 48 are to guarantee that each district in the state has:

1. Adequate resources to provide each eligible student a basic instructional program and facilities suitable to the student's educational needs; and
2. Access to a substantially equalized program of financing in excess of basic costs for certain services, as provided by that chapter.

The FSP consists of:

1. Two tiers that in combination provide for:
    a. Sufficient financing for all school districts to provide a basic program of education that is rated acceptable or higher under Education Code 39.054 and meets other applicable legal standards; and
    b. Substantially equal access to funds to provide an enriched program; and
2. A facilities component as provided by Education Code Chapter 46. [See CCA]

Education Code 48.002

The cost of the FSP for a district is the total sum of:

1. The sum of the tier one allotments and other funding as follows:
    a. The basic allotment under Education Code Chapter 48, Subchapter B;
    b. The student-based allotments under Education Code Chapter 48, Subchapter C; and
    c. The additional funding under Education Code Chapter 48, Subchapter D (including the transportation allotment [see CNA] and the new instructional facility allotment below); and
2. The tier two allotment under Education Code Chapter 48, Subchapter E.

The sum of the FSP maintenance and operations costs for all accredited school districts in this state constitutes the total maintenance and operations cost of the FSP.

The FSP shall be financed by:

1. State available school funds distributed in accordance with the law;
2. Ad valorem tax revenue generated by local school district effort [see CCG series]; and
3. State funds appropriated for the purposes of public school education and allocated to each district in an amount sufficient to finance the cost of each district's FSP not covered by other funds specified.

Education Code 48.251

PEIMS

A district shall participate in the Public Education Information Management System (PEIMS) and shall provide through that system information required for the administration of Education Code Chapter 48 (Foundation School Program) and of other appropriate provisions of the Education Code. Data standards, established by the commissioner of education, shall be used by a district to submit required information. *Education Code 48.008; 19 TAC 61.1025(b)*

New Instructional Facility Allotment (NIFA)

A district is entitled to an additional allotment as provided by Education Code 48.152 for operational expenses associated with opening a new instructional facility. A district entitled to an allotment may use funds from the district's allotment to renovate an existing instructional facility to serve as a dedicated cybersecurity computer laboratory. *Education Code 48.152*

Definitions

“Instructional facility” means real property, an improvement to real property, or a necessary fixture of an improvement to real property that is used predominantly for teaching the curriculum required by Education Code 28.002. *Education Code 46.001, 48.152(a)(1); 19 TAC 61.1034(a)(2)* [See CCA for the Instructional Facilities Allotment]

“New instructional facility” is a facility that includes:

1. A newly constructed instructional facility, which is a new instructional campus built from the ground up;
2. A repurposed instructional facility, which is a facility that has been renovated to become an instructional facility for the first time for the applying school district; or

3. A leased facility operating for the first time as an instructional facility with a minimum lease term of not less than 10 years. The lease must not be a continuation of or renegotiation of an existing lease for an instructional facility.

Education Code 48.152(a)(2); 19 TAC 61.1034(a)(3)

Eligibility

The following eligibility criteria apply to the NIFA in accordance with Education Code 48.152.

1. The facility for which NIFA funds are requested must meet the following requirements:

   a. The facility must qualify as an instructional campus and a new instructional facility used for teaching the curriculum required by Education Code Chapter 28.

   b. To qualify for first-year funding, a new facility must not have been occupied in the prior school year. To qualify for follow-up funding, the facility must have been occupied for the first time in the prior school year and funded for the NIFA for that first year. If an instructional facility qualifies as a new instructional facility but did not receive the allotment in the first year of eligibility due to a failure to apply, the school district or open-enrollment charter school may still apply for and receive funding for the average daily attendance (ADA) earned only during the second year of occupation in the new instructional facility.

   c. With the exception of a covered walkway connecting the new facility to another building, the new facility must be physically separate from other existing school structures.

   d. Career and technical education (CTE) campuses must report each CTE campus student’s ADA when the ADA for that student is reported at the student's home campus.

2. Expansion or renovation of existing instructional facilities, as well as portable and temporary structures, are not eligible for the NIFA.

3. All instructional buildings on the campus must be newly constructed as new instructional facilities, except for an existing gymnasium that remains on the campus and will be utilized on the instructional campus.

Application Process

To apply for the NIFA, a district must complete the Texas Education Agency's (TEA) online application process requesting funding pursuant to the NIFA.

The initial (first-year) application, or an application for one-year funding only, must be submitted electronically no later than July 15. The application must include the following:

1. The electronic submission of TEA's online application for initial funding; and
2. The electronic submission of the following materials:
    a. A brief description and photograph of the newly constructed, repurposed, or leased instructional facility;
    b. A copy of a legal document that clearly describes the nature and dates of the new or repurposed construction or a copy of the applicable lease;
    c. A site plan;
    d. A floor plan; and
    e. If applicable, a demolition plan.

Second-year applications require only the electronic submission of TEA's online application for follow-up funding no later than July 15 of the year preceding the applicable school year.

Survey on Days of Instruction

In the fall of the school year after a school year for which an applicant received NIFA funds, the district that received the funds must complete an online survey on the number of instructional days held in the new facility and submit the completed survey electronically. TEA will use submitted survey information in determining the final (settle-up) amount earned by each eligible school district, as described by 19 Administrative Code 61.1034(e)(6).

Costs and Payments

The costs and payments for the NIFA are determined by the commissioner.

The allotment for the NIFA is a part of the cost of the first tier of the FSP. This allotment is not counted in the calculation of weighted average daily attendance for the second tier of the FSP.

If, for all eligible applicants combined, the total cost of the NIFA exceeds the amount appropriated, each allotment is reduced so that the total amount to be distributed equals the amount appropriated. Reductions to allotments are made by applying the same percentage adjustment to each school district.

Allocations will be made in conjunction with allotments for the FSP in accordance with the school district's payment class. For school districts that are subject to the excess local revenue provisions under Education Code 48.257, and do not receive payments from the Foundation School Fund, NIFA distributions will be reflected as reduced recapture payments.

For school districts that are subject to the excess local revenue provisions under Education Code 48.257, NIFA distributions increase the amount of the FSP entitlement and so will automatically reduce any excess local revenue and reduce the requirement to send recapture to the state in the amount of the NIFA allocation.

For all school districts receiving the NIFA, a final (settle-up) amount earned is determined by the commissioner when information reported through the survey described above is available in the fall of the school year after the school year for which NIFA funds were received. [See Survey on Days of Instruction, above] The final amount earned is determined using the submitted survey information and final counts of ADA for the school year for which NIFA funds were received, as reported through PEIMS.

The amount of funds to be distributed for the NIFA to a school district is in addition to any other state aid entitlements.

19 TAC 61.1034(b)-(e)

Safety and Security Audit

At least once every three years, each district shall conduct a safety and security audit of the district's facilities. A district, or a person included in the registry of persons providing school safety or security consulting services established by the Texas School Safety Center (TxSSC) who is engaged by the district to conduct a safety and security audit, shall follow safety and security audit procedures developed by the TxSSC in coordination with the commissioner of education.

A district must confirm that a person is included in the registry before the district may engage the person to provide school safety or security consulting services to the district.

In a district's safety and security audit, the district must certify that the district used the funds provided through the school safety allotment only for the purposes provided by Education Code 48.115.

A district shall report the results of the safety and security audit to the board and, in the manner required by the TxSSC, to the TxSSC. The report provided to the TxSSC must be signed by the board and the superintendent.

Education Code 37.108(b), (b-1), (c), 37.2091(b-1)

In addition to a review of a district's multihazard emergency operations plan under Education Code 37.2071 [see CKC], the TxSSC may require a district to submit its plan for immediate review if the district's audit results indicate that the district is not complying with applicable standards. *Education Code 37.207(c)*

Failure to Report Audit Results

If a district fails to report the results of its audit, the TxSSC shall provide the district with written notice that the district has failed to report its audit results and must immediately report the results to the center.

If three months after the date of the initial notification the district has still not reported the results of its audit to the TxSSC, the TxSSC shall notify the Texas Education Agency (TEA) and the district of the district's requirement to conduct a public hearing under Education Code 37.1081. [See CKC]

Education Code 37.207(d)-(e)

Disclosure

Except as provided by Education Code 37.108(c-2) [see CKC], any document or information collected, developed, or produced during a safety and security audit is not subject to disclosure under Government Code Chapter 552 (Public Information Act). *Education Code 37.108(c-1)*

TEA Monitoring of Safety and Security Requirements

TEA shall monitor the implementation and operation of requirements related to school district safety and security, including school district multihazard emergency operations plans [see CKC] and safety and security audits [see above].

Office of School Safety and Security

TEA shall establish an office of school safety and security to coordinate monitoring and, in coordination with the TxSSC and relevant local law enforcement agencies, provide technical assistance to school districts to support the implementation and operation of safety and security requirements.

Vulnerability Assessments

As part of the technical assistance, TEA shall conduct a detailed vulnerability assessment of each school district on a random basis once every four years. Any documentation requested by TEA for a vulnerability assessment must be uploaded to Sentinel [see below at Reporting Through Sentinel].

On completion of a vulnerability assessment TEA shall provide to the superintendent and school safety and security committee [see CK] for the applicable school district a report on the results of the assessment that includes recommendations and required corrective actions to address any deficiencies in campus security identified by the agency.

District Information and Records

Each school district shall submit information requested by TEA in TEA's efforts to monitor the implementation and operation of school district safety and security requirements, including notice of an event requiring a district's emergency response including the discovery of a firearm on a campus and information regarding the district's response and use of emergency operations procedures during such an event [see below at Reporting Through Sentinel].

TEA may review school district records as necessary to ensure compliance with Education Code Subchapter D (Protection of Building and Grounds) and Subchapter G (Texas School Safety Center).

Any document or information collected, identified, developed, or produced relating to the monitoring of school district safety and security requirements is confidential under Government Code 418.177 and 418.181 (Texas Disaster Act), and not subject to disclosure under Government Code Chapter 552.

Education Code 37.1083; 19 TAC 103.1213(a), (e)(2)(B)

Reporting Through Sentinel

Sentinel is TEA's formal school safety system designed to collect, process, store, and distribute school safety and security information. Sentinel serves as a repository for all safety and security-related data submitted to TEA. Each school district shall report information to TEA through Sentinel, including:

1. On or before June 30th of each year, a district shall input its upcoming school year calendar into Sentinel. Any changes to the school year calendar shall be updated in Sentinel within three business days after approval by district leadership.
2. On or before June 30th of each year, a district must verify that all district facilities listed in Sentinel reflect the correct address and campus emergency contact information.
3. If a district closes for a localized emergency, closure information must be immediately recorded in Sentinel.
4. School districts shall submit information related to events requiring an emergency response, including the discovery of a firearm on a campus [see above] in the Sentinel portal. This is inclusive of notifications regarding a bomb threat or terroristic threat [see CKC]. Submission of information in the Sentinel portal does not substitute the requirement for local law enforcement notification of certain activities [see GRAA].

[For additional requirements for reporting through Sentinel, see BJB for reporting a superintendent change, CKC for TxSSC uploading of multihazard emergency operations plans, FDA for transfer of threat assessments between districts, and FFB for application to behavioral threat assessments.]

19 TAC 103.1213(a), (b)(3), (c), (e)(3)(A)-(D)

Intruder Detection Audits

TEA's office of school safety and security shall establish a school safety review team in each region served by a regional education service center, which shall annually conduct on-site general intruder detection audits of school district campuses in the team's region.

Notice to Superintendent

In conducting an intruder detection audit, a safety review team must notify the superintendent of the district in which the campus being audited is located not later than the seventh day before the date of a scheduled audit.

Documentation

Any documentation requested by TEA for an intruder detection audit must be uploaded to Sentinel [see above at Reporting Through Sentinel].

Report

On completion of the audit, a safety review team must provide to the superintendent and school safety and security committee for the school district in which the campus is located a report on the results of the audit that includes recommendations and required corrective actions to address any deficiencies in campus security identified by the team.

A report produced by a safety review team is confidential and not subject to disclosure under Government Code Chapter 552.

Education Code 37.1084; 19 TAC 103.1213(e)(4)(B)

Assignment of Conservator for Noncompliance

The commissioner may assign a conservator under Education Code Chapter 39A if a school district fails to:

1. Submit to any required monitoring, assessment, or audit under Education Code 37.1083 or 37.1084 [see above];
2. Comply with applicable safety and security requirements; or
3. Address in a reasonable time period, as determined by commissioner rule, issues raised by TEA's monitoring, assessment, or audit of the district under Education Code 37.1083 or 37.1084.

A conservator may exercise the powers and duties of a conservator under Education Code 39A.003 [see AIC] only to correct a failure identified above. TEA may not assign a conservator for a district's failure to comply with Education Code 37.0814 (Armed Security Officer Required) or a good cause exception claimed under that section. [See CKE]

Education Code 37.1085

Notice of Bomb Threat or Terroristic Threat

A district that receives a bomb threat or terroristic threat relating to a campus or other district facility at which students are present shall provide notification of the threat as soon as possible to the parent or guardian of or other person standing in parental relation to each student who is assigned to the campus or who regularly uses the facility, as applicable. *Education Code 37.113*

Notice Regarding Violent Activity

The Texas Education Agency (TEA) shall develop model standards for providing notice regarding violent activity that has occurred or is being investigated at a district campus or other district facility or at a district-sponsored activity to parents, guardians, and other persons standing in parental relation to students who are assigned to the campus, regularly use the facility, or are attending the activity, as applicable. A district shall adopt a policy for providing this notice in a manner that meets TEA standards. *Education Code 37.1131*

Emergency Response Map and Walk-Through

A district shall provide to the Department of Public Safety (DPS) and all appropriate local law enforcement agencies and emergency first responders:

1. An accurate map of each district campus and school building that is developed and documented in accordance with the standards described by Education Code 37.351 related to developing site and floor plans, access control, and exterior door numbering; and

2. An opportunity to conduct a walk-through of each district campus and school building using the map.

Education Code 37.117

Emergency Operations Plan

Each district shall adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must address prevention, mitigation, preparedness, response, and recovery as defined by the Texas School Safety Center (TxSSC) in conjunction with the governor's office of homeland security and the commissioner. The plan must provide for:

1. Training in responding to an emergency for district employees, including substitute teachers;

2. Measures to ensure district employees, including substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic communication device allowing for immediate contact with district emergency services or emergency services agencies, law enforcement agencies, health departments, and fire departments;

3. Measures to ensure district communications technology and infrastructure are adequate to allow for communication during an emergency;

4. Mandatory school drills and exercises, including drills required under Education Code 37.114 (emergency evacuations), to prepare district students and employees for responding to an emergency [see CKB];

5. Measures to ensure coordination with the Texas Department of State Health Services (TDSHS) and local emergency management agencies, law enforcement, health departments, and fire departments in the event of an emergency;

6. The implementation of a required safety and security audit [see CKA]; and

7. Any other requirements established by the TxSSC in consultation with TEA and relevant local law enforcement agencies.

Education Code 37.108(a)

A district shall include in its multihazard emergency operations plan:

1. A chain of command that designates the individual responsible for making final decisions during a disaster or emergency situation and identifies other individuals responsible for making those decisions if the designated person is unavailable;

2. Provisions that address physical and psychological safety for responding to a natural disaster, active shooter, and any other dangerous scenario identified for purposes of these provisions by TEA or TxSSC;

3. Provisions for ensuring the safety of students in portable buildings;

4. Provisions for ensuring that students and district personnel with disabilities are provided equal access to safety during a disaster or emergency situation;

5. Provisions for providing immediate notification to parents, guardians, and other persons standing in parental relation in circumstances involving a significant threat to the health or safety of students, including identification of the individual with responsibility for overseeing the notification;

6. Provisions for supporting the psychological safety of students, district personnel, and the community during the response

and recovery phase following a disaster or emergency situation that:

a. Are aligned with best practice-based programs and research-based practices recommended under Education Code 38.351;

b. Include strategies for ensuring any required professional development training for suicide prevention and grief-informed and trauma-informed care is provided to appropriate school personnel;

c. Include training on integrating psychological safety and suicide prevention strategies into the district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and TxSSC for:

(1) Members of the district's school safety and security committee [see CK];

(2) District school counselors and mental health professionals; and

(3) Educators and other district personnel as determined by the district;

d. Include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by item 2, above; and

e. Implement trauma-informed policies;

7. A policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill;

8. The name of each individual on the district's school safety and security committee and the date of each committee meeting during the preceding year [see CK]; and

9. Certification that the district is in compliance with Education Code 37.117 [see Emergency Response Map, above].

Education Code 37.108(f)

Guidelines for Individuals with Disabilities or Impairments

TEA shall establish guidelines for the provisions in a district's multi-hazard emergency operations plan to ensure the safety of students and district personnel with disabilities or impairments during a disaster or emergency situation. A district must follow the guidelines

established by TEA in adopting and implementing the district's multihazard emergency operations plan. *Education Code 37.1086*

Active Shooter Emergency

A district shall include in its multihazard emergency operations plan a policy for responding to an active shooter emergency. The district may use any available community resources in developing the policy. *Education Code 37.108(g)*

Train Derailment

A district shall include in its multihazard emergency operations plan a policy for responding to a train derailment near a district school. A district is only required to adopt the policy if a district facility is located within 1,000 yards of a railroad track, as measured from any point on the school's real property boundary line. A district may use any available community resources in developing the policy. *Education Code 37.108(d)*

Polling Place Security

A district shall include in its multihazard emergency operations plan a policy for district property selected for use as a polling place under Election Code 43.031. In developing the policy, the board may consult with the local law enforcement agency with jurisdiction over the district property selected as a polling place regarding reasonable security accommodations that may be made to the property. This requirement may not be interpreted to require the board to obtain or contract for the presence of law enforcement or security personnel for the purpose of securing a polling place located on district property. Failure to comply with this subsection does not affect the requirement of the board to make a school facility available for use as a polling place under Election Code 43.031. *Education Code 37.108(e)* [See GKD]

Disclosure

A document relating to a district's multihazard emergency operations plan is subject to disclosure if the document enables a person to:

1. Verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency, including TDSHS, local emergency services agencies, law enforcement agencies, health departments, and fire departments;
2. Verify that the district's plan was reviewed within the last 12 months and determine the specific review dates;
3. Verify that the plan addresses the five phases of emergency management listed above at Emergency Operations Plan;
4. Verify that district employees have been trained to respond to an emergency and determine the types of training, the num-

ber of employees trained, and the person conducting the training;

5. Verify that each campus in the district has conducted mandatory emergency drills and exercises in accordance with the plan and determine the frequency of the drills;

6. Verify that the district has established a plan for responding to a train derailment if required [see Train Derailment, above];

7. Verify that the district has completed a safety and security audit and determine the date the audit was conducted, the person conducting the audit, and the date the district presented the results of the audit to the board [see CKA];

8. Verify that the district has addressed any recommendations by the board for improvement of the plan and determine the district's progress within the last 12 months; and

9. Verify that the district has established a visitor policy and identify the provisions governing access to a district building or other district property.

Education Code 37.108(c-2)

[See GRC for emergency management training requirements and response to requests from other governmental entities for mutual aid.]

Plan Review

A district shall submit its multihazard emergency operations plan to the TxSSC not later than the 30th day after the date the TxSSC requests the submission and in accordance with the review cycle developed under Education Code 37.2071(a).

Any document or information collected, developed, or produced during the review and verification of multihazard emergency operations plans is not subject to disclosure under Government Code Chapter 552 (Public Information Act).

Upon completed review of a district's multihazard emergency operations plan, the TxSSC may upload a copy of that plan, including all required appendices, to the Sentinel portal. [See CKA] *19 TAC 103.1213(e)(3)(E)*

Failure to Submit Plan

If a district fails to submit its multihazard emergency operations plan to the TxSSC for review following a notification by the TxSSC that the district has failed to submit the district's plan, the TxSSC shall provide the district with written notice stating that the district must hold a public hearing as outlined at Public Hearing on Noncompliance, below. The notice must state that the commissioner is

authorized to appoint a conservator under Education Code 37.1082.

Notice of Plan Deficiencies

The TxSSC shall review each district's multihazard emergency operations plan and verify the plan meets the requirements or provide the district with written notice describing the plan's deficiencies, including specific recommendations to correct the deficiencies, and stating that the district must correct the deficiencies in its plan and resubmit the revised plan to the TxSSC.

The TxSSC may approve a district multihazard emergency operations plan that has deficiencies if the district submits a revised plan that the center determines will correct the deficiencies.

Failure to Correct Deficiencies

If one month after the date of initial notification of a plan's deficiencies outlined above a district has not corrected the plan deficiencies, the TxSSC shall provide written notice to the district and TEA that the district has not complied with the requirements and must comply immediately.

If a district still has not corrected the plan deficiencies three months after the date of initial notification, the TxSSC shall provide written notice to the district stating that the district must hold a public hearing as outlined at Public Hearing on Noncompliance, below.

Education Code 37.2071

Public Hearing on Noncompliance

If the board receives notice of noncompliance under Education Code 37.207(e) [see CKA], 37.2071(d) [see Failure to Submit Plan, above] or 37.2071(g) [see Failure to Correct Deficiencies, above], the board shall hold a public hearing to notify the public of:

1. The district's failure to submit or correct deficiencies in a multihazard emergency operations plan or report the results of a safety and security audit to the TxSSC as required by law;
2. The dates during which the district has not been in compliance; and
3. The names of each member of the board and the superintendent serving in that capacity during the dates the district was not in compliance. The district shall provide this information in writing to each person at the hearing.

The board shall give members of the public a reasonable opportunity to appear before the board and to speak on the issue of the district's failure to submit or correct deficiencies in a multihazard emergency operations plan or report the results of a safety and security audit during a hearing held under this provision. A district re-

quired to hold a public hearing shall provide written confirmation to the TxSSC that the district held the hearing.

Education Code 37.1081

Safe Firearm Storage

The TxSSC, in collaboration with DPS, shall provide to each district information and other resources regarding the safe storage of firearms for distribution by the district including information on the offense of making a firearm accessible to a child under Penal Code 46.13 and ways in which parents and guardians can effectively prevent children from accessing firearms.

A district shall provide the information and other resources to the parent or guardian of each student enrolled in the district or school.

Education Code 37.222

Confidential Information under the Texas Disaster Act

Information is confidential if the information is collected, assembled, or maintained by or for a district for the purpose of preventing, detecting, responding to, or investigating an act of terrorism or related criminal activity and:

Emergency Response Provider Information

1. Relates to the staffing requirements of an emergency response provider, including a law enforcement agency, a firefighting agency, or an emergency services agency;
2. Relates to a tactical plan of the provider; or
3. Consists of a list or compilation of pager or telephone numbers, including mobile and cellular telephone numbers, of the provider.

Gov't Code 418.176

Risk or Vulnerability Assessment

Information is confidential if the information:

1. Is collected, assembled, or maintained by or for a district for the purpose of preventing, detecting, or investigating an act of terrorism or related criminal activity; and
2. Relates to an assessment by or for a district, or an assessment that is maintained by a district, of the risk or vulnerability of persons or property, including critical infrastructure, to an act of terrorism or related criminal activity.

Gov't Code 418.177

Information, other than financial information, in the possession of a district is confidential if the information:

1. Is part of a report to an agency of the United States;
2. Relates to an act of terrorism or related criminal activity; and

3. Is specifically required to be kept confidential:

    a. Under the Public Information Act, Government Code 552.101, because of a federal statute or regulation;

    b. To participate in a state-federal information sharing agreement; or

    c. To obtain federal funding.

Security Systems

Financial information in the possession of a district that relates to the expenditure of funds by a district for a security system is public information that is not excepted from required disclosure under the Public Information Act. [See GBA]

Information, including access codes and passwords, in the possession of a district that relates to the specifications, operating procedures, or location of a security system used to protect public or private property from an act of terrorism or related criminal activity is confidential.

Gov't Code 418.182

Disaster Disclosure Exception

At any time during a state of disaster, the superintendent may voluntarily disclose or otherwise make available all or part of the information that is confidential under Government Code 418.175-.182 to another person or another entity if the superintendent believes that the other person or entity has a legitimate need for the information. The disclosure or making available of confidential information under this provision does not waive or affect the confidentiality of the information. *Gov't Code 418.183(b), (e)*

Note: For information regarding the district's ability to request identification, refuse entry, or eject persons from district property, see GKA and GKC.

Safety Rules

The board may adopt rules for the safety and welfare of students, employees, and property and other rules it considers necessary to carry out Education Code Chapter 37, Subchapter D (Protection of Buildings and Grounds) and the governance of the district, including rules providing for the operation and parking of vehicles on school property. *Education Code 37.102(a)* [See also CLC]

Human Trafficking Warning Signs

Each public primary or secondary school shall post warning signs of the increased penalties for trafficking of persons under Penal Code 20A.02(b-1)(2) in a conspicuous place reasonably likely to be viewed by all school employees and visitors.

Each warning sign must:

1. Describe the offense of trafficking in persons as provided under Penal Code 20A.02(a). The sign must emphasize that an offense under Penal Code 20A.02, is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 25 years if it is shown on the trial of the offense that the actor committed the offense in a location that was:
    a. On the premises of or within 1,000 feet of the premises of:
        (1) A school;
        (2) A juvenile detention facility;
        (3) A post-adjudication secure correctional facility;
        (4) A shelter or facility operating as a residential treatment center that serves runaway youth, foster children, people who are homeless, or persons subjected to human trafficking, domestic violence, or sexual assault;
        (5) A community center offering youth services and programs;
        (6) A child-care facility, as defined by Human Resources Code 42.002; or
        (7) An institution of higher education or private or independent institution of higher education, as defined by Education Code 61.003; or

b. On premises or within 1,000 feet of premises where:

(1) An official school function was taking place; or

(2) An event sponsored or sanctioned by the University Interscholastic League was taking place;

2. Be written in English and Spanish; and

3. Be at least 8.5 by 11 inches in size.

Education Code 37.086; 19 TAC 103.1403(c)

Note: For provisions regarding selection and adoption of instructional materials, see EFA.

Instructional Materials and Technology

Instructional materials selected for use in the public schools shall be furnished without cost to the students attending those schools. Except as provided by Education Code 31.104(d), a district may not charge a student for instructional material or technological equipment purchased by the district with the district's technology and instructional materials allotment. *Education Code 31.001*

Each instructional material, including electronic instructional material only to the extent of any applicable licensing agreement, purchased as provided by Education Code Chapter 31 for a district is the property of the district. *Education Code 31.102(a)-(b)*

Allotment

A district is entitled to an allotment each biennium from the state instructional materials and technology fund for each student enrolled in the district on a date during the last year of the preceding biennium specified by the commissioner of education. The commissioner shall determine the amount of the allotment per student each biennium on the basis of the amount of money available in the state instructional materials and technology fund to fund the allotment. The allotment shall be transferred from the state instructional materials and technology fund to the credit of the district's instructional materials and technology account as provided by Education Code 31.0212. *Education Code 31.0211(a)*

The commissioner shall, as early as practicable during each biennium, notify each district of the estimated amount to which the district will be entitled during the next fiscal biennium. *Education Code 31.0215(a)*

Additional State Aid

State-Approved Instructional Materials

For each student enrolled in the district, a school district is entitled to additional state aid for each school year in an amount equal to $40, or a greater amount provided by appropriation, to procure instructional material that has been reviewed by the Texas Education Agency (TEA); placed on the State Board of Education (SBOE) list of approved instructional materials; designated by the SBOE as being included or capable of being included in an instructional materials parent portal; and acquired from a publisher, manufacturer, or other entity that has not been found to violate Education Code 31.151. *Education Code 48.307(a)*

Open Education Resource Instructional Materials

Subject to Education Code 31.0751 (Open Education Resource [OER] transition plan), a district is entitled to additional state aid for each school year in an amount not to exceed $20 for each student for the costs incurred or for which the district is obligated to pay during the school year in which the aid is provided for the printing

and shipping of OER instructional material made available under Education Code Chapter 31, Subchapter B-1. *Education Code 48.308(a)*

Allotment Adjustment

Change in Enrollment

Not later than May 31 of each school year, a district may request that the commissioner adjust the number of students for which the district is entitled to receive an allotment on the grounds that the number of students attending school in the district will increase or decrease during the school year for which the allotment is provided. The commissioner may also adjust the number of students for which a district is entitled to receive an allotment, without a request by the district, if the commissioner determines a different number of students is a more accurate reflection of students who will be attending school in the district. The commissioner's determination is final. *Education Code 31.0211(e)*

High Enrollment Growth

Each year the commissioner shall adjust the instructional materials and technology allotment of districts experiencing high enrollment growth. *Education Code 31.0214(a)*

Permitted Expenditures

The allotment funds may be used to purchase or pay for:

1. Instructional materials, regardless of whether the instructional materials are on the list of approved instructional materials maintained by the SBOE under Education Code 31.022;
2. Consumable instructional materials;
3. Instructional materials for use in bilingual education classes, as provided by Education Code 31.029;
4. Instructional materials for use in college preparatory courses under Education Code 28.014, as provided by Education Code 31.031;
5. Supplemental instructional materials;
6. OER instructional materials, as provided by Education Code Chapter 31, Subchapter B-1;
7. Instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;
8. Technological equipment necessary to support the use of any instructional materials purchased with an allotment under this provision;
9. Inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of instructional materials;

10. Services, equipment, and technology infrastructure necessary to ensure internet connectivity and adequate bandwidth;

11. Training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use;

12. Training personnel in the electronic administration of assessment instruments;

13. The salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning; and

14. Costs associated with distance learning, including services, equipment, and technology such as Wi-Fi, internet access hotspots, wireless network service, broadband service, and other services and technological equipment necessary to facilitate internet access.

The allotment funds may not be used to purchase instructional material that contains obscene or harmful content or would otherwise cause the district to which the funds were allotted to be unable to submit the certification required under Education Code 31.1011(a)(1)(B) [see Certification of Instructional Materials, below].

Education Code 31.0211(c), (f)

Technological Equipment

In purchasing technological equipment, a district shall:

1. Secure technological solutions that meet the varying and unique needs of students and teachers in the district; and

2. Consider both the long-term cost of ownership of the technological equipment and flexibility for innovation.

Education Code 31.0211(d)

Instructional Materials and Technology Account

The commissioner shall maintain an instructional materials and technology account for each district. In the first year of each biennium, the commissioner shall deposit the district's allotment in the account. The commissioner shall pay the cost of instructional materials requisitioned by a district under Education Code 31.103 using funds from the district's instructional materials and technology account.

Money deposited in a district's instructional materials and technology account during each state fiscal biennium remains in the account and available for use by the district for the entire biennium.

At the end of each biennium, a district with unused money in the district's account may carry forward any remaining balance to the next biennium.

A district shall provide to TEA the title and publication information for any instructional materials requisitioned or purchased by the district with the district's instructional materials and technology allotment.

Education Code 31.0212(a)-(d)

Purchasing Method

A district is not required to use a method provided by Education Code 44.031(a) to purchase instructional materials that have been reviewed by TEA and included on the list of approved instructional materials maintained by the SBOE. *Education Code 31.102(d)*

Requisitions, Use, and Distribution

Delegation of Authority

The board may delegate to an employee the authority to requisition, distribute, and manage the inventory of instructional materials, consistent with Education Code Chapter 31 and rules adopted under that chapter. *Education Code 31.104(a)*

Local Funds

A district may use local funds to purchase any instructional materials in addition to those selected under Education Code Chapter 31. *Education Code 31.106*

Online Requisition Program

A district shall make a requisition for instructional materials using the online requisition program maintained by the commissioner. A district may requisition instructional materials for grades above the grade level in which a student is enrolled. *Education Code 31.103(b)-(c)*

Distribution

The board shall distribute printed instructional materials to students in the manner that the board determines is most effective and economical. *Education Code 31.102(c)*

OER Instructional Materials

A district may adopt OER instructional material at any time. Except as otherwise provided by the Education Code, the commissioner may not require a district to adopt or use an OER instructional material. A district may not be charged for a cost associated with the selection of an OER instructional material, except for the cost of printing copies of the material. *Education Code 31.073(a), (c)-(d)*

OER Transition Plan

To qualify for additional state aid under Education Code 48.308, the board must adopt an OER instructional material transition plan to assist classroom teachers in the district who will be using an OER instructional material in a specific subject or grade level for which the teacher has not previously used an OER instructional material.

The plan must ensure that OER instructional materials are used in a manner that maintains the instructional flexibility of a classroom teacher to address the needs of each student.

A district that participates in the program developed and maintained by TEA under Education Code 31.0752 is not required to adopt a transition plan under this provision. [See OER Instructional Material Support Program, below]

Education Code 31.0751

The OER instructional material transition plan shall be submitted in a format determined by the commissioner.

A district is required to have a locally maintained OER transition plan that complies with 19 Administrative Code 67.1315 to access funding allotted under Education Code 48.308.

A district is required to submit an OER instructional material transition plan only when:

1. First adopting an SBOE-approved OER product for a grade level or subject/course; or
2. Expanding implementation of an SBOE-approved OER product to additional campuses and/or grade levels.

The OER instructional material transition plan adopted by the board of trustees shall include the plan of the district to ensure the following:

1. Clear communication and stakeholder change management plans and timelines;
2. Timely access to print materials and related manipulatives through OER procurement and distribution;
3. Sufficient planning and instructional time evidenced by instructional calendars and master schedules aligned to the requirements of the materials;
4. Clear expectations for the implementation of:
    a. Instructional materials;
    b. Internalization and student work analysis protocols; and
    c. Curriculum-embedded assessments;
5. Processes for stakeholder communication and public posting, as outlined in Education Code 26.006, if materials have been modified by the district;

6. The maintenance of instructional flexibility through clear guidance for acceptable teacher modifications to instructional pacing, sequencing, and lesson content to address the needs of each student; and

7. Sufficient professional learning and development for school leaders, instructional coaches, and teachers, including:

    a. Pre-service product onboarding and orientation; and

    b. Ongoing, job-embedded, curriculum-based professional learning, including cycles of observation and feedback.

The commissioner may request and review OER instructional material transition plans before funding is released and reject a plan subsequent to review.

19 TAC 67.1315

OER Instructional Material Support Program

TEA shall develop and maintain a program to assist school districts in adopting and using OER instructional material, including by assisting districts to:

1. Maintain the instructional flexibility of classroom teachers to address the needs of each student; and

2. Schedule instructional periods in a manner that allows classroom teachers sufficient time to effectively prepare and present instructional material within the teacher's normal work day.

Education Code 31.0752

Requisition

A district that selects OER instructional material shall requisition a sufficient number of printed copies for use by students unable to access the instructional material electronically unless the district provides to each student:

1. Electronic access to the instructional material at no cost to the student; or

2. Printed copies of the portion of the instructional material that will be used in the course.

Education Code 31.103(d)

Parent Portal

An entity that hosts an instructional materials parent portal must comply with requests regarding parental access to the portal made by a district in compliance with Education Code 31.154 or Education Code 26.006 [see EFA]. *Education Code 31.154(e)*

[For more information regarding the requirements for certain entities that supply instructional materials to host a parent portal, see Education Code 31.154.]

Bilingual Instructional Materials

A district shall purchase with its allotment or otherwise acquire instructional materials for use in bilingual education classes. *Education Code 31.029*

Certification of Instructional Materials

Prior to the beginning of each school year, a district shall submit to the SBOE and commissioner certification that the district:

1. For each subject in the required curriculum under Education Code 28.002, other than physical education, and each grade level:
    a. Provides each student with instructional materials that cover all elements of the essential knowledge and skills adopted by the SBOE for that subject and grade level; and
    b. In the provision of instructional materials, the district protects students from obscene or harmful content as necessary for compliance with the Children's Internet Protection Act (Pub. L. No. 106-554) [see CQ], Education Code 28.0022 [see EMB], Penal Code 43.22, and any other law or regulation that protects students from obscene or harmful content [see EFA]; and
2. The district used money allocated to the district or school under the instructional materials and technology allotment only for purposes allowed under Education Code 31.0211.

To determine whether each student has instructional materials that cover all elements of the essential knowledge and skills, a district may consider:

1. Instructional materials adopted by the SBOE;
2. Instructional materials developed, purchased, or otherwise acquired by the district; and
3. OER instructional materials and other electronic instructional materials included in the repository under Education Code 31.0722.

Education Code 31.1011

Annual Report

Each district shall annually report to TEA information regarding the instructional materials used by the district during the previous school year, including the cost of each material. *Education Code 31.1012*

Ownership

Except as otherwise provided, a student must return all instructional materials to the teacher at the end of the school year or when the student withdraws from school. At the end of the school year for which OER instructional material that a district does not intend to use for another student is distributed, the printed copy of the OER instructional material becomes the property of the student to whom it is distributed.

This provision does not apply to an electronic copy of OER instructional material.

Education Code 31.104(c), (g)-(h)

Responsibility for Instructional Materials and Equipment

Each student or the student's parent or guardian is responsible for all instructional material and technological equipment not returned in an acceptable condition by the student. A student who fails to return in an acceptable condition all instructional materials and technological equipment forfeits the right to free instructional materials and technological equipment until all instructional materials and technological equipment previously issued but not returned in an acceptable condition are paid for by the student, parent, or guardian.

As provided by board policy, a district may waive or reduce the payment required if the student is from a low-income family. [See FP] The district shall allow the student to use instructional materials and technological equipment at school during each school day.

If instructional materials or technological equipment is not returned in an acceptable condition or paid for, a district may withhold the student's records. A district may not prevent the student from graduating, participating in a graduation ceremony, or receiving a diploma. [See FL and GBA regarding student and parental right to access records; and FD, FFAB, and FL regarding a district's duties to provide records to another district]

The board may not require an employee of the district who acts in good faith to pay for instructional materials or technological equipment that is stolen, misplaced, or not returned by a student. [See DG]

These provisions do not apply to an electronic copy of OER instructional material.

Education Code 31.104(d), (e), (h) [See also EFA]

Acceptable Condition

Printed instructional materials are considered to be in acceptable condition if:

1. The cover, binding, pages, spine, and all integral components of the instructional materials are wholly intact and the instructional materials are fully usable by students; and

2. No component of the instructional materials is soiled, torn, or damaged (whether intentionally or by lack of appropriate care) to the extent that any portion of the content is too disfigured or obscured to be fully accessible to other students.

Electronic instructional materials are considered to be in acceptable condition if:

1. All components or applications that are a part of the electronic instructional materials are returned;

2. The electronic materials perform as they did when they were new;

3. The electronic instructional materials do not contain computer code (e.g., bug, virus, worm, or similar malicious software) that has been designed to self-replicate, damage, change, or otherwise hinder the performance of any computer's memory, file system, or software; and

4. The electronic instructional materials have not been installed with plug-ins, snap-ins, or add-ins without the prior approval of the district.

Technological equipment is considered to be in acceptable condition if:

1. The equipment is returned with the software and hardware in their original condition unless the district authorized changes; and

2. The physical condition of the equipment is fully usable as it was originally intended to be used.

19 TAC 66.1310

Lost or Damaged Instructional Materials

A district may order replacements for instructional materials that have been lost or damaged directly from the publisher of the instructional materials or any source for a printed copy of OER instructional material. *Education Code 31.104(b)*

Sale or Disposal

The board shall determine how the district will dispose of discontinued printed instructional materials, electronic instructional materials, and technological equipment.

Sale

The board may sell printed instructional materials on the date the instructional material is discontinued for use in the public schools by the SBOE or the commissioner. The board may also sell elec-

tronic instructional materials and technological equipment owned by the district.

Use of Proceeds Any funds received by a district from a sale must be used to purchase instructional materials and technological equipment allowed under Education Code 31.0211.

Disposal The board may dispose of printed instructional material before the date the instructional material is discontinued for use in the public schools by the SBOE if the board determines that the instructional material is not needed by the district and the board does not reasonably expect that the instructional material will be needed. A district must notify the commissioner of any instructional material the district disposes of under this provision.

Education Code 31.105

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

Authorization to Purchase or Lease Vehicles

A district may purchase school motor vehicles through the comptroller or through competitive bidding under Education Code Chapter 44, Subchapter B. *Education Code 34.001(a)* [See CH]

Each contract proposed to be made by a district for the purchase or lease of one or more school buses, including a lease with an option to purchase, must be submitted to competitive bidding when the contract is valued at $20,000 or more. *Education Code 44.031(l)*

When a contract for the purchase of school buses is valued at $20,000 or more, the contract must be made either through competitive bidding or by purchasing the buses through the comptroller. *Atty. Gen. Op. LO-98-063 (1998)*

Payment

A district financially unable to pay for a vehicle the district purchases may, as prescribed by Education Code 34.005, issue interest-bearing time warrants in amounts sufficient to make the purchase. *Education Code 34.005(a)*

A board may issue bonds to purchase new school buses. *Education Code 45.001(a)(1)(D)* [See CCA]

New Van Purchases or Leases

A school system may not purchase or lease a new 15-passenger van if it will be used significantly by, or on behalf of, the school system to transport preprimary, primary, or secondary school students to or from school or an event related to school, unless the 15-passenger van complies with the motor vehicle standards prescribed for school buses and multi-function school activity buses under United States Code Title 49. This provision does not apply in some limited circumstances, including the purchase or lease of a 15-passenger van under a contract executed before August 10, 2005, the date of enactment of this provision. *49 U.S.C. 30112*

Contracts for School Bus Use, Acquisition, or Lease

A board may contract with any person for use, acquisition, or lease with option to purchase a school bus if the board determines the contract to be economically advantageous to the district. Such a contract may have any lawful term of not less than two or more than 10 years. The competitive bidding requirements of Education Code Chapter 44, Subchapter B apply to a contract under this provision. A school bus that is leased or leased with an option to purchase must meet or exceed safety standards set out in Education Code 34.002. *Education Code 34.009* [See CH]

Registration

District-owned vehicles used exclusively in the service of a district are exempt from the state registration fee. The Department of Motor Vehicles (DMV) must approve an application for registration before exempt license plates are issued. *Transp. Code 502.451, .453*

Identification

The DMV may not issue exempt license plates unless the applicant for registration certifies in writing that the name of a district is printed on each side of the vehicle, in letters that are at least two inches high or in an emblem that is at least 100 square inches in size. The letters or emblem must be of a color sufficiently different from the body of the vehicle to be clearly legible from a distance of 100 feet. *Transp. Code 502.452(a)*

Maintenance

District vehicles are subject to inspection pursuant to Transportation Code Chapter 548.

School Bus Advertising

The exterior of a school bus may not bear advertising or another paid announcement directed at the public if the advertising or announcement distracts from the effectiveness of required safety-warning equipment. A school bus that violates this provision or rules adopted under this provision shall be placed out of service until it complies. *Transp. Code 547.701(d)*

Advertising Rules

A district may allow advertisements on school buses in accordance with rules. The rules adopted by the Texas Department of Public Safety (DPS) at 37 Administrative Code 14.61-14.65 apply to all school buses used to transport preprimary, primary, and secondary public school students. *37 TAC 14.61*

"Advertisement"

For purposes of this policy, "advertisement" means any communication brought to the attention of the public by paid announcement or in return for public recognition in connection with an event or offer or sale of a product or service, except for a single-line listing of a district name and/or school or manufacturer logo approved by DPS. *37 TAC 14.1(1)*

Material and Location

Advertisements must be of a material and in a location specified in the rules. *37 TAC 14.62-.64*

Annual Notice

By September 1 of each year, districts involved in an advertising program shall provide the School Bus Transportation Program at DPS written notification of the number of buses operated by or for the district that display exterior advertising or another paid announcement. *37 TAC 14.65(a)(1), (b)* [See CNC for required reporting of crashes involving buses with advertising]

Delivery of Notice

Notices to DPS shall be delivered by facsimile at (512) 424-2238, electronic mail at sbt@txdps.state.tx.us, or mailed to School Bus Transportation, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0525. *37 TAC 14.65(d)*

Nonschool Use A board may contract with nonschool organizations for use of school buses. The board may provide services relating to the maintenance and operation of the buses in accordance with the contract. *Education Code 34.010*

Sale of Buses At the request of a district, the comptroller shall dispose of a school bus. A district is not required to dispose of a bus through the comptroller. *Education Code 34.006*

Safety Standards

A district shall meet or exceed the safety standards for school buses established by the Department of Public Safety (DPS), with the advice of the Texas Education Agency (TEA). A district that fails or refuses to meet these safety standards for school buses is ineligible to share in the transportation allotment until the first anniversary of the date the district begins complying with the safety standards. *Education Code 34.002; Transp. Code 547.102; 37 TAC 14.51-.52*

Student Safety

Prohibitions

A district may not require or allow a child to stand on a moving bus or passenger van. *Education Code 34.004*

An operator of a school bus, while operating the bus, shall prohibit a passenger from:

1. Standing in the bus; or
2. Sitting:
    a. On the floor of the bus, or
    b. In any location on the bus that is not designed as a seat.

Transp. Code 545.426

Seat Belts

Required on Buses

A bus, including a school bus, a school activity bus, multifunction school activity bus, or school-chartered bus, operated by or contracted for use by a district for the transportation of schoolchildren shall be equipped with a three-point seat belt for each passenger, including the operator. This requirement does not apply to:

1. A bus purchased by a school district that is a model year 2017 or earlier; or
2. A bus purchased by a school district that is a model year 2018 or later if the board:
    a. Determines that the district's budget does not permit the district to purchase a bus that is equipped with the required seat belts; and
    b. Votes to approve that determination in a public meeting.

Transp. Code 547.701(e)

Student Requirement

A district shall require a student riding a bus operated by or contracted for operation by the district to wear a seat belt if the bus is equipped with seat belts for all passengers on the bus. A school district may implement a disciplinary policy to enforce the use of seat belts by students. *Education Code 34.013*

Donations

A board shall consider any offer made by a person to donate three-point seat belts or money for the purchase of three-point seat belts for a district's school buses. A board may accept or decline the offer after adequate consideration.

A board may acknowledge a person who donates three-point seat belts or money for the purchase of three-point seat belts for a school bus by displaying a small, discreet sign on the side or back of the bus recognizing the person who made the donation. The sign may not serve as an advertisement for the person who made the donation.

Education Code 34.014

Use of Warning Signals

When a school bus is being stopped or is stopped on a highway to permit students to board or exit the bus, the operator of the bus shall activate all flashing warning signal lights and other equipment on the bus designed to warn other drivers that the bus is stopping to load or unload children.

A person may not operate a light or other equipment described above except when a school bus is being stopped or is stopped on a highway to:

1. Permit a student to board or exit the bus; or
2. Distribute to a student or the parent or guardian of a student:
    a. Food; or
    b. Technological equipment for use by the student for educational purposes.

Transp. Code 547.701(c), (c-1)

Wireless Communication Devices

An operator commits an offense if the operator uses a portable wireless communication device to read, write, or send an electronic message while operating a motor vehicle unless the vehicle is stopped. *Transp. Code 545.4251(b)*

General Rule

School Property

An operator may not use a wireless communication device while operating a motor vehicle within a school crossing zone or on the property of a public elementary, middle, junior high, or high school served by a school crossing zone, during the time a reduced speed limit is in effect for the school crossing zone, unless:

1. The vehicle is stopped; or
2. The wireless communication device is used with a hands-free device.

Transp. Code 545.4252

An operator may not use a wireless communication device while operating a school bus or passenger bus with a minor passenger on the bus unless the bus is stopped. This provision does not apply to an operator of a school bus or passenger bus using a wireless communication device in the performance of the operator's duties as a bus driver and in a manner similar to using a two-way radio. *Transp. Code 545.425(c), (e-1)*

Definitions

"Hands-free device" means speakerphone capability, a telephone attachment, or another function or other piece of equipment, regardless of whether permanently installed in or on a wireless communication device or in a motor vehicle, that allows use of the wireless communication device without use of either of the operator's hands, except to activate or deactivate a function of the wireless communication device or hands-free device. The term includes voice-operated technology and a push-to-talk function. *Transp. Code 545.425(a)(1)*

"Electronic message" means data that is read from or entered into a wireless communication device for the purpose of communicating with another person. *Transp. Code 545.4251(a)(1)*

Disruption of Transportation

Any person other than a primary or secondary grade student who intentionally disrupts, prevents, or interferes with the lawful transportation of students to and from school on a vehicle owned or operated by a district or to or from activities sponsored by a school on a vehicle owned and/or operated by a district shall be guilty of a misdemeanor. It is an exception to the application of the offense that, at the time the person engaged in the prohibited conduct, the person was younger than 12 years of age. *Education Code 37.126*

Exhibition of Firearm

For information regarding offenses pertaining to firearms on buses, see GKA(LEGAL).

Collision Reports

Notice to DPS for Buses With Advertising

A district shall provide DPS written notification of any collision directly or indirectly involving a school bus operated by or for the district that bears advertising or another paid announcement. *37 TAC 14.65(a)(2)* [See CNB for rules related to school bus advertising.]

Notice must be received not more than five days from the date of the collision and shall include the following:

1. The name and address of the owner of the school bus;
2. The name and driver's license number of the school bus operator;
3. The date of the collision;
4. The city or county where the collision occurred; and

5. The investigating police agency.

37 TAC 14.65(c)

Notices to DPS may be delivered by facsimile, electronic mail, or mailed to School Bus Transportation, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0525. *37 TAC 14.65(d)*

Annual Report to TEA

A district shall report annually to TEA the number of collisions in which its buses were involved in the past year in a manner prescribed by the commissioner of education. A district shall file annual collision reports to TEA only in the period beginning July 1 and ending July 31 and shall include the following information in the report:

1. The total number of bus collisions;
2. The date each collision occurred;
3. The type of bus, as specified in 19 Administrative Code 103.1231(a), involved in each collision;
4. Whether the bus involved in each collision was equipped with seat belts and, if so, the type of seat belts;
5. The number of students and adults involved in each collision;
6. The number and types of injuries that were sustained by the bus passengers in each collision; and
7. Whether the injured passengers in each collision were wearing seat belts at the time of the collision and, if so, the type of seat belts.

A school district shall report a bus collision involving a school bus, a multifunction school activity bus, a school activity bus, or a motor bus if:

1. The bus is owned, leased, contracted, or chartered by a school district and was transporting school district personnel, students, or a combination of personnel and students; or
2. The bus was driven by a school district employee or by an employee of the school district's bus contractor with no passengers on board and the collision involved a pedestrian.

Exceptions

A school district shall not report a bus collision involving a school bus, a multifunction school activity bus, a school activity bus, or a motor bus if:

1. The bus was driven by a school district employee or by an employee of the school district's bus contractor, the collision

occurred when no passenger other than the school district's driver or bus contractor's driver was on board the bus, and the collision did not involve a pedestrian; or

2. The collision involved a bus chartered by a school district for a school activity trip and no school district personnel or students were on board the bus at the time of the collision.

A school district shall not report a collision that occurred in a vehicle that is owned, contracted, or chartered by a school district and is not a school bus, a multifunction school activity bus, a school activity bus, or a motor bus.

Education Code 34.015(b); 19 TAC 103.1231(b)

Fair Labor Standards Act

Minimum Wage and Overtime

Unless an exemption applies, a district shall pay each of its employees not less than minimum wage for all hours worked. *29 U.S.C. 206(a)(1)*

Unless an exemption applies, a district shall pay an employee not less than one and one-half times the employee's regular rate of pay for all hours worked in excess of 40 in any workweek. *29 U.S.C. 207(a)(1); 29 C.F.R. pt. 778*

Breaks for Nonexempt Employees

Rest periods of up to 20 minutes must be counted as hours worked. Coffee breaks or time for snacks are rest periods, not meal periods. *29 C.F.R. 785.18*

Bona fide meal periods of 30 minutes or more are not counted as hours worked if the employee is completely relieved from duty. The employee is not relieved from duty if the employee is required to perform any duties, whether active or inactive, while eating. For example, an office employee who is required to eat at his or her desk is working while eating. It is not necessary that an employee be permitted to leave the premises if the employee is otherwise completely freed from duties during the meal period. *29 C.F.R. 785.19*

Compensatory Time

Accrual

Nonexempt employees may receive, in lieu of overtime compensation, compensatory time off at a rate of not less than one and one-half hours for each hour of overtime work, pursuant to an agreement or understanding arrived at between the employer and employee before the performance of the work. Such agreement or understanding may be informal, such as when an employee works overtime knowing that the employer rewards overtime with compensatory time.

An employee may accrue not more than 240 hours of compensatory time. If the employee's overtime work included a public safety activity, an emergency response activity, or a seasonal activity, the employee may accrue not more than 480 hours of compensatory time. After the employee has reached these limits, the employee shall be paid overtime compensation for additional overtime work.

Payment for Accrued Time

Compensation paid to an employee for accrued compensatory time shall be paid at the regular rate earned by the employee at the time of payment. An employee who has accrued compensatory time off shall be paid for any unused compensatory time upon separation from employment at the rates set forth at 29 U.S.C. 207(o)(4).

Use

An employee who has requested the use of compensatory time shall be permitted to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the district.

The Fair Labor Standards Act (FLSA) does not prohibit a district from compelling the use of accrued compensatory time.

29 U.S.C. 207(o); Christensen v. Harris Cnty., 529 U.S. 576 (2000); Houston Police Officers' Union v. City of Houston, 330 F.3d 298 (5th Cir. 2003)

Exempt Employees

The minimum wage and overtime provisions do not apply to any employee employed in a bona fide executive, administrative, or professional capacity. *29 U.S.C. 213(a)(1)*

Academic Administrators

The term ''employee employed in a bona fide administrative capacity'' includes an employee:

1. Compensated on a salary or fee basis at the established weekly threshold, exclusive of board, lodging, or other facilities; or on a salary basis which is at least equal to the entrance salary for teachers in the district by which employed; and

2. Whose primary duty is performing administrative functions directly related to academic instruction or training in a district or department or subdivision thereof.

"Performing administrative functions directly related to academic instruction or training'' means work related to the academic operations and functions in a school rather than to administration along the lines of general business operations. Such academic administrative functions include operations directly in the field of education. Jobs relating to areas outside the educational field are not within the definition of academic administration.

Employees engaged in academic administrative functions include:

1. The superintendent or other head of an elementary or secondary school system, and any assistants, responsible for administration of such matters as curriculum, quality and methods of instructing, measuring and testing the learning potential and achievement of students, establishing and maintaining academic and grading standards, and other aspects of the teaching program;

2. The principal and any vice principals responsible for the operation of an elementary or secondary school;

3. Academic counselors who perform work such as administering school testing programs, assisting students with academic problems and advising students concerning degree requirements; and

4. Other employees with similar responsibilities.

Jobs relating to building management and maintenance, jobs relating to the health of the students, and academic staff such as social workers, psychologists, lunchroom managers, or dietitians do not perform academic administrative functions, although such employees may qualify for another exemption.

29 C.F.R. 541.204

Salary Basis

To qualify as an exempt executive, administrative, or professional employee, the employee must be compensated on a salary basis, unless the employee is a teacher. Subject to the exceptions listed in the rule, an employee must receive the full salary for any week in which the employee performs any work, without regard to the number of days or hours worked. A district that makes improper deductions from salary shall lose the exemption if the facts demonstrate that the district did not intend to pay exempt employees on a salary basis. *29 C.F.R. 541.600, .602(a), .603*

Partial-Day Deductions

A district employee who otherwise meets the salary basis requirements shall not be disqualified from exemption on the basis that the employee is paid according to a pay system established by statute, ordinance, or regulation, or by a policy or practice established pursuant to principles of public accountability, under which the employee accrues personal leave and sick leave and which requires the employee's pay to be reduced or the employee to be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one workday when accrued leave is not used by an employee because:

1. Permission for its use has not been sought or has been sought and denied;

2. Accrued leave has been exhausted; or

3. The employee chooses to use leave without pay.

Deductions from the pay of a district employee for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

29 C.F.R. 541.710

Safe Harbor Policy

If a district has a clearly communicated policy that prohibits improper pay deductions and includes a complaint mechanism, reimburses employees for any improper deductions, and makes a good faith commitment to comply in the future, the district will not lose the exemption unless the district willfully violates the policy by con-

tinuing to make improper deductions after receiving employee complaints.

The best evidence of a clearly communicated policy is a written policy that was distributed to employees before the improper pay deductions by, for example, providing a copy of the policy to employees upon hire, publishing the policy in an employee handbook, or publishing the policy on a district's intranet.

29 C.F.R. 541.603(d)

Teachers

The term ''employee employed in a bona fide professional capacity'' includes any employee with a primary duty of teaching, tutoring, instructing, or lecturing in the activity of imparting knowledge and who is employed and engaged in this activity as a teacher in an elementary or secondary school system by which the employee is employed. The salary basis requirements do not apply to teaching professionals.

Exempt teachers include:

1. Regular academic teachers;
2. Teachers of kindergarten or nursery school pupils;
3. Teachers of gifted or disabled children;
4. Teachers of skilled and semi-skilled trades and occupations;
5. Teachers engaged in automobile driving instruction;
6. Home economics teachers; and
7. Vocal or instrumental music instructors.

Those faculty members who are engaged as teachers but also spend a considerable amount of their time in extracurricular activities such as coaching athletic teams or acting as moderators or advisors in such areas as drama, speech, debate, or journalism are engaged in teaching. Such activities are a recognized part of the schools' responsibility in contributing to the educational development of the student.

The possession of an elementary or secondary teacher's certificate provides a clear means of identifying the individuals contemplated as being within the scope of the exemption for teaching professionals. Teachers who possess a teaching certificate qualify for the exemption regardless of the terminology (e.g., permanent, conditional, standard, provisional, temporary, emergency, or unlimited) used by the state to refer to different kinds of certificates. However, a teacher who is not certified may be considered for

	exemption, provided that such individual is employed as a teacher by the employing school or school system. *29 C.F.R. 541.303*
Wage and Hour Records	A district shall maintain and preserve payroll or other records for nonexempt employees containing the information required by the regulations under the FLSA. *29 C.F.R. 516.2(a)*
Payday Law Exemption	The Texas Payday Law does not apply to the state or a political subdivision. *Labor Code 61.003*

Staff Development

Educator

The staff development provided by a district to an educator other than a principal must be conducted in accordance with standards developed by the district and designed to improve education in the district.

Principal

The staff development provided by a district to a principal shall be governed by Education Code 21.3541 and rules adopted under that section. [See DNB]

Education Code 21.451(a), (a-1)

Professional Development Policy

A board shall annually review the SBEC continuing education and training clearinghouse published under Education Code 21.4514 and adopt a professional development policy that must:

1. Be guided by the recommendations for training in the clearinghouse;
2. Note any differences in the policy adopted by the district or school from the recommendations in the clearinghouse; and
3. Include a schedule of all training required for educators or other school personnel at the district or school.

To the extent of any conflict, a frequency requirement for the completion of training provided by statute prevails over a frequency requirement for that training included in the professional development policy.

Education Code 21.4515(a), (b)

Requirements for Training

In designing staff development for educators other than principals, a district must use procedures that, to the greatest extent possible, ensure the training included in the staff development:

1. Incorporates proactive instructional planning techniques using a framework that:
    a. Provides flexibility in the ways:
        (1) Information is presented;
        (2) Students respond or demonstrate knowledge and skills; and
        (3) Students are engaged;
    b. Reduces barriers in instruction;
    c. Provides appropriate accommodations, supports, and challenges; and

d. Maintains high achievement expectations for all students, including students with disabilities and students of limited English proficiency; and

2. Integrates inclusive and evidence-based instructional practices for all students, including students with disabilities.

Staff development shall be predominantly campus-based, related to achieving campus performance objectives, and developed and approved by the campus-level committee.

A district may use district-wide staff development that has been developed and approved through the district-level decision process. [See BQA and BQB, as appropriate]

Education Code 21.451(a-2), (b), (c)

Optional Training

Staff development may include training in:

1. Technology and digital learning; and

2. Positive behavior intervention and support strategies, including classroom management, district discipline policies, and the Student Code of Conduct.

Technology and digital learning training must:

1. Discuss basic technology proficiency expectations and methods to increase an educator's digital literacy; and

2. Assist an educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices.

Staff development may include instruction as to what is permissible under law, including opinions of the United States Supreme Court, regarding prayer in public school.

Education Code 21.451(d)(1), (d-3), (g)

Required Training

Staff development must include training on:

1. Suicide prevention;

2. Strategies for establishing and maintaining positive relationships among students, including conflict resolution; and

3. Preventing, identifying, responding to, and reporting incidents of bullying.

Required training above must be provided in accordance with the board’s professional development policy and use a best practice-based program recommended by the Health and Human Services

Commission under Education Code 38.351 [see FFEB]. Required training may include two or more topics listed together.

Education Code 21.451(d)(3), (d-1)

Instruction of Students with Disabilities

Definition

"Student with a disability" means a student who is:

1. Eligible to participate in a school district's special education program under Education Code 29.003;
2. Covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); or
3. Covered by the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

Education Code 21.001(3-a)

Requirements

Staff development must include training that is evidence-based, as defined by Section 8101, Every Student Succeeds Act (20 USC 7801), and that:

1. Relates to the instruction of students with disabilities, including students with disabilities who also have other intellectual or mental health conditions; and
2. Is designed for educators who work primarily outside the area of special education.

A district is required to provide the training to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the individualized education program developed for a student receiving instruction from the educator. A district may determine the time and place at which the training is delivered.

In developing or maintaining the training, a district must consult with persons with expertise in research-based practices for students with disabilities, including colleges, universities, private and nonprofit organizations, regional education service centers, qualified district personnel, and any other persons identified as qualified by the district, regardless of whether the training is provided at the campus or district level.

Education Code 21.451(d)(2), (e)-(f)

Suicide Prevention

The required suicide prevention training may be satisfied through independent review of suicide prevention training material that complies with the guidelines developed by the Texas Education Agency (TEA) and is offered online. *Education Code 21.451(d-2); 19 TAC 153.1013(d)*

Suicide prevention programs on TEA's list of recommended best practice-based programs [see FFEB] must include components that provide for training school counselors, teachers, nurses, administrators, and other staff, as well as law enforcement officers and social workers who regularly interact with students, to:

1. Recognize students at risk of attempting suicide, including students who are or may be the victims of or who engage in bullying;

2. Recognize students displaying early warning signs and a possible need for early mental health or substance abuse intervention, which warning signs may include declining academic performance, depression, anxiety, isolation, unexplained changes in sleep or eating habits, and destructive behavior toward self and others;

3. Intervene effectively with students described above by providing notice and referral to a parent or guardian so appropriate action, such as seeking mental health or substance abuse services, may be taken by a parent or guardian; and

4. Assist students in returning to school following treatment of a mental health concern or suicide attempt.

A district shall provide training described in the components above for teachers, school counselors, principals, and all other appropriate personnel. A district is required to provide the training at an elementary school campus only to the extent that sufficient funding and programs are available. A school district may implement a program on TEA's list of recommended best practice-based programs [see FFEB] to satisfy this training requirement.

If a district provides the training, a district shall require completion in accordance with the district's professional development policy and maintain records that include district employees who participated in the training.

A district may satisfy a requirement to implement a program in the area of substance abuse prevention and intervention by providing instruction related to youth substance use and abuse education under Education Code 38.040. [See EHAC]

Education Code 38.351(e), (g), (g-1), (h); 19 TAC 153.1013

Staff Development Account

A district that receives resources from the commissioner of education's staff development account must pay to the commissioner for deposit in the account an amount equal to one-half of the cost of the resources provided to the district. *Education Code 21.453(c)*

Child Abuse, Trafficking, and Maltreatment

A district's methods for increasing awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children [see District Improvement Plan at BQ and Sexual Abuse, Trafficking, and Maltreatment Policies and Programs at FFG] must include training concerning prevention techniques for and recognition of sexual abuse, sex trafficking, and all other maltreatment of children, including the sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities.

The training must be provided in accordance with the district's professional development policy and as part of new employee orientation to all new employees.

The training must include:

1. Factors indicating a child is at risk for sexual abuse, trafficking, or other maltreatment;
2. Warning signs indicating a child may be a victim of sexual abuse, trafficking, or other maltreatment;
3. Internal procedures for seeking assistance for a child who is at risk for sexual abuse, trafficking, or other maltreatment, including referral to a school counselor, a social worker, or another mental health professional;
4. Techniques for reducing a child's risk of sexual abuse, trafficking, or other maltreatment; and
5. Information on community organizations that have relevant research-based programs and that are able to provide training or other education for district staff, students, and parents.

A district must maintain records that include staff members who participated in the training.

To the extent that resources are not yet available from TEA or the commissioner of education, districts shall implement the policies and trainings with existing or publicly available resources. The district may also work in conjunction with a community organization to provide the training at no cost to the district.

Education Code 38.0041(c)-(f); 19 TAC 103.1401(d)

Trauma-Informed Care

A district's efforts to increase awareness and implementation of trauma-informed care must include training to new and existing employees in accordance with the district's professional development policy. [See BQ, FFBA] *Education Code 38.036(c)*

Mental Health

A district shall require each district employee who regularly interacts with students enrolled at the district to complete an evidence-

based mental health training program designed to provide instruction to participants regarding the recognition and support of children and youth who experience a mental health or substance use issue that may pose a threat to school safety.

A district may not require a district employee who has previously completed mental health training offered by a local mental health authority under Health and Safety Code 1001.203 to complete the required training.

Education Code 22.904

To complete the required evidence-based mental health training program, personnel who regularly interact with students shall participate and complete the general training program, participate and complete the training program related to local school district practices and procedures, and submit and maintain supporting documentation of completion. *19 TAC 153.1015(b)*

Records

School districts shall require each district employee to provide the certificate of completion of the general training program to the school district.

Documentation of the training program related to local school district practices and procedures may be satisfied when the employee submits to the district an acknowledgement form signed by the employee who received the current training and a copy of the local procedures and practices that are published in the district handbook and/or district improvement plan.

Documentation of training for the mental health training program must be kept by the school district and made available to TEA upon request, which may include a reporting process, for the duration of the employee's employment with the district.

19 TAC 153.1015(f)(1)-(3)

Student Discipline

Each principal or other appropriate administrator who oversees student discipline shall, at least once every three school years, attend professional development training regarding Education Code Chapter 37, Subchapter G. The professional development shall include training relating to the distinction between a discipline management technique used at the principal's discretion under Education Code 37.002(a) and the discretionary authority of a teacher to remove a disruptive student under Education Code 37.002(b) [see FOA].

The professional development training may be provided in coordination with an education service center through the use of distance

learning methods, such as telecommunications networks, and using available TEA resources.

Education Code 37.0181

Test Administration

The commissioner may require training for district employees involved in the administration of assessment instruments. The commissioner may only require the employee at each district campus who oversees the administration of the assessment instruments to annually receive the training. The district employee who oversees test administration on a district campus may, with discretion, require other district employees involved in the administration of assessment instruments to repeat the training. *Education Code 39.0304(a), (b-1), (b-2)*

Cybersecurity

Employees identified by the district with access to a district computer system or database and who use a computer to perform at least 25 percent of the employee's required duties must complete a cybersecurity training program selected by the board. The district, in consultation with its cybersecurity coordinator, shall determine how frequently employees must complete the training. [See CQB] *Gov't Code 2054.5191(a-1); Education Code 11.175(h-1)*

Special Programs

A district shall ensure that:

Teacher Literacy Achievement Academies (Reading Academies)

1. Not later than the 2022-23 school year, each classroom teacher in kindergarten or first, second, or third grade and each principal at a campus with kindergarten or first, second, or third grade has attended a teacher literacy achievement academy developed under Education Code 21.4552; and

2. Each classroom teacher and each principal initially employed in a grade level or at a campus described above for the 2022-23 school year or a subsequent school year has attended a teacher literacy achievement academy developed under Education Code 21.4552 by the end of the teacher's or principal's first year of placement in that grade level or campus.

Education Code 28.0062(a)(2)

[See EHAB for kindergarten-grade 3 reading standards.]

Gifted and Talented Education

A district shall ensure that:

1. Prior to assignment in the program or within one semester of assignment, teachers who provide instruction and services that are a part of the program for gifted/talented students [see EHBB] have a minimum of 30 hours of professional learning that includes nature and needs of gifted/talented students, as-

sessing student needs, and curriculum and instruction for gifted/talented students;

2. Teachers who provide instruction and services that are a part of the program for gifted/talented students receive a minimum of six hours annually of professional learning in gifted/talented education; and

3. Administrators and counselors who have authority for program decisions have a minimum of six hours of professional learning that includes nature and needs of gifted/talented students and program options with an update after legislative sessions.

19 TAC 89.2

Elective Bible Course

A teacher of an elective Bible course offered under Education Code 28.011 [see EMI] must hold a certificate in language arts, social studies, or history that qualifies the teacher to teach at the grade level at which the course is offered with, where practical, a minor in religious or biblical studies. The teacher must successfully complete staff development training developed by the commissioner for elective Bible courses. An elective Bible course may be taught only by a teacher who has successfully completed the commissioner's training under Education Code 21.459. *Education Code 28.011(f)*

Texas English Language Proficiency Assessment System Training

The employee assigned to oversee the administration of the Texas English Language Proficiency Assessment System (TELPAS) at a district campus may, with discretion, require other district employees involved in administering the TELPAS to complete training or online calibration activities described by Education Code 21.4571(a). An employee may not be required to complete a training or online calibration activity in one sitting. *Education Code 21.4571(b), (c)*

Automated External Defibrillators

A district shall, in accordance with its professional development policy, make available to employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator (AED).

Each school nurse, assistant school nurse, athletic coach or sponsor, physical education instructor, marching band director, cheerleading coach, and any other employee specified by the commissioner, and each student who serves as an athletic trainer, must:

1. Participate in the instruction; and

2. Receive and maintain certification in the use of an AED from the American Heart Association, the American Red Cross, or a similar nationally recognized association.

Education Code 22.902

Extracurricular Activity Safety

The following persons must satisfactorily complete an extracurricular activity safety training program in accordance with the district's professional development policy:

1. A coach, trainer, or sponsor for an extracurricular athletic activity; and

2. A director responsible for a school marching band.

The safety training program must include:

1. Certification of participants by the American Red Cross, the American Heart Association, or a similar organization or by the University Interscholastic League;

2. Current training in:

   a. Emergency action planning;

   b. Communicating effectively with 9-1-1 emergency service operators and other emergency personnel; and

   c. Recognizing symptoms of potentially catastrophic injuries, including head and neck injuries, concussions, injuries related to second impact syndrome, asthma attacks, heatstroke, cardiac arrest, and injuries requiring use of a defibrillator; and

3. A safety drill that incorporates the training and simulates various injuries described above.

Education Code 33.202(b), (c); 19 TAC 76.1003

Records

A superintendent shall maintain complete and accurate records of the district's compliance and the district shall make available to the public proof of compliance for each person employed by or volunteering for the district who is required to receive safety training.

A campus that is determined by a superintendent to be out of compliance with the safety training requirements shall be subject to the range of penalties determined by the UIL.

Education Code 33.206; 19 TAC 76.1003(e)

Steroids

A district shall require that each employee who serves as an athletic coach at or above the seventh grade level for an extracurricular athletic activity sponsored or sanctioned by the UIL complete:

1. The educational program developed by the UIL regarding the health effects of steroids; or

2. A comparable program developed by the district or a private entity with relevant expertise.

Education Code 33.091(c-1)

Concussions

At least once every two years, the following employees shall take a training course from an authorized provider:

1. A coach of an interscholastic athletic activity shall take a course approved by the UIL that provides for not less than two hours of training in the subject matter of concussions, including evaluation, prevention, symptoms, risks, and long-term effects.

2. An athletic trainer who serves as a member of a district's concussion oversight team shall take a course concerning the subject matter of concussions that meets the requirements set by the Texas Department of Licensing and Regulation (TDLR).

3. A school nurse or licensed health-care professional, other than an athletic trainer, who serves as a member of a district's concussion oversight team shall take a course approved by the UIL for coaches or that meets the requirements set by TDLR for athletic trainers, or a course concerning the subject matter of concussions that has been approved for continuing education credit by the appropriate licensing authority for the profession.

The employee must submit proof of timely completion of an approved course to the superintendent or designee. A school nurse or licensed health-care professional who is not in compliance with these training requirements may not serve on a concussion oversight team in any capacity. [See FM]

Education Code 38.158

Seizure Recognition and Related First Aid

A school nurse employed by a district must complete a TEA-approved online course of instruction for school nurses regarding managing students with seizure disorders that includes information about seizure recognition and related first aid.

A district employee, other than a school nurse, whose duties at the school include regular contact with students must complete a TEA-approved online course of instruction for school personnel regard-

ing awareness of students with seizure disorders that includes information about seizure recognition and related first aid.

Education Code 38.033(a), (b)

[See FFAF for information about a seizure management and treatment plan.]

Identification

Child Find

A district shall ensure that all children residing within the district who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to:

1. Homeless children;
2. Children who are wards of the state;
3. Children attending private schools;
4. Highly mobile children (including migrant children); and
5. Children who are suspected of being in need of special education but who are advancing from grade to grade.

20 U.S.C. 1412(a)(3)(A); 34 C.F.R. 300.111(a)(1)(i), (c)

Private School Students

A district shall conduct a timely and meaningful consultation with private school representatives regarding the child find process and the provision of special education and related services to children enrolled in private schools in the district.

A district shall undertake activities similar to those undertaken for public school children and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending public schools in the district.

20 U.S.C. 1412(a)(10)(A)(ii)-(iv) [See EHBAC regarding students in nondistrict placement.]

Preschool Students

A district shall develop a system to notify district residents with children who are at least three and younger than six and who are eligible for enrollment in a special education program of the availability of the program. *Education Code 29.009*

Requests and Referrals for Evaluation

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. *20 U.S.C. 1414(a)(1)(E)*

Multi-tiered System

Referral of students for a full individual and initial evaluation (FIIE) must be a part of the district's multi-tiered system of academic and behavioral supports. Students not making progress in the general education classroom should be considered for all interventions and support services available to all students; such as tutorial, compensatory, response to evidence-based intervention, and other academic or behavior support services.

The district cannot require a student to participate in interventions and support services for any specific length of time prior to a referral being made or an FIIE being conducted.

District Obligation to Refer

If the student continues to experience difficulty in the general education classroom with the provision of interventions and support services or at any time district personnel suspect a disability and a possible need for special education and related services, district personnel must refer the student for an FIIE.

A referral or request for an FIIE may be initiated at any time by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student. While an FIIE is being conducted, a student must continue to receive any necessary interventions and support services to target their academic or behavioral needs.

19 TAC 89.1011(a)

Prior Written Notice

Parent

If a parent submits a written request to a district's director of special education services or to a district administrative employee, such as a campus principal, for a FIIE of a student, the district shall, not later than the 15th school day after the date the district receives the request:

1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the procedural safeguards notice required by 34 C.F.R. 300.504, a copy of the Overview of Special Education for Parents form created by the Texas Education Agency (TEA), and an opportunity to give written consent for the evaluation; or

2. Provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the Overview of Special Education for Parents form created by TEA, and a copy of the procedural safeguards notice required by 34 C.F.R. 300.504.

District

When a district initiates the referral for an FIIE of a student, the district must provide the parent with the information and materials described at item 1 above.

19 TAC 89.1011(b)-(c); Education Code 29.004(c); 20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301

Notice of Rights

A reasonable time before a district proposes or refuses to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education (FAPE) to a student, the district shall provide written notice to the student's parent or guardian. *20 U.S.C. 1415(b)(3); 34 C.F.R. 300.503(a)* [See EHBAE]

Initial Evaluation Required

A district shall conduct an FIIE before the initial provision of special education and related services. *20 U.S.C. 1414(a)(1)(A)*

Consent for Initial Evaluation

Before a district conducts an initial evaluation, it shall make reasonable efforts to obtain informed parental consent.

If the parent does not provide consent for an initial evaluation, or if the parent fails to respond to a request to provide consent, a district may, but is not required to, pursue the initial evaluation by utilizing due process procedures [see EHBAE], except to the extent inconsistent with state law relating to such parental consent.

Parental consent to initial evaluation shall not be construed as consent for placement for special education and related services.

20 U.S.C. 1414(a)(1)(D)(i)(I); 34 C.F.R. 300.300(b)

Wards of the State

If the child is a ward of the state and is not residing with the child's parent, a district shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation, unless:

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent;
2. The rights of the parent have been terminated; or
3. The rights of the parent to make educational decisions have been subrogated and an individual appointed by a judge to represent the student has given consent for an initial evaluation.

20 U.S.C. 1414(a)(1)(D)(iii); 34 C.F.R. 300.300(a)(2)

Time Frame for Completion of Written Report

A district must complete the written report of a full individual and initial evaluation:

1. Not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent. If a student has been absent from school during that period on three or more school days, the period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or
2. For students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or homeschool setting, not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent.

If a district receives written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the written report of a FIIE of a student must be provided to the student's parent not later than June 30 of that year.

If a district receives written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year but the student was absent three or more school days between the time that the school district received written consent and the last instructional day of the school year, the timeline in item 1 above applies to the date the written report of the FIIE must be completed.

If the district received the written consent for the evaluation from the student's parent less than 35 school days before the last day of the school year, the timeline in item 1, above, applies to the date the written report of the FIIE must be completed.

19 TAC 89.1011(d)-(e)

For purposes of the timelines under this provision, "school day" does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the subsequent fall school term. In the case of a school that operates under a school year calendar without spring and fall terms, a school day does not include a day that falls after the last instructional day of one school year and before the first instructional day of the subsequent school year. *19 TAC 89.1011(i)-(j)*

These time frames do not apply if the parent repeatedly fails or refuses to produce the child for the evaluation. *34 C.F.R. 300.301(d)(1)*

Transfer Students

A district shall ensure that evaluations of children who transfer from one district to another in the same academic year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations. *34 C.F.R. 300.304(c)(5)*

If a student was in the process of being evaluated for special education eligibility by a district and enrolls in another district before the previous district completed the FIIE, the new district must coordinate with the previous district as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation in accordance with 34 C.F.R., 300.301(d)(2) and (e) and 300.304(c)(5).

The timelines above do not apply in such a situation if:

1. The new school district is making sufficient progress to ensure a prompt completion of the evaluation; and

2. The parent and the new school district agree to a specific time when the evaluation will be completed.

19 TAC 89.1011(f); Education Code 29.004; 20 U.S.C. 1414(a)(1)(C), (b)(3)(D); 34 C.F.R. 300.301(c)-(e)

Student Communication

The evaluation shall be conducted using procedures that are appropriate for the student's most proficient method of communication. *Education Code 29.004(b)*

Psychological Examinations

If a district determines that an additional examination or test is required for the initial and individual evaluation, the district shall provide the information required by Education Code 29.0041(a) and shall obtain additional parental consent. If a parent does not give consent within 20 calendar days after the district provided the information, the parent's consent is considered denied.

The time required for a district to provide information and seek consent may not be counted toward the time frame for completion of an evaluation. [See Time Frame for Completion of Written Report, above]

Education Code 29.0041

Eligibility and Reevaluations

A student is eligible to participate in a district's special education program if:

1. The student is between the ages of 3 and 21, inclusive;

2. The student has one or more of the disabilities listed in federal regulations, state law, or both; and

3. The student's disability(ies) prevents the student from being adequately or safely educated in the public schools without the provision of special services.

20 U.S.C. 1401(3); Education Code 29.003(b); 19 TAC 89.1035

Disability Definitions

To be eligible to receive special education services, a student must be a "child with a disability," as defined in 34 C.F.R. 300.8(a), subject to the provisions of 34 C.F.R. 300.8(c), Education Code Subchapter A, and 19 Administrative Code 89.1040. The provisions in 19 Administrative Code 89.1040 specify criteria to be used in determining whether a student's condition meets one or more of the definitions in federal regulations or in state law. *19 TAC 89.1040(a)*

[For additional information on special education of students with dyslexia and related disorders, see EHB.]

Visual and Auditory Impairments

Students with visual impairments or who are deaf or hard of hearing shall be eligible to participate in a district's special education program from birth. *19 TAC 89.1035(b); Education Code 30.002(e), .081*

Birth Through Age Two

Children from birth through the age of two with visual impairments (VI), who are deaf or hard of hearing (DHH), or who are deaf-blind (DB) must be enrolled at the parent's request by a district when the district becomes aware of a child needing services. The appropriate instructional arrangement [see EHBA] for students from birth through the age of two with VI, DHH, or DB shall be determined in accordance with the individualized family services plan, current attendance guidelines, and the agreement memorandum between TEA and Texas Health and Human Services Commission Early Childhood Intervention (ECI) Services. *19 TAC 89.1005(d)*

Determination of Initial Eligibility

Upon completion of the administration of assessments and other evaluation measures, a team of qualified professionals and the parent shall make the determination of whether the child has a disability and of the educational needs of the child.

A district shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

20 U.S.C. 1414(b)(4); 34 C.F.R. 300.306(a)

The admission, review, and dismissal (ARD) [see EHBAB] committee must make its decisions regarding a student's initial eligibility determination and, if appropriate, individualized education program (IEP) and placement within 30 calendar days from the date of the completion of the written FIIE report. If the 30th day falls during the summer and school is not in session, the ARD committee must meet not later than the 15th school day of the following school year to finalize decisions concerning the student's initial eligibility determination, and, if appropriate, IEP and placement. If the 30th day falls during the summer and school is not in session but an FIIE report indicates that the student would need extended school year services during that summer, the ARD committee must meet as expeditiously as possible after completion of the report.

Parent Copy

A copy of the written FIIE report must be provided to the parent as soon as possible after completion of the report but no later than five school days prior to the initial ARD committee meeting, which will determine a student's initial eligibility, or not later than June 30 if the district received the written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year.

19 TAC 89.1011(g)-(h); Education Code 29.004(a-1)

[For additional information regarding the evaluation and identification process when dyslexia is a suspected disability, see EHB.]

Consent for Services

Initial Provision of Services

A district must obtain informed consent from the parent for the initial provision of special education and related services. If the parent of a child fails to respond to a request for, or refuses to consent to, the initial provision of services, the district:

1. May not use the procedures in 34 C.F.R. part 300 subpart E (including the mediation and due process procedures) in order to obtain agreement or a ruling that the services may be provided to the child;
2. Will not be considered to be in violation of the requirement to make FAPE available to the child for the failure to provide the services for which the district requests consent; and
3. Is not required to convene an ARD meeting or develop an IEP for the child for the services.

Revoking Consent

If, at any time after the provision of initial services, the parent of a child revokes consent in writing for the continued provision of services, the district:

1. May not continue to provide services to the child, but must provide prior written notice before ceasing services;
2. May not use the procedures in 34 C.F.R. part 300 subpart E in order to obtain agreement or a ruling that the services may be provided to the child;
3. Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further services; and
4. Is not required to convene an ARD meeting or develop an IEP for further provision of services.

34 C.F.R. 300.300(b)

Reevaluations

A district shall ensure that each child with a disability is reevaluated if the district determines that the educational or related services needs of the child, including improved academic achievement and functional performance, warrant a reevaluation, or if the child's parent or teacher requests a reevaluation.

Reevaluation shall occur:

1. No more than once a year, unless the parent and the district agree otherwise; and

2. At least once every three years, unless the parent and district agree that a reevaluation is unnecessary.

A district shall obtain informed parental consent before conducting a reevaluation, except that informed parental consent is not needed if the district can demonstrate that it has taken reasonable measures to obtain consent and the child's parent has failed to respond.

20 U.S.C. 1414(a)(2), (c)(3); 34 C.F.R. 300.303

Evaluation for Change in Eligibility

A district must evaluate a child with a disability before determining that the child is no longer a child with a disability. However, an evaluation is not required before the termination of eligibility due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for FAPE under state law. If a child's eligibility terminates under the aforementioned circumstances, a district must provide a summary of academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals. *34 C.F.R. 300.305(e); 20 U.S.C. 1414(c)(5)*

[See EIF(LEGAL) at Summary of Academic Achievement and Evaluation.]

Independent Evaluation

The parents have a right to obtain an independent educational evaluation of their child. If a parent requests an independent evaluation, a district shall provide the parents with information regarding where one can be obtained and the district's criteria for independent evaluations.

The results of a parent-initiated independent educational evaluation, whether at public or private expense, must be considered by the district if it meets the district's criteria, in any decision made with respect to providing FAPE to the child.

At Public Expense

If a parent requests an independent evaluation at public expense, the district shall, without unnecessary delay, either:

1. File a due process complaint to request a hearing to show that its evaluation is appropriate; or

2. Ensure that an independent evaluation is provided at public expense, unless the district demonstrates that the evaluation obtained by the parent did not meet district criteria.

At Private Expense

If a district initiates a hearing, and the final decision is that the district's evaluation is appropriate, the parent still has a right to an independent evaluation, but not at public expense.

34 C.F.R. 300.502

Prescription Medication

An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

Observations

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

20 U.S.C. 1412(a)(25)

Transition Services Defined

"Transition services" means a coordinated set of activities for a child with a disability that:

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child's needs, taking into account the child's strengths, preferences, and interests.
3. Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills and functional vocational evaluation.

20 U.S.C. 1401(34); 34 C.F.R. 300.43

Individual Transition Planning

14 Years of Age

Not later than the first individualized education program (IEP) to be in effect when a student turns 14 years of age, the admission, review, and dismissal (ARD) committee must consider, and if appropriate, address the following issues in the IEP:

1. Appropriate student involvement in the student's transition to life outside the public school system;
2. Appropriate involvement in the student's transition by the student's parents and other persons invited to participate by the student's parents or the district in which the student is enrolled;
3. Appropriate postsecondary education options, including preparation for postsecondary-level coursework;
4. An appropriate functional vocational evaluation;
5. Appropriate circumstances for facilitating a referral of a student or the student's parents to a governmental agency for services or public benefits, including a referral to a governmental agency to place the student on a waiting list for public benefits available to the student, such as a waiver program established under Section 1915(c), Social Security Act [42 U.S.C. 1396n(c)]; and
6. The use and availability of appropriate supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills; and supports and services to foster the student's independence and self-deter-

mination, including a supported decision-making agreement under Estates Code Chapter 1357.

Beginning not later than the first IEP to be in effect when the student turns 14 years of age, or younger if determined appropriate by the ARD committee, the IEP must include:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and

2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals .

18 Years of Age

Beginning not later than the first IEP to be in effect when the student turns 18 years of age, the ARD committee must consider and, if appropriate, address the following issues in the student's IEP:

1. Involvement in the student's transition and future by the student's parents and other persons, if the parent or other person:

   a. Is invited to participate by the student or the district in which the student is enrolled; or

   b. Has the student's consent to participate pursuant to a supported decision-making agreement under Estates Code Chapter 1357; and

2. The availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student's transition goals and objectives.

Annual Review

A student's ARD committee shall review at least annually the issues described above and, if necessary, update the portions of the student's IEP that address those issues.

[See EHBAB regarding membership of ARD committee for transition services meetings.]

19 TAC 89.1055(k)-(o); 20 U.S.C. 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. 300.320(b); Education Code 29.011(a-1), .0111

Transition and Employment Designee

The transition and employment designee required of each district must complete the required training as developed by the commissioner of education and provide information about transition requirements and coordination among parents, students, and appro-

priate state agencies to ensure that school staff can communicate and collaborate effectively. *19 TAC 89.1075(i)*

Transition and Employment Guide

The Texas Education Agency (TEA) is required to develop a transition and employment guide for students enrolled in special education programs and their parents to provide information on statewide services and programs that assist in the transition to life outside the public school system. A school district shall:

1. Post the transition and employment guide on the district's website if the district maintains a website;

2. Provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at:

    a. The first meeting of the student's ARD committee at which transition is discussed; and

    b. The first committee meeting at which transition is discussed that occurs after the date on which the guide is updated; and

3. On request, provide a printed copy of the guide to a student or parent.

Education Code 29.0112(a), (e)

Graduation

Graduation under 19 Administrative Code 89.1070(b)(1), or reaching maximum age eligibility described by 19 Administrative Code 89.1035 (Age Ranges for Student Eligibility) terminates a student's eligibility for special education services. For students who graduate and receive a diploma according to 19 Administrative Code 89.1070(b)(2) or (b)(3)(A), (B), or (C), the ARD committee must determine needed special education services upon the request of the student or parent to resume services, as long as the student meets the age requirements. *19 TAC 89.1070(a), (j)* [See EHBAA]

Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.

A district is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for FAPE under state law.

A district shall provide the child with a summary of the child's academic achievement and functional performance, which shall in-

clude recommendations on how to assist the child in meeting the child's postsecondary goals.

[See EIF]

20 U.S.C. 1414(c)(5); 34 C.F.R. 300.102(a)(3), .305(e)(2)

Driving with Disability Program

A district shall provide information regarding the Texas Driving with Disability Program to students who have a health condition or disability that may impede effective communication with a peace officer and who receive special education services or who are covered by Section 504 and their parents.

The information shall be provided to each student who is 16 years of age or older and annually until the earlier of the student's graduation from high school or 21st birthday.

Education Code 29.0113(a)-(b)

Table of Contents

Parental Consent Not Required 2
Video Surveillance of Special Education Settings 2
Classroom or Other Setting 2
Definitions 2
Administrative Coordinator 4
Authorized Requestors 4
Video Camera Coverage 5
Written Notice 5
Retention Period 6
Gifts, Grants, and Donations 6
No Waiver of Immunity 6
No Monitoring 6
Confidentiality 6
District Policy 8
Governmental Record 11
Operation of Camera 11
Exclusions 11
Dispute Resolution 11
Denial of Request 11
Extension of Time 14

Parental Consent Not Required

An employee of a district is not required to obtain the consent of a child's parent before the employee may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used for a purpose related to the promotion of student safety under Education Code 29.022. *Education Code 26.009(b)*

Video Surveillance of Special Education Settings

In order to promote student safety, on receipt of an authorized written request, a district shall provide equipment, including a video camera, to the campus in the district specified in the request.

Classroom or Other Setting

A campus that receives equipment shall place, operate, and maintain one or more video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day, provided that:

1. A campus that receives equipment as a result of the request by a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable; and

2. A campus that receives equipment as a result of the request by a board of trustees, principal, or assistant principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings subject to Education Code 29.022.

Education Code 29.022(a)

Definitions

“Incident” means an event or circumstance that:

Incident

1. Involves alleged “abuse” or “neglect,” as described in Family Code 261.001, of a student by a staff member of the district or alleged “physical abuse” or “sexual abuse,” as described in Family Code 261.410, of a student by another student; and

2. Allegedly occurred in a self-contained classroom or other special education setting in which video surveillance under Education Code 29.022 and 19 Administrative Code 103.1301 is conducted.

Other Special Education Setting

“Other special education setting” means a classroom on a separate campus (i.e., a campus that serves only students who receive special education and related services) of a district—including a room attached to the classroom or setting used for time-out—in which a

majority of the students in regular attendance are provided special education and related services, are assigned to the setting for at least 50 percent of the instructional day, and have one of the following instructional arrangements/settings described in the student attendance accounting handbook:

1. Residential care and treatment facility—separate campus; or
2. Off home campus—separate campus.

Parent "Parent" means a person described in Education Code 26.002, whose child receives special education and related services in one or more self-contained classrooms or other special education settings. "Parent" also means a student who receives special education and related services in one or more self-contained classrooms or other special education settings and who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Family Code, Chapter 31, unless the student has been determined to be incompetent or the student's rights have been otherwise restricted by a court order.

School Business Day "School business day" means a day that campus or district administrative offices are open.

Self-contained Classroom "Self-contained classroom" means a classroom on a regular campus (i.e., a campus that serves students in general education and students in special education), including a room attached to the classroom used for time-out, but not including a classroom that is a resource room instructional arrangement under Education Code 48.102, in which a majority of the students in regular attendance are provided special education and related services for at least 50 percent of the instructional day and have one of the following instructional arrangements/settings described in the student attendance accounting handbook:

1. Self-contained (mild/moderate/severe) regular campus;
2. Full-time early childhood (preschool program for children with disabilities) special education setting;
3. Residential care and treatment facility—self-contained (mild/moderate/severe) regular campus;
4. Residential care and treatment facility—full-time early childhood special education setting;
5. Off home campus—self-contained (mild/moderate/severe) regular campus; or
6. Off home campus—full-time early childhood special education setting.

Staff Member "Staff member" means a teacher, a related service provider, a paraprofessional, a counselor, or an educational aide assigned to work in the self-contained classroom or other special education setting.

Time-out "Time-out" has the meaning assigned by Education Code 37.0021.

Video Camera "Video camera" means a video surveillance camera with audio recording capabilities.

Video Equipment "Video equipment" means one or more video cameras and any technology and equipment needed to place, operate, and maintain video cameras as required by Education Code 29.022 and 19 Administrative Code 103.1301. "Video equipment" also means any technology and equipment needed to store and access video recordings as required.

19 TAC 103.1301(b); Education Code 29.022

Administrative Coordinator

Each district shall designate an administrator at the primary administrative office of the district with responsibility for coordinating the provision of equipment to schools and campuses. *Education Code 29.022(a-2)*

Authorized Requestors

The following people may request in writing that equipment be provided to a campus at which one or more children receive special education services in a qualifying classroom or setting:

1. A parent of a child who receives special education services for the campus at which the child receives those services;
2. The board of trustees for one or more specified campuses;
3. The principal or assistant principal for their campus; and
4. A staff member assigned to work with one or more children receiving special education services for the campus at which the staff member works.

Education Code 29.022(a-1)

Processing the Request

A written request must be submitted and acted on as follows:

1. A parent, staff member, or assistant principal must submit a request to the principal or the principal's designee of the campus addressed in the request, and the principal or designee must provide a copy of the request to the district's designated administrator;
2. A principal must submit a request by the principal to the district's designated administrator; and

3. A board of trustees must submit a request to the district's designated administrator, and the administrator must provide a copy of the request to the principal or the principal's designee of the campus addressed in the request.

A campus shall operate and maintain the camera in the classroom or setting as long as the classroom or setting continues to satisfy these requirements, for the remainder of the school year in which the campus received the request, unless the requestor withdraws the request in writing.

Education Code 29.022(a-3)-(b)

Video Camera Coverage

The video cameras must be capable of:

1. Covering all areas of the classroom or setting, including a room attached to the classroom or setting used for time-out; and

2. Recording audio from all areas of the classroom or setting, including a room attached to the classroom or setting used for time-out.

The inside of a bathroom or any area in the classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of the classroom or setting.

Education Code 29.022(c)-(c-1)

Written Notice

Before a campus activates a video camera in a classroom or special education setting, the campus shall provide written notice of the placement to all campus staff and to the parents of each student attending class or engaging in school activities in the classroom or setting.

If for any reason a campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request. Not later than the 10th school day before the end of each school year, the campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following

school year unless a person eligible to make a request for the next school year submits a new request.

Education Code 29.022(b), (d)

Retention Period

A district shall retain video recorded from a video camera for at least three months after the date the video was recorded.

If a person requests to view a video recording from a video camera, a district must retain the recording from the date of receipt of the request until the person has viewed the recording and a determination has been made as to whether the recording documents an alleged incident. If the recording documents an alleged incident, the district or campus shall retain the recording until the alleged incident has been resolved, including the exhaustion of all appeals.

Education Code 29.022(e)-(e-1)

Gifts, Grants, and Donations

A district may solicit and accept gifts, grants, and donations from any person to implement the requirements of Education Code 29.022 and 19 Administrative Code 103.1301. A district is not permitted to use Individuals with Disabilities Education Act, Part B, funds or state special education funds to implement these requirements. *19 TAC 103.1301(d)*

No Waiver of Immunity

The requirements described by Education Code 29.022 do not:

1. Waive any immunity from liability of a district, or of district officers or employees; or
2. Create any liability for a cause of action against a district or against district officers or employees.

No Monitoring

A district may not:

1. Allow regular or continual monitoring of video recorded under Education Code 29.022; or
2. Use video for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services.

Education Code 29.022(g)-(h)

Confidentiality

A video recording of a student made under this provision is confidential and may not be released or viewed except as provided below.

Limited Release

A district shall release a recording for viewing by:

1. An employee who is involved in an alleged incident that is documented by the recording and has been reported to the district, on request of the employee;

2. A parent of a student who is involved in an alleged incident that is documented by the recording and has been reported to the district or campus, on request of the parent;

3. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged or suspected abuse or neglect of a child under Family Code 261.406;

4. A peace officer, a school nurse, a district administrator trained in de-escalation and restraint techniques as provided by commissioners rule, or a human resources staff member designated by the board in response to a report of an alleged incident or an investigation of district personnel or a report of alleged abuse committed by a student; or

5. Appropriate agency or State Board for Educator Certification personnel or agents as part of an investigation.

A contractor or employee performing job duties relating to the installation, operation, or maintenance of video equipment or the retention of video recordings who incidentally views a video recording does not violate these confidentiality provisions.

Education Code 29.022(i)-(i-1); 19 TAC 103.1301(h)-(i)

Duty to Report

If a person described by item 4 or 5, above, views a video recording and has cause to believe that the recording documents possible abuse or neglect of a child under Family Code Chapter 261, the person must submit a report to the Texas Department of Family and Protective Services or other authority in accordance with the local policy adopted under 19 Administrative Code 61.1051 (Reporting Child Abuse and Neglect) and Family Code Chapter 261.

Note: 19 Administrative Code 61.1051 was repealed and the requirements were recodified at 19 Administrative Code 103.1401. [See FFG]

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19 TAC 103.1301(j); Education Code 29.022(j)

Use in Disciplinary Actions Against District Personnel

If a person described by items 3, 4, or 5, above, views the recording and believes that it documents a possible violation of district or campus policy, the person may allow access to the recording to appropriate legal and human resources personnel of the district to the extent not limited by the Family Educational Rights and Privacy

Act (FERPA) or other law. A recording believed to document a possible violation of district policy relating to the neglect or abuse of a student may be used in a disciplinary action against district personnel and must be released in a legal proceeding at the request of a parent of the student involved in the incident documented by the recording. A recording believed to document a possible violation of district policy relating to the neglect or abuse of a student must be released for viewing by the district employee who is the subject of the disciplinary action at the request of the employee. *19 TAC 103.1301(k)*

Federal Law / FERPA

19 Administrative Code 103.1301(j) (child abuse reporting) and (k) (disciplinary actions against personnel) do not limit the access of a student's parent to a record regarding the student under FERPA or other law. To the extent any provisions in Education Code 29.022 and 19 Administrative Code 103.1301 conflict with FERPA or other federal law, federal law prevails. *19 TAC 103.1301(l)*

District Policy

A district must adopt written policies relating to the placement, operation, and maintenance of video cameras under Education Code 29.022 and 19 Administrative Code 103.1301. At a minimum, the policies must include:

1. A statement that video surveillance is for the purpose of promoting student safety in certain self-contained classrooms and other special education settings;

2. Information on how a person may appeal an action by the district that the person believes to be in violation of this section or a policy adopted in accordance with this section, including the appeal and expedited review processes under 19 Administrative Code 103.1303 (Commissioner's Review of Actions Concerning Video Cameras in Special Education Settings) and the appeals process under Education Code 7.057;

3. A requirement that the district provide a response to a request made under this section not later than the seventh school business day after receipt of the request by the person to whom it must be submitted under Education Code 29.022(a-3) (at Limited Release, above) that authorizes the request or states the reason for denying the request;

4. Except as provided by item 6 of this provision, a requirement that a campus begin operation of a video camera in compliance with this provision not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized unless the Texas Education Agency (TEA) grants an extension of time;

5. A provision permitting the parent of a student whose admission, review, and dismissal (ARD) committee has determined that the student's placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed under this section to make a request for the video camera by the later of:

    a. The date on which the current school year ends; or

    b. The 10th school business day after the date of the placement determination by the ARD committee;

6. A requirement that, if a request is made by a parent in compliance with item 5 of this provision, unless TEA grants an extension of time, a campus begins operation of a video camera in compliance with this provision not later than the later of:

    a. The 10th school day of the fall semester; or

    b. The 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made;

7. The procedures for requesting video surveillance and the procedures for responding to a request for video surveillance;

8. The procedures for providing advanced written notice to the campus staff and the parents of the students assigned to a self-contained classroom or other special education setting that video and audio surveillance will be conducted or cease in the classroom or setting, including procedures for notice, in compliance with Education Code 29.022(b), of the opportunity to request continued video and audio surveillance if video and audio surveillance will otherwise cease;

9. A requirement that video cameras be operated at all times during the instructional day when one or more students are present in a self-contained classroom or other special education setting in which video cameras are placed;

10. A statement regarding the personnel who will have access to video equipment or video recordings for purposes of operating and maintaining the equipment or recordings;

11. A requirement that a campus continue to operate and maintain any video camera placed in a self-contained classroom or other special education setting for as long as the classroom or setting continues to satisfy the requirements in Education Code 29.022(a), for the remainder of the school year in which

the campus received the request, unless the requester withdraws the request in writing;

12. A requirement that video cameras placed in a self-contained classroom or other special education setting be capable of recording video and audio of all areas of the classroom or setting, except that no visual monitoring of bathrooms and areas in which a student's clothes are changed may occur. Incidental visual coverage of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is permitted only to the extent that such coverage is the result of the layout of the classroom or setting. Audio recording of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is required;

13. A statement that video recordings must be retained for at least three months after the date the video was recorded and that video recordings will be maintained in accordance with the requirements of Education Code 29.022(e-1), when applicable;

14. A statement that the regular or continual monitoring of video is prohibited and that video recordings must not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety;

15. At the district's discretion, a requirement that campuses post a notice at the entrance of any self-contained classroom or other special education setting in which video cameras are placed stating that video and audio surveillance are conducted in the classroom or setting;

16. The procedures for reporting an allegation to the district that an incident occurred in a self-contained classroom or other special education setting in which video surveillance under Education Code 29.022 and 19 Administrative Code 103.1301 is conducted;

17. The local grievance procedures for filing a complaint alleging violations of Education Code 29.022, and/or 19 Administrative Code 103.1301; and

18. A statement that video recordings made under Education Code 29.022 and 19 Administrative Code 103.1301 are confidential and a description of the limited circumstances under which the recordings may be viewed.

19 TAC 103.1301(g)

Governmental Record

A video recording under this section is a governmental record only for purposes of Penal Code 37.10.

Operation of Camera

These provisions apply to the placement, operation, and maintenance of a video camera in a self-contained classroom or other special education setting during the regular school year and extended school year services.

A video camera placed under this section is not required to be in operation for the time during which students are not present in the classroom or other special education setting.

Education Code 29.022(s)-(t)

Exclusions

A district is not required to provide video equipment to a campus of another district or charter school or to a nonpublic school. *19 TAC 103.1301(c)*

Dispute Resolution

The special education dispute resolution procedures in 34 Code of Federal Regulations 300.151-.153 and 300.504-.515 do not apply to complaints alleging that a district has failed to comply with Education Code 29.022 and 19 Administrative Code 103.1301. Complaints alleging violations of those sections must be addressed through the district's local grievance procedures or other dispute resolution channels. *19 TAC 103.1301(e)*

Denial of Request

The following standards and procedures apply to a denial of a request for placement of a video camera under Education Code 29.022(a), or to the denial of a request to release a video or to view a video made under Education Code 29.022(i) or (l)(2).

Exhaustion of Administrative Remedies

Once a request for placement of a video camera or a request to release a video is administratively denied, the requester must exhaust administrative remedies through the district's grievance process even if the requester opts for the expedited review process. However, a district, parent, staff member, or administrator may request an expedited review even before the local remedies are exhausted.

After local remedies are exhausted by filing a grievance with the board and obtaining a board determination, the requester may appeal the denial to the commissioner of education under Education Code 7.057 by filing a petition for review.

Proper Request

In a case where there is a denial of a request for the placement of a video camera, the commissioner will determine whether the person requesting placement is a person allowed to request placement under Education Code 29.022(a-1) (see Limited Release, above) and whether the requester made a proper request under Education Code 29.022(a-3) (see Processing the Request, above).

Cost

The commissioner will not consider the cost to the district of installing cameras or releasing video.

Release Determination

In a case where there is a denial of a request to release a video, the commissioner will determine whether the requester is a person allowed to receive a video under Education Code 29.022(i) (described at Limited Release, above).

Timelines for Petition for Review

The following timelines are established for filing a petition for review:

1. A petition for review shall be filed with the commissioner within 10 calendar days of the decision of the board denying the request being first communicated to the requester or requester's counsel, whichever occurs first. The petition for review shall be made in accordance with 19 Administrative Code 157.1073(c) (hearings brought under Education Code 7.057) and may include a request for expedited review.

2. The district's answer and local record shall comply with 19 Administrative Code 157.1052(b) and (c) and 19 Administrative Code 157.1073(d) and shall be filed with the commissioner within 10 calendar days of the district receiving notification from the commissioner of the appeal.

3. The procedures specified in 19 Administrative Code 157.1059; .1061; and .1073(e)-(h), (j), and (k) apply to a case brought to the commissioner under this section.

Expedited Review

A request for expedited review is governed by the following.

1. The expedited review process is designed to allow a requester to promptly receive a preliminary judgment from the commissioner as to a decision to deny a request for the installation of cameras or a decision to deny a request to release a video while at the same time respecting the school grievance process. The expedited review process does not apply to a request to only view a video. Invoking the expedited review process results in a prompt initial determination. However, the final commissioner's determination is to be based on a substantial evidence review of the district's grievance record. This allows for a full record to be developed at the district level and does not require the requester and the district to make an evidentiary record before TEA in Austin, Texas. Because the requirements of Education Code 7.057 are met when the board's decision is heard by the commissioner, an appeal to district court is allowed under Education Code 7.057(d). Education Code 29.022 does not by itself allow an appeal to district court.

2. A district, parent, staff member, or administrator may request an expedited review. Any request for an expedited review shall include the names, telephone numbers, and addresses of all interested parties to the request. “Interested parties” are all persons who brought the grievance, all persons who have testified or provided written statements as part of the grievance process, and the district. The request for expedited review shall specify whether the district denied a request for the placement of a video camera or the district denied a request to release a video and briefly describe why that decision is either correct or incorrect.

3. A request for expedited review shall be filed with the commissioner no earlier than 14 business days after a request for placement of a video camera or a request to release a video is administratively denied under Education Code 29.022(i) or (l)(2) (see Limited Release and Process, above), and no later than the fifth business day after a board resolves a grievance as to a request for placement of a video camera or a request to release a video. A request for expedited review shall be filed with the commissioner electronically as provided on TEA’s Division of Hearings and Appeals website or by U.S. Mail, facsimile, hand-delivery, or by a commercial delivery service.

4. Whenever an interested party files a document with the commissioner, with the exception of the request for expedited review, the interested party shall send the same document to all other interested parties by the same method that the document was sent to the commissioner. Hand-delivery of the document by the next day may be substituted for service by facsimile delivery.

5. If a request for expedited review is timely filed, the commissioner will establish a briefing schedule and will send to all interested parties a notice that an expedited review has been filed, which will include relevant statutes and rules. Any interested party who knows of any additional interested parties who have not been notified will promptly inform the commissioner in writing.

6. All briefing shall clearly state the facts relied upon. Documents relevant to the issues presented may be attached to a brief. All briefing shall provide the reasons why the commissioner should or should not grant the request for expedited review. Citations to statutes, rules, commissioner decisions, and case law are important to identify the legal basis for the claims made.

7. All interested parties who are in favor of granting the request for expedited review shall file briefing at the time specified for the requester of the expedited review.

8. All interested parties who are opposed to granting the request for expedited review shall file briefing at the same time.

9. Briefing is not limited to the issues specifically raised in the pleadings in the case. However, no new arguments may be raised in the reply briefs. Reply briefs may contain new citations to the record and legal authority as to issues previously raised.

10. A preliminary judgment shall be issued based on the briefing of the interested parties. The preliminary judgment will be sent to the requestor, the district, and all interested parties. If it is determined that a district is not likely to prevail on the issue of a request for the placement of video cameras or the issue of a request to view a video under full review, the district will fully comply with Education Code 29.022.

11. After a preliminary judgment is made, a final judgment will be made in accordance with the procedures set forth in 19 Administrative Code 103.1303(b)(1)-(5) (the Denial of Request Review process).

19 TAC 103.1303(b)

Extension of Time

A request by a district for an extension of time to begin the operation of a video camera under Education Code 29.022 shall be made and decided using the following procedures.

Request

Any request by a district for an extension of time to begin the operation of a video camera shall be filed with the commissioner prior to the 45th school business day after a request to begin operating a video camera is received. However, a district should request an extension of time as soon as it determines that an extension of time should be filed.

A request for an extension of time to begin the operation of a video camera shall specify why an extension of time should be granted. The request shall include affidavits supporting any factual claims made in the request and reference any legal authority as to why the request should be granted. The request may include a request for expedited review. The request shall name the individual who requested the installation of cameras and provide the individual's address and telephone number. Immediately following the individual's address and telephone number there shall appear in bold type: "You have been identified as the individual who requested the operation of a video camera that is the subject of this request to the

commissioner of education to extend the statutory timeline. You may, but are not required to, participate in the proceedings before the commissioner concerning the school district's request for an extension of time. It is entirely up to you whether and to what extent you wish to participate in these proceedings. The procedures governing these proceedings are found at 19 Texas Administrative Code 103.1303(c) and Texas Education Code 29.022."

A request for an extension of time to begin the operation of a video camera shall list the names, telephone numbers, and addresses of all interested parties to the request. All interested parties include all parents of students in the classroom or other special education setting for which a video camera has been requested and all staff who provided services in a classroom for which a video camera has been requested.

Filing Documents

All documents in a case shall be filed with the Division of Hearings and Appeals, Texas Education Agency, 1701 N. Congress Ave., Austin, Texas 78701, facsimile number (512) 475-3662. Documents shall be filed electronically as provided on the division's website or by mail, delivery, or facsimile. All documents must be actually received by the Division of Hearings and Appeals by the date specified in this section. The mailbox rule does not apply to filings in a case filed under this subsection. Electronic filing is strongly encouraged.

All filings in a case shall be sent to the district, the individual who initially requested the installation of the cameras, and all interested parties who have filed a request to receive documents filed in the case by the same method as the request is filed with the commissioner. Due to the requirements of FERPA, the names, telephone numbers, and addresses of parents and other publicly identifiable student information may not be given to the interested parties. The copies of the filings sent to interested parties shall be redacted to remove all personally identifiable student information.

Filing Responses

Any response to a request for an extension of time to begin the operation of a video camera shall be filed with the commissioner by an interested party within 10 calendar days of the filing of the request. If no response to the request is timely filed, the commissioner shall issue a final decision within 20 calendar days of the filing of the request.

A response to a request for an extension of time to begin the operation of a video camera shall specify why an extension of time should or should not be granted. The response shall include affidavits concerning any factual claims made in the request and reference any legal authority as to why the request should or should not

be granted. The response may include a request for expedited review.

Expedited Review

A request for expedited review must be filed with the commissioner within 10 calendar days of the filing of the request for an extension of time to begin the operation of a video camera. If a request for expedited review is made, all interested parties shall be notified that they have been identified as interested parties in the request for an extension of time to begin the operation of a video camera. In particular, the interested parties will be informed that it is their choice whether to participate in the proceedings before the commissioner, that it is entirely up to them to determine to what extent they wish to participate in the proceedings, that the procedures governing these proceedings are found in 19 Administrative Code 103.1303 and Education Code 29.022, and that upon their written request filed with the commissioner they will be sent all filings in this case.

If a request for an expedited review is not made, the commissioner shall issue a final decision within 45 calendar days of the filing of the request for an extension of time to begin the operation of a video camera, unless the commissioner determines that an evidentiary hearing would be helpful in deciding the issues raised. If the commissioner decides to hold an evidentiary hearing, the commissioner shall establish the timelines and procedures to be used. Whether to conduct the hearing by telephone or other electronic methods will be considered.

If a request for expedited review is made, the following procedures shall be followed:

1. Any reply by the district to any response to the request shall be filed with the commissioner within 25 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.
2. A preliminary judgment shall be made by the commissioner within 35 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.
3. Any interested party or the district may file objections to the preliminary judgment within 40 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.
4. Any reply to an objection to a preliminary judgment must be filed within 45 calendar days of the filing of a request for an extension of time to begin the operation of a video camera.

5. The commissioner shall issue a final decision within 55 calendar days of the filing of the request for an extension of time to begin the operation of a video camera, unless the commissioner determines that an evidentiary hearing would be helpful in deciding the issues raised. If the commissioner decides to hold an evidentiary hearing, the commissioner shall establish the timelines and procedures to be used. Whether to conduct the hearing by telephone or other electronic methods will be considered.

Commissioner Consideration — In making either a preliminary judgment or a final judgment under this subsection, the commissioner will consider whether granting the requested extension is reasonable considering all factors, including contracting statutes, architectural and structural issues, and the difference in costs to the district if a moderate extension of time is granted.

No Appeal — A commissioner's final decision under this provision is not subject to appeal.

19 TAC 103.1303(c)

Table of Contents

Title III Requirements 2
Definitions 2
Alternative Methods 2
Certified Bilingual Program Teacher 2
Certified English as a Second Language Teacher 2
Dual Language Immersion Program 2
Emergent Bilingual 2
English as a Second Language Program 2
English Proficient Student 3
Exit 3
Language Proficiency Assessment Committee 3
Parent 3
Reclassification 3
District Responsibility 3
Identification of Emergent Bilingual Students 4
Language Proficiency Assessment Committees 4
Home Language Survey 5
English Language Proficiency Testing 5
Emergent Bilingual Classification 6
Parental Notice and Consent 6
Participation of Other Students 8
Students with Disabilities 8
Bilingual and ESL Programs 8
Exceptions and Waivers 9
Program Design 9
Dual Language Immersion Program 10
Facilities 12
Cooperation Among Districts 13
Documentation 13
Summer Program 13
Other Programs 13
Personnel 14
Emergent Bilingual Students and State Assessments 15
Program Exit 15
Post-Exit Monitoring and Reenrollment 15
Program Evaluation 16

Title III Requirements

A district that receives funds under Title III of the Elementary and Secondary Education Act shall comply with the statutory requirements regarding English learners and immigrant students. *20 U.S.C. 6801-7014*

A district that receives funds under Title I or Title III to provide a language instruction educational program shall, not later than 30 days after the beginning of the school year, inform the parents of an English learner identified for participation in such a program of the information required by 20 U.S.C. 6312(e)(3). *20 U.S.C. 6312(e)(3)*

Definitions

Alternative Methods — "Alternative methods" means a temporary instructional plan that meets the affective, linguistic, and cognitive needs of emergent bilingual (EB) students and equips the teacher under a bilingual exception or an English as a second language (ESL) waiver to align closely to the required bilingual or ESL program through the comprehensive professional development plan.

Certified Bilingual Program Teacher — "Certified bilingual program teacher" means a teacher holding bilingual certification and appropriately certified for the grade level and content area. The term "certified bilingual program teacher" is synonymous with the term "professional bilingual educator" used in Education Code 29.063.

Certified English as a Second Language Teacher — "Certified English as a second language teacher" means a teacher appropriately certified in ESL as well as for the grade level and content area. The term "certified English as a second language teacher" is synonymous with the term "professional transitional language educator" used in Education Code 29.063.

Dual Language Immersion Program — "Dual language immersion (DLI) program" means a state-approved bilingual program in accordance with Education Code 29.066 that uses English and a partner language. The two state-approved DLI program models are one-way DLI and two-way DLI.

Emergent Bilingual — "Emergent bilingual (EB)" means a student whose primary language is other than English and whose English language skills are such that the student has difficulty performing ordinary classwork in English. "Emergent bilingual" also means a student identified by the Language Proficiency Assessment Committee (LPAC) who is in the process of acquiring English and has another language as the student's home language. This term is interchangeable with English learner as used in federal regulations and replaces the term "limited English proficient student."

English as a Second Language Program — "English as a second language (ESL) program" means a special language program in accordance with Education Code, Chapter 29, Subchapter B, to include both content-based and pull-out pro-

gram models. Another related term for an ESL program is “English as an additional language program.”

English Proficient Student — “English proficient student” means a former EB student who has met reclassification as English proficient by the LPAC.

Exit — “Exit” refers to the point when an EB student is reclassified as English proficient and ends bilingual or ESL program participation with LPAC recommendation and parental approval. The term “exit” is synonymous with the description in Education Code, Chapter 29, Subchapter B, of a student having been “transferred out” of bilingual or special language programming. For the purpose of meeting the goals of a DLI program, the LPAC recommends that the EB student is reclassified as English proficient but continues participation in the program to further develop biliteracy for the duration of the program for prekindergarten through grade 12.

Language Proficiency Assessment Committee — “Language Proficiency Assessment Committee” means a designated group of committee members as described in 19 Administrative Code 89.1220 (relating to Language Proficiency Assessment Committee) and Education Code 26.063 that ensures the appropriate identification, placement, assessment, services, reclassification, and monitoring of EB students. The LPAC also meets in conjunction with all other committees related to programs and services for which an EB student qualifies.

Parent — “Parent” includes the parent or legal guardian of the student in accordance with Education Code 29.052(2).

Reclassification — “Reclassification” means the process by which the LPAC determines that an EB student has met the appropriate criteria to be classified as English proficient, and the student enters year 1 of monitoring as indicated in the Texas Student Data System Public Education Information Management System.

Education Code 29.052; 19 TAC 89.1203(1), (3)-(4), (6), (8)-(9), (11), (13), (16), (19), (22)

District Responsibility

Each district shall:

1. Identify EB students based on criteria established by the state;
2. Provide bilingual education, including bilingual and ESL programs as integral parts of the general program;
3. Seek appropriately certified teaching personnel to ensure that EB students are afforded full opportunity to master the essential knowledge and skills; and

4. Assess academic achievement and linguistic progress in accordance with Education Code Chapter 29, Subchapter B, to ensure accountability for EB students and the schools that serve them.

19 TAC 89.1201(a)

Identification of Emergent Bilingual Students

Within the first four weeks of the first day of school, the LPAC shall determine and report to the board the number of EB students on each campus and shall classify each student according to the language in which the student possesses primary proficiency. A board shall report that information to the Texas Education Agency (TEA) before November 1 each year. *Education Code 29.053(b)*

Language Proficiency Assessment Committees

A district shall by local board policy establish and operate one or more LPACs. The district shall have on file a policy and procedures for the selection, appointment, and orientation of members of the LPAC(s).

A district shall establish and operate a sufficient number of LPACs to enable them to discharge their duties within four calendar weeks of the enrollment of an EB student.

19 TAC 89.1220(a), (e)

Membership of LPAC

The LPAC shall include:

1. An appropriately certified bilingual educator (for students served through a bilingual program);
2. An appropriately certified ESL educator (for students served through an ESL program);
3. A parent of an (EB) student participating in a bilingual or ESL program; and
4. A campus administrator.

A district may add other members to the committee.

All required members of an LPAC must be present either in person or virtually to make individualized student decisions.

No parent serving on the LPAC shall be an employee of the district.

All members of the LPAC, including parents, shall be acting for the district and shall observe all laws and rules governing confidentiality of information concerning individual students. A district shall be responsible for the orientation of all members, including the parents, of the LPAC.

Meetings The LPAC may use alternative meeting methods, such as phone or video conferencing and the use of electronic signatures that adhere to district policy.

19 TAC 89.1220(b)-(d), (f); Education Code 29.063(a)-(b);

Duties The LPAC shall have the duties set forth at Education Code 29.063(c) and 19 Administrative Code 89.1220(g)-(i), (k), including duties to review information, classify students, notify parents, and monitor student academic progress.

Home Language Survey

For each new student enrolling for the first time in a Texas public school in any grade from prekindergarten through grade 12, the TEA-developed home language survey shall be administered. This home language survey will serve as the original and only home language survey throughout the student's educational experience in Texas public schools.

The district shall:

1. Ensure that the student's parent understands the language used in the survey and its implications;
2. Require that the survey be signed by the student's parent for each student in prekindergarten through grade 8 or by the student in grades 9-12;
3. Ensure the student's parent is aware of the benefits of bilingual and ESL programs; and
4. Maintain the original copy of the survey in the student's permanent record and transfer it to any subsequent Texas public school districts in which the student enrolls.

If the response on the home language survey indicates that a language other than English is or was used for communication, the student shall be tested in accordance with 19 Administrative Code 89.1226 (Testing and Classification of Students).

If a parent determines an error was made when completing the original home language survey, the parent may request a correction only if the student has not yet been assessed for English proficiency; and corrections are made within two calendar weeks of the student's initial enrollment date in Texas public schools.

19 TAC 89.1215(a), (c), (e)

English Language Proficiency Testing

Within four calendar weeks of initial enrollment in a Texas public school, a student with a language other than English indicated on the home language survey shall be administered the state-approved English language proficiency test in accordance with 19 Ad-

ministrative Code 89.1226(c) and shall be identified as an EB student and recommended for placement into the required bilingual or ESL program in accordance with the testing and classification requirements in 19 Administrative Code 89.1226(f). *19 TAC 89.1226(b)*

Emergent Bilingual Classification

The LPAC may classify a student as EB if:

1. The student's ability in English is so limited or the student's disabilities are so severe that assessment procedures cannot be administered;
2. The student's score or relative degree of achievement on the TEA-approved English proficiency test is below the levels established by TEA as indicative of reasonable proficiency;
3. The student's primary language proficiency score as measured by a TEA-approved test is greater than the student's proficiency in English; or
4. The LPAC determines, based on other information, including a teacher evaluation, parental viewpoint, or student interview, that the student's primary language proficiency is greater than the student's proficiency in English or that the student is not reasonably proficient in English.

Education Code 29.056(c)

Parental Notice and Consent

Not later than the 10th day after the date of the student's classification as an EB student, the LPAC shall give written notice to the student's parent. *Education Code 29.056(d)*

The district shall notify the parent in English and in the parent's home language that their child has been identified as an EB student and recommended for placement in the required bilingual or ESL program using the TEA-developed identification and placement letter.

The parent shall be provided information describing the bilingual or ESL program recommended, its benefits and goals, and its being an integral part of the school program to ensure that the parent understands the purposes and content of the program and their parental rights.

The placement of a student in the bilingual or ESL program must be approved in writing by the student's parent or through allowable alternatives described in 19 Administrative Code 89.1220, in order to have the student included in the bilingual education allotment (BEA). The parent's approval shall be considered valid for the student's continued participation in the required bilingual or ESL pro-

gram until the student meets the reclassification criteria described in 19 Administrative Code 89.1226(i) (Testing and Classification of Students), the student graduates from high school, or a change occurs in program placement. A change between bilingual and ESL program placement requires new parental approval using the TEA-developed continuation of language program services letter.

If a parent denies program placement at any point, the TEA-developed parental denial of program services letter shall be used to ensure parents are informed of the implications of program denial, including understanding that the child will continue to be identified as an EB student and will continue to be assessed annually using the Texas English Language Proficiency Assessment System (TELPAS) until reclassification criteria have been met.

19 TAC 89.1240(a)

Pending completion of the identification process, receipt of LPAC documentation for transferring students, or parental approval of an identified EB student's placement into the bilingual education or ESL program recommended by the LPAC, a district shall place the student in the recommended program. Only EB students with parental approval for program participation will be included in the bilingual education allotment.

A district may place a student in or exit a student from a program without written approval of the student's parent if:

1. The student is 18 years of age or has had the disabilities of minority removed;

2. The parent provides approval through a phone conversation or email that is documented in writing and retained; or

3. An adult who the district recognizes as standing in parental relation to the student provides written approval. This may include a foster parent or employee of a state or local governmental agency with temporary possession or control of the student.

19 TAC 89.1220(j), (m)

Reclassification and Exit Approval

The district shall use the TEA-developed parent notification of reclassification and approval of program exit letter to give written notification to the student's parent of the student's reclassification as English proficient and acquire written approval for their exit from the bilingual or ESL program.

The district shall use the TEA-developed parent notification of reclassification and option to continue in a dual language immersion

program letter to give written notification to the student's parent of the student's reclassification as English proficient and acquire written approval for continued program participation as an English proficient student.

Students meeting reclassification criteria who have been recommended for exit by the LPAC may only exit the bilingual or ESL program with parental approval.

19 TAC 89.1240(b); Education Code 29.056(a)

Participation of Other Students

With the approval of a district and a student's parents, a student who is not LEP may also participate in a bilingual education program. *Education Code 29.058*

The number of participating non-EB students shall not exceed 40 percent of the number of students enrolled in those bilingual or ESL program models district-wide. *19 TAC 89.1233(c)*

Students with Disabilities

For students with disabilities, a district shall utilize the state's criteria for identification of EB students as described in 19 Administrative Code 89.1226(f) (relating to Testing and Classification of Students) and shall establish placement procedures that ensure that the placement recommendation by the LPAC, in conjunction with the admission, review, and dismissal (ARD) committee, in a bilingual or English as a second language program is not refused based on the student's disabling condition.

LPAC members shall meet in conjunction with ARD committee members to review progress and provide recommendations regarding the educational needs of each EB student who also qualifies for services in the district's special education program. [See EHBAB] *19 TAC 89.1230*

Bilingual and ESL Programs

Each district that has an enrollment of 20 or more students identified as EB students in any language classification in the same grade level district-wide shall offer a bilingual program for the EB students in prekindergarten through the elementary grades with that language classification. "Elementary grades" shall include prekindergarten through grade 5; grade 6 shall be included when clustered with elementary grades.

A district required to provide a bilingual program shall offer dual-language instruction (English and home or partner language) in prekindergarten through the elementary grades, using one of the four bilingual program models described in 19 Administrative Code 89.1210 (relating to Program Content and Design).

19 TAC 89.1205(a)-(b); Education Code 29.053(c)-(d)

A district shall provide an ESL program to all EB students for whom a district is not required to offer a bilingual program, regardless of the students' grade levels and home language, and regardless of the number of such students, except in cases where a district exercises the option to provide a bilingual education program that is not required by law [see below]. A district required to provide an ESL program shall provide an ESL program using one of the two models described in 19 Administrative Code 89.1210.*19 TAC 89.1205(c)-(d)*

A district is authorized to establish a bilingual program even if the district has fewer than 20 students identified as EB bilingual students in any language classification in the same grade level district-wide and at grade levels in which the bilingual program is not required under 19 Administrative Code 89.1205(a). If a district does operate such a program under this authorization, the district shall adhere to all program requirements in 19 Administrative Code 89.1210, .1227, .1228, and .1229. *19 TAC 89.1205(f)-(g)*

Exceptions and Waivers

A district shall comply with the requirements for bilingual exceptions and ESL waivers under 19 Administrative Code 89.1207. *Education Code 29.054; 19 TAC 89.1207*

A district that is unable to employ a sufficient number of teachers, including part-time teachers, who meet the certification requirements for the bilingual and ESL programs shall apply on or before November 1 for an exception to the bilingual program or a waiver for the ESL program as provided in 19 Administrative Code 89.1207. *19 TAC 89.1245(b)*

Program Design

A district that is required to offer bilingual education through bilingual or ESL program models shall provide each EB student the opportunity to be enrolled in the required program at their grade level.

A district's bilingual and ESL program models shall comply with the program content and design requirements of 19 Administrative Code 89.1210. A district shall ensure ongoing collaboration between bilingual and ESL programs and the general education programs to provide equitable educational access for all learners.

19 TAC 89.1210(a)-(b)

EB students shall participate with their non-EB peers in general education classes provided in subjects such as art, music, and physical education. A district shall provide students enrolled in the program a meaningful opportunity to participate fully with other non-EB peers in all extracurricular activities. Elective courses included in the curriculum may be taught in a language other than English. *Education Code 29.055, .057(b); 19 TAC 89.1210(f)*

Bilingual Education Program Models

Bilingual education shall be implemented through at least one of the following program models:

1. Transitional bilingual/early exit;
2. Transitional bilingual/late exit;
3. Dual language immersion/one-way; or
4. Dual language immersion/two-way.

19 TAC 89.1210(c)

ESL Program Models

The ESL program shall be implemented through one of the following program models:

1. An ESL/content-based program model is an English acquisition program that serves students identified EB students through English instruction by a teacher appropriately certified in ESL under Education Code 29.061(c), using content-based language instruction in reading and language arts, mathematics, science, and social studies. The goal of content-based ESL is for program participants to attain full proficiency in English in order to participate equitably in school.
2. An ESL/pull-out program model is an English acquisition program that serves identified EB students through English instruction using content-based language instruction methods provided by an appropriately certified ESL teacher under Education Code 29.061(c), in reading and language arts in a pull-out or inclusionary delivery setting. The goal of ESL pull-out is for program participants to attain full proficiency in English in order to participate equitably in school.

19 TAC 89.1210(d)

Dual Language Immersion Program

A district may adopt a DLI program for students enrolled in elementary school grades. *Education Code 28.005(c), .0051(c)*

Implementation

Program implementation shall:

1. Begin at prekindergarten, kindergarten, or grade 1 as applicable, according to the district's earliest grade level provided;
2. Continue without interruption incrementally through the elementary grades;
3. Consider expansion to middle school and high school whenever possible; and

4. Include participation of former EB students who have reclassified as English proficient for the duration of the program.

19 TAC 89.1227(e)

Requirements

A DLI program model shall be a full-time program of academic instruction in the program's partner language and English for all program participants, emphasizing the participation of identified EB students. Access to the DLI program shall not be restricted based on race, creed, color, religious affiliation, age, or disability.

A DLI program shall meet the minimum requirements described in 19 Administrative Code 89.1227.

19 TAC 89.1227(b)

Two-Way DLI Program Enrollment

Student enrollment in a two-way DLI program model is optional for non-EB students. The program shall fully disclose candidate selection criteria and ensure that access to the program is not based on race, creed, color, religious affiliation, age, or disability. Additionally, identified and reclassified EB students and non-EB students shall not be restricted access to the two-way DLI program model based on any linguistic or academic achievement measures in the program's partner language or English.

A district implementing a two-way DLI program model shall develop a policy for enrollment and continuation for students in the program model. The policy must address:

1. Equitable access, including the program's intention to maintain a ratio of 50 percent EB students to 50 percent non-EB students and have no more than two-thirds speakers of the partner language to one-third speakers of English in each classroom;

2. Support of program benefits and goals as stated in 19 Administrative Code 89.1210 (Program Content and Design);

3. The district's commitment to providing equitable access to services for EB students and to ensuring continuity of program for all program participants;

4. The program's language allocation plan for the grade levels in which the program will be implemented; and

5. Expectations for students, families, and district and campus stakeholders.

19 TAC 89.1228(a)-(c)

A district implementing a two-way DLI program model shall obtain written parental approval as follows:

1. For EB students in accordance with 19 Administrative Code 89.1240; and

2. For non-EB students, through a district-developed process.

19 TAC 89.1228(d)

Two-Way DLI Program State Assessment

A district implementing a two-way DLI program model shall determine the appropriate assessment option for program participants as follows:

1. For EB students, the LPAC shall convene before the administration of the state criterion-referenced test each year to determine the appropriate assessment option for each EB student in accordance with 19 Administrative Code 89.1220(i) (Language Proficiency Assessment Committee).

2. For reclassified EB students and non-EB students, the appropriate assessment option for the administration of the state criterion-referenced test each year is determined by the LPAC or through a district-developed process.

19 TAC 89.1228(e)

School District Recognition

A district may recognize one or more of its campuses that implement an exceptional DLI program if the campus meets all of the following criteria. The school shall:

1. Meet the minimum requirements stated in 19 Administrative Code 89.1227;

2. Receive an acceptable performance rating in the state accountability system; and

3. Not have a bilingual and/or ESL program identified in any stage of intervention under the state's accountability system.

Student Recognition

An individual student participating in a DLI is eligible for local school district recognitions, including a performance acknowledgement in accordance with 19 Administrative Code 74.14. [See EIF]

19 TAC 89.1229

Facilities

Bilingual and ESL programs shall be located in public schools of the district with equitable access to all educational resources rather than in separate facilities. A district may cluster the programs at designated facilities within the district. Recent immigrant EB students shall not remain enrolled in a newcomer center for longer than two years. *Education Code 29.057; 19 TAC 89.1235*

Cooperation Among Districts

A district may join with one or more other districts to provide the required bilingual education or special language programs. The avail-

ability of the programs shall be publicized throughout the districts involved.

A district may allow a nonresident EB student to enroll in or attend its bilingual education or special language programs if the student's district of residence does not provide an appropriate program. The tuition for the student shall be paid by the district in which the student resides.

Education Code 29.059; 19 TAC 89.1205(e)

Documentation

A student's permanent record shall contain the documentation items required by 19 Administrative Code 89.1220(l). Documentation in a student's permanent record shall be forwarded in the same manner as other student records to another school district in which the student enrolls. *19 TAC 89.1220(l)*

For students previously enrolled in a Texas public school, the receiving district shall secure the student records, including the original home language survey and LPAC documentation as described in 19 Administrative Code 89.1220(l), as applicable. All attempts to contact the sending district to request records shall be documented. Multiple attempts to obtain the student's original home language survey shall be made. *19 TAC 89.1215(d)*

Summer Program

If a district is required to offer a bilingual education or special language program, it shall offer a voluntary summer school program for EB children who will be eligible for admission to kindergarten or first grade at the beginning of the next school year.

A school that operates on a semester system shall offer the program during the period school is recessed for the summer and for one-half day for eight weeks or on a similar schedule approved by the board. A school that operates on any other system shall offer 120 hours of instruction on a schedule approved by the board.

The program must be an intensive bilingual education or special language program that meets the standards set by TEA, and the student/teacher ratio may not exceed 18:1. A district shall comply with the requirements of 19 Administrative Code 89.1250 in providing such a program.

Other Programs

A district may establish on a full- or part-time basis other summer school, extended day, or extended week bilingual education or special language programs for EB students and may join with other districts in establishing such programs.

The programs required or authorized by Education Code 29.060 may not be a substitute for programs required to be provided during the regular school year.

Education Code 29.060; 19 TAC 89.1250

Personnel

Teachers assigned to a bilingual education program using one of the following program models must be appropriately certified in bilingual education:

1. Transitional bilingual/early exit program model; or
2. Transitional bilingual/late exit program model.

Education Code 29.061(b)

Teachers assigned to a bilingual education program using a dual language immersion/one-way or two-way program model must be appropriately certified for:

1. Bilingual education for the component of the program provided in a language other than English; and
2. Bilingual education or English as a second language for the component of the program provided in English.

A district that provides a bilingual education program using a dual language immersion/one-way or two-way program model may assign a teacher certified for the language other than English component of the program and a different teacher certified for the English language component.

Education Code 29.061(b-1)-(b-2)

A district shall take all reasonable affirmative steps to assign appropriately certified teachers to the required bilingual and ESL programs. A district that is unable to secure a sufficient number of appropriately certified bilingual education and/or ESL teachers to provide the required programs may request activation of the appropriate permits in accordance with 19 Administrative Code Chapter 230. *19 TAC 89.1245(a); Education Code 29.061(c)*

A district that is unable to provide the required bilingual and/or ESL program because of an insufficient number of appropriately certified teachers shall request from the commissioner of education an exception to the bilingual program and/or a waiver for the ESL program and the approval of temporary alternative methods. EB students with parental approval for program participation under a bilingual exception or an ESL waiver will be included in the bilingual education allotment (BEA) designated for temporary alternative methods. The approval of a bilingual exception and/or an ESL

waiver application shall be valid only during the school year for which it was granted, which includes summer school. The bilingual exception and/or ESL waiver application shall be submitted by November 1 and shall adhere to the requirements in 19 Administrative Code 89.1207. [See Exceptions and Waivers, above] *19 TAC 89.1207(a)-(d); Education Code 29.054*

Emergent Bilingual Students and State Assessments

In kindergarten-grade 12, an EB student shall participate in the state assessment in accordance with commissioner's rules at 19 Administrative Code Chapter 101, Subchapter AA. [See EKBA]

Program Exit

A district may transfer an EB student out of a bilingual education or special language program for the first time or a subsequent time if the student is able to participate equally in a regular all-English instructional program as determined by:

1. TEA-approved tests administered at the end of each school year to determine the extent to which the student has developed oral and written language proficiency and specific language skills in English;

2. Satisfactory performance on the reading assessment instrument under Education Code 39.023(a) or an English language arts assessment instrument under Education Code 39.023(c), as applicable, with the assessment instrument administered in English, or, if the student is enrolled in the first or second grade, an achievement score at or above the 40th percentile in the reading and language arts sections of an English standardized test approved by TEA; and

3. TEA-approved criterion-referenced tests and the results of a subjective teacher evaluation.

Education Code 29.056(g)

Post-Exit Monitoring and Reenrollment

The LPAC may reenroll the student in the program if later evidence suggests that a student who has been transferred out of a bilingual education or special language program has inadequate English proficiency and achievement. Classification of students for reenrollment must be based on the criteria required by Education Code 29.056. *Education Code 29.056(h)*

The LPAC shall reevaluate a student who is transferred out of a bilingual education or special language program if the student earns a failing grade in a subject in the foundation curriculum during any grading period in the first two school years after the student is transferred to determine whether the student should be reenrolled in a bilingual education or special language program.

During the first two school years after a student is transferred out of a bilingual education or special language program, the LPAC shall review the student's performance and consider:

1. The total amount of time the student was enrolled in bilingual education or special language programs;
2. The student's grades each grading period in each subject in the foundation curriculum;
3. The student's performance on state assessment instruments;
4. The number of credits the student has earned toward high school graduation, if applicable; and
5. Any disciplinary actions taken against the student under Education Code Chapter 37, Subchapter A.

After the evaluation, the LPAC may require intensive instruction for the student or reenroll the student in a bilingual education or special language program.

Education Code 29.0561

Program Evaluation

A district that is required to implement a bilingual education or ESL program shall conduct an annual evaluation in accordance with 19 Administrative Code 89.1265. The annual evaluation report shall be presented to the board before November 1 of each year. The report shall be retained at the district level and must meet the requirements of 19 Administrative Code 89.1265(b)-(c).

A district shall report to parents their child's English proficiency development as a result of participation in the program offered to EB students.

In alignment with the district improvement plan, each school year, the principal of each campus, with assistance from the campus level committee, shall develop, review, and revise the campus improvement plan for the purposes of improving student performance for EB students. [See BQB]

19 TAC 89.1265

Distance Learning and Correspondence Courses

Credit toward state graduation requirements may be granted for distance learning and correspondence courses only as follows:

1. The institution offering the correspondence course is The University of Texas at Austin, Texas Tech University, or another public institution of higher education approved by the commissioner of education.
2. Students may earn course credit through distance learning technologies such as satellite, internet, two-way videoconferencing, online courses, the Texas Virtual School Network (TXVSN), and instructional television.
3. The distance learning and correspondence courses must include the state-required essential knowledge and skills for such a course.

19 TAC 74.23

Texas Virtual School Network

The TXVSN is a state-led initiative for online learning authorized by Education Code Chapter 30A. The TXVSN is a partnership network administered by the Texas Education Agency (TEA) in coordination with regional education service centers (ESCs), Texas public school districts and charter schools, institutions of higher education, and other eligible entities.

The TXVSN is comprised of two components—the online school (OLS) program and the statewide course catalog.

19 TAC 70.1001(4)

Online School (OLS) Program

"Online School (OLS) program" is a full-time, virtual instructional program that is made available through an approved course provider and is designed to serve students in grades 3-12 who are not physically present at school. *19 TAC 70.1001(7)*

A TXVSN OLS may serve students in grades 3-12 but may not serve students in kindergarten-grade 2.

A school district that operates a TXVSN OLS that serves students in full-time virtual instruction shall, prior to the start of each academic year, notify TEA of grade levels to be served and the total number of students to be served during that academic year. A school district may not add grade levels after the start of the school year.

A TXVSN OLS or a school district wishing to add additional grade levels to its online program shall certify that the OLS has courses sufficient to comprise a full instructional program for each additional grade level to be served by the OLS prior to serving that grade level.

School districts approved to serve as TXVSN OLSs shall follow the TEA procedures related to obtaining a campus number for the virtual campus through which they serve their TXVSN OLS students.

School districts serving as TXVSN OLSs must follow all requirements in 19 Administrative Code 70.1011.

19 TAC 70.1011

Statewide Course Catalog

"Statewide course catalog" is a supplemental online instructional program available through approved providers. *19 TAC 70.1001(10)*

Course Providers

A TXVSN course provider is an entity that provides an electronic course through the TXVSN. Course providers include TXVSN OLSs and providers in the statewide course catalog. *19 TAC 70.1001(8)*

Electronic Course

"Electronic course" means an educational course in which:

1. Instruction and content are delivered primarily over the internet;
2. A student and teacher are in different locations for a majority of the student's instructional period;
3. Most instructional activities take place in an online environment;
4. The online instructional activities are integral to the academic program;
5. Extensive communication between a student and a teacher and among students is emphasized; and
6. A student is not required to be located on the physical premises of a school district or open-enrollment charter school.

An electronic course is the equivalent of what would typically be taught in one semester. For example: English IA is treated as a single electronic course and English IB is treated as a single electronic course.

Education Code 30A.001(4); 19 TAC 70.1001(1)

OLS Eligibility

To be eligible to serve as a TXVSN OLS, a school district shall:

1. Have a current accreditation status of Accredited under 19 Administrative Code 97.1055 (Accreditation Status);
2. Be rated acceptable under Education Code 39.054;

3. Be rated at the Standard Achievement level or higher under the state financial accountability rating system under 19 Administrative Code 109.1001 (Financial Accountability Ratings);

4. Have met statutory requirements for timely submission of annual audit and compliance reports, Public Education Information Management System (PEIMS) reports, and timely deposits with the Teacher Retirement System, with all records and reports reflecting satisfactory performance;

5. Be in good standing with other programs, grants, and projects administered through TEA; and

6. Have been approved to operate a TXVSN OLS as of January 1, 2013.

19 TAC 70.1009(a)

Statewide Course Catalog Provider Eligibility

To be eligible to serve as a course provider in the TXVSN statewide course catalog, a district must be rated acceptable under Education Code 39.054. A Texas school district may provide an electronic course through the TXVSN to a student enrolled in that district or school, a student enrolled in another school district or school in the state, or a student who resides in Texas who is enrolled in a school other than a public school district or charter school. *19 TAC 70.1007(a)*

General Requirements

TXVSN course providers shall:

1. Provide the TXVSN receiver district in which each TXVSN student is enrolled with written notice of a student's performance in the course at least once every 12 weeks;

2. Provide the TXVSN receiver district in which each TXVSN student is enrolled with written notice of a student's performance at least once every three weeks if the student's performance in the course is consistently unsatisfactory, as determined by the TXVSN course provider;

3. Notify students in writing upon enrollment to participate in the TXVSN course with specific dates and details regarding enrollment;

4. Meet all federal and state requirements for educating students with disabilities;

5. Provide a contingency plan for the continuation of instructional services to all TXVSN students allowing them to complete their TXVSN courses in the event that the contract or agreement through which the electronic courses are provided

are terminated or the TXVSN courses become unavailable to students;

6. Ensure a maximum class size limit of 40 students in a single section of a course and ensure that the class size does not exceed the maximum allowed by law, as applicable, whichever is less; and

7. Meet all reporting requirements established by TXVSN central operations, including timely submission of student performance reports, course completion results, catalog data, data required to verify instructor qualifications, and all data necessary for the TXVSN Informed Choice Report required under 19 Administrative Code 70.1031 (Informed Choice Reports).

19 TAC 70.1007(c)

Receiver District Requirements

A district is eligible to serve as a receiver district in the TXVSN statewide course catalog. Each TXVSN receiver district shall:

1. Register as a receiver district with TXVSN central operations;

2. Assign a qualified staff member to serve as the TXVSN coordinator;

3. Enroll a student who resides in Texas and who is enrolled in a school other than a public school district or charter school upon request by the student and/or parent or guardian; and

4. In accordance with 19 Administrative Code 74.26 (Award of Credit), award credit to a student enrolled in the district who has successfully completed all state and local requirements and received a grade that is the equivalent of 70 on a scale of 100, based upon the essential knowledge and skills for a high school course offered through the TXVSN statewide course catalog.

19 TAC 70.1008

Courses

All electronic courses to be made available through the TXVSN shall be reviewed and approved prior to being offered in accordance with the course requirements at 19 Administrative Code 70.1005. *19 TAC 70.1005(a)*

An electronic course or program that was offered or could have been offered during the 2008-09 school year under former Education Code 29.909, as that section existed on January 1, 2009, may be offered during a subsequent school year through the TXVSN. *Education Code 30A.006*

Student Eligibility

Generally

A student is eligible to enroll in a TXVSN course only if the student:

1. On September 1 of the school year is younger than 21 years of age or is younger than 26 years of age and entitled to the benefits of the Foundation School Program under Education Code 48.003;
2. Has not graduated from high school; and
3. Is otherwise eligible to enroll in a public school in this state.

A student is eligible to enroll full-time in courses provided through the TXVSN only if the student:

1. Was enrolled in a public school in this state in the preceding school year;
2. Is a dependent of a member of the United States military who has been deployed or transferred to this state and was enrolled in a publicly funded school outside of this state in the preceding school year; or
3. Has been placed in substitute care in this state, regardless of whether the student was enrolled in a public school in this state in the preceding school year.

Exception for Military Dependents

A student is eligible to enroll in one or more TXVSN courses or enroll full-time in courses provided through the network if the student:

1. Is a dependent of a member of the United States military;
2. Was previously enrolled in high school in this state; and
3. No longer resides in this state as a result of a military deployment or transfer.

Provisional Enrollment

If a student has not provided required evidence of eligibility to enroll, a TXVSN OLS may enroll a student provisionally for 10 school days and withdraw the student from the OLS if the student does not provide the required evidence of eligibility within 10 school days of the provisional enrollment.

Upon enrolling a student provisionally, the TXVSN OLS shall notify the student and the student's parents or guardians that the student will be withdrawn if documentation is not provided within the required timeframe.

Education Code 30A.002; 19 TAC 70.1013

Enrolled Students

A student who is enrolled in the district as a full-time student may take one or more electronic courses through the TXVSN. *Education Code 30A.107(b)*

Unenrolled Students

A student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student may, subject to Education Code 30A.155, enroll in electronic courses through the TXVSN. The student:

1. May not in any semester enroll in more than two electronic courses offered through the TXVSN;
2. Is not considered to be a public school student;
3. Must obtain access to a course provided through the network through the school district or open-enrollment charter school attendance zone in which the student resides;
4. Is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network; and
5. Is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

Education Code 30A.107(c)

Enrollment, Advancement, and Withdrawal

A student taking a course through the TXVSN statewide course catalog or a TXVSN OLS program is considered to:

1. Be enrolled in a TXVSN course when he or she begins receiving instruction and actively engages in instructional activities in a TXVSN subject area or course;
2. Have successfully completed a course if the student demonstrates academic proficiency and, for a high school course, earns credit for the course, as determined by the TXVSN teacher; and
3. Be, and must be reported as, withdrawn from the TXVSN when the student is no longer actively participating in the TXVSN course or program.

A student taking a course through the TXVSN statewide course catalog:

1. Shall enroll in each TXVSN course through the TXVSN online registration system;
2. Shall be assigned a grade by the TXVSN teacher after the drop period established by TXVSN central operations;
3. May withdraw from a course taken through the TXVSN after the instructional start date without academic or financial

penalty within the drop period established by TXVSN central operations; and

4. Shall have the grade assigned by the TXVSN teacher added to the student's record by the student's home district, and for a high school course, added to the student's transcript.

A student enrolled full time in a TXVSN online program in grades 3-8 must demonstrate academic proficiency sufficient to earn promotion to the next grade, as determined by the TXVSN teacher for the educational program.

19 TAC 70.1015

Compulsory Attendance

Texas public school students are not required to be in physical attendance while participating in courses through a TXVSN OLS or the TXVSN course catalog.

Based upon successful completion of a TXVSN course for students in grades 9-12 or a TXVSN OLS instructional program for students in grades 3-8, students are considered to have met attendance requirements for that course or program. A student who has successfully completed the grade level or course is eligible to receive any weighted funding for which the student is eligible.

For audit purposes, TXVSN course providers and TXVSN receiver districts shall maintain documentation to support the students' successful completion and to support verification of compulsory attendance.

"TXVSN receiver district" means a Texas public school district that has students enrolled in the school district who take one or more online courses through the TXVSN statewide course catalog.

19 TAC 70.1001(9), .1017

Local Policy

A district shall adopt a written policy that provides students enrolled in the district with the opportunity to enroll in electronic courses provided through the TXVSN statewide course catalog. The policy must be consistent with the requirements regarding notice, enrollment requests, and students with disabilities as described below.

A district shall, at least once per school year, send to a parent of each district student enrolled at the middle or high school level a copy of the policy. A district may send the policy with any other information that the district sends to a parent.

Education Code 30A.007; 19 TAC 70.1033

Notice

At the time and in the manner that a district informs students and parents about courses that are offered in the district's traditional

classroom setting, the district shall notify parents and students of the option to enroll in an electronic course offered through the TXVSN.

Requests to Enroll

Except as provided below, a district may not deny the request of a parent of a full-time student to enroll the student in an electronic course offered through the TXVSN.

A district may deny a request to enroll a student in an electronic course if:

1. A student attempts to enroll in a course load that is inconsistent with the student's high school graduation plan or requirements for college admission or earning an industry certification;
2. The student requests permission to enroll in an electronic course at a time that is not consistent with the enrollment period established by the district providing the course; or
3. The district offers a substantially similar course.

The course provider shall make all reasonable efforts to accommodate the enrollment of a student in the course under special circumstances.

If a parent of a student requests permission to enroll the student in a TXVSN course, a district has discretion to select a course provider approved by TEA for the course in which the student will enroll based on factors including the informed choice report required by Education Code 30A.108(b).

Appeals

A parent may appeal to the commissioner a district's decision to deny a request to enroll a student in an electronic course offered through the TXVSN. The commissioner's decision under this subsection is final and may not be appealed.

Education Code 26.0031; 19 TAC 70.1008, .1035

Students with Disabilities

For purposes of the policy, the determination of whether or not an electronic course will meet the needs of a student with a disability shall be made by the student's admission, review, and dismissal (ARD) committee in a manner consistent with state and federal law, including the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794. *Education Code 30A.007(b)*

Required Enrollment Prohibited

A school district or open-enrollment charter school may not require a student to enroll in an electronic course. *Education Code 30A.107(d)*

Inducements for Enrollment Prohibited	A course provider may not promise or provide equipment or any other thing of value to a student or a student's parent as an inducement for the student to enroll in an electronic course offered through the TXVSN. The commissioner shall revoke approval of electronic courses offered by a course provider that violates this prohibition. The commissioner's action under this section is final and may not be appealed. *Education Code 30A.1052*
Course Portability	A student who transfers from one educational setting to another after beginning enrollment in an electronic course is entitled to continue enrollment in the course. *Education Code 30A.1051; 19 TAC 70.1015(d)*
Student Assessment	All Texas public school students enrolled in the TXVSN are required to take the statewide assessments as required in Education Code 39.023 [see EKB]. The administration of the assessment instrument to the student enrolled in the electronic course must be supervised by a proctor. A district shall report to the commissioner through the Public Education Information Management System (PEIMS) the results of assessment instruments administered to students enrolled in an electronic course offered through the TXVSN separately from the results of assessment instruments administered to other students. All districts participating in the TXVSN OLS program are included in the state's academic accountability system. *Education Code 30A.110; 19 TAC 70.1023*
Funding	A district in which a student is enrolled is entitled to funding under Education Code Chapter 48 for the student's enrollment in a TXVSN course in the same manner that the district is entitled to funding for the student's enrollment in courses provided in a traditional classroom setting, provided that the student successfully completes the electronic course. Funding is limited to a student's enrollment in not more than three electronic courses during any school year, unless the student is enrolled in a full-time online program that was operating on January 1, 2013. *Education Code 30A.153* A district may decline to pay the cost for a student of more than three yearlong electronic courses, or the equivalent, during any school year unless the student is enrolled in a full-time online program that was operating on January 1, 2013. If the district declines to pay the cost, a student is able to enroll in additional electronic courses at the student's cost. *Education Code 26.0031(c-1)*

Course Cost

A district may charge the course cost for enrollment in a TXVSN course to a student who resides in this state and:

1. Is enrolled in the district as a full-time student with a course load greater than that normally taken by students in the equivalent grade level in other school districts; or
2. Elects to enroll in a TXVSN course for which the district in which the student is enrolled as a full-time student declines to pay the cost as authorized by Education Code 26.0031(c-1).

A district may charge the course cost for enrollment in a TXVSN course during the summer.

A district shall charge the course cost for enrollment in a TXVSN course to a student who resides in this state and is not enrolled in a school district or open-enrollment charter school as a full-time student.

A TXVSN course cost may not exceed the lesser of the cost of providing the course or $400.

A district may decline to pay the course costs for a student who chooses to enroll in more than three year-long electronic courses, or the equivalent, during any school year. This does not limit the ability of the student to enroll in additional electronic courses offered through the TXVSN at the student's expense.

A district that is not the course provider may charge a student enrolled in the district a nominal fee, not to exceed $50, if the student enrolls in a TXVSN course that exceeds the course load normally taken by students in the equivalent grade level.

A course provider in the TXVSN statewide course catalog shall receive:

1. No more than 70 percent of the catalog course cost prior to a student successfully completing the course; and
2. The remaining 30 percent of the catalog course cost when the student successfully completes the course.

Education Code 30A.155(a)-(c-1); 19 TAC 70.1025

Educators of Electronic Courses

Each instructor of an electronic course, including a dual credit course, offered through the TXVSN by a course provider must be certified under Education Code Chapter 21, Subchapter B, to teach that course and grade level or meet the credentialing requirements of the institution of higher education with which they are affiliated and that is serving as a course provider.

In addition, each instructor must successfully complete one continuing professional development course specific to online learning every three years, and:

1. Successfully complete a professional development course or program approved by TXVSN central operations before teaching an electronic course offered through the TXVSN; or

2. Have a graduate degree in online or distance learning and have demonstrated mastery of the National Standards for Quality Online Teaching; or

3. Have two or more years of documented experience teaching online courses for students in grades 3-12 and have demonstrated mastery of the National Standards for Quality Online Teaching.

Each instructor of an electronic course, including a dual credit course, offered through the TXVSN by a course provider must meet highly qualified teacher requirements under the Elementary and Secondary Education Act, as applicable.

TXVSN course providers shall affirm the preparedness of teachers of TXVSN electronic courses to teach public school-age students in a highly interactive online classroom and shall:

1. Maintain records documenting:

    a. Valid Texas educator certification credentials appropriate for the instructor's TXVSN assignment;

    b. Successful initial completion of TXVSN-approved professional development, evidence of prior online teaching, or a graduate degree in online or distance learning; and

    c. Instructors' demonstrated mastery of the National Standards for Quality Online Teaching prior to teaching through the TXVSN;

2. Conduct and maintain records for background checks;

3. Maintain records of successful completion of continuing professional development;

4. Maintain records documenting successful completion of TXVSN-approved professional development before the end of the school year for any instructor who is hired after the school year has begun; and

5. Make the records specified in this subsection available to TEA and TXVSN central operations upon request.

19 TAC 70.1027

Revocation

The commissioner may revoke the right to participation in the TXVSN based on any of the following factors:

1. Noncompliance with relevant state or federal laws;
2. Noncompliance with requirements and assurances outlined in the contractual agreements with TXVSN central operations and/or these provisions and Education Code Chapter 30A; or
3. Consistently poor student performance rates as evidenced by results on statewide student assessments, student withdrawal rates, student completion rates, successful completion rates, or campus accountability ratings.

19 TAC 70.1029

Applicability

Unless a district chooses to participate in providing an electronic course or an electronic diagnostic assessment under Education Code Chapter 30A to a student who is located on the physical premises of a school district or open-enrollment charter school, Chapter 30A does not affect the provision of a course to such a student.

Requirements imposed by or under Education Code Chapter 30A do not apply to a virtual course provided by a district only to district students if the course is not provided as part of the TXVSN.

Education Code 30A.004

Certificate of Coursework Completion	The District shall not issue a certificate of coursework completion to a student who fails to meet all state and local requirements for graduation. [See EIF, FMH]
Partial Credit	When a student earns a passing grade in only half of a course and the average of both halves is lower than 70, the District shall award the student credit for the half with the passing grade.

Table of Contents

High School Diploma 2
FAFSA Required 2
Individual Graduation Committee 4
Special Education 6
Posthumous Diploma 6
Diplomas for Veterans 7
Texas First Early High School Completion Program 7
Notice Upon Enrollment 7
Personal Graduation Plan 8
Junior High or Middle School PGP 8
High School PGP 8
Early Graduation 9
State Graduation Requirements 10
Students Entering Grade 9 10
Students Who Entered Grade 9 Before the 2014-15 School Year 17
Transfers from Out-of-State or Nonpublic Schools 20
Graduation of Students Receiving Special Education Services 21
Modified Curriculum and Content 21
Employability and Self-Help Skills 21
Summary of Academic Achievement and Evaluation 21
Graduation of Military Dependents 23
Course Waiver 23
Transfers During Senior Year 23
Substitute Passing Standard 24
Graduation of Student Who Is Homeless or in Conservatorship of DFPS 24

High School Diploma

A student may graduate and receive a diploma only if the student:

1. Successfully completes the curriculum requirements identified by the State Board of Education (SBOE) [see State Graduation Requirements, below], has performed satisfactorily on applicable state assessments [see EKB], and complies with the financial aid application requirements in Education Code 28.0256 [see below]; or

2. Successfully completes an individualized education program (IEP) developed under Education Code 29.005. [See EHBAB]

Education Code 28.025(c)

Note: Education Code 28.0256 applies beginning with students enrolled at the 12th grade level during the 2021-22 school year.

FAFSA Required

Before graduating from high school, each student must complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA), except as provided below.

A student is not required to comply with the above provision if:

1. The student's parent or other person standing in parental relation submits a signed form indicating that the parent or other person authorizes the student to decline to complete and submit the financial aid application;

2. The student signs and submits the form described above on the student's own behalf if the student is 18 years of age or older or the student's disabilities of minority have been removed for general purposes under Family Code Chapter 31; or

3. A school counselor authorizes the student to decline to complete and submit the financial aid application for good cause, as determined by the school counselor.

If a school counselor notifies a district whether a student has complied with this section for purposes of determining whether the student meets high school graduation requirements under Education Code 28.025, the school counselor may only indicate whether the student has complied with this section and may not indicate the manner in which the student complied, except as necessary for the district to comply with the commissioner’s rules.

A school counselor may not indicate that a student has not complied with this section if the district fails to provide the required form

to the student or the student's parent or other person standing in parental relation to the student.

Education Code 28.0256; 19 TAC 74.11(b)

Opt-Out Form

The board shall adopt the standard opt-out form provided by the Texas Education Agency (TEA).

The opt-out form shall be available in English, Spanish, and any other language spoken by a majority of the students enrolled in a bilingual education or special language program in the district. A district is responsible for translations not provided by TEA.

The opt-out form must include the student's signature of intent to decline to complete a financial aid application prior to the student's anticipated graduation date.

19 TAC 74.1023(c)

Notification

A district shall provide students with the notifications regarding the financial aid application requirement, in accordance with 19 Administrative Code 74.1023(d).

Proof of Submission

A district shall require one of the following methods of proof that a student has completed and submitted the FAFSA or TASFA.

For completion and submission of the FAFSA:

1. ApplyTexas Counselor Suite FAFSA data;
2. Notification from the U.S. Department of Education that demonstrates a student has completed and submitted a FAFSA; or
3. A local policy developed by a district for the method by which a student must provide proof that the student has completed a FAFSA.

A district shall develop a local policy for the method by which a student must provide proof that the student has completed a TASFA.

19 TAC 74.1023(e)

Information Submission and Confidentiality

A district shall report through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) not later than December 1 of each school year for students awarded diplomas in the previous school year the number of students who completed and submitted a financial aid application and the number of students who submitted an exception.

A district shall maintain student financial aid application information securely and ensure compliance with federal law regarding the

confidentiality of student educational information, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information [see FL].

19 TAC 74.1023(f)-(g)

Individual Graduation Committee

A student may receive a diploma if the person is eligible for a diploma as determined by an individual graduation committee (IGC) established under Education Code 28.0258. *Education Code 28.025(c-6)*

A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258 or 19 Administrative Code 74.1025. A student's admission, review, and dismissal (ARD) committee determines whether a student is required to achieve satisfactory performance on an end-of-course (EOC) assessment to graduate. *19 TAC 74.1025(n)* [See EHBAB]

For each 11th or 12th grade student who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses, the district shall establish an IGC at the end of or after the student's 11th grade year to determine whether the student may qualify to graduate. A student may not qualify to graduate as a result of an IGC decision before the student's 12th grade year.

The IGC shall be composed of:

1. The principal or principal's designee;
2. For each EOC assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;
3. The department chair or lead teacher supervising the teacher(s) above; and
4. As applicable:
    a. The student's parent or person standing in parental relation to the student;
    b. A designated advocate if the parent is unable to serve; or
    c. The student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

The superintendent shall establish procedures for convening the committee.

The district shall provide an appropriate translator, if available, for a parent, advocate, or student who is unable to speak English.

Education Code 28.0258(a)-(c), (c-2); 19 TAC 74.1025(b)

A district may not establish an initial IGC for eligible students after June 10 or before the start of the next school year. Once the IGC has been established, it is the original IGC for that student.

If a student leaves a district after an original IGC has been established and before that original IGC awards a high school diploma to the student, any other district that later enrolls the student shall request information from the student's original IGC of record and shall implement the original IGC recommendations to the extent possible.

Alternate Members

In the event that the teacher identified in item 2 above is unavailable, the principal shall designate as an alternate member of the committee a teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is most familiar with the student's performance in that subject area.

In the event that the individual identified above in item 3 above is unavailable, the principal shall designate as an alternate member of the committee an experienced teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is familiar with the content of and instructional practices for the applicable course.

In the event that the student's parent or person standing in parental relation to the student is unavailable to participate in the IGC, the principal shall designate an advocate with knowledge of the student to serve as an alternate member of the committee.

19 TAC 74.1025(c), (e), (g)-(i)

Notice

A district shall ensure a good faith effort is made to timely notify the appropriate person described under item 4 above of the time and place for convening the IGC and the purpose of the committee. The notice must be provided in person or by regular mail or email; clear and easy to understand; and written in English, in Spanish, or, to the extent practicable, in the native language of the appropriate person. *Education Code 28.0258(d)*

Curriculum Requirements

To be eligible to graduate and receive a high school diploma from the IGC, a student must successfully complete the curriculum requirements required for high school graduation. [See State Graduation Requirements, below] *Education Code 28.0258(e)*

Additional Requirements to Graduate

A student's IGC shall recommend additional requirements by which the student may qualify to graduate, including additional remediation; and for each EOC assessment instrument on which the student failed to perform satisfactorily:

1. The completion of a project related to the subject area of the course that demonstrates proficiency in the subject area; or
2. The preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area.

A student may submit to the IGC coursework previously completed to satisfy a recommended additional requirement.

Education Code 28.0258(f), (g)

In determining whether a student is qualified to graduate, the committee shall consider the criteria at Education Code 28.0258(h) and any other academic information designated for consideration by the board. After considering the criteria, the committee may determine that the student is qualified to graduate. A student may graduate and receive a high school diploma on the basis of the committee's decision only if the student successfully completes all additional requirements recommended by the committee, the student meets applicable curriculum requirements, and the committee's vote is unanimous. The decision of a committee is final and may not be appealed. *Education Code 28.0258(i)*

Emergent Bilingual Students

For provisions related to an IGC and emergent bilingual students, see EKBA.

Special Education

A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation. *19 TAC 101.3023(a)* [See Graduation of Students Receiving Special Education Services, below, and EKB]

Posthumous Diploma

Beginning with students who would have graduated at the end of the 2019-20 school year, and on request of the student's parent, a district shall issue a high school diploma posthumously to each student who died while enrolled in the district at the end of the school year in which the student was expected to graduate under the regular schedule of school attendance. The high school diploma may not be issued before the graduation date of the class in which the student was enrolled at the time of death.

Exception

A district is not required to issue a posthumous diploma if the student was convicted of a felony offense under Penal Code Title 5 or 6 or adjudicated as having engaged in conduct constituting a felony offense under Penal Code Title 5 or 6.

Education Code 28.0254

Diplomas for Veterans

Notwithstanding any other provision of this policy, a district may issue a high school diploma to a person who is an honorably discharged member of the armed forces of the United States; was scheduled to graduate from high school after 1940 and before 1975 or after 1989; and left school after completing the sixth or a higher grade, before graduating from high school, to serve in:

1. World War II, the Korean War, the Vietnam War, the Persian Gulf War, the Iraq War, or the war in Afghanistan; or

2. Any other war formally declared by the United States, military engagement authorized by the United States Congress, military engagement authorized by a United Nations Security Council resolution and funded by the United States Congress, or conflict authorized by the president of the United States under the War Powers Resolution of 1973, 50 U.S.C. 1541, et seq.

Education Code 28.0251

Texas First Early High School Completion Program

A district shall allow a student to graduate and receive a high school diploma under the Texas First Early High School Completion Program if, using the standards established by TEA and the Texas Higher Education Coordinating Board and eligible institutions of higher education, the student demonstrates mastery of and early readiness for college in each of the subject areas described by the standards and in a language other than English, notwithstanding any other local or state requirements.

A student who earns a high school diploma through the program is considered to have earned a distinguished level of achievement.

Notice Upon Enrollment

On a student's initial enrollment in high school in a grade level below grade 12 in a district, the district shall provide to the student and the student's parent or guardian information regarding the requirements to earn a high school diploma under the Texas First Early High School Completion Program and the Texas First Scholarship Program.

Education Code 28.0253(e)-(g); 19 TAC 21.52(a)

The notice must include information about the requirement that a student must provide an official copy of their assessment results

and transcripts, as applicable, to receive credit for the assessments and credits required to receive early graduation from the program. *19 TAC 21.54*

Personal Graduation Plan

Junior High or Middle School PGP

A principal of a junior high or middle school shall designate a school counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan (PGP) for each student enrolled in the junior high or middle school who:

1. Does not perform satisfactorily on a state assessment instrument; or
2. Is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level 9, as determined by a district.

A PGP must:

1. Identify educational goals for the student;
2. Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
3. Include an intensive instruction program described in Education Code 28.0213 [see EHBC];
4. Address participation of the student's parent or guardian, including consideration of the parent's or guardian's educational expectations for the student; and
5. Provide innovative methods to promote the student's advancement, including flexible scheduling, alternative learning environments, online instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability.

Education Code 28.0212

Students Receiving Special Education Services

For a student receiving special education services, the student's ARD committee and the district are responsible for developing the student's PGP.

A student's IEP developed under Education Code 29.005 may be used as the student's PGP.

Education Code 28.0212(c); 19 TAC 89.1050(a) [See EHBAB]

High School PGP

A principal of a high school shall designate a school counselor or school administrator to review PGP options with each student entering grade 9 together with that student's parent or guardian. The

PGP options reviewed must include the distinguished level of achievement and endorsements.

Before the conclusion of the school year, the student and the student's parent or guardian must confirm and sign a PGP for the student that identifies a course of study that:

1. Promotes college and workforce readiness and career placement and advancement; and
2. Facilitates the student's transition from secondary to postsecondary education.

A district may not prevent a student and the student's parent or guardian from confirming a PGP that includes pursuit of a distinguished level of achievement or an endorsement.

A student may amend the student's PGP after the initial confirmation of the plan. If a student amends the student's PGP, the school must send written notice to the student's parents regarding the change.

TEA must make available to a district information that explains the advantages of the distinguished level of achievement described by Education Code 28.025(b-15) and each endorsement described by Education Code 28.025(c-1). A district, in turn, shall publish the information from TEA on the internet website of the district and ensure that the information is available to students in grades nine and above and the parents or legal guardians of those students in the language in which the parents or legal guardians are most proficient.

A district is required to provide this information in the language in which the parents or legal guardians are most proficient only if at least 20 students in a grade level primarily speak that language.

Education Code 28.02121

Early Graduation

A parent is entitled to request, with the expectation that the request will not be unreasonably denied, that the parent's child be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation. The decision of a board concerning the request is final and may not be appealed. *Education Code 26.003(a)(3)(C), (b)*
[See FMH, FNG]

State Graduation Requirements

Note: For current state graduation requirements, including those for students who entered grade 9 before the 2007-08 school year but that are not otherwise referenced in this policy, see Education Code 28.025 and 19 Administrative Code Chapter 74.

Students Entering Grade 9

To receive a high school diploma, a student entering grade 9 in the 2014-15 school year and thereafter must complete:

1. Requirements of the foundation high school program under 19 Administrative Code 74.12 [see Foundation High School Program, below];
2. Testing requirements for graduation under 19 Administrative Code Chapter 101 [see EKB]; and
3. Demonstrated proficiency, in grade 8 or higher, as determined by the district, in delivering clear verbal messages; choosing effective nonverbal behaviors; listening for desired results; applying valid critical-thinking and problem-solving processes; and identifying, analyzing, developing, and evaluating communication skills needed for professional and social success in interpersonal situations, group interactions, and personal and professional presentations.

A student shall enroll in the courses necessary to complete the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement.

Education Code 28.025(c); 19 TAC 74.11(a), (d)

Foundation High School Program

A student must earn at least 22 credits to complete the foundation high school program and must demonstrate proficiency in the following core courses:

1. English language arts — 4 credits;
2. Mathematics — 3 credits;
3. Science — 3 credits;
4. Social Studies — 3 credits;
5. Languages other than English — 2 credits;
6. Physical Education — 1 credit;
7. Fine Arts — 1 credit; and
8. Elective courses — 5 credits.

19 TAC 74.12(a)-(b)

Endorsements

A student shall specify in writing an endorsement the student intends to earn upon entering grade 9. *19 TAC 74.13(a)*

A student may earn any of the following endorsements:

1. Science, technology, engineering, and mathematics (STEM);
2. Business and industry;
3. Public services;
4. Arts and humanities; and
5. Multidisciplinary studies.

A district must make at least one endorsement available to students. A district that offers only one endorsement curriculum must offer multidisciplinary studies.

To earn an endorsement a student must demonstrate proficiency in the curriculum requirements for the foundation high school program and, in accordance with 19 Administrative Code 74.13(e), earn:

1. A fourth credit in mathematics;
2. An additional credit in science; and
3. Two additional elective credits.

A course completed as part of the four courses needed to satisfy an endorsement requirement may also satisfy a requirement under the foundation high school program, including an elective requirement. The same course may count as part of the set of four courses for more than one endorsement.

A district shall permit a student to enroll in courses under more than one endorsement before the student's junior year and to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated.

A student must earn at least 26 credits to earn an endorsement, but a student is not entitled to remain enrolled to earn more than 26 credits.

A district may define advanced courses and determine a coherent sequence of courses for an endorsement area, provided that prerequisites in 19 Administrative Code Chapters 110-117, 127, and 130 are followed.

19 TAC 74.13(a)-(d); Education Code 28.025

For more information on endorsements, including the requirements for specific endorsements, see 19 Administrative Code 74.13(e)-(g).

Exception

A student may graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year:

1. The student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and
2. The student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by TEA, allowing the student to graduate under the foundation high school program without earning an endorsement.

19 TAC 74.11(e)

Distinguished Level of Achievement

A student may earn a distinguished level of achievement by successfully completing the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement, including four credits in science and four credits in mathematics, including Algebra II. *19 TAC 74.11(f)*

Algebra II Notification

Not later than September 1 of each school year, a district shall notify by regular mail or email the parent of or other person standing in parental relation to each student enrolled in grade 9 or above that the student is not required to complete an Algebra II course to graduate under the foundation high school program. The notification must include information regarding the potential consequences to a student of not completing an Algebra II course, including the impact on eligibility for:

1. Automatic college admission under Education Code 51.803; and
2. Certain financial aid authorized under Title 3 of the Education Code.

Education Code 28.02123

Prerequisites

A student may not be enrolled in a course that has a required prerequisite unless:

1. The student has completed the prerequisite course(s);
2. The student has demonstrated equivalent knowledge as determined by the district; or

3. The student was already enrolled in the course in an out-of-state, an out-of-country, or a Texas nonpublic school and transferred to a Texas public school prior to successfully completing the course.

A district may award credit for a course a student completed without having met the prerequisites if the student completed the course in an out-of-state, an out-of-country, or a Texas nonpublic school where there was not a prerequisite.

19 TAC 74.11(j)-(k)

Dual Credit Courses

Courses offered for dual credit at or in conjunction with an institution of higher education (IHE) that provide advanced academic instruction beyond, or in greater depth than, the essential knowledge and skills for the equivalent high school course required for graduation may satisfy graduation requirements, including requirements for required courses, advanced courses, and courses for elective credit as well as requirements for endorsements. *19 TAC 74.11(i)*

Core Curriculum College Courses

A district shall permit a student to comply with the curriculum requirements under the foundation high school program by successfully completing appropriate courses in the core curriculum of an IHE. A student who has completed the core curriculum of an IHE in accordance with Education Code 61.822, as certified by the IHE in accordance with Education Code 4.28:

1. Is considered to have earned an endorsement by successfully completing the appropriate courses for that endorsement;

2. Is considered to have earned a distinguished level of achievement under the foundation high school program; and

3. Is entitled to receive a high school diploma.

19 TAC 74.11(o)

Languages Other Than English

Students may earn credit for languages other than English in accordance with 19 Administrative Code 74.12(b)(5).

A student who successfully completes a dual language immersion program may satisfy one credit of the two credits required in a language other English in accordance with 19 Administrative Code 74.12(b)(5)(F).

19 TAC 74.12(b)(5)

A student who successfully completes a course in American Sign Language while in elementary school may satisfy one credit of the two credits required in a language other than English. *19 TAC 74.12(b)(5)(G)*

Physical Education

The required credit may be selected from one full credit or a combination of two half credits from two different courses from the following courses:

1. Lifetime Fitness and Wellness Pursuits;
2. Lifetime Recreation and Outdoor Pursuits; and
3. Skill-Based Lifetime Activities.

Other Physical Education Activities

In accordance with local district policy, the required physical education credit may be earned through completion of any TEKS-based course that meets the requirement for 100 minutes of moderate to vigorous physical activity per five-day school week and that is not being used to satisfy another specific graduation requirement. [See Restrictions, below]

In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

1. Athletics;
2. Junior Reserve Officer Training Corps (JROTC); and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
    a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
    b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the required physical education courses may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions

All substitution activities permitted by local district policy must include at least 100 minutes of moderate to vigorous physical activity per five-day school week.

No more than four substitution credits may be earned through any combination of substitutions listed above.

Credit may not be earned more than once for the Lifetime Fitness and Wellness Pursuits course or the Skill-Based Lifetime Activities course. Credit may not be earned more than twice for the Lifetime Recreation and Outdoor Pursuits course.

Student with Disability or Illness

A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, social studies, or a course that is offered for credit as provided by Education Code 28.002(g-1) for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:

1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A;
2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or
3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.

19 TAC 74.12(b)(6); Education Code 28.025(b-10)-(b-11)

Community-Based Fine Arts Programs

In accordance with local district policy, the required fine arts credit may be earned through participation in a community-based fine arts program not provided by the school district in which the student is enrolled.

In accordance with local policy, credit may be earned through participation in the community-based fine arts program only if the program meets each of the following requirements:

1. The district must apply to the commissioner for approval of the community-based fine arts program;
2. The board must certify that the program provides instruction in the essential knowledge and skills for fine arts as defined by 19 Administrative Code Chapter 117, Subchapter C;
3. The district must document student completion of the approved activity;
4. The program must be organized and monitored by appropriately trained instructors;
5. The fine arts program may be provided on or off a school campus and outside the regular school day; and
6. Students may not be dismissed from any part of the regular school day to participate in the community-based fine arts program.

The district shall require that instructors of the community-based fine arts program provide the district, at its request, the information necessary to obtain the criminal history record information required for school personnel in accordance with 19 Administrative Code Chapter 153, Subchapter DD, if the community-based program is offered on campus.

Education Code 28.025(b-9); 19 TAC 74.12(b)(7)(B), .1030

Performance Acknowledgments

In accordance with the requirements of 19 Administrative Code 74.14, a student may earn a performance acknowledgment on the student's transcript for:

1. Outstanding performance:
    a. In a dual credit course;
    b. In bilingualism and biliteracy;
    c. On a College Board advanced placement test or international baccalaureate examination;

d. On an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or

e. On an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or

2. Earning a state-recognized or nationally or internationally recognized business or industry certification or license.

Education Code 28.025(c-5); 19 TAC 74.14

Students Who Entered Grade 9 Before the 2014-15 School Year

All credit for graduation must be earned no later than grade 12. *19 TAC 74.61(b), .71(b)*

Minimum High School Program

A student entering grade 9 prior to the 2014-15 school year who does not choose to complete the curriculum requirements for high school graduation under the foundation high school program must enroll in the courses necessary to complete the curriculum requirements for the Recommended High School Program or the Advanced/Distinguished Achievement High School Program, unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the Minimum High School Program, and the student:

1. Is at least 16 years of age;

2. Has completed two credits required for graduation in each subject of the foundation curriculum under Education Code 28.002(a)(1); or

3. Has failed to be promoted to the 10th grade one or more times as determined by the school district.

Students with Disabilities

If an ARD committee makes decisions that place a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum High School Program.

Applicability

A student who was permitted to take courses under the Minimum High School Program prior to the 2009-10 school year may remain in the Minimum High School Program.

19 TAC 74.61(c), (d), .71(c), (d)

Requirements

A student must earn at least 22 credits to complete the Minimum High School Program.

A student who entered grade 9 in the 2012-13 or 2013-14 school year must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.72.

A student who enters grade 9 before the 2012-13 school year must meet the applicable program requirements in 19 Administrative Code Chapter 74, Subchapters D-F.

Education Code 28.025; 19 TAC 74.62, .72

Recommended High School Program

A student who entered grade 9 in the 2012-13 or 2013-14 school year must earn at least 26 credits to complete the Recommended High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.73. *Education Code 28.025; 19 TAC 74.63, .73*

Advanced / Distinguished Achievement High School Program

A student who entered grade 9 in the 2012-13 or 2013-14 school year must earn at least 26 credits to complete the Advanced/Distinguished Achievement High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.74. *Education Code 28.025; 19 TAC 74.64, .74*

Substitutions

No substitutions are allowed for high school graduation requirements in the Recommended and Advanced/Distinguished Achievement High School Programs, except as provided by State Board rule. *19 TAC 74.63(d), .64(e), .73(d), .74(e)*

AP or IB Courses

College Board advanced placement and international baccalaureate courses may be substituted for required courses in appropriate areas. These courses may be used as electives in all three high school graduation programs. *19 TAC 74.61(k), .71(i)*

Reading

A district may offer a maximum of 3 credits of reading for state graduation elective credit for identified students if the district:

1. Adopts policies to identify students in need of additional reading instruction;
2. Has procedures that include assessment of individual student needs and ongoing evaluation of each student's progress; and
3. Monitors instructional activities to ensure that student needs are addressed.

Reading credits may be selected from Reading I, II, or III.

19 TAC 74.61(h), .71(f)

College Courses

A student may comply with the curriculum requirements under the Minimum, Recommended, or Advanced/Distinguished Achievement High School Program for each subject of the foundation curriculum and for languages other than English by successfully completing appropriate courses in the core curriculum of an IHE. *19 TAC 74.61(l), .71(j)*

Physical Education Substitutions

Other Physical Activity

In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

1. Athletics;
2. JROTC; and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
    a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
    b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the physical education courses listed in 19 Administrative Code Chapter 74 [see EHAC] may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions

All substitution activities must include at least 100 minutes per five-day school week of moderate to vigorous physical activity.

No more than four substitution credits may be earned through any combination of substitutions listed above.

Student with Disability or Illness

A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, or social studies for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:

1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A;
2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or
3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.

Student with Physical Limitations

If a student entering grade 9 during the 2007-08 school year or thereafter is unable to comply with all of the requirements for a physical education course due to a physical limitation certified by a licensed medical practitioner, a modification to a physical education course does not prohibit the student from earning a Recommended or Advanced/Distinguished High School Program diploma. A student with a physical limitation must still demonstrate proficiency in the relevant knowledge and skills in a physical education course that do not require physical activity.

Education Code 28.025(b-10)-(b-11); 19 TAC 74.62(b)(7), .63(b)(7), .64(b)(7), .72(b)(6), .73(b)(6), .74(b)(6)

Transfers from Out-of-State or Nonpublic Schools

Out-of-state or out-of-country transfer students (including foreign exchange students) and transfer students from Texas nonpublic schools are eligible to receive Texas diplomas but shall complete all applicable high school graduation requirements. Any course credits required for graduation that are not completed before enrollment may be satisfied through credit by examination, correspon-

dence courses, distance learning, or completing the course, according to the provisions of 19 Administrative Code 74.26. *19 TAC 74.11(g)* [See EHDB, EHDC, EHDE, and EI]

Graduation of Students Receiving Special Education Services

Modified curriculum and modified content refer to any reduction of the amount or complexity of the required knowledge and skills in 19 Administrative Code Chapters 110-117, 126-128, and 130. Substitutions that are specifically authorized in statute or rule must not be considered modified curriculum or modified content. *19 TAC 89.1070(k)*

Modified Curriculum and Content

Employability and Self-Help Skills

Employability and self-help skills are those skills directly related to the preparation of students for employment, including general skills necessary to obtain or retain employment. *19 TAC 89.1070(i)*

Summary of Academic Achievement and Evaluation

A summary of academic achievement and functional performance must be provided prior to exit from public school for students who meet one of the following conditions:

1. A student who has met requirements for graduation specified in 19 Administrative Code 89.1070(b)(1) or who has exceeded the maximum age eligibility as described by 19 Administrative Code 89.1035; or

2. A student who has met requirements for graduation specified in 19 Administrative Code 89.1070(b)(2) or (b)(3)(A), (B), or (C). A student meeting this condition is entitled to an evaluation as described by 34 C.F.R. 300.305(e)(1).

The summary of performance must include recommendations on how to assist the student in meeting the student's postsecondary goals, as required by 34 C.F.R. 300.305(e)(3). This summary must also consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. Students who meet graduation requirements under 19 Administrative Code 89.1070(b)(2) or (b)(3)(A), (B),or (C) and who will continue enrollment in public school to receive special education services aligned to their transition plan will be provided the summary of performance upon exit from the public school system. These students are entitled to participate in commencement ceremonies and receive a certificate of attendance after completing four years of high school.

19 TAC 89.1070 (f)-(h)

Graduation Criteria

A student who receives special education services may graduate and be awarded a diploma if the student meets one of the following conditions:

1. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130; satisfactorily completed credit requirements for graduation under the foundation high school program applicable to students in general education; and demonstrated satisfactory performance as established in Education Code Chapters 28 and 39, on the required EOC assessment instruments, which could include meeting the requirements of 19 Administrative Code 89.1070(d).

2. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130; the student has satisfactorily completed credit requirements for graduation under the foundation high school program specified in 19 Administrative Code 74.12 applicable to students in general education; and the student's ARD committee has determined that satisfactory performance, beyond what would otherwise by required in 19 Administrative Code 89.1070(b)(1) and (d), on the required EOC assessment instruments is not required for graduation.

3. The student has satisfactorily completed credit requirements for graduation under the foundation high school program, one or more of which contain modified curriculum that is aligned to the standards applicable to students in general education; demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130 in accordance with modified content and curriculum expectations established in the student's IEP; and demonstrated satisfactory performance on the required EOC assessment instruments, unless the student's ARD committee has determined that satisfactory performance on the required EOC assessment instruments is not required for graduation. The student must also successfully complete the student's IEP and meet one of the following conditions:

    a. Consistent with the IEP, the student has obtained full-time employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district;

    b. Consistent with the IEP, the student has demonstrated mastery of specific employability skills and self-help

skills that do not require direct ongoing educational support of the local school district; or

c. The student has access to services or other supports that are not within the legal responsibility of public education, including employment or postsecondary education established through transition planning.

When a student receives a diploma under item 2 or 3(a), (b), or (c), above, the ARD committee must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.

19 TAC 89.1070(b), (j)

Endorsements

A student who is enrolled in a special education program may earn an endorsement on the student's transcript by:

1. Successfully completing, with or without modification of the curriculum:

   a. The curriculum requirements identified by the SBOE for the foundation high school program; and

   b. The additional endorsement curriculum requirements prescribed by the SBOE; and

2. Successfully completing all curriculum requirements for that endorsement adopted by the SBOE:

   a. Without modification of the curriculum; or

   b. With modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's ARD committee.

The ARD committee of a student in a special education program shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn an endorsement on the student's transcript.

Education Code 28.025(c-7)-(c-8), 19 TAC 89.1070(c)

Graduation of Military Dependents

Course Waiver

District officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed by a military student in another district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the district shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

Transfers During Senior Year	Should a military student transferring at the beginning or during the student's senior year be ineligible to graduate from the district after all alternatives have been considered, the sending and receiving districts shall ensure the receipt of a diploma from the sending district, if the student meets the graduation requirements of the sending district. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student.
Substitute Passing Standard	The commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for completing a specific course otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the 10th-grade level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard. *Education Code 162.002 art. VII, A, C* [See FDD]
Graduation of Student Who Is Homeless or in Conservatorship of DFPS	If an 11th or 12th grade student who is homeless or in the conservatorship of the Department of Family and Protective Services transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers, the district from which the student transferred shall award a diploma at the student's request, if the student meets the graduation requirements of the district from which the student transferred. *Education Code 28.025(i)*

Agreement Between Districts

The boards of two or more adjoining school districts or the boards of county school trustees of two or more adjoining counties may, by agreement and in accordance with Education Code 25.032-.034, arrange for the transfer and assignment of any student from the jurisdiction of one board to that of another. In the case of the transfer and assignment of a student under this provision, the participating governing boards shall also agree to the transfer of school funds or other payments proportionate to the transfer of attendance. *Education Code 25.035*

Initiated by Student or Parent

Any student, other than a high school graduate, who is under 21 years of age and eligible for enrollment on September 1, may transfer to another Texas district, provided that both the receiving district and the applicant's parent, guardian, or person having lawful control agree in writing to the transfer.

Discipline and Threat Assessment Records

In the case of a transfer under this provision, a child's district of residence shall provide the receiving district with the child's disciplinary record and any threat assessment involving the child's behavior conducted under Education Code 37.115 [see FFB].

Effective August 1, 2025, a district shall utilize Sentinel to securely transfer any threat assessment conducted on a student to a receiving district when a student transfers to a new district [see CKA]. All threat assessments for a student are subject to the transfer requirement. Any threat assessments conducted prior to August 1, 2025, that are associated with a student transfer shall be uploaded into Sentinel in a manner determined by the Texas Education Agency (TEA).

Education Code 25.036; 19 TAC 103.1213(e)(1)(B) [See FD for placement of transfer students.]

Transfer to a District Offering In-Person Instruction

If a district provides notice to the parent or person standing in parental relation to a student enrolled in the district of the district's intent to offer only virtual instruction for more than one grading period during a school year, the student may transfer for that school year to another district that offers in-person instruction during that school year and accepts the student's transfer.

"Virtual instruction" means instructional activities delivered to students primarily over the internet.

A student who transfers to another school district under this section may not be charged tuition. The student is included in the average daily attendance of the district in which the student attends school.

Education Code 25.045

Basis for Transfer

A board or its designee must make transfer decisions on an individual basis and may not consider as a factor in arriving at any decision regarding assignments any matter relating to the national origin of the student or the student's ancestral language. *Education Code 25.032* [See FDAA]

Transportation

A board may establish and operate an economical public school transportation system outside the district if students enrolled in the district reside outside the district and the district meets the requirements of Education Code 34.007(a)(3) [see CNA]. *Education Code 34.007(a)*

Funding for Transfers

Upon the filing and certification of any transfer, the state per capita apportionment shall transfer with the student. For purposes of computing state allotments to districts eligible under the Foundation School Program, the student's attendance prior to the date of transfer shall be counted by the sending district and the student's attendance after transfer shall be counted by the receiving district. *Education Code 25.037*

Credits and Records

Credits earned in local credit courses may be transferred at the enrolling district's discretion. Transfer students shall not be prohibited from attending school pending receipt of transcripts or academic records from the district the student previously attended. *19 TAC 74.26(a)(1)*

Nonpublic Schools

Records and transcripts of students from Texas nonpublic schools or from out of state or out of the country (including foreign exchange students) shall be evaluated, and students shall be placed promptly in appropriate classes. A district may use a wide variety of methods to verify the content of courses for which a transfer student has earned credit. *19 TAC 74.26(a)(2)*

Tuition Fee for Transfer Students

A receiving district may charge a tuition fee to the extent that the district's actual expenditure per student in average daily attendance exceeds the sum of state available school fund apportionment benefits transferred under Education Code 25.037. However, unless a tuition fee is prescribed and set out in a transfer agreement prior to its execution by the parties, no increase in tuition charge shall be made for the year of that transfer that exceeds the tuition charge, if any, of the preceding school year. *Education Code 25.038*

Transfer by Servicemember Request

On request of a servicemember who is a parent of or person standing in parental relation to a student, the board or the board's designee shall transfer the student to another district campus or to another school district under an agreement under Education Code 25.035 [see Agreement Between Districts, above].

"Servicemember" means an active duty member of the armed forces of the United States, a reserve component of the armed forces of the United States, or the Texas National Guard.

A transfer under this provision must be to the campus or district, as applicable, selected by the servicemember making the request.

A district is not required to provide transportation to a student who transfers to another campus or district under this provision.

Education Code 25.0344

Transfer by Peace Officer Request

On request of a peace officer who is a parent of or person standing in parental relation to a student, the board or the board's designee shall transfer the student to another district campus or to another district under an agreement under Education Code 25.035.

"Peace officer" has the meaning assigned by Occupations Code 1701.001.

A transfer under this provision must be to the campus or school district, as applicable, selected by the peace officer making the request.

A district is not required to provide transportation to a student who transfers to another campus or district under this provision.

Education Code 25.0344

Transfers to Adjoining States

Note: The following provision applies to a district located on the border of an adjoining state.

Any student who would be entitled to attend the public school of any district situated on the border of Louisiana, Arkansas, Oklahoma, or New Mexico and who may find it more convenient to attend the public school in a district in one of those contiguous states, may have the state and county per capita apportionment of the available school funds paid to the school district of the contiguous state and may have additional tuition, if necessary, paid by the district of residence on such terms as may be agreed upon by the trustees of the receiving district and the trustees of the residence district. *Education Code 25.040*

Contracts for Education Outside Districts

Note: The following section applies only to districts that do not offer all grades, kindergarten-grade 12.

A district that does not offer each grade, kindergarten-grade 12, may provide by contract for students residing in the district who are at grade levels not offered by the district to be educated at those

grade levels in one or more other districts. In each contract, the districts also shall agree to the transfer of school funds or other payments proportionate to the transfer of attendance.

Tuition

The district in which the students reside shall pay tuition to any district with which it has a contract under this section for each of its students attending school in that district at a grade level for which the district has contracted. The amount of the tuition paid may not exceed the greater of the amount provided for by Education Code 25.038 [see above], or an amount specified by commissioner rule [see below].

A district is not required to pay tuition to any district with which it has not contracted for the attendance by any of its students at a grade level for which it has contracted under this provision with another district.

A contract under this provision may not be for a period exceeding five years.

Education Code 25.039

Definitions

"Home district" means a district of residence of a transferring student.

"Receiving district" means a district to which a student is transferring for the purpose of obtaining an education.

"Tuition" means an amount charged to the home district by the receiving district to educate the transfer student.

Tuition Allotment of the Home District

For the purposes of calculating the tuition allotment of the home district as authorized by Education Code 48.154, the amount of tuition that may be attributed to a home district for a transfer student in payment for that student's education may not exceed an amount per enrollee calculated for each receiving district. The calculated limit applies only to tuition paid to a receiving district for the education of a student at a grade level not offered in the home district. Tuition may be set at a rate higher than the calculated limit if both districts enter a written agreement, but the calculated tuition limit will be used in the calculation of the tuition allotment for the home district. The calculation will use the most currently available data in an ongoing school year to determine the limit that applies to the subsequent school year. For purposes of this provision, the number of students enrolled in a district will be appropriately adjusted to account for students ineligible for the Foundation School Program funding and those eligible for half-day attendance.

Calculated Tuition Limit

The calculated tuition limit is the sum of the excess maintenance and operations (M&O) revenue per enrollee and the excess debt

revenue per enrollee, as calculated in 19 Administrative Code 61.1012(b)(2)-(3).

Notification and Appeal Process

In the spring of each school year, the commissioner will provide each district with its calculated tuition limit and a worksheet with a description of the derivation process. A district may appeal to the commissioner if it can provide evidence that the use of projected student counts from the LPE in making the calculation is so inaccurate as to result in an inappropriately low authorized tuition charge and undue financial hardship. A district that used significant nontax sources to make any of its debt service payments during the base year for the computation may appeal to the commissioner to use projections of its tax collections for the year for which the tuition limit will apply. The commissioner's decision regarding an appeal is final.

19 TAC 61.1012

Safe Schools Data

The Superintendent shall ensure that the District complies with Texas Education Agency (TEA) guidelines for the collection and maintenance of data regarding:

1. Mandatory expellable offenses committed at school or at a school-related or school-sponsored activity, on or off school property [see FOD]; and
2. Any student who becomes a victim of one of the following violent criminal offenses while on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property:
    a. Attempted murder;
    b. Indecency with a child;
    c. Aggravated kidnapping;
    d. Aggravated assault on someone other than a District employee or volunteer;
    e. Sexual assault or aggravated sexual assault against someone other than a District employee or volunteer;
    f. Aggravated robbery;
    g. Continuous sexual abuse of a young child or disabled individual; or
    h. Bullying.

School Safety Transfers

The parent of a student who becomes a victim of a violent criminal offense as described in the state guidance for unsafe school choice options or who is assigned to a campus identified by TEA as persistently dangerous shall be offered a transfer to a safe public or charter school within the District.

For each transfer requested, the District shall explore transfer options, as appropriate. Options may include a transfer agreement with another school district.

From a Persistently Dangerous School

The parent of a student attending a school identified as persistently dangerous shall be provided notification of his or her right to request a transfer. Notification shall occur at least 14 days prior to the start of the school year or, for a student enrolling subsequently, upon the student's enrollment.

The parent must submit to the Superintendent an application for transfer. The Superintendent shall complete the transfer prior to the beginning of the school year, if applicable, or within 14 calendar days of the request for a subsequently enrolling student.

Any transfer arranged for a student from a campus identified by TEA as persistently dangerous shall be renewed so long as the campus from which the student transferred retains that designation.

The District shall maintain, in accordance with the District's record retention schedule, documentation of notification to parents of the transfer option, transfer applications submitted, and action taken.

For a Victim of a Violent Criminal Offense

Within 14 calendar days after a violent criminal offense described above occurs in or on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property, the District shall notify the parent of a student who is a victim of the offense of the parent's right to request a transfer. The parent must submit to the Superintendent an application for transfer. The Superintendent shall approve or disapprove the request within 14 calendar days of its submission.

Any transfer arranged for a student who was a victim of a violent crime as described above shall be renewed so long as the threat to the student exists at the campus to which the student would typically be assigned.

For each offense, the District shall maintain for at least five years documentation of the nature and date of the offense, notification to the parent of the transfer option, transfer applications submitted, action taken, and other relevant information regarding the offense.

Additional Transfer Options

In circumstances described by Education Code 25.0341, a parent of a student who has been the victim of a sexual assault, regardless of whether the offense occurred on or off school property, may request a transfer of the parent's child or the student assailant from the same campus.

[For other transfer provisions, see also FDA and FDB.]

Absences Considered

Except as otherwise provided by law, all absences incurred while enrolled in the District shall be considered in determining whether a student has been in attendance for 90 percent of the days the class is offered.

Attendance Committees

The Board authorizes the establishment of an attendance committee or as many attendance committees as necessary for efficient implementation of state law.

The Superintendent is authorized to make the specific appointments in accordance with legal requirements.

Parental Notice of Excessive Absences

A student and the student's parent or guardian shall be given written notice prior to and at such time when a student's attendance in any class drops below 90 percent of the days the class is offered.

Methods for Regaining Credit or Awarding a Final Grade

When a student's attendance drops below 90 percent but remains at least at 75 percent of the days the class is offered, the student may earn credit for the class or a final grade by completing a plan approved by the principal. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.

If the student fails to successfully complete the plan, or when a student's attendance drops below 75 percent of the days the class is offered, the student, parent, or representative may request award of credit or a final grade by submitting a written petition to the appropriate attendance committee.

A petition for credit or a final grade may be filed in accordance with administrative regulations. The attendance committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit or a final grade. [See Imposing Conditions for Awarding Credit or a Final Grade, below]

Regardless of whether a petition is filed, the attendance committee may also review the records of all students whose attendance drops below 90 percent of the days the class is offered.

A student who has lost credit or has not received a final grade because of excessive absences may regain credit or be awarded a final grade by fulfilling the requirements established by the attendance committee.

Personal Illness

The principal or attendance committee may require verification from a health-care provider in accordance with administrative regulations as a condition of classifying an absence for personal illness as one for which there are extenuating circumstances.

Best Interest Standard

In reaching consensus regarding a student's absences and how the student can be awarded credit or a final grade, the attendance committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent shall develop administrative regulations to document the attendance committee's decision.

Guidelines on Extenuating Circumstances

The attendance committee shall consider whether a student has mastered the essential knowledge and skills and maintained passing grades in the course or subject.

When makeup work is completed satisfactorily, the attendance committee shall consider extracurricular absences and other excused absences as days of attendance for award of credit or a final grade. [See FEA]

The attendance committee shall consider whether the reasons for the absences were out of the parent's or student's control and whether documentation for the absence is acceptable.

The student or parent shall be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit or be awarded a final grade.

Imposing Conditions for Awarding Credit or a Final Grade

The attendance committee or principal, as applicable, is not required to assign a student to attend a specified program for an amount of time equivalent to the student's absences (i.e., "seat time").

The attendance committee or principal, as applicable, shall consider the student's unique circumstances and, if necessary, shall impose other conditions for awarding credit or a final grade that permit the student to meet the instructional requirements of the class. Conditions may include:

1. Maintaining attendance standards for the rest of the semester.
2. Completing additional assignments, as specified by the committee or teacher.
3. Attending tutorial sessions as scheduled.
4. Completing other instructional programs, as specified by the committee.
5. Taking an examination to earn credit. [See EHDB]

In all cases, the student must earn a passing grade in order to receive credit.

Appeal Process

A parent or student may appeal the decision of the attendance committee in accordance with FNG(LOCAL).

Table of Contents

Consent to Medical Treatment 3
Form of Consent 3
Minor's Consent to Treatment 3
Telehealth in Medicaid Covered Services 4
Administering Medication 4
By Volunteer Professionals 4
Immunity from Civil Liability 4
Self-Administration of Asthma or Anaphylaxis Medicine 5
No Waiver of Immunity 5
Sunscreen Products 6
Dietary Supplements 6
Prescription Medication and Special Education Students 6
Low-THC Cannabis 6
Dextromethorphan (Certain Cold Medication) 7
Maintenance and Administration of Opioid Antagonists 7
Definitions 7
Maintenance 8
Prescription 8
Standing Order 8
Storage of Medication 8
Disposal 8
Reporting Requirement 8
Records Retention 9
Training 9
Gifts, Grants, and Donations 10
Immunity 10
Maintenance and Administration of Epinephrine Auto-Injectors 10
Definitions 11
Prompt Notification 11
Records 12
Reports 12
Assignment of Trained Individuals 13
Signed Statement 13

Training 13
Standing Orders 14
Epinephrine Coordinator 14
Notice to Parents 15
Storage 15
Replacement 15
Disposal 15
Gifts, Grants, and Donations 15
Maintenance and Administration of Medication for Respiratory Distress 16
Definitions 16
Each Campus During Regular School Hours 17
Medication Inventory 17
Designated Campus Administrator 18
Notification Procedures 18
Referral Required 18
Storage 19
Disposal 19
Records Retention 19
Training 19
Reporting Requirement 20
No Negative Fiscal Impact 21
Standing Order 21
Notice to Parents 21
Refusal to Administer 21
Immunity from Liability 21

Consent to Medical Treatment

The school in which a minor student is enrolled may consent to medical, dental, psychological, and surgical treatment of that student, provided all of the following conditions are met:

1. The person having the power to consent as otherwise provided by law cannot be contacted.
2. Actual notice to the contrary has not been given by that person.
3. Written authorization to consent has been received from that person.

Family Code 32.001(a)(4)

Form of Consent

Consent to medical treatment under this policy shall be in writing, signed by the school official giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment. The consent must contain:

1. The name of the student.
2. The name of one or both parents, if known, and the name of the managing conservator or guardian of the student, if either has been appointed.
3. The name of the person giving consent and the person's relation to the student.
4. A statement of the nature of the medical treatment to be given.
5. The date on which the treatment is to begin.

Family Code 32.002

Minor's Consent to Treatment

A minor may consent to medical, dental, psychological, and surgical treatment furnished by a licensed physician or dentist if the minor:

1. Is 16 years of age and residing separate and apart from the minor's parents, managing conservator, or guardian, with or without the consent of the parents, conservator, or guardian and regardless of the duration of the residence, and is managing his or her own financial affairs, regardless of the source of the income;
2. Consents to the diagnosis and treatment of any infectious, contagious, or communicable disease required to be reported to the Texas Department of State Health Services (DSHS), including all reportable diseases under Health and Safety Code 81.041;

3. Is unmarried and pregnant, and consents to hospital, medical, or surgical treatment, other than abortion, related to her pregnancy; or

4. Consents to examination and treatment for drug or chemical addiction, drug or chemical dependency, or any other condition directly related to drug or chemical use.

Family Code 32.003; Planned Parenthood of Cent. Mo. v. Danforth, 428 U.S. 52 (1976); Bellotti v. Baird, 443 U.S. 622 (1979)

Telehealth in Medicaid Covered Services

Telemedicine medical services and telehealth services authorized as Texas Medicaid covered services must meet the conditions specified in 1 Administrative Code 354.1432(5). *1 TAC 354.1432(5)*

Administering Medication

Upon adoption of policies concerning the administration of medication to students by district employees, the district, its board, and its employees are immune as described below, provided:

1. The district has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student.

2. When administering prescription medication, the medication is administered either:

   a. From a container that appears to be the original container and to be properly labeled; or

   b. From a properly labeled unit dosage container filled by a registered nurse or another qualified district employee, as determined by district policy, from a container that appears to be the original container and to be properly labeled.

By Volunteer Professionals

If a district provides liability insurance for a licensed physician or registered nurse who provides volunteer services to the district, a board may allow the physician or nurse to administer to any student nonprescription medication or medication currently prescribed for the student by the student's personal physician.

Immunity from Civil Liability

A district, a board, and its employees shall be immune from civil liability for damages or injuries resulting from the administration of medication to a student in accordance with this policy.

Education Code 22.052(a)-(b)

[See DG regarding protection of nurses for refusal to perform acts.]

Self-Administration of Asthma or Anaphylaxis Medicine

A student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine while on school property or at a school-related event or activity if:

1. The medicine has been prescribed for that student as indicated by the prescription label on the medicine;
2. The student has demonstrated to the student's physician or other licensed health-care provider and the school nurse, if available, the skill level necessary to self-administer the prescription medication, including the use of any device required to administer the medication;
3. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health-care provider; and
4. A parent of the student provides to the school:
    a. Written authorization, signed by the parent, for the student to self-administer the prescription medicine while on school property or at a school-related event or activity; and
    b. A written statement, signed by the student's physician or other licensed health-care provider, that states:
        (1) That the student has asthma or anaphylaxis and is capable of self-administering the medicine;
        (2) The name and purpose of the medicine;
        (3) The prescribed dosage for the medicine;
        (4) The times at which or circumstances under which the medicine may be administered; and
        (5) The period for which the medicine is prescribed.

The physician's statement must be kept on file in the school nurse's office, or, if there is no school nurse, in the office of the principal of the school the student attends.

[See FFAF for care of students with diagnosed food allergies at risk for anaphylaxis.]

No Waiver of Immunity

The provisions above neither waive any liability or immunity nor create any liability for or a cause of action against a district, a board, or its employees.

Education Code 38.015

Sunscreen Products

A student may possess and use a topical sunscreen product while on school property or at a school-related event or activity to avoid overexposure to the sun and not for the medical treatment of an injury or illness if the product is approved by the federal Food and Drug Administration for over-the-counter use. This provision does not waive any immunity from liability of a district, its board, or its employees; or create any liability for or a cause of action against a district, its board, or its employees. *Education Code 38.021*

Dietary Supplements

A district employee commits a Class C misdemeanor offense if the employee:

1. Knowingly sells, markets, or distributes a dietary supplement that contains performance enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's school district duties; or

2. Knowingly endorses or suggests the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance enhancing compounds by a primary or secondary education student with whom the employee has contact as part of the employee's school district duties.

Education Code 38.011(a), (c)

Prescription Medication and Special Education Students

An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

20 U.S.C. 1412(a)(25)

[See FFEB for information regarding psychotropic drugs and psychiatric evaluations]

Low-THC Cannabis

A district may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by the Texas Compassionate-Use Act. *Health and Safety Code 487.201*

Dextromethorphan (Certain Cold Medication)

A district may not adopt or enforce an ordinance, order, rule, regulation, or policy that governs the sale, distribution, or possession of dextromethorphan. *Health and Safety Code 488.005*

Maintenance and Administration of Opioid Antagonists

Each district shall adopt and implement a policy regarding the maintenance, administration, and disposal of opioid antagonists at each campus in the district that serves students in grades 6 through 12 and may adopt and implement such a policy at each campus in the district, including campuses serving students in a grade level below grade 6.

The policy adopted must:

1. Provide that school personnel and school volunteers who are authorized and trained may administer an opioid antagonist to a person who is reasonably believed to be experiencing an opioid-related drug overdose;
2. Require that each school campus subject to a policy adopted under this provision have one or more school personnel members or school volunteers authorized and trained to administer an opioid antagonist present during regular school hours;
3. Establish the number of opioid antagonists that must be available at each campus at any given time; and
4. Require that the supply of opioid antagonists at each school campus subject to a policy adopted under this provision must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an opioid antagonist.

Education Code 38.222(a), (c); 25 TAC 40.84(b)-(c); 19 TAC 103.1103

Definitions

“Authorized health-care provider” means a physician, as defined in Education Code 38.201, or person who has been delegated prescriptive authority by a physician under Occupations Code Chapter 157.

“Campus” means a unit of a district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.

“Opioid antagonist” as defined in Health and Safety Code 483.101, means any drug that binds to opioid receptors and blocks or otherwise inhibits the effects of opioids acting on those receptors.

	"Opioid-related drug overdose" as defined in Health and Safety Code 483.101, means a condition, evidenced by symptoms of extreme physical illness, decreased level of consciousness, constriction of the pupils, respiratory depression, or coma, that a layperson would reasonably believe to be the result of the consumption or use of an opioid. *25 TAC 40.82(2)-(3), (5)-(6)*
Maintenance	Once a district adopts an opioid antagonist medication policy, a campus implementing an opioid policy must stock opioid antagonist medication.
Prescription	A campus must obtain a prescription from a physician or a person who has been delegated prescriptive authority to stock, possess, and maintain the established number of doses of opioid antagonists as determined by a district, on each campus as described in Education Code 38.225 (Prescription of Opioid Antagonists). The campus must renew this prescription or obtain a new prescription annually. The number of additional doses may be determined by an individual campus review led by a physician or a person who has been delegated prescriptive authority. *25 TAC 40.85(a)-(b)*
Standing Order	A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe opioid antagonists in the name of a school district. *Education Code 38.225(a); 25 TAC 40.85(c)*
Storage of Medication	The unassigned opioid antagonist medication must be stored in a secure location and be easily accessible, in accordance with the manufacturer's guidelines and local policy of the district.
Disposal	Used, unassigned opioid antagonists are considered infectious waste and must be disposed of according to the school's bloodborne pathogen control policy. Expired, unassigned opioid antagonists must be disposed of in accordance with the Federal Drug Administration's disposal of unused medications guidelines and local policy of the district. *25 TAC 40.85(d)-(f)*
Reporting Requirement	The campus must submit the report no later than the 10th business day after the date a school personnel member or school volunteer administers an opioid antagonist in accordance with the unassigned opioid antagonist medication policy.

The report shall be submitted to the following individuals and entities:

1. The district;
2. The physician or other person who prescribed the opioid antagonist; and
3. The commissioner of DSHS.

Notifications to the commissioner of DSHS must be submitted on the designated electronic form available on DSHS School Health Program website found at dshs.texas.gov.

25 TAC 40.87(b)-(c)

The school shall report the following information:

1. The age of the person who received the administration of the opioid antagonist;
2. Whether the person who received the administration of the opioid antagonist was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the opioid antagonist was administered;
4. The number of doses of opioid antagonist administered;
5. The title of the person who administered the opioid antagonist; and
6. Any other information required by the commissioner of education.

Education Code 38.223(b)

Records Retention

Records relating to implementing and administering the district unassigned opioid antagonist medication policy must be retained per the campus record retention schedule. *25 TAC 40.87(a)*

Training

A district that adopts an opioid antagonist policy is responsible for training school personnel and school volunteers in the administration of an opioid antagonist. *Education Code 38.224(a)*

Training must include information on:

1. Recognizing the signs and symptoms of an opioid-related drug overdose;
2. Responding to an opioid-related drug overdose and administering an opioid antagonist;

3. Implementing emergency procedures, after administering an opioid antagonist;

4. Understanding the medical purpose and misuse of opioids; and

5. Properly disposing of used or expired opioid antagonists.

Training must:

1. Be provided annually in a formal training session or through online education, including practicing the administration of an opioid antagonist with an opioid antagonist trainer device; and

2. Be provided in accordance with the policy adopted under Education Code 21.4515.

Each campus must maintain training records and must make available upon request a list of school personnel and school volunteers who are trained and authorized to administer the unassigned opioid antagonist medication on the campus.

25 TAC 40.86(b)-(c)

Gifts, Grants, and Donations

A district may accept gifts, grants, donations, and federal and local funds to implement these provisions. *Education Code 38.226*

Immunity

A person who in good faith takes, or fails to take, any action under Education Code Chapter 38, Subchapter E-1 is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act as described by Education Code 38.227. *Education Code 38.227*

Maintenance and Administration of Epinephrine Auto-Injectors

Note: The following provisions apply only to a district that adopts an unassigned epinephrine auto-injector policy.

A district may adopt and implement a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors at each campus in the district.

If a policy is adopted, the policy:

1. Must provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis on a school campus; and

2. May provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be ex-

periencing anaphylaxis at an off-campus school event or while in transit to or from a school event.

A district that adopts a policy must require that each campus have one or more school personnel members or school volunteers authorized and trained to administer an epinephrine auto-injector present during all hours the campus is open. The supply of epinephrine auto-injectors at each campus must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an epinephrine auto-injector.

Education Code 38.208

A district that chooses to adopt and implement a written unassigned epinephrine auto-injector policy under Education Code Chapter 38, Subchapter E is not required to create an additional policy for care of certain students at risk for anaphylaxis under Education Code 38.0151 [see FFAF]. *25 TAC 40.62(c)*

A district may develop, as part of the policy, provisions for additional doses to be stocked and utilized at off-campus school events, or in transit to or from school events. *25 TAC 40.65(a)(2)*

Definitions

All Hours the Campus Is Open

“All hours the campus is open” is defined as, at a minimum, during regular on-campus school hours, and when school personnel are physically on site for school-sponsored activities.

Campus

A “campus” is defined as a unit of a school district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.

Unassigned Epinephrine Auto-Injector

An “unassigned epinephrine auto-injector” is an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the school issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector, issued by a physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157.

25 TAC 40.63(1), (4), (11)

Prompt Notification

Local emergency medical services must be promptly notified by the school when an individual is suspected of experiencing anaphylaxis and when an epinephrine auto-injector is administered. If the trained school personnel or school volunteer is the only individual available to notify emergency medical services, the trained individ-

ual should administer the unassigned epinephrine auto-injector before notifying emergency medical services.

The parent, legal guardian, or emergency contact must be promptly notified by the school when an unassigned epinephrine auto-injector is utilized on their child as soon as is feasible during the emergency response to suspected anaphylaxis.

25 TAC 40.65(e)-(f)

Records

School records of the administration of the unassigned epinephrine auto-injector and suspected anaphylaxis must be provided to the parent or guardian of the recipient upon request.

Records relating to implementation and administration of the school's unassigned epinephrine auto-injector policy shall be retained per the record retention schedule for records of public school districts found in 13 Administrative Code 7.125 [see CPC].

25 TAC 40.65(f)-(g)

Reports

Not later than the 10th business day after the date a school personnel member or school volunteer administers an epinephrine auto-injector in accordance with district policy, the school shall send a report to the school district; the physician who prescribed the epinephrine auto-injector; and the commissioner of state health services.

The report must include the following information:

1. The age of the person who received the administration of the epinephrine auto-injector;
2. Whether the person who received the administration of the epinephrine auto-injector was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the epinephrine auto-injector was administered;
4. The number of doses of epinephrine auto-injector administered;
5. The title of the person who administered the epinephrine auto-injector; and
6. Any other information required by the commissioner of education.

Education Code 38.209

Notifications to the commissioner of DSHS shall be submitted on the designated electronic form available on the DSHS School Health Program website. *25 TAC 40.68(b)*

Assignment of Trained Individuals

At each campus in which a school adopts an unassigned epinephrine auto-injector policy, the principal may assign school personnel or school volunteers to be trained to administer unassigned epinephrine auto-injectors or seek school personnel or school volunteers who volunteer to be trained to administer unassigned epinephrine auto-injectors.

In order to increase the number of trained individuals in the administration of unassigned epinephrine auto-injectors, schools may distribute to school personnel or school volunteers in the district, at least once per school year, a notice that includes a description of the request seeking volunteers to be trained to administer an epinephrine auto-injector to a person believed to be experiencing anaphylaxis and a description of the training that the school personnel or school volunteers will receive in the administration of epinephrine with an auto-injector.

25 TAC 40.66(a)-(b)

Signed Statement

Trained school personnel or school volunteers who administer the unassigned epinephrine auto-injector must submit a signed statement indicating that they agree to perform the service of administering an unassigned epinephrine auto-injector to a student or individual that may be experiencing anaphylaxis. *25 TAC 40.66(c)*

Training

A district that adopts an unassigned epinephrine auto-injector written policy is responsible for training school personnel and school volunteers in the administration of an unassigned epinephrine auto-injector.

Training must include information on:

1. Recognizing the signs and symptoms of anaphylaxis;
2. Administering an epinephrine auto-injector;
3. Implementing emergency procedures, if necessary, after administering an epinephrine auto-injector; and
4. Properly disposing of used or expired epinephrine auto-injectors.

Training must be provided in accordance with the district professional development policy [see DMA].

Education Code 38.210(a), (b)

Each assigned school personnel or school volunteer shall receive initial training and an annual refresher training.

Training:

1. Shall be consistent with the most recent Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs published by the federal Centers for Disease Control and Prevention;
2. May be provided in a formal face-to-face training session or through an online education course;
3. Must include information on properly inspecting unassigned epinephrine auto-injectors for usage and expiration; and
4. Must include information about promptly notifying local emergency medical services.

25 TAC 40.67(1)-(2), (5)

The initial training must include hands-on training with an epinephrine auto-injector trainer. The annual refresher training must include a hands-on demonstration of administration skills.

Each school campus shall maintain training records and make available upon request a list of those school personnel or school volunteers trained and authorized to administer the unassigned epinephrine auto-injector on the campus.

25 TAC 40.67(3)-(4), (6)

Standing Orders

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe epinephrine auto-injectors in the name of a district in accordance with law. *Education Code 38.211(a)*

A district shall obtain a prescription from an authorized health-care provider each year, to stock, possess, and maintain at least one unassigned adult epinephrine auto-injector pack (two doses) on each school campus.

A school may choose to stock unassigned pediatric epinephrine auto-injector packs, based on the need of the school's population.

25 TAC 40.65(a)-(a)(1)

Epinephrine Coordinator

The superintendent will designate appropriate school personnel to coordinate and manage policy implementation, including training of school personnel, and the acquisition or purchase, usage, expiration, and disposal of unassigned epinephrine auto-injectors. Throughout the school calendar year, the designated school per-

	sonnel must coordinate with each campus to ensure that the unassigned epinephrine auto-injectors are checked monthly for expiration and usage and the findings are documented. *25 TAC 40.65(b)*
Notice to Parents	If a district implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors, the district shall provide written notice of the policy to a parent or guardian of each student enrolled in the district. Notice must be provided before the policy is implemented by the district and before the start of each school year. *Education Code 38.212* A district shall provide electronic or written notice to the parent or guardian of each student. If a district changes or discontinues the policy under this subchapter, written or electronic notice detailing the change or discontinuation must be provided to the parent or guardian of each student within 15 calendar days. *25 TAC 40.69*
Storage	Unassigned epinephrine auto-injectors shall be stored in a secure, easily accessible area for an emergency, in accordance with manufacturer's guidelines. It is recommended that the school administrator develop a map to be placed in high traffic areas that indicates the location of the unassigned epinephrine auto-injectors on each school campus. It is recommended that the map also indicates the locations of the automated external defibrillator (AED). *25 TAC 40.65(h)*
Replacement	The district shall develop a plan to replace, as soon as reasonably possible, any unassigned epinephrine auto-injector that is used or close to expiration. *25 TAC 40.65(i)*
Disposal	Used unassigned epinephrine auto-injectors shall be considered infectious waste and shall be disposed of according to the school's bloodborne pathogen control policy. Expired unassigned epinephrine auto-injectors shall be disposed of according to the school's medication disposal policy. *25 TAC 40.65(j)-(k)* [See DBB]
Gifts, Grants, and Donations	A district may accept gifts, grants, donations, and federal and local funds to implement its policy. *Education Code 38.213*

Maintenance and Administration of Medication for Respiratory Distress

Note: The following provisions apply only to a district that adopts a policy on medication for respiratory distress.

A district may adopt and implement a policy regarding the maintenance, administration, and disposal of unassigned medication for respiratory distress at each campus in the district. *Education Code 38.208(a-1); 25 TAC 40.44(a)*

If a policy is adopted, the policy must provide that school personnel and school volunteers who are authorized and trained may administer medication for respiratory distress to a person reasonably believed to be experiencing respiratory distress on a school campus, or at a school-sponsored or school-related activity on or off school property. *Education Code 38.208(b-1); 25 TAC 40.44(a)(1)(C)*

In developing the policy, a district may consider performing a review to include:

1. Consultation with school nurses, the local school health advisory committee, local health-care providers, or any department or organization involved with student well-being;
2. Campus geography; and
3. Student population size.

19 TAC 40.44(b)

An adopted unassigned medication for respiratory distress policy must be publicly available. *25 TAC 40.44(d)*

Definitions

“School personnel” means an employee of a district. The term includes a member of the board.

“School volunteer” means a person providing services for or on behalf of a district, on the premises of the district or at a school-sponsored or school-related activity on or off school property, who does not receive compensation in excess of reimbursement for expenses.

“Unassigned medication for respiratory distress” means albuterol, levalbuterol, or another medication based on the best available medical evidence for the treatment of respiratory distress that is:

1. Delivered by metered-dose inhaler (MDI) with a spacer (valved holding chamber) or by a nebulizer as a rescue medication;
2. Prescribed by an authorized health-care provider in the name of the district;

3. Issued with a non-patient-specific standing delegation order for the administration of a medication for respiratory distress; and

4. Issued by an authorized health-care provider.

Education Code 38.201(3-a), (6), 22.053(b); 25 TAC 40.42(8), (10), (12)

Each Campus During Regular School Hours

Each district that adopts a policy must require that each campus have one or more school personnel or school volunteers authorized and trained to administer unassigned medication for respiratory distress present during regular school hours, which means at least 30 minutes before the first bell to 30 minutes after the last bell of the school day. *Education Code 38.208(d-1); 25 TAC 40.42(5), 40.44(a)(1)(C)*

A “campus” is defined as a geographic unit of a district that:

1. Has an assigned administrator;

2. Has enrolled students who are counted for average daily attendance;

3. Has assigned instructional staff;

4. Provides instructional services to students;

5. Has one or more grades in the range from early childhood education through grade 12 or is ungraded; and

6. Is subject to Texas laws.

25 TAC 40.42(2)

Medication Inventory

Subject to the availability of funding, a district that adopts a policy must allow for treatment of multiple students and secure or obtain at least:

1. One MDI with appropriate spacers (valved holding chambers) to accommodate the developmental needs of the student population; or

2. At least five vials of nebulizer solution with appropriate nebulizer-required equipment to accommodate the developmental needs of the student population.

25 TAC 40.44(a)(2)

In addition to the minimum number of doses described above, the number of additional doses may be determined by an individual campus review led by an authorized health-care provider. *25 TAC 40.45(b)(2)*

Designated Campus Administrator

A district that adopts a policy must include in the policy the designated campus administrator to coordinate and manage policy implementation for each campus, which includes:

1. Conducting a review at the campus to determine the need for additional doses;
2. Training school personnel and school volunteers;
3. Acquiring or purchasing, maintaining, storing, and using unassigned medication for respiratory distress, subject to available campus funding; and
4. Disposing of expired unassigned medication for respiratory distress.

25 TAC 40.44(c)(1)

Notification Procedures

Each district that adopts a policy must include in the policy the procedures for notifying a parent, prescribing authorized health-care provider, and the student's primary health-care provider when unassigned medication for respiratory distress is administered. *25 TAC 40.44(c)(4)*

Referral Required

If unassigned medication for respiratory distress is administered to a student whose parent or guardian has not provided notification to the school that the student has been diagnosed with asthma, the school must refer the student to the student’s primary care provider on the day the medication for respiratory distress is administered and inform the student’s parent or guardian regarding the referral. The referral must include:

1. The symptoms of respiratory distress observed;
2. The name and dosage of the unassigned medication for respiratory distress administered to the student;
3. Any patient care instructions given to the student; and
4. Information about the purpose and use of an asthma action plan and medical authorization for schools, including a blank copy of the plan and authorization the provider completes and returns to the school.

If a student who has received medication for respiratory distress does not have a primary care provider or the parent or guardian of the student has not engaged a primary care provider for the student, the student’s parent or guardian must receive information to assist the parent or guardian in selecting a primary care provider for the student.

Education Code 38.208(b-2)-(b-3); 25 TAC 40.44(c)(6)-(7)

Storage

The supply of medication for respiratory distress at each campus must be stored in accordance with the manufacturer's guidelines and local policy of the district in a secure location and be easily accessible to authorized school personnel and school volunteers. *Education Code 38.208(e-1); 25 TAC 40.45(d)*

The location of the unassigned medication for respiratory distress must be specified in the policy. *25 TAC 40.44(c)(3)*

Disposal

The policy must include a plan to check inventory of unassigned medication for respiratory distress for expiration at least twice during the school year, to replace, as soon as reasonably possible, and to document the findings. *25 TAC 40.44(c)(5)*

Expired unassigned medication for respiratory distress and other used or expired supplies must be disposed of in accordance with the manufacturer's guidelines and local policy of the district. *25 TAC 40.45(e)*

Records Retention

Records relating to implementing and administering the district’s unassigned medication for respiratory distress policy must be retained per the campus record retention schedule. *25 TAC 40.47(a)*

Training

Each district that adopts a policy for the administration of medication for respiratory distress is responsible for training school personnel and school volunteers in the administration of medication for respiratory distress. Each authorized school personnel or school volunteer must receive initial training and an annual refresher training. The training must:

1. Include information on recognizing the signs and symptoms of respiratory distress;
2. Include information on administering medication for respiratory distress;
3. Include information on implementing emergency procedures, if necessary, after administering medication for respiratory distress;
4. Include information on proper sanitization, reuse, and disposal of medication for respiratory distress;
5. Cover the authorized health-care provider's standing order;
6. Include processes to follow-up with the prescribing authorized health-care provider and the student's primary health-care provider;
7. Provide information on the report required after administering unassigned medication [see below];

8. Include information on the district's adopted unassigned medication for respiratory distress policy;

9. Incorporate hands-on training with unassigned medication for respiratory distress; and

10. Inform school personnel or school volunteers of the purpose and use of asthma action plans.

Education Code 38.210(a-1); 25 TAC 40.46(a)

Training must be provided in a formal training session or through online education and must be provided in accordance with the district professional development policy [see DMA]. *Education Code 38.210(b)*

The policy must include a list of trained and authorized school personnel and school volunteers available to administer unassigned medication for respiratory distress. *25 TAC 40.44(c)(2)*

Each campus must maintain training records and must make available upon request a list of school personnel and school volunteers trained and authorized to administer unassigned medication for respiratory distress at the campus or at a school-sponsored event. *25 TAC 40.46(b)*

Reporting Requirement

Not later than the 10th business day after the date a school personnel member or school volunteer administers medication for respiratory distress to a person experiencing respiratory distress, the school shall report the following information to the district, the physician or other person who prescribed the medication for respiratory distress, and the commissioner of state health services:

1. The age of the person who received the administration of the medication for respiratory distress;

2. Whether the person who received the administration of the medication for respiratory distress was a student, a school personnel member or school volunteer, or a visitor;

3. The dosage of the medication for respiratory distress administered;

4. The title of the person who administered the medication for respiratory distress; and

5. Any other information required by the commissioner.

Notifications to the commissioner of state health services must be submitted on the designated electronic form available on the DSHS School Health Program website found at dshs.texas.gov.

Education Code 38.2091; 25 TAC 40.47

No Negative Fiscal Impact

The policy may not require a district to purchase prescription medication for respiratory distress or require any other expenditure related to the maintenance or administration of medication for respiratory distress that would result in a negative fiscal impact on the district or school. *Education Code 38.208(f)*

Standing Order

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe medication for respiratory distress in the name of a school district. *Education Code 38.211(a)*

Each district campus in a district that adopts a policy for the administration of medication for respiratory distress must obtain a prescription from an authorized health-care provider to stock, possess, and maintain unassigned medication for respiratory distress at each campus and any equipment necessary to administer the medication. The campus must renew this prescription or obtain a new prescription annually. *25 TAC 40.45(b)*

Notice to Parents

If a district implements a policy for the maintenance, administration, and disposal of medication for respiratory distress, the district shall provide written or electronic notice of the policy to a parent or guardian of each student enrolled in the district. Notice must be provided before the policy is implemented by the district and before the start of each school year. *Education Code 38.212; 25 TAC 40.48(a)*

If a district changes or discontinues the unassigned medication for respiratory distress policy, the campus must provide written or electronic notice detailing the change or discontinuation of the policy to a parent or guardian of each student within 15 calendar days after the change or discontinuation. *25 TAC 40.48(b)*

Refusal to Administer

A school personnel member or school volunteer may not be subject to any penalty or disciplinary action for refusing to administer or receive training to administer epinephrine auto-injectors or medication for respiratory distress, as applicable, in accordance with a policy for the maintenance and administration of epinephrine autoinjectors or a policy for medication for respiratory distress. *Education Code 38.208(d-2)*

Immunity from Liability

A person who in good faith takes, or fails to take, any action related to Education Code Chapter 38, Subchapter E, related to the maintenance and administration of epinephrine auto-injectors and medi-

cation for respiratory distress, is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act as described by Education Code 38.215 and 25 Administrative Code 40.49. *Education Code 38.215; 25 TAC 40.71*

Threat Assessment

Definitions

"Harmful, threatening, or violent behavior" includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

1. Specific interventions, including mental health or behavioral supports;
2. In-school suspension;
3. Out-of-school suspension; or
4. The student's expulsion or removal to a disciplinary alternative education program (DAEP) or a juvenile justice alternative education program (JJAEP).

"Team" means a threat assessment and safe and supportive school team established by the board under Education Code 37.115.

Education Code 37.115(a)

Threat Assessment and Safe and Supportive Schools Team

The board shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams.

The team is responsible for developing and implementing the safe and supportive school program in compliance with Texas Education Agency (TEA) rules at the district campus served by the team.

The policies and procedures adopted under Education Code 37.115 must:

1. Be consistent with the model policies and procedures developed by the Texas School Safety Center (TxSSC) [see Education Code 37.220];
2. Require each team to complete training provided by the TxSSC or a regional education service center (ESC) regarding evidence-based threat assessment programs;
3. Require each team established under this section to report the required information regarding the team's activities to TEA [see Reporting to TEA, below];
4. Require each district campus to establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate school employee; and

5. Provide for:

    a. A district employee who reports a potential threat to a team to elect for the employee's identity to be confidential and not subject to disclosure Government Code Chapter 552 (Public Information Act), except as necessary for the team, the district, or law enforcement to investigate the potential threat; and

    b. The district to maintain a record of the identity of a district employee who elects for the employee's identity to be confidential.

Membership

The superintendent shall ensure, to the greatest extent practicable, that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement. A team may serve more than one campus of a district, provided that each district campus is assigned a team.

Oversight Committee

The superintendent may establish a committee, or assign to an existing committee established by the district, the duty to oversee the operations of teams established for the district. A committee with oversight responsibility must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance use, school safety and security, emergency management, and law enforcement.

Team Duties

Each team shall:

1. Conduct a threat assessment that includes assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with district policies and procedures; and gathering and analyzing data to determine the level of risk and appropriate intervention, including:

    a. Referring a student for mental health assessment; and

    b. Implementing an escalation procedure, if appropriate, based on the team's assessment, in accordance with district policy;

2. Provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and

3. Support the district in implementing the district's multihazard emergency operations plan [see CKC].

Use of Sentinel Assessment Instrument, Manual, and Field Guide

Effective August 1, 2025, when conducting a threat assessment, members of a threat assessment team shall utilize the threat assessment instrument, manual, and field guide in Sentinel [see CKA], which are consistent with the model policies published by the TxSSC. *19 TAC 103.1213(e)(1)(A)*

Parental Participation

Before a team may conduct a threat assessment of a student, the team must notify the parent of or person standing in parental relation to the student regarding the assessment. In conducting the assessment, the team shall provide an opportunity for the parent or person to participate in the assessment, either in person or remotely, and to submit to the team information regarding the student.

After completing a threat assessment of a student, the team shall provide to the parent of or person standing in parental relation to the student the team's findings and conclusions regarding the student.

Consent for Mental Health-Care Service

A team may not provide a mental health-care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or the person standing in parental relation to the student before providing the mental health-care service. The consent must be submitted on a form developed by the district that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

Education Code 37.115(c)-(g)

Determination of Risk

On determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent. If the individual is a student, the superintendent shall immediately attempt to inform the parent or person standing in parental relation to the student. These requirements do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.

A team identifying a student at risk of suicide shall act in accordance with the district's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team shall conduct a threat assessment in addition to actions taken in accordance with the district's suicide prevention program.

A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with district policies and procedures related to substance use prevention and intervention.

Education Code 37.115(h)-(j)

Recordkeeping

Materials and information provided to or produced by a team during a threat assessment of a student under this provision must be maintained in the student's school record until the student's 24th birthday. *Education Code 37.115(j-1)*

[For information regarding the transfer of threat assessment records between school districts, see FD and FDA.]

Reporting to TEA

A team must report to TEA in accordance with TEA-developed guidelines the following information regarding the team's activities and other information for each campus the team serves:

1. The occupation of each person appointed to the team;
2. The number of threats and description of the type of threats reported to the team;
3. The outcome of each assessment made by the team, including:
    a. Any disciplinary action taken, including a change in school placement;
    b. Any action taken by law enforcement; or
    c. A referral to or change in counseling, mental health, special education, or other services;
4. The total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:
    a. Citations issued for Class C misdemeanor offenses;
    b. Arrests;
    c. Incidents of uses of restraint;
    d. Changes in school placement, including placement in a JJAEP or DAEP;
    e. Referrals to or changes in counseling, mental health, special education, or other services;

f. Placements in in-school suspension or out-of-school suspension and incidents of expulsion;

g. Unexcused absences of 15 or more days during the school year; and

h. Referrals to juvenile court for truancy; and

5. The number and percentage of school personnel trained in:

a. A best-practices program or research-based practice under Education Code 38.351 [see FFEB], including the number and percentage of school personnel trained in suicide prevention or grief and trauma-informed practices;

b. Mental health or psychological first aid for schools;

c. Training relating to the safe and supportive school program; or

d. Any other program relating to safety identified by the commissioner.

Education Code 37.115(k)

Table of Contents

Removal Under Student Code of Conduct....3
Mandatory Placement in DAEP....3
School-Related Misconduct....3
Retaliation....4
Conduct Unrelated to School....4
Sexual Assault of Another Student....7
Permissive Removal....7
Non-Title 5 Felony....7
Bullying....8
One Year After Conduct....8
Certain Organization and Gang Membership and Solicitation....8
Older Students....8
Placement of Younger Students....9
Students Younger Than Six....9
Process for Removal....9
Conference....9
Mitigating Factors....9
Order....9
Appeal....9
Right to Request a Special Education Evaluation....9
Term of Removal....10
Beyond Grading Period or 60 Days....10
Beyond End of School Year....10
Order of Removal....10
DAEP at Capacity....11
Placement of Student Who Engaged in Violent Conduct....11
Determination of Violent Conduct....11
Completion of Proceedings Upon Withdrawal....13
Enrollment in Another District....14
Out-of-State Placement....14
Court-Ordered Placement....15
School Activities....15
Placement After Court Disposition....15
Not Guilty/ Insufficient Evidence/Charges Dropped....15

Appeal After Placement Upheld.....16
120-Day Review of Status.....16
Additional Proceedings 17
Reporting.....17

Removal Under Student Code of Conduct

The Student Code of Conduct must specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to a disciplinary alternative education program (DAEP). *Education Code 37.001(a)(2)*

Mandatory Placement in DAEP

A student shall be removed from class and placed in a DAEP if the student engages in conduct described in Education Code 37.006 that requires placement, subject to the requirements of Education Code 37.009(a) [see Process for Removal and Mitigating Factors, below]. *Education Code 37.006*

[For additional factors that must be considered in each decision concerning suspension, removal to a DAEP, expulsion, or placement in a juvenile justice alternative education program (JJAEP), see FO and the Student Code of Conduct.]

School-Related Misconduct

A student shall be removed from class and placed in a DAEP if the student engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Penal Code 42.06, or terroristic threat under Penal Code 22.07.

A student shall also be removed from class and placed in a DAEP if the student commits the following on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

1. Engages in conduct punishable as a felony.
2. Engages in conduct that contains the elements of assault, under Penal Code 22.01(a)(1).
3. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of:
    a. A controlled substance, as defined by the Texas Controlled Substances Act, Health and Safety Code Chapter 481, or by 21 U.S.C. 801, et seq., excluding marijuana, as defined by Health and Safety Code 481.002, or tetrahydrocannabinol, as defined by Department of Public Safety rule;
    b. A dangerous drug, as defined by the Texas Dangerous Drug Act, Health and Safety Code Chapter 483.
4. Possesses, uses, or is under the influence of, or sells, gives, or delivers to another person marijuana or tetrahydrocannabinol, as defined above;

5. Possesses, uses, sells, gives, or delivers to another person an e-cigarette, as defined by Health and Safety Code 161.081 [see FNCD];

6. Sells, gives, or delivers to another person an alcoholic beverage, as defined by Alcoholic Beverage Code 1.04, or commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.

7. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Health and Safety Code 485.031 through 485.034.

8. Engages in conduct that contains the elements of the offense of public lewdness under Penal Code 21.07.

9. Engages in conduct that contains the elements of the offense of indecent exposure under Penal Code 21.08.

10. Engages in conduct that contains the elements of the offense of harassment under Penal Code 42.07(a)(1), (2), (3), or (7) against an employee of the district.

Education Code 37.006(a)

Exception Removal to a DAEP for school-related misconduct is not required if the student is expelled for the same conduct. *Education Code 37.006(m)*

Retaliation Except where a student engages in retaliatory acts against a district employee for which expulsion is mandatory [see FOD], a student shall be removed from class and placed in a DAEP if the student engages in conduct on or off school property containing the elements of retaliation under Penal Code 36.06, against any school employee. *Education Code 37.006(b)*

Conduct Unrelated to School In addition to the circumstances listed above, a student shall be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

1. The student receives deferred prosecution under Family Code 53.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03;

2. A court or jury finds that the student has engaged in delinquent conduct under Family Code 54.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03; or

3. The superintendent or designee has a reasonable belief that the student has engaged in conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03.

Education Code 37.006(c)

Reasonable Belief

In determining whether there is a reasonable belief that a student has engaged in conduct defined as a felony offense, a superintendent or a superintendent's designee may consider all available information and must consider the information furnished under Code of Criminal Procedure Article 15.27 other than information requested under Code of Criminal Procedure Article 15.27(k-1). *Education Code 37.006(e); Code of Criminal Procedure 15.27(a)* [See GRAA]

Title 5 Felonies

The following are felony offenses listed in Penal Code, Title 5, Offenses Against the Person.

1. Murder. *Penal Code 19.02*
2. Capital Murder. *Penal Code 19.03*
3. Manslaughter. *Penal Code 19.04*
4. Criminally Negligent Homicide. *Penal Code 19.05*
5. Unlawful Restraint, if:
    a. The person restrained was younger than 17 years of age; or
    b. The actor recklessly exposes the victim to a substantial risk of serious bodily injury; restrains an individual the actor knows is a public servant while the public servant is lawfully discharging an official duty or in retaliation or on account of an exercise of official power or performance of an official duty; or while in custody restrains any other person. *Penal Code 20.02*
6. Kidnapping. *Penal Code 20.03*
7. Aggravated Kidnapping. *Penal Code 20.04*
8. Smuggling of Persons. *Penal Code 20.05*
9. Continuous Smuggling of Persons. *Penal Code 20.06*
10. Trafficking of Persons. *Penal Code 20A.02*
11. Continuous Trafficking of Persons. *Penal Code 20A.03*

12. Continuous Sexual Abuse of Young Child or Disabled Individual. *Penal Code 21.02*

13. Bestiality. *Penal Code 21.09*

14. Indecency with a Child. *Penal Code 21.11*

15. Improper Relationship between Educator and Student. *Penal Code 21.12*

16. Invasive Visual Recording. *Penal Code 21.15*

17. Unlawful Disclosure or Promotion of Intimate Visual Material. *Penal Code 21.16*

18. Voyeurism, if the victim was younger than 14 years of age at the time of the offense. *Penal Code 21.17*

19. Sexual Coercion. *Penal Code 21.18*

20. Assault, if the offense is punishable as a felony. *Penal Code 22.01*

21. Sexual Assault. *Penal Code 22.011*

22. Aggravated Assault. *Penal Code 22.02*

23. Aggravated Sexual Assault. *Penal Code 22.021*

24. Injury to a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.04*

25. Abandoning or Endangering a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.041*

26. Deadly Conduct, if the person knowingly discharges a firearm at or in the direction of one or more individuals, or at or in the direction of a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. *Penal Code 22.05*

27. Terroristic Threat, if the actor threatens to commit any offense involving violence to any person or property with intent to:

    a. Place any person in fear of imminent serious bodily injury if the actor knows the person is a peace officer or judge;

    b. Prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access, place of employment or occupation, aircraft, automobile, or other form of conveyance, or other public

place if the prevention or interruption causes pecuniary loss of $1,500 or more to the owner;

c. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;

d. Place the public or a substantial group of the public in fear of serious bodily injury; or

e. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision. *Penal Code 22.07*

28. Aiding Suicide, if the conduct causes suicide or attempted suicide that results in serious bodily injury. *Penal Code 22.08*

29. Tampering with Consumer Product. *Penal Code 22.09*

30. Harassment by Persons in Certain Facilities or of Public Servant. *Penal Code 22.11*

Sexual Assault of Another Student

A student shall be removed from class and placed in a DAEP or juvenile justice alternative education program (JJAEP) if:

1. The student was convicted of, received adjudication for, or was placed on probation for sexual assault of another student who was a young child or disabled individual while the students were assigned to the same campus, regardless of whether the assault occurred on or off school property;

2. The parent of the victim of the assault has requested that the student be transferred to a campus other than that to which the victim is assigned; and

3. There is only one campus in a district serving the grade level in which the student is enrolled.

Education Code 25.0341, 37.0051(a) [See FDE at Sexual Assault Transfer—Transfer of Assailant]

A limitation imposed by Education Code Chapter 37 on the length of placement in a DAEP or a JJAEP does not apply to a placement under this provision. *Education Code 37.0051(b)*

Permissive Removal

Non-Title 5 Felony

A student may be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

1. The superintendent or designee has a reasonable belief [see Reasonable Belief, above] that the student has engaged in

conduct defined as a felony offense other than aggravated robbery under Penal Code 29.03, or those offenses listed in Penal Code Title 5 [see above at Title 5 Felonies]; and

2. The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

Education Code 37.006(d)-(e)

Bullying

A student may be removed from class and placed in a DAEP if the student:

1. Engages in bullying that encourages a student to commit or attempt to commit suicide;

2. Incites violence against a student through group bullying; or

3. Releases or threatens to release intimate visual material of a minor or student who is 18 years of age or older without the student's consent.

Nothing in this provision exempts a school from reporting a finding of intimate visual material of a minor.

Definitions

Bullying

"Bullying" has the meaning assigned by Education Code 37.0832. [See FFI]

Intimate Visual Material

"Intimate visual material" has the meaning assigned by Civil Practice and Remedies Code 98B.001.

Education Code 37.0052

One Year After Conduct

A principal or other appropriate administrator may, but is not required to, remove a student to a DAEP for off-campus conduct, for which removal would otherwise be required, if the principal or other appropriate administrator did not have knowledge of the conduct before the first anniversary of the date the conduct occurred. *Education Code 37.006(n)*

Certain Organization and Gang Membership and Solicitation

A board or an educator shall recommend placing in DAEP any student who commits the misdemeanor offenses described in Education Code 37.121(a) and (c), regarding membership in or solicitation to join a public school fraternity, sorority, secret society, or gang [see FNCC]. *Education Code 37.121(b)*

Older Students

A person who is 21 years of age or older and is admitted by a district for the purpose of completing the requirements for a diploma is not eligible for placement in a DAEP if the person engages in conduct that would require or authorize such placement for a student under the age of 21. If the student engages in such conduct, the

district shall revoke the student's admission. *Education Code 25.001(b-1)*

Placement of Younger Students

A student who is younger than 10 shall be removed from class and placed in a DAEP if the student engages in conduct for which expulsion would be required by Section 37.007. *Education Code 37.006(f), .007(e)* [See FOD]

Students Younger Than Six

Notwithstanding any other provision of the Education Code, a student who is younger than six years of age may not be removed from class and placed in a DAEP, except that a student younger than six years of age who has been expelled pursuant to the Gun Free Schools Act [see FOD] shall be provided educational services in a DAEP. *Education Code 37.006(l), .007(e)(2)*

Process for Removal

Conference

Not later than the third class day after a student is removed by a teacher or by the school principal or other appropriate administrator, the campus behavior coordinator (CBC) or other appropriate administrator shall schedule a conference among the CBC or other appropriate administrator, the student's parent or guardian, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal. The student may not be returned to the regular class pending the conference.

Mitigating Factors

Before ordering removal, the CBC must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the behavior coordinator concerns a mandatory or discretionary action.

Order

Following the conference, and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the CBC, after considering any mitigating factors under Education Code 37.001(a)(4) [see FO], shall order the placement of the student for a period consistent with the Student Code of Conduct.

Appeal

If district policy allows a student to appeal to the board or the board's designee a decision of the CBC or other appropriate administrator, the decision of the board or the board's designee is final and may not be appealed.

Education Code 37.009(a) [See Student Code of Conduct]

Right to Request a Special Education Evaluation

On the placement of a student in a DAEP, the district shall provide information to the student's parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student under Education Code 29.004 [see EHBAA]. *Education Code 37.006(p)*

Term of Removal

The period of the placement after removal may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees. *Education Code 37.009(a)*

A board or designee shall set a term for a student's placement in a DAEP. If the period of placement is inconsistent with the guidelines in the Student Code of Conduct, the order must give notice of the inconsistency. The period of placement in a DAEP may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees or extended placement is in the best interest of the student. *Education Code 37.009(d)*

Beyond Grading Period or 60 Days

If placement in a DAEP is to extend beyond 60 days or the end of the next grading period, whichever is earlier, the student's parent or guardian is entitled to notice of and an opportunity to participate in a proceeding before a board or designee.

No Appeal

Any decision of a board or designee concerning placement beyond 60 days or the end of the next grading period is final and cannot be appealed.

Education Code 37.009(b)

Beyond End of School Year

Before a student may be placed in a DAEP for a period that extends beyond the end of the school year, a board or designee must determine that:

1. The student's presence in the regular classroom program or at the student's regular campus presents a danger of physical harm to the student or another individual; or
2. The student has engaged in serious or persistent misbehavior that violates the Student Code of Conduct.

Education Code 37.009(c)

Order of Removal

A board or designee shall deliver to the student and the student's parent or guardian a copy of the order placing the student in a DAEP. *Education Code 37.009(g)*

Not later than the second business day after the date of the removal conference, a board or designee shall deliver a copy of the order placing the student in a DAEP and any information required

under Family Code 52.04 to the authorized officer of the juvenile court in the county in which the juvenile resides. *Education Code 37.010(a)*

Activities

The terms of a placement under Education Code 37.006 must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.006(g)*

In addition to any notice required under Code of Criminal Procedure 15.27 [see GRAA], a principal or designee shall inform each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, the instruction of a student who has engaged in conduct for which DAEP placement must or may be ordered.

Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law. An educator's certificate may be suspended or revoked for intentional failure to keep such information confidential.

Education Code 37.006(o)

DAEP at Capacity

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.006(a)(2)(C-1) (possession or use of marijuana), (C-2) (possession, use, delivery of an e-cigarette), (D) (delivery of alcohol), or (E) (abuse of volatile chemical), the student shall be placed in in-school suspension; and if a position becomes available in the program before the expiration of the period of the placement, transferred to the program for the remainder of the period.

Placement of Student Who Engaged in Violent Conduct

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.007 that constitutes violent conduct [see below at Determination of Violent Conduct], a student who has been placed in the program for conduct described under Education Code 37.006(a)(2)(C-1), (C-2), (D), or (E) (above) may be removed from the program and placed in in-school suspension to make a position in the program available for the student who engaged in violent conduct. If removed from the program and a position in the program becomes available before the expiration of the period of the placement, the student shall be returned to the program for the remainder of the period.

Determination of Violent Conduct

Violent conduct means an act by a student against another person that is intended to result in physical harm, bodily injury, or assault or a threat that reasonably places the other person in fear of immi-

nent physical harm, bodily injury, or assault. A CBC may determine whether a specific instance of conduct listed below rises to the level of violent conduct for purposes of determining placement in a DAEP.

1. The student engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Penal Code 42.06, or terroristic threat under Penal Code 22.07.

2. While on or within 300 feet of school property, or while attending a school-sponsored or school-related activity on or off school property, the student engages in conduct that contains the elements of the offense of assault under Penal Code 22.01(a)(1), including when committed as an act of retaliation against an employee or volunteer, as described in Education Code 37.007(d).

3. While on or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in conduct that contains the elements of the offense of deadly conduct under Penal Code 22.05.

4. While within 300 feet of school property, or when committed as an act of retaliation against an employee or volunteer, whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

    a. Conduct that contains the elements of the offense of unlawful carrying of weapons under Penal Code 46.02;

    b. An offense relating to prohibited weapons under Penal Code 46.05;

    c. Aggravated assault under Penal Code 22.02;

    d. Sexual assault under Penal Code 22.011;

    e. Aggravated sexual assault under Penal Code 22.021;

    f. Arson under Penal Code 28.02;

    g. Murder under Penal Code 19.02;

    h. Capital murder under Penal Code 19.03;

    i. Criminal attempt to commit murder or capital murder under Penal Code 15.01;

    j. Indecency with a child under Penal Code 21.11;

k. Aggravated kidnapping under Penal Code 20.04;

l. Aggravated robbery under Penal Code 29.03;

m. Manslaughter under Penal Code 19.04;

n. Criminally negligent homicide under Penal Code 19.05;

o. Continuous sexual abuse of a young child or an individual with disabilities under Penal Code 21.02;

p. Selling, giving, delivering to another person, possessing, using, or being under the influence of a controlled substance or dangerous drug, excluding marijuana or tetrahydrocannabinol; or

q. Possessing a firearm, as defined by 18 U.S.C. 921.

5. The student engages in conduct against another student, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property, that contains the elements of:

a. The offense of aggravated assault under Penal Code 22.02;

b. Sexual assault under Penal Code 22.011;

c. Aggravated sexual assault under Penal Code 22.021;

d. Murder under Penal Code 19.02;

e. Capital murder under Penal Code 19.03; or

f. Criminal attempt to commit murder or capital murder under Penal Code 15.01.

6. While placed in a DAEP and on the program campus, the student engages in documented serious misbehavior despite documented behavioral interventions.

Education Code 37.009(a-1)-(a-2); 19 TAC 103.1205

Completion of Proceedings Upon Withdrawal

If a student withdraws from a district before an order for placement in a DAEP is entered, the principal or board, as appropriate, may complete the proceedings and enter an order. If the student re-enrolls in the district the same or subsequent school year, the district may enforce the order at that time except for any period of the placement that has been served by the student in another district that honored the order. If the principal or board fails to enter an order after the student withdraws, the next district in which the stu-

dent enrolls may complete the proceedings and enter an order. *Education Code 37.009(i)*

Enrollment in Another District

If a student placed in a DAEP enrolls in another district before the expiration of the placement, a board shall provide to the district in which the student enrolls a copy of the placement order at the same time it provides other records. The district in which the student enrolls shall inform each educator who will have responsibility for, or will be under the direction and supervision of an educator who will have responsibility for, the instruction of the student of the contents of the placement order. Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law.

The district in which the student enrolls may continue the placement or allow the student to attend regular classes without completing the period of placement. [See FO] The district in which the student enrolls may take any of these actions if:

1. The student was placed in a DAEP by an open-enrollment charter school and the charter school provides the district a copy of the placement order; or
2. The student was placed in a DAEP by a district in another state and:
    a. The out-of-state district provides a copy of the placement order; and
    b. The grounds for placement are the same as grounds for placement in the enrolling district.

Education Code 37.008(j)

Out-of-State Placement

If a student was placed in a DAEP in another state for more than one year and the enrolling district continues the placement under Education Code 37.008(j), the enrolling district shall reduce the period of placement so that the aggregate period does not exceed one year unless the enrolling district determines that:

1. The student is a threat to the safety of other students or to district employees; or
2. Extended placement is in the best interest of the student.

Education Code 37.008(j-1)

Court-Ordered Placement

Unless a board and the juvenile board for the county in which a district's central administrative office is located have entered into a memorandum of understanding concerning the juvenile probation

department's role in supervising and providing other support services for students in DAEP programs:

1. A court may not order a student expelled under Section 37.007 to attend a school district DAEP as a condition of probation;

2. A court may not order a student to attend a DAEP without a district's consent, until the student has successfully completed any sentencing requirements, if the court has ordered the student to attend a DAEP as a condition of probation once during a school year and the student is referred to juvenile court again during that school year.

Education Code 37.010(c)-(d)

School Activities

Any court placement in a DAEP must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.010(e)*

Placement After Court Disposition

After the student has successfully completed any court disposition requirements, including conditions of deferred prosecution or conditions required by the prosecutor or probation department, a district may not refuse to admit the student if the student meets the requirements for admission into the public schools. A district may place the student in the DAEP.

Notwithstanding Education Code 37.002(d) [see FOA], the student may not be returned to the classroom of the teacher under whose supervision the offense occurred without that teacher's consent. The teacher may not be coerced to consent.

Education Code 37.010(f)

Not Guilty/ Insufficient Evidence/Charges Dropped

The office of the prosecuting attorney or the office or official designated by the juvenile board shall, within two working days, notify the school district that removed a student to a DAEP under Education Code 37.006 if:

1. Prosecution of a student was refused for lack of prosecutorial merit or insufficient evidence, and no formal proceedings, deferred adjudication, or deferred prosecution will be initiated; or

2. A court or jury found the student not guilty or made a finding the child did not engage in delinquent conduct or conduct indicating a need for supervision and the case was dismissed with prejudice.

On receipt of the notice, the superintendent or designee shall review the student's placement in the DAEP. The student may not be returned to the regular classroom pending the review. The superin-

tendent or designee shall schedule a review of the student's placement with the student's parent or guardian not later than the third class day after the superintendent or designee receives notice from the office or official designated by the court.

After reviewing the notice and receiving information from the student's parent or guardian, the superintendent or designee may continue the student's placement in the DAEP if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

Education Code 37.006(h); Code of Criminal Procedure 15.27(g)

Appeal After Placement Upheld

The student or the student's parent or guardian may appeal a superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. A board shall, at the next scheduled meeting, review the notice provided by the office of the prosecuting attorney or the office or official designated by the juvenile board; receive information from the student, the student's parent or guardian, and the superintendent or designee; and confirm or reverse the superintendent's decision. The board shall make a record of the proceedings.

If a board confirms the decision, the board shall inform the student and the student's parent or guardian of the right to appeal to the commissioner of education. The student may not be returned to the regular classroom pending the appeal to the commissioner.

Education Code 37.006(i)-(j)

120-Day Review of Status

A student placed in a DAEP shall be provided a review of the student's status, including a review of the student's academic status, by a board's designee at intervals not to exceed 120 days. In the case of a high school student, the board's designee, with the student's parent or guardian, shall review the student's progress toward meeting high school graduation requirements and shall establish a specific graduation plan for the student. The district is not required to provide a course in the DAEP, except as required by Education Code 37.008(l). [See FOCA] At the review, the student or the student's parent or guardian must be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of the teacher who removed the student without that teacher's consent. The teacher may not be coerced to consent. *Education Code 37.009(e)*

Additional Proceedings

If, during the term of placement, a student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted and the prin-

cipal or board, as appropriate, may enter an additional order. *Education Code 37.009(j)*

Reporting

A district may include the number of students removed to a DAEP in its annual performance report. *Education Code 39.306(e)(5)* [See AIB]

Note: See FOF for provisions concerning students with disabilities.

Students with Disabilities Under Section 504

A district shall conduct an evaluation in accordance with 34 C.F.R. 104.35(b) before taking any action with respect to any significant change in placement of a student with a disability who needs or is believed to need special education and related services. *34 C.F.R. 104.35(a)*

A district may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who is currently engaging in the illegal use of drugs or in the use of alcohol to the same extent that the district would take disciplinary action against nondisabled students. The due process procedures afforded under Section 504 do not apply to such disciplinary action. *29 U.S.C. 705(20)(C)(iv)*

Note: The provisions below apply only to students eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA).

Students Receiving Special Education Services

ARD Committee Required

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal (ARD) committee. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations. *Education Code 37.004(a)-(b)*

The methods adopted in the Student Code of Conduct [see FO] for discipline management and for preventing and intervening in student discipline problems must provide that a student who is enrolled in the special education program may not be disciplined for bullying, harassment, or making hit lists until an ARD committee meeting has been held to review the conduct. *Education Code 37.001(b-1)*

DAEP Placement Not Solely for Educational Purposes

A student with a disability who receives special education services may not be placed in a disciplinary alternative education program (DAEP) solely for educational purposes. A teacher in a DAEP who has a special education assignment must hold an appropriate certificate or permit for that assignment. *Education Code 37.004(c)-(d)*

Removal for 10 Days or Less

School personnel may remove a student with a disability who violates a student code of conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days, to the extent those alternatives are applied to children without disabilities. *20 U.S.C. 1415(k)(1)(B); 34 C.F.R. 300.530(b)(1)*

Services During Removal	A district is required to provide services during the period of removal if the district provides services to a child without disabilities who is similarly removed. *34 C.F.R. 300.530(d)*
Subsequent Removals of 10 Days or Less	School personnel may remove the student for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement (see below). *34 C.F.R. 300.530(b)(1)*
Services During Removal	After a student has been removed from his or her current placement for 10 school days in the same school year, during any subsequent removal of 10 consecutive school days or less, school personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's individualized education program (IEP). *20 U.S.C. 1415(k)(1)(D); 34 C.F.R. 300.530(d)(4)*
Notice of Procedural Safeguards	Not later than the date on which the decision to take the disciplinary action is made, a district shall notify the student's parents of the decision and of all procedural safeguards [see EHBAE]. *20 U.S.C. 1415(k)(1)(H)*
Removals That Are a Change in Placement	Any disciplinary action that would constitute a change in placement may be taken only after the student's ARD committee conducts a manifestation determination review. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations, including laws or regulations requiring the provision of functional behavioral assessments; positive behavioral interventions, strategies, and supports; behavioral intervention plans; and the manifestation determination review [see Manifestation Determination, below]. *Education Code 37.004(b)*
Behavior Assessment and Intervention	If a district takes a disciplinary action regarding a student with a disability who receives special education services that constitutes a change in placement under federal law, the district shall: 1. Not later than the 10th school day after the change in placement: a. Seek consent from the student's parent or person standing in parental relation to the student to conduct a functional behavioral assessment of the student, if a functional behavioral assessment has never been conducted

on the student or the student's most recent functional behavioral assessment is more than one year old; and

b. Review any previously conducted functional behavioral assessment of the student and any behavior improvement plan or behavioral intervention plan developed for the student based on that assessment; and

2. As necessary, develop a behavior improvement plan or behavioral intervention plan for the student if the student does not have a plan or, if the student has a behavior improvement plan or behavioral intervention plan, revise the student's plan.

Education Code 37.004(b-1)

Change in Placement

For purposes of disciplinary removal of a student with a disability, a change in placement occurs if a student is:

1. Removed from the student's current educational placement for more than 10 consecutive school days; or

2. Subjected to a series of removals that constitute a pattern because:

a. The series of removals total more than 10 school days in a school year;

b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and

c. Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

The district determines, on a case-by-case basis, whether a pattern of removals constitutes a change in placement. The district's determination is subject to review through due process and judicial proceedings.

34 C.F.R. 300.536

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student who violates a code of student conduct. *20 U.S.C. 1415(k)(1)(A)*

Manifestation Determination

Within 10 school days of any decision to change the placement of a student because of a violation of a code of student conduct, a district, parents, and relevant members of the ARD committee (as determined by the parent and the district) shall review all relevant information in the student's file, including the student's IEP, any

teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was:

1. Caused by, or had a direct and substantial relationship to, the student's disability; or

2. The direct result of the district's failure to implement the IEP.

If the district, the parent, and relevant members of the ARD committee determine that either of the above is applicable, the conduct shall be determined to be a manifestation of the student's disability.

If the district, the parent, and relevant members of the ARD committee determine the conduct was the direct result of the district's failure to implement the IEP, the district must take immediate steps to remedy those deficiencies.

20 U.S.C. 1415(k)(1)(E); 34 C.F.R. 300.530(e)

Not a Manifestation

If the determination is that the student's behavior was not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as for students without disabilities. The ARD committee shall determine the interim alternative educational setting. *20 U.S.C. 1415(k)(1)(C), (k)(2); 34 C.F.R. 300.530(c)*

Expulsion

In a county with a juvenile justice alternative education program (JJAEP) [see FODA], a district must invite the administrator of the JJAEP or the administrator's designee to an ARD committee meeting convened to discuss the discretionary expulsion under Education Code 37.007 of a student with a disability. The district must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. A copy of the student's current IEP must be provided to the JJAEP representative with the notice. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP representative may participate in the meeting to the extent that the meeting relates to the student's placement in the JJAEP and implementation of the student's current IEP in the JJAEP. *19 TAC 89.1052*

Services During Removal

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.

2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

34 C.F.R. 300.530(d)(1)-(2)

For a student with a disability who was expelled under a discretionary expulsion under Education Code 37.007, an ARD committee meeting must be convened to reconsider placement of the student in the JJAEP if the JJAEP provides written notice to the district of specific concerns that the student's education or behavioral needs cannot be met in JJAEP.

The district must invite the JJAEP administrator or the administrator's designee to the meeting and must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP may participate in the meeting to the extent that the meeting relates to the student's continued placement in JJAEP.

19 TAC 89.1052

Manifestation

If the district, the parents, and relevant members of the ARD committee determine that the conduct was a manifestation of the student's disability, the ARD committee shall:

1. Conduct a functional behavioral assessment (FBA), unless the district had conducted an FBA before the behavior that resulted in the change in placement occurred, and implement a behavioral intervention plan (BIP) for the student; or

2. If a BIP has already been developed, review the BIP and modify it, as necessary, to address the behavior.

Except as provided at Special Circumstances, below, the ARD committee shall return the student to the placement from which the student was removed, unless the parent and the district agree to a change in placement as part of the modification of the BIP.

20 U.S.C. 1415(k)(1)(F); 34 C.F.R. 300.530(f)

Special Circumstances

School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the Texas Education Agency (TEA) or a school district;
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of TEA or a school district; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of TEA or the district.

20 U.S.C. 1415(k)(1)(G); 34 C.F.R. 300.530(g)

The ARD committee shall determine the interim alternative education setting. *20 U.S.C. 1415(k)(2)*

Services During Removal

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

34 C.F.R. 300.530(d)(1)

Appeals

A parent who disagrees with a placement decision or the manifestation determination may request a hearing. A district that believes that maintaining a current placement of a student is substantially likely to result in injury to the student or others may request a hearing. *20 U.S.C. 1415(k)(3)(A); 34 C.F.R. 300.532(a); 19 TAC 89.1151* [See EHBAE]

Placement During Appeals

When an appeal has been requested by a parent or a district, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the student's assignment to the alternative setting, whichever oc-

curs first, unless the parent and district agree otherwise. *20 U.S.C. 1415(k)(4); 34 C.F.R. 300.533*

Reporting Crimes

Federal law does not prohibit a district from reporting a crime committed by a student with a disability to appropriate authorities. If a district reports a crime, the district shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom the district reported the crime. A district may transmit records only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA). *20 U.S.C. 1415(k)(6); 34 C.F.R. 300.535* [See FL]

Students Not Yet Identified

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct may assert any of the protections provided for in the IDEA if a district had knowledge that the student had a disability before the behavior that precipitated that disciplinary action occurred. *20 U.S.C. 1415(k)(5)(A); 34 C.F.R. 300.534(a)*

District Knowledge

A district shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. The parent of the student expressed concern in writing to supervisory or administrative personnel of the district, or to the teacher of the student, that the student was in need of special education and related services;
2. The parent requested an evaluation of the student for special education and related services; or
3. The student's teacher, or other district personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or to other supervisory personnel of the district.

20 U.S.C. 1415(k)(5)(B); 34 C.F.R. 300.534(b)

Exception

A district shall not be deemed to have knowledge that the student had a disability if:

1. The parent has not allowed an evaluation of the student;
2. The parent has refused services; or
3. The student has been evaluated and it was determined that the student did not have a disability.

20 U.S.C. 1415(k)(5)(C); 34 C.F.R. 300.534(c)

If a district does not have knowledge (as described above), before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures applied to students without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

20 U.S.C. 1415(k)(5)(D); 34 C.F.R. 300.534(d)

Behavior Management Techniques

It is the policy of the state to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities. *Education Code 37.0021(a); 19 TAC 89.1053(j)*

[For restrictions on aversive techniques, see FO.]

Rules on Restraint and Seclusion

The commissioner by rule shall adopt procedures for the use of restraint and time-out by a district employee or volunteer or an independent contractor of a district in the case of a student with a disability receiving special education services. The procedures must be consistent with Education Code 37.0021(d). *Education Code 37.0021(d)*

School Peace Officers

This provision and any rules or procedures adopted under this provision apply to a peace officer only if the peace officer:

1. Is employed or commissioned by a district; or
2. Provides, as a school resource officer, a regular police presence on a district campus under a memorandum of understanding between the district and a local law enforcement agency.

Education Code 37.0021(h); 19 TAC 89.1053(m)

Exceptions

Education Code 37.0021 (use of confinement, seclusion, restraint, and time-out) does not apply to:

1. A peace officer, while performing law enforcement duties, except as provided above [see School Peace Officers] and by

Education Code 37.0021(i) [see Restraint, Documentation, below];

2. Juvenile probation, detention, or corrections personnel; or

3. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.

Law Enforcement Duties

"Law enforcement duties" means activities of a peace officer relating to the investigation and enforcement of state criminal laws and other duties authorized by the Code of Criminal Procedure.

Education Code 37.0021(b)(4), (g); 19 TAC 89.1053(m), (n)

Further, Education Code 37.0021 does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon; and

2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

For these purposes, "weapon" includes any weapon described under Education Code 37.007(a)(1). [See FNCG]

Education Code 37.0021(f)

Peace Officer or Security Personnel Use of Restraint or Taser

A peace officer performing law enforcement duties or school security personnel performing security-related duties on school property or at a school-sponsored or school-related activity must not restrain or use a chemical irritant spray or Taser on a student enrolled in fifth grade or below, unless the student poses a serious risk of harm to the student or another person [see FO defining Taser]. *19 TAC 89.1053(l)*

Confinement

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique. *Education Code 37.0021(a)*

Seclusion

A district employee or volunteer or an independent contractor of a district may not place a student in seclusion. *Education Code 37.0021(c)*

"Seclusion" means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and

2. Contains less than 50 square feet of space.

Education Code 37.0021(b)(2)

Restraint

"Restraint" means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student's body. *19 TAC 89.1053(b)(2)*

The following provisions do not apply to the use of physical force or a mechanical device that does not significantly restrict the free movement of all or a portion of the student's body. Restraint that involves significant restriction as referenced above does not include:

1. Physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;

2. Limited physical contact with a student to promote safety (e.g., holding a student's hand), prevent a potentially harmful action (e.g., running into the street), teach a skill, redirect attention, provide guidance to a location, or provide comfort;

3. Limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors, with the expectation that instruction will be reflected in the IEP as required by 34 C.F.R. 300.324(a)(2)(i) to promote student learning and reduce and/or prevent the need for ongoing intervention; or

4. Seat belts and other safety equipment used to secure students during transportation.

19 TAC 89.1053(f)

Limitations on Use of Restraint

A school employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.

2. Restraint shall be discontinued at the point at which the emergency no longer exists.

3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.

4. Restraint shall not deprive the student of basic human necessities.

19 TAC 89.1053(c)

Emergency

"Emergency" means a situation in which a student's behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

19 TAC 89.1053(b)(1)

Training

Training for school employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(d).

Documentation

In a case in which restraint is used, school employees, volunteers, or independent contractors shall implement the documentation and notification requirements set forth at 19 Administrative Code 89.1053(e).

A district shall report electronically to TEA, in accordance with standards provided by commissioner rule, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by commissioner rule for reporting the use of restraint involving students with disabilities.

Education Code 37.0021(i)

Time-Out

"Time-out" means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

19 TAC 89.1053(b)(3)

Limitations on Use of Time-Out

A school employee, volunteer, or independent contractor may use time-out with the following limitations:

1. Physical force or threat of physical force shall not be used to place a student in time-out.
2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP and/or behavior improvement plan or behavioral intervention plan if it is utilized

on a recurrent basis to increase or decrease targeted behavior.

3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

19 TAC 89.1053(g)

Training Training for school employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(h).

Documentation Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP and/or behavior improvement plan or behavioral intervention plan. If a student has a behavior improvement plan or behavioral intervention plan, the district must document each use of time-out prompted by a behavior of the student specified in the student's behavior improvement plan or behavioral intervention plan, including a description of the behavior that prompted the time-out. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

19 TAC 89.1053(i)

Regular Meeting

Wednesday, May 14, 2025 5:30 PM
SEISD Administration Office, 1050 Chicken Ranch Road, San Elizario, TX 79849

1. **GENERAL FUNCTIONS**

1.A. Call Meeting to Order
Meeting was called to order at 5:30 p.m.

1.B. Roll Call
The following Board of Trustees were present:

Mr. Eduardo Chavez, Board President
Ms. Myrna Hernandez, Board Vice-President
Ms. Sandra Licon, Board Secretary
Ms. Monica Chavez, Board Trustee
Mr. Lorenzo Luevano, Board Trustee
Mr. Axel Lopez, Board Trustee
Ms. Guadalupe Caro, Board Trustee

Dr. Jeannie Meza-Chavez, Superintendent, was also in attendance.

1.C. Establish Quorum

1.D. The Pledge of Allegiance

1.E. Texas Pledge of Allegiance

1.F. **San Elizario ISD Mission Statement**
The mission of the San Elizario Independent School District is to graduate students with innovative skills for 21st-century careers by focusing on academic and social skills, fostering transformative practices, and building community support through positive relationships between home and school.

2. **OPEN FORUM** (three-minute limit per speaker, unless otherwise noted)

3. **DISTRICT RECOGNITIONS**

3.A. Recognition of Ann M. Garcia-Enriquez Middle School Spanish Spelling Bee Winners

Mr. Josue Palomino recognized all Ann M. Garcia-Enriquez Middle School Spanish Spelling Bee Winners

3.B. San Elizario High School

3.B.1. Recognition of SEHS Class of 2025 Graduating Migrant Program Students

Ms. Flor Sanchez recognized the SEHS Class of 2025 Graduating Migrant Program Students

3.B.1.a. Jonathan Muñoz

3.B.1.b. Jariel Espinoza

3.B.2. Recognition of Student Athletes and Coaches

3.B.2.a. SEHS Varsity Track & Field - UIL State Qualifier - Genesis Rubio

Mr. Cesar Morales recognized Genesis Rubio for qualifying for the State Track Competition.

3.B.2.b. SEHS Varsity Golf Team - District Champions

Mr. Cesar Morales recognized the SEHS Varsity Golf Team and Coaches for being District Champions

3.B.2.c. SEHS Varsity Softball Team - Three-Peat District Champions

Mr. Cesar Morales recognized the SEHS Varsity Softball Team and coaches for being District Champions for three consecutive years.

3.B.2.d. SEHS Varsity Tennis - District Champions and Regional Qualifiers

Mr. Cesar Morales recognized the SEHS Varsity Tennis and coaches for being District Champions and Regional Qualifiers

3.B.2.e. Recognition of District Coach of the Year

3.B.2.e.1. SEHS Varsity Softball Coach - Angel Gonzalez

Mr. Cesar Morales recognized Mr. Angel Gonzalez for achieving Softball District Coach of the Year

3.B.3. Recognition of Career & Technology Education Students

3.B.3.a. Skills USA Regional and State Competitors

Ms. Sandra Sanchez recognized all Skills USA Regional and State Competitors

3.B.3.b. Business Professionals of America State and National Competitors

3.B.3.c. HOSA Regional Competitors

Ms. Sandra Sanchez recognized

the HOSA Regional Competitors

3.B.3.d. Health Sciences Certifications

Ms. Sandra Sanchez recognized the students who completed the Emergency Medical Technician or Patient Care Technician Certification

3.C. Recognition of PEIMS Coordinator - Melissa Urenda

Dr. Jeannie Meza-Chavez and Mr. Horacio Hernandez recognized Ms. Melissa Urenda for her continued support and resilience during the Texas Student Data System Ed-Fi Integration

3.D. Recognition of National School Nurse Day 2025

Dr. Jeannie Meza-Chavez and Ms. Blanca Cruz recognized the SEISD Nurses for National School Nurse Day.

3.E. Recognition of School Communicators - Mr. Horacio Hernandez and Ms. Perla Magallon

Dr. Jeannie Meza-Chavez and Ms. Blanca Cruz recognized SEISD School Communicators for their continued support.

3.F. Recognition of Teacher and Employee of the Month for Josefa L. Sambrano Elementary School

3.F.1. Ms. Samantha Delgado - Teacher of the Month

Ms. Lydia Sandate recognized Ms. Samantha Delgado as Josefa L. Sambrano Elementary School Teacher of the Month

3.F.2. Ms. Marian Soto - Employee of the Month

Ms. Lydia Sandate recognized Ms. Marian Soto as Josefa L. Sambrano Elementary School Employee of the Month

3.G. Recognition of Teacher Incentive Allotment Designation Recipients

Ms. Leticia de Santos recognized all teachers who received a Teacher Incentive Allotment Designation.

4. **NEW BUSINESS / BOARD ACTION ITEMS**

4.A. Discussion and possible Board action to adopt the resolution canvassing the returns and declaring the results of the General Election held May 3, 2025 for the purpose of electing three members to the Board of Trustees of the San Elizario Independent

School District in Places One, Two, and Three

Mr. Eduardo Chavez read the resolution canvassing the returns and declaring the results of the General Election held May 3, 2025, for the purpose of electing three members to the Board of Trustees of the San Elizario Independent School District in Places One, Two, and Three.

Motion to adopt the resolution canvassing the returns and declaring the results of the General Election held May 3, 2025 for the purpose of electing three members to the Board of Trustees of the San Elizario Independent School District in Places One, Two, and Three.

This motion, made by Sandra Licon and seconded by Myrna Hernandez, Passed.

4.B. Discussion and possible Board action to issue Certificates of Election to newly elected Board Members

Mr. Eduardo Chavez issued the Certificates of Election to Mr. Lorenzo Luevano for Place 1, Mr. Axel Lopez for Place 2, and Ms. Alexis Tellez for Place 3.

No Motion.

4.B.1. Lorenzo Luevano - Place 1

4.B.2. Axel Lopez - Place 2

4.B.3. Alexis Ann Tellez - Place 3

4.C. Student Outcome Goals

4.C.1. Josefa L. Sambrano Elementary School - Monitoring Student Progress

Ms. Susana Frescas presented the Josefa L. Sambrano Elementary School - Monitoring Student Progress presentation.

No questions.

5. **CONSENT AGENDA** - Consider and possible Board action on

Motion to approve the consent agenda as presented. This motion, made by Myrna Hernandez and seconded by Axel Lopez, Passed.

5.A. Financial Reports

5.A.1. Tax Report

5.A.2. Financial Statements

5.A.3. Investment Report

5.A.4. Budget Amendment

5.A.5. Purchases exceeding $25,000.00

5.A.5.a. Dell Marketing - Student Devices - Laptops - $328,825.20

5.A.5.b. Dell Marketing - Student Devices - Chromebooks - $122,941.65

5.A.5.c. Carnegie Learning - San Elizario High School Math Curriculum - $31,398.49

5.B. Consider and possible Board action to approve final payment to Musco Corporation for LED Retrofits at the SEHS Football Stadium - PO# 51437

5.C. Consider and possible Board action to approve the Request for Proposals for Student Athletic Insurance (RFP# 25-1165)

5.D. Consider and possible Board action to approve interlocal agreement amendment one between El Paso County, TX, and the San Elizario Independent School District regarding School Resource Officers

5.E. Consider and possible Board action to approve the 2025 Summer School Instructional Schedule

5.F. Consider and possible Board action to approve the Resolution in Support of School Communicators Day

5.G. Consider and possible Board action to approve the Resolution in Support of School Nurse Day

5.H. Consider approval of minutes for the following:

5.H.1. April 9, 2025 - Regular Board Meeting

5.H.2. April 30, 2025 - Special Board Meeting

5.I. Consider disposal of surplus property declared obsolete and unnecessary by Superintendent or her Designee, to include disposal of broken furniture and technology equipment according to Administrative discretion and by any reasonable means.

5.I.1. Technology Department

5.I.2. Support Services Department

6. **PRESENTATION / REPORTS / INFORMATION**

6.A. Presentations

6.A.1. Josefa L. Sambrano Elementary School - 2nd Grade Class Meeting

Dr. Jeannie Meza-Chavez, Ms. Deborah Cortez, Ms. Flor Reza, and Ms. Ashley Garcia presented the Josefa L. Sambrano Elementary School - 2nd Grade Class Meeting presentation.

6.B. Reports

6.B.1. Goal Progress Monitoring

6.B.1.a. GPM 2.3 - Grade 3 Reading Growth

6.B.2. Meal Service Update

6.C. Information

6.C.1. Board Training

6.C.1.a. Far West Texas School Boards Association Meetings

- Saturday, July 12, 2025 - TBD

6.C.1.b. TASA | TASB Convention txEDCON25 - September 11 to 14, 2025 | Houston, TX

6.C.1.c. 2025 MASBA Conference - October 2 to 3, 2025 | San Antonio, TX

7. **EXECUTIVE SESSION**

The Board entered into closed meeting at **8:05 p.m.** to discuss personnel matters, to consult with attorney, to discuss real estate matters, to consider recommendations for hiring of personnel or termination of personnel and other personnel matters under Sec. 551.071, 551.072 and 551.074, Texas Gov. Code:

7.A. Discussion, including consultation with Legal Counsel, regarding proposed nonrenewal of Classroom Teacher/High School Varsity Head Soccer Coach's term contract

7.B. Consultation with Legal Counsel regarding Legal Services

8. **THE BOARD WILL RETURN TO OPEN SESSION TO TAKE POSSIBLE ACTION ON THE MATTERS DISCUSSED IN EXECUTIVE SESSION**

The Board returned to open session at **9:15 p.m.** to take possible action on the matters discussed in Executive Session.

8.A. Possible Board action on matters discussed in Closed Session

8.B. Discussion and possible Board action regarding proposed nonrenewal of Classroom Teacher/High School Varsity Head Soccer Coach's term contract and authorize Superintendent to send notice of same

Dr. Jeannie Meza-Chavez, Superintendent, recommended that the Board approve the proposed nonrenewal of Max Sappenfield's, Classroom Teacher/High School Varsity Head Soccer Coach, term contract and authorize Superintendent to send notice of same.

Motion to approve the proposed nonrenewal of Max Sappenfield's, Classroom Teacher/High School Varsity Head Soccer Coach, term contract and authorize Superintendent to send notice of same.

Motion made by Sandra Licon and seconded by Monica Chavez, Passed.

9. **NEXT MEETING DATE:**
Wednesday, May 21, 2025, Board Budget & Instructional Workshop at 5:30 p.m.
Wednesday, June 11, 2025, Regular Board Meeting at 5:30 p.m.
Wednesday, June 18, 2025, Special Board Meeting and Budget Adoption at 5:30 p.m.

10. **ADJOURNMENT**

Motion to adjourn the meeting at **9:18 p.m.**

Motion made by Myrna Hernandez and seconded by Lupe Caro, Passed.

_____
Board President

_____
Board Secretary

Special Meeting - Board Budget and Instructional Workshop

Wednesday, May 21, 2025 5:30 PM
SEISD Administration Office, 1050 Chicken Ranch Road, San Elizario, TX 79849

1. **GENERAL FUNCTIONS**

1.A. Call Meeting to Order
Meeting was called to order at 5:30 p.m.

1.B. Roll Call

The following Board of Trustees were present:

Mr. Eduardo Chavez, Board President
Ms. Myrna Hernandez, Board Vice-President
Ms. Sandra Licon, Board Secretary
Ms. Monica Chavez, Board Trustee
Mr. Lorenzo Luevano, Board Trustee
Mr. Axel Lopez, Board Trustee

The following Board of Trustees were absent:

Ms. Guadalupe Caro, Board Trustee

Dr. Jeannie Meza-Chavez, Superintendent, was also in attendance.

The following Board of Trustee joined the meeting at 5:46 p.m.:

Ms. Alexis Tellez, Board Trustee

1.C. Establish Quorum

1.D. The Pledge of Allegiance

1.E. Texas Pledge of Allegiance

1.F. **San Elizario ISD Mission Statement**
The mission of the San Elizario Independent School District is to graduate students with innovative skills for 21st-century careers by focusing on academic and social skills, fostering transformative practices, and building community support through positive relationships between home and school.

2. **OPEN FORUM** (three-minute limit per speaker, unless otherwise noted)

3. **NEW BUSINESS / BOARD ACTION ITEMS**

3.A. Discussion and possible action to obtain Officer Statements and conduct the Oath of Office for all newly-elected and re-elected

trustees named below:

Place #1 - Mr. Lorenzo Luevano
Place #2 - Mr. Axel Lopez
Place #3 - Ms. Alexis Ann Tellez

Honorable Judge Ruben Lujan, Justice of the Peace Precinct 6 Place 1,obtained the Officer Statements and conducted the Oath of Office for all newly-elected and re-elected trustees named below:

Place #1 - Mr. Lorenzo Luevano
Place #2 - Mr. Axel Lopez
Place #3 - Ms. Alexis Ann Tellez

Ms. Alexis Tellez, newly-elected trustee, joined the Board on the dais.

3.B. Budget Workshop for the 2025 - 2026 Fiscal Year

At **5:47 p.m.** all meeting participants moved to the Camino Real Conference Room for the Budget and Board Instructional Workshops. Meeting resumed **5:53 p.m.**

Ms. Elizabeth Perez and Ms. Gina Ramirez presented the Budget Workshop for the 2025-2026 Fiscal Year.

Mr. Eduardo Chavez asked if the salaries and stipends can be break down by account numbers.

Mr. Eduardo Chavez asked if salary equity adjustments can be made administration or if it needs board approval.

Ms. Gina Ramirez stated current regulations require the board to approve all salary equity adjustments.

Mr. Eduardo Chavez asked for the Health Fund to be presented separately during the scheduled budget adoption meeting.

The Board took a break at **7:03 p.m.**

The Board meeting resumed at **7:20 p.m.**

3.B.1. Handout #1

3.B.2. Handout #2

3.C. Board Instructional Workshop for the 2025-2026 School Year

Dr. Jeannie Meza-Chavez, Superintendent, Ms. Blanca Cruz, Associate Superintendent, and Planning & Instruction Staff presented the Board Instructional Workshop for the 2025-2026 School Year

3.C.1. Part 1 - Instructional Support

3.C.2. Part 2 - Principal's Journey

3.C.3. Part 3 - Campus Reports

3.C.4. Part 4 - Department Reports

3.C.5. Part 5 - Bilingual/Dual Language Program Update

Mr. Josue Palomino presented the Part 5 - Bilingual/Dual Language Program Update

3.C.6. Part 6 - San Elizario High School CTE Programs of Study Update

Ms. Sandra Sanchez presented the Part 6 - San Elizario High School CTE Programs of Study Update

4. **NEXT MEETING DATE:**
Tuesday, June 3, 2025, Special Board Meeting at 5:30 p.m.

The Tuesday, June 3, 2025 Special Board Meeting was cancelled.

Wednesday, June 11, 2025, Regular Board Meeting at 5:30 p.m.
Wednesday, June 18, 2025, Special Board Meeting and Budget Adoption at 5:30 p.m.

5. **ADJOURNMENT**
Motion to adjourn the meeting at **8:38 p.m.**

This motion, made by Sandra Licon and seconded by Lorenzo Luevano, Passed.

_____
Board President

_____
Board Secretary

Special Meeting

Wednesday, June 4, 2025 5:30 PM
SEISD Administration Office, 1050 Chicken Ranch Road, San Elizario, TX 79849

1. **GENERAL FUNCTIONS**

1.A. Call Meeting to Order
Meeting was called to order at 5:30 p.m.

1.B. Roll Call
The following Board of Trustees were present:

Mr. Eduardo Chavez, Board President
Ms. Myrna Hernandez, Board Vice-President
Ms. Sandra Licon, Board Secretary
Ms. Monica Chavez, Board Trustee
Mr. Lorenzo Luevano, Board Trustee
Mr. Axel Lopez, Board Trustee
Ms. Alexis Tellez, Board Trustee

Dr. Jeannie Meza-Chavez, Superintendent, was also in attendance.

1.C. Establish Quorum

1.D. The Pledge of Allegiance

1.E. Texas Pledge of Allegiance

1.F. **San Elizario ISD Mission Statement**
The mission of the San Elizario Independent School District is to graduate students with innovative skills for 21st-century careers by focusing on academic and social skills, fostering transformative practices, and building community support through positive relationships between home and school.

2. **OPEN FORUM** (three-minute limit per speaker, unless otherwise noted)

3. **NEW BUSINESS / BOARD ACTION ITEMS**

3.A. Discussion and possible Board action to elect Officers for the San Elizario Independent School District Board of Trustees

3.A.1. Board President

Myrna Hernandez nominated Eduardo Chavez for Board President.

Eduardo Chavez accepted the nomination.

Motion to appoint Eduardo Chavez as Board President.

This motion, made by Myrna Hernandez and seconded by Axel Lopez, passed.

3.A.2. Board Vice-President

Axel Lopez nominated Myrna Hernandez for Board Vice-President.

Myrna Hernandez accepted the nomination.

Motion to appoint Myrna Hernandez as Board Vice-President.

This motion, made by Axel Lopez and seconded by Monica Chavez, passed.

3.A.3. Board Secretary

Myrna Hernandez nominated Sandra Licon for Board Secretary.

Sandra Licon accepted the nomination.

Motion to appoint Sandra Licon as Board Secretary.

This motion, made by Myrna Hernandez and seconded by Lorenzo Luevano, passed.

4. **NEXT MEETING DATE:**
Wednesday, June 11, 2025 at 5:30 p.m.- Regular Board Meeting
Wednesday, June 18, 2025 at 5:30 p.m.- Budget Adoption
July 2025 - No Board Meeting
Wednesday, August 13, 2025 at 5:30 p.m. - Regular Board Meeting

5. **ADJOURNMENT**

Motion to adjourn the meeting at **5:36 p.m.**

Motion made by Myrna Hernandez and seconded by Lorenzo Luevano, passed.

_____
Board President

_____
Board Secretary

San Elizario ISD
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MEMORANDUM

To: Members of the Board of Trustees
From: Horacio Hernandez, Executive Director of Technology
Subject: May 2025 Technology Fixed Asset Discard
Date: June 11, 2025

HISTORY:
Campus and Departments periodically replace obsolete or non-repairable technology items. To aid the campuses and departments in removing these items to maximize space, the Technology Department will submit monthly disposal lists for approval.

RATIONALE:
The District Technology Department has reviewed the items on the attached lists and concurs with campus/department(s) administration to dispose of or sell listed items.

BUDGET:
There is no budget impact.

ADMINISTRATIVE RECOMMENDATION:
For the Board to declare the fixed assets listed as surplus and authorize the administration to sell or dispose of items by any reasonable means.

For Approval? ☒ Yes ☐ No
If no, please check one: ☐ Presentation ☐ Report ☐ Information
Please check if applicable: ☒ Attachment Included

Loya Primary School

Fixed Asset Discard List



☐ Other: _____

☐ Excell ☒ Loya

Campus (Please Check Appropriate Campus)

☐ SE High School ☐ Middle School ☐ Alarcon ☐ Borrego ☐ Sambrano

	Room#	Description	Tag Number/Serial	Qty	Comments/Reasons
1		Lakeshore Radio	1010124837	1	Obsolete
2		Hamilton Buhl Radio	3600003794	1	Obsolete
3		Hamilton Buhl Radio	3600003782	1	Obsolete
4		Elemo	907284406	1	Obsolete
5		Lakeshore Radio	1010125235	1	Obsolete
6		Hear it	1404222645	1	Obsolete
7		Hear it	1502181343	1	Obsolete
8		Elemo	1604080001	1	Obsolete
9		iPod	1510215653	1	Obsolete
10		iPad	3600002371	1	Obsolete
11		iPad	TEA158795	1	Broken Screen
12		iPad	1402273604	1	Obsolete
13		iPad	1312234012	1	Obsolete
14		Vizio TV	1006142708	1	Broken
15		Hamilton Buhl Radio	3600003791	1	Obsolete
16		Epson Projector	604265757	1	Obsolete
17		Epson Projector	605025216	1	Obsolete
18		Desktop Dell	3600004541	1	Obsolete
19		Dell Laptop	1604210002	1	Broken
20		Epson Projector	605102351	1	Obsolete
21		Dell Hard-drive	1302124859	1	Obsolete
22		Desktop Dell	1302133719	1	Obsolete
23		Desktop Dell	1504272535	1	Obsolete
24		iPad	3600000513	1	Obsolete
25		Prowershred	205162913	1	Broken
26		Printer	908261418	1	Broken
27		Elemo	910234954	1	Obsolete
28		Desktop Dell	260000251	1	Obsolete
29		Desktop Dell	150427239	1	Obsolete
30		iPad	3600002366	1	Obsolete

Date:_____

Authorized Campus

Signature_____

Page_____ of_____

Fixed Asset Discard List



☐ Other: _____

☐ Excell ☒ Loya

Campus (Please Check Appropriate Campus)

☐ SE High School ☐ Middle School ☐ Alarcon ☐ Borrego ☐ Sambrano

	Room#	Description	Tag Number/Serial	Qty	Comments/Reasons
1		iPad	3600000338	1	Obsolete
2		iPad	3600000193	1	Obsolete
3		iPad	3600004928	1	Obsolete
4		Dell Laptop	1604220002	1	Obsolete
5		Chrome Lenovo	S/N:P206KRKK	1	doesn't belong to Loya
6		Desktop Dell	1403275628	1	Not in system/Obsolete
7		Shredder	205162918	1	Not in system/Obsolete
8		Subwoffer	S/N:2322DFMUS454460	1	Not in system/Obsolete
9		Access point	NO TAG	1	Not in system/Obsolete
10		Wireless Accesspoint	S/N:MDG30F104698	1	Not in system/Obsolete
11		Dell Laptop	S/N:6B73NV2	1	Not in system/Broken
12		DBBS Rado	3600003782	1	Not in system/Obsolete
13		iPad	1104070542	1	Not in system/Broken
14		iPad	1107050352	1	Not in system/Obsolete
15		iPad	1107073019	1	Not in system/Obsolete
16		iPad	1107073310	1	Not in system/Obsolete
17		iPad	1107050031	1	Not in system/Obsolete
18		iPad	1107050205	1	Not in system/Obsolete
19		iPad	1107050301	1	Not in system/Obsolete
20		iPad	1107073213	1	Not in system/Obsolete
21		iPad	1107073916	1	Not in system/Obsolete
22		iPad	1107072933	1	Not in system/Obsolete
23		Active Connect	S/N: GG14200001323	1	Not in system/Obsolete
24		Impact Acoustics	NO TAG	1	Not in system/Obsolete
25					
26					
27					
28					
29					
30					

Date:_____

Authorized Signature

Page_____ of

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MEMORANDUM

To: Members of the Board of Trustees
From: Edgar Ponce, Research & Evaluation Administrator
Subject: HB 3 Goal Progress Monitoring—GPM 3.1—Meeting CCMR Criteria
Date: June 11, 2025

HISTORY:

Student Outcome Goal 3 is a 5-year goal that is measured annually. It is related to the A-F Accountability System and the College, Career, and Military Readiness (CCMR) point system. Each senior is expected to earn one CCMR point prior to graduation via at least 1 of 11 different ways.

Goal 3

SEISD will increase the percentage of College, Career, and Military Readiness (CCMR) points earned annually by SEHS seniors from 30% in May 2023 to ≥88% by June 2028 as measured by the A-F Accountability System.

To measure our progress toward this annual goal, we examine Goal Progress Measure (GPM) 3.1.

GPM 3.1

The percentage of SEHS seniors earning a CCMR point by meeting any of the CCMR criteria will increase from 40% in May 2024 to ≥ 52% by June 2025, as measured by the OnData Suite CCMR Early Warning System along with an internal tracker used by the campus and CCMR specialist at the campus.

RATIONALE:

GPM 3.1 can be measured using the program OnData Suite and an internal campus tracker. This program will give us CCMR data to determine which students are not on track to earn a CCMR point prior to graduation. We then use this data to target those seniors who do not have a path to a point, so that we may intervene prior to graduation. Along with the program the campus use their internal tracker to cross reference information.

CCMR is a "lagging" indicator in the A-F Accountability System. This means it runs a year behind. Our seniors from the class of 2024 will impact our 2025 accountability ratings. This report shares the OnData Suite CCMR percentage for the 2024 seniors which will impact our upcoming accountability ratings. That percentage shows that 73% of the 2024 seniors have the CCMR point, or 171 out of 234. Our target was ≥60% after readjustments, so we are 13% above the CCMR secondary target according to the OnData Suite tracker and on track towards meeting Goal 3.

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BUDGET IMPACT:
There is no budget for this item.

ADMINISTRATIVE RECOMMENDATION: It is recommended that the Board review the progress of GPM 3.1 as presented

For Approval? ☐ Yes ☒ No
If no, please check one: ☐ Presentation ☒ Report ☐ Information
Please check if applicable: ☐ Attachment Included

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MEMORANDUM

To: Members of the Board of Trustees
From: Edgar Ponce, Research & Evaluation Admisnistrator
Subject: End-of-Year Data Pulse Check
Date: June 11, 2025

HISTORY:

San Elizario ISD conducts testing three times per year for all students in grades PK-12. This testing is focused on measuring academic growth and achievement in math and reading. In the 2024-2025 school year, three rounds of testing have occurred (BOY—September 2024), MOY (January 2025), and EOY (May 2025).

BOY stands for beginning-of-year, MOY stands for middle-of-year, and EOY stands for end-of-year. The two testing instruments that are used are MAP (Measures of Academic Progress) in grades 3-12 and CIRCLE (Pre-K). The CIRCLE test is conducted by teachers and involves mostly observational assessments since the students are 4 years old. The MAP assessment is online and computer-adaptive, changing course for each individual student as they take the test and exhibit mastery and/or learning gaps in particular standards. This information has been shared throughout the year in different board meetings based on the monitoring calendar approved.

For this data review we will be sharing preliminary 2024-2025 STAAR/EOC data comparing this information to 2023-2024 STAAR/EOC data.

RATIONALE:

The end-of-year pulse check this year will involve reviewing data based on preliminary 2024-2025 STAAR/EOC data compared to 2023-2024 STAAR/EOC data. We will also be looking at some grade levels discipline and attendance history.

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Preliminary Data 24-25 RLA Alarcon

	2024-2025			2023-2024 TAPR			Diff.		
	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
3rd Grade	72%	32%	4%	61%	41%	3%	11%	-9%	1%
4th Grade	75%	35%	10%	68%	40%	13%	7%	-5%	-3%
5th Grade	58%	38%	14%	73%	38%	12%	-15%	0%	2%
6th Grade	72%	37%	15%	66%	45%	19%	6%	-8%	-4%

Preliminary Data 24-25 RLA Borrego

	2024-2025			2023-2024 TAPR			Diff.		
	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
3rd Grade	60%	31%	6%	65%	36%	13%	-5%	-5%	-7%
4th Grade	66%	33%	7%	73%	46%	16%	-7%	-13%	-9%
5th Grade	69%	52%	18%	67%	32%	10%	2%	20%	8%
6th Grade	64%	38%	14%	75%	49%	12%	-11%	-11%	2%

Preliminary Data 24-25 RLA ALL 3-6

	2024-2025			2023-2024 TAPR			Diff.		
	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
3rd Grade	64%	31%	6%	64%	37%	10%	0%	-6%	-4%
4th Grade	69%	34%	8%	71%	43%	15%	-2%	-9%	-7%
5th Grade	65%	46%	16%	69%	34%	11%	-4%	12%	5%
6th Grade	67%	38%	14%	72%	47%	15%	-5%	-9%	-1%

Preliminary Data 24-25 Math Alarcon

	2024-2025			2023-2024 TAPR			Diff.		
	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
3rd Grade	61%	28%	1%	55%	30%	8%	6%	-2%	-7%
4th Grade	55%	29%	7%	67%	26%	8%	-12%	3%	-1%
5th Grade	66%	29%	4%	84%	48%	5%	-18%	-19%	-1%
6th Grade	81%	42%	11%	81%	33%	6%	0%	9%	5%

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Preliminary Data 24-25 Math Borrego

	2024-2025			2023-2024 TAPR			Diff.		
	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
3rd Grade	50%	21%	4%	48%	18%	5%	2%	3%	-1%
4th Grade	52%	28%	11%	60%	38%	8%	-8%	-10%	3%
5th Grade	57%	26%	8%	74%	38%	7%	-17%	-12%	1%
6th Grade	80%	50%	19%	81%	46%	13%	-1%	4%	6%

Preliminary Data 24-25 Math ALL 3-6

	2024-2025			2023-2024 TAPR			Diff.		
	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
3rd Grade	54%	23%	3%	51%	22%	6%	3%	1%	-3%
4th Grade	53%	29%	10%	62%	33%	8%	-9%	-4%	2%
5th Grade	61%	28%	7%	78%	42%	7%	-18%	-15%	-1%
6th Grade	81%	47%	16%	81%	41%	10%	0%	6%	6%

Preliminary Data 24-25 Science Alarcon

	2024-2025			2023-2024 TAPR			Diff.		
	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
5th Grade	41%	8%	4%	36%	8%	1%	5%	0%	3%

Preliminary Data 24-25 Science Borrego

	2024-2025			2023-2024 TAPR			Diff.		
	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
5th Grade	49%	12%	3%	53%	22%	4%	-4%	-10%	-1%

Preliminary Data 24-25 Science ALL 5th

	2024-2025			2023-2024 TAPR			Diff.		
	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
5th Grade	46%	10%	3%	46%	17%	3%	0%	-7%	0%

Data in 3rd to 6th grade tables above show that there are some growths in meets and masters in different areas but it also shows us that there are specific grade levels that have missed opportunities.

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	2024-2025			2023-2024 TAPR			Diff.		
Preliminary Data 24-25 ALL	Approaches%	Meets%	Masters%	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
Algebra 1 GEMS	98%	91%	73%	98%	89%	61%	0%	2%	12%
Algebra 1 SEHS	56%	17%	4%	65%	7%	1%	-9%	10%	3%
Biology	84%	47%	6%	84%	35%	5%	0%	12%	1%
English 1	45%	28%	4%	51%	35%	6%	-6%	-7%	-2%
English 2	52%	33%	1%	63%	38%	3%	-11%	-5%	-2%
US History	92.5%	49%	15%	93%	53%	18%	-0.5%	-4%	-3%

Table above includes preliminary data of all students that took the STAAR/EOC, this also includes any students that had to re-test which means they are not specifically seating in that course of the test.

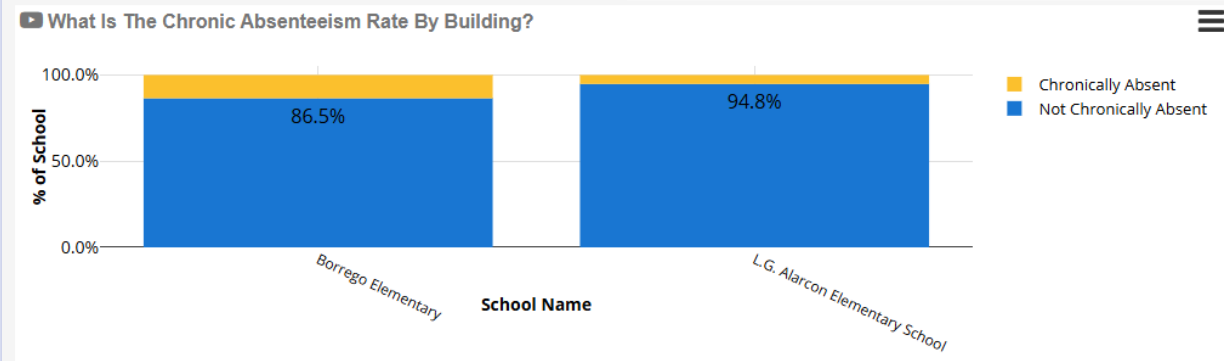
	2024-2025			2023-2024 TAPR			Diff.		
Preliminary Data 24-25 First Time	Approaches %	Meets %	Masters %	Approaches%	Meets%	Masters%	App. Diff	Meets Diff	Master Diff
Algebra 1 SEHS	65%	20%	5%	65%	7%	1%	0%	13%	4%
Biology	87%	50%	7%	84%	35%	5%	3%	15%	2%
English 1	61%	41%	7%	51%	35%	6%	10%	6%	1%
English 2	63%	43%	2%	63%	38%	3%	0%	5%	-1%
US History	92%	50%	15%	93%	53%	18%	-1%	-3%	-3%

Table above includes preliminary data of first-time testers that took the STAAR for the first time only.

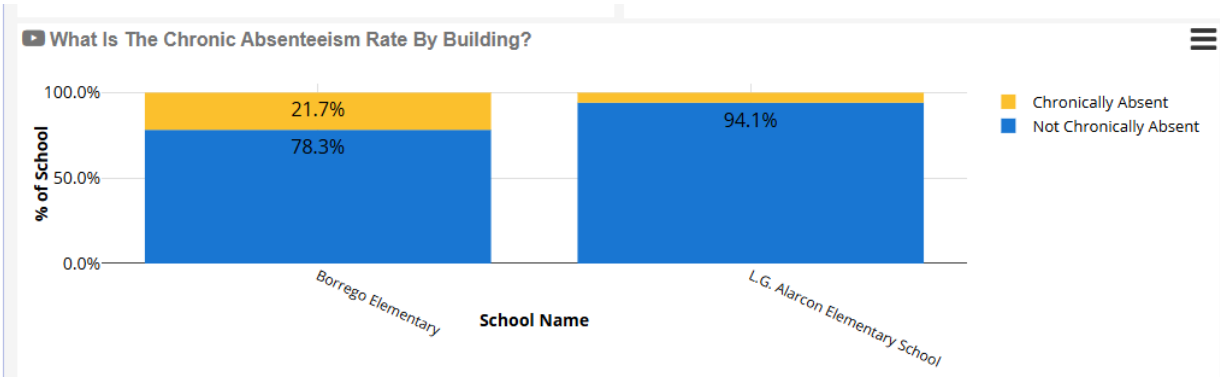
In overall, students taking the STAAR/EOC test for the first time saw some growth compared to the previous year

To look deeper into specific grade levels, below you will see some additional information that will cover attendance and discipline.

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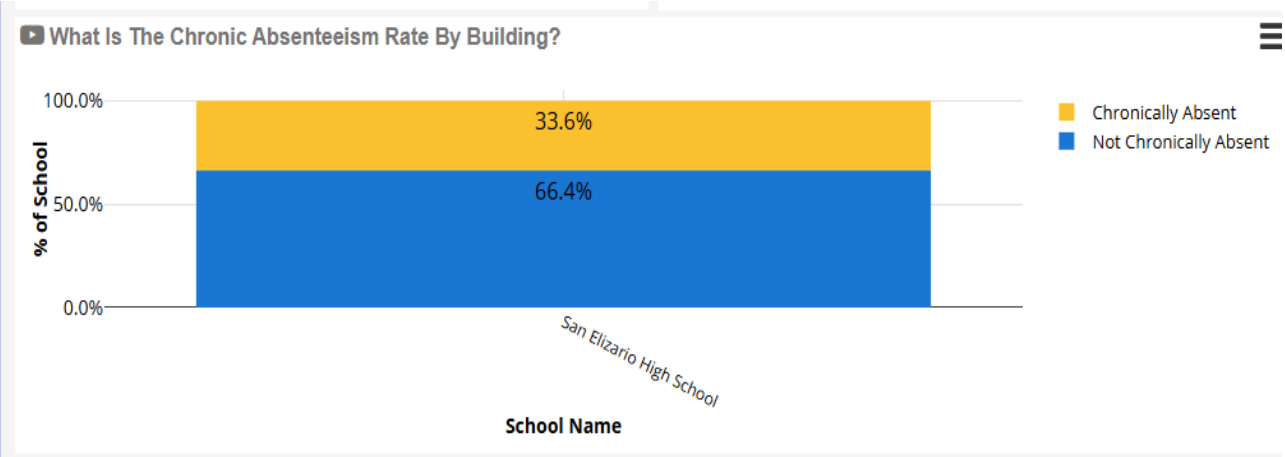


3rd grade performed well in the preliminary test data, this also shows that they had a good percent of students attend school consistently.



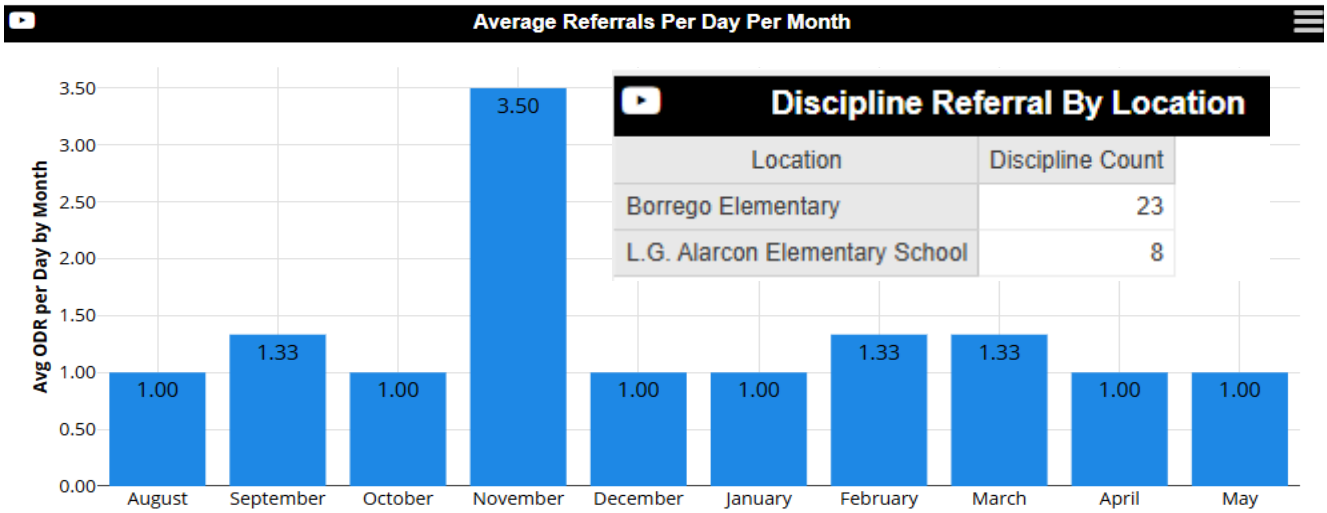
5th grade in overall had some areas of concern based on preliminary test data, above you can see that many students were chronically absent during the year.

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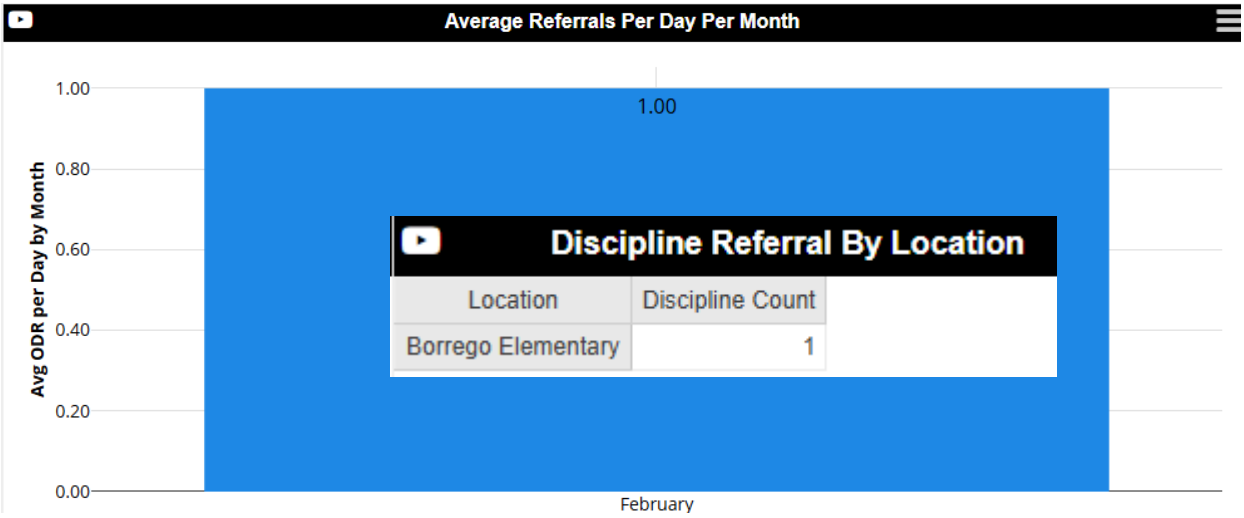
Students that took the English II STAAR/ EOC assessment had some areas of concern based on preliminary test data. The data above shows the chronic attendance rate for 10th graders which majority are in the English II class, you can see that many students were chronically absent during the year.

To look at other data points we also looked at referrals and discipline counts.

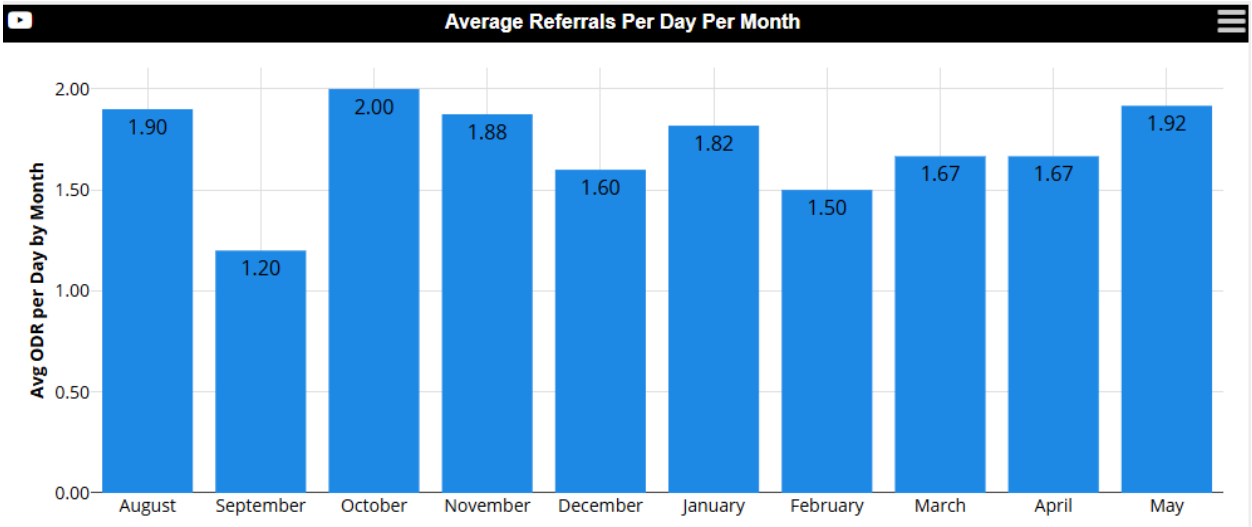


5th grade in the table above shows the month and the average number of referrals by month. The data also shows the total number by campus. This is in correlation to the grade level that missed opportunities according to the preliminary data.

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3rd grade in the table above shows the average number of referrals by month. The data also shows the total number by campus. This is in correlation to the grade level that showed improvement according to the preliminary data.



10th graders in the table above shows the average number of referrals by month. Within this data there were 145 referrals for this grade level out of 387 total referrals, 10th graders had 38% of all referrals for the building. This is in correlation to the grade that most take the English II test which according to the preliminary data had some missed opportunities.

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Data shows a correlation to those grade levels that had some missed academic opportunities according to the preliminary data with attendance and discipline. Information has been shared with campus principals to review and determine a plan for these areas.

BUDGET IMPACT:
There is no budget for this item.

ADMINISTRATIVE RECOMMENDATION:
It is recommended that the Board review the end-of-year preliminary STAAR data as presented.

For Approval? ☐ Yes ☒ No
If no, please check one: ☐ Presentation ☒ Report ☐ Information
Please check if applicable: ☐ Attachment Included

San Elizario ISD Strategic Plan 2025-2029



Dear San Elizario Colleague,

At San Elizario ISD, our greatest asset is our people—you are integral to everything we accomplish for our students. Your dedication ensures that our students excel in both academic and extracurricular endeavors. Each interaction you have with a student has the potential to inspire, uplift, and instill confidence. Your enthusiasm is infectious, and your commitment is evident in all your undertakings. Collectively, we form a cohesive team dedicated to empowering the next generation of learners to achieve their full potential.

As we continue our vital work, we ask you to follow three principles: People, Commitment, and Purpose. Strive to build meaningful relationships with colleagues and students, fostering a culture of trust and inspiration. Let your passion for education be reflected in all your efforts, exemplifying the dedication that drives student success. Above all, act purposefully—understanding that every action contributes to shaping our children's future.

On behalf of the Board of Trustees and myself, thank you for your leadership, dedication, and unwavering commitment. Because of your efforts, San Elizario ISD continues to be where Eagles soar.



Belief Statements

In San Elizario ISD,

Students are empowered as leaders and life-long learners to cultivate a growth mindset, embrace new challenges, and persevere as they prepare for their personal success.

Parents and families are essential to and accountable for their child's success by being supportive, actively engaged, and strong advocates for their academic and social/emotional learning needs.

Declaraciones de Creencias

En San Elizario ISD,

Los estudiantes están capacitados como líderes y aprendices de por vida para cultivar una mentalidad de crecimiento, afrontar nuevos desafíos y perseverar mientras se preparan para su éxito personal.

Los padres y las familias son esenciales y responsables del éxito de sus hijos, al brindar apoyo, participar activamente y ser firmes defensores de sus necesidades académicas y socioemocionales.

Belief Statements

In San Elizario ISD,

Faculty and staff members are effective communicators and collaborators committed to creating a positive, supportive, and dynamic learning environment that fosters student growth and academic success.

Campus Administrators lead with integrity and positivity through word, deed, and action, while communicating and collaborating with staff, students, and the community to foster a supportive and engaging environment that promotes success for every learner.

Declaraciones de Creencias

En San Elizario ISD,

Los maestros y el personal son comunicadores y colaboradores efectivos, comprometidos a crear un ambiente de aprendizaje positivo, de apoyo y dinámico que fomente el crecimiento estudiantil y el éxito.

Los administradores de las escuelas lideran con integridad y positividad a través de la palabra, el hecho y la acción, mientras se comunican y colaboran con el personal, los estudiantes y la comunidad para fomentar un ambiente de apoyo y compromiso que promueva el éxito de cada estudiante.

Belief Statements

In San Elizario ISD,

The Superintendent and Administrative Office Staff are prepared to lead, serve, and communicate effectively, ensuring the best outcomes through professionalism, positivity, and collaboration with the school community.

Board of Trustees are united in their purpose and commitment to uphold the highest ethical standards and to reflect financial stewardship in all decision making, in service to and support of the school community.

Declaraciones de Creencias

En San Elizario ISD,

La superintendente y el personal administrativo están preparados para liderar, servir y comunicarse eficazmente, asegurando los mejores resultados a través del profesionalismo, la positividad y la colaboración con la comunidad escolar.

La Mesa Directiva está unida en su propósito y compromiso de mantener los más altos estándares éticos y reflejar una gestión financiera responsable en todas sus decisiones, al servicio y apoyo de la comunidad escolar.

Mission and Vision

Mission: The mission of the San Elizario Independent School District is to graduate students with innovative skills for 21st-century careers by focusing on academic and social skills, fostering transformative practices, and building community support through positive relationships between home and school.

Vision: A Proud Community of Champions – Soaring to Excellence!

Strategic Priorities

- Student Success
- Recruit, Retain, and Support Engaged Talent
- School Community Partnerships
- Alignment of Financial & Operational Systems

Next Steps:

KEY STRATEGIC ACTIONS for each PRIORITY:
(INPUTS)

PROGRESS MEASURES for each PRIORITY : (OUTPUTS – How do we know if we are on track?)

LONG TERM OUTCOMES for each PRIORITY:

Responsible Parties:

- **Priority 1 – Student Success**
  - Mrs. Blanca I. Cruz, Associate Superintendent
- **Priority 2 - Recruit, Retain, and Support Engaged Talent**
  - Ms. Gina Ramirez, Executive Director - HR
- **Priority 3 – School Community Partnerships**
  - Mrs. Aggie Reyes, Executive Director – Food Service
  - Mr. Cesar Morales, Executive Director - Athletics
- **Priority 4 - Alignment of Financial & Operational Systems**
  - Ms. Elizabeth Perez, Chief Financial Officer
  - Mr. Horacio Hernandez, Executive Director – Technology
  - Mr. Jesus Martinez, Executive Director – Support Services

Priority 1: Student Success

Strategic Objective 1.1: Increase the percentage of all students making academic growth in Mathematics

Key Strategic Actions	Progress Measures
1.1.1 High-quality instructional Materials in Mathematics Pre-K-12, meeting state standards, will be used with fidelity	1.1.1 A- Adoption of High Qualified Instructional Materials (HQIM) 1.1.1 B - Walkthrough observations to monitor the use of High-Quality Instructional Materials and Resources for alignment with state standards and district expectations. 1.1.1 C - Scheduled and unscheduled visits to confirm alignment with state standards. 1.1.1 D - Lesson Plans aligned to state standards and level of rigor. 1.1.1 E - Vertical alignment schedule and agendas evidencing teacher collaboration 1.1.1 F - Monitor local assessments (BOY, MOY, EOY)

Priority 1: Student Success

Strategic Objective 1.1: Increase the percentage of all students making academic growth in Mathematics

Key Strategic Actions	Progress Measures
1.1.2 Systemically refine monitor, and adjust the PLC process to ensure that instructional plans are developed purposefully through the use of data to address the needs of all students individually	1.1.2 A - PLC agendas, sign in sheets, and minutes 1.1.2 B - PLC Training agendas 1.1.2 C - Evidence of data disaggregation to address individual needs.
1.1.3. Develop and implement a system of intentional monitoring aligned with the lesson plan expectations and the use of manipulatives	1.1.3 A - Lesson plan reviews to ensure lesson plans explicitly integrate the use of manipulatives. 1.1.3 B - Classroom observations to track the frequency use of manipulatives during instruction.
1.1.4 Implement a coaching model (Name it, See it, Do it) to consistently provide timely and actionable feedback to teachers, instructional specialists, and administrators regarding instructional practices	1.1.4 A - Training Agendas 1.1.4 B - Coaching logs to monitor and ensure actionable and timely feedback is provided for immediate refinement of practices 1.1.4 C - Pre- and Post-Observation Data: Compare instructional practices before and after coaching cycles.

Long Term Outcomes: 1.1.A Increase the percentage of all students in Mathematics from 58% in June 2022 to 85% by June 2028 | June 2025 – 73%, June 2026 – 77%, June 2027 – 81%, June 2028 – 85%

Priority 1: Student Success

Strategic Objective 1.2: **Increase the percentage of all students making academic growth in Reading**

Key Strategic Actions	Progress Measures
1.2.1 High-quality instructional materials in Reading and writing Pre-K-12, meeting state standards, should be used with fidelity	1.2.1 A - Review of district-adopted resources and materials for alignment with state standards and district expectations.
1.2.2 - Monitor the intentional planning of integration of writing and peer interaction activities.	1.2.2 A - Review of Lesson Plans 1.2.2 B - Classroom Observations 1.2.2 C - Student work samples 1.2.2 D - Vertical alignment schedule and agendas evidencing teacher collaboration 1.2.2 E - Monitor local assessments (BOY,MOY,EOY) and reading levels
1.2.3 Monitor PLC process to ensure that instructional plans are developed purposefully through the use of data to address the needs of all students individually	1.2.3 A - PLC Agendas, minutes, and sign in sheets 1.2.3 B - The presence of campus leadership during PLCs to set and monitor expectations. 1.2.3 C - Data disaggregation forms

Priority 1: Student Success

Strategic Objective 1.2: **Increase the percentage of all students making academic growth in Reading**

Key Strategic Actions	Progress Measures
1.2.4 Address the needs of Dual Language/EBs students by designating instructional time for Summit K-12 to target and develop students' listening and speaking skills.	1.2.4 A - Instructional Schedules 1.2.4 B - Number of students exiting from the Bilingual/ESL program
1.2.5 Provide practice opportunities for students in special education in grades 3-6 to practice STAAR content and language supports	1.2.5 A - Lesson plans with evidence of language support. 1.2.5 B - Classroom observations to monitor students using the content language support during the instructional day.
1.2.6 Implement a coaching model (Name it, See it, Do it) to consistently provide timely feedback to teachers, instructional specialists, and administrators regarding instructional practices	1.2.6 A - Training Agendas 1.2.6 B - Coaching logs to monitor and ensure actionable and timely feedback is provided for immediate refinement of practices . 1.2.6 C - Pre- and Post-Observation Data: Compare instructional practices before and after coaching

Long Term Outcomes: 1.2.A Increase the percentage of all students in Reading from 57% in June 2022 to 80% by June 2028 | June 2025 – 68%, June 2026 – 72%, June 2027 – 76%, June 2028 -

Priority 1: Student Success

Strategic Objective 1.3: Increase the percentage of all students meeting the College, Career, and Military Readiness (CCMR) Indicator

Key Strategic Actions	Progress Measures
1.3.1 Provide college-level courses opportunities for students.	1.3.1 A - Master Schedule 1.3.1 B - CTE Brochure 1.3.1 C - Early College Designation
1.3.2 Align endorsements, CTE between Middle School and High School.	1.3.2 A - Meeting Agendas 1.3.2 B - Master Schedules for MS and HS
1.3.3 Strengthen College Prep Courses	1.3.3 A - Enrollment Data**:** Track the number of students enrolled in dual credit and AP courses. 1.3.3 B - Pass Rates: Monitor student success in dual credit/AP courses 1.3.3 TSIA2 Completion: Measure the percentage of students who meet the college readiness benchmark on TSIA2.
1.3.4 CCMR Data Monitoring **–** Establish dedicated teams at each campus to track and support student progress towards meeting CCMR indicators.	1.3.4 A - CCMR Tracker/Enrollment Data 1.3.4 B - Number of students obtaining Industry Based Certifications 1.3.4. C - Internship Participation Rates

Priority 1: Student Success

Strategic Objective 1.3: Increase the percentage of all students meeting the College, Career, and Military Readiness (CCMR) Indicator

Key Strategic Actions	Progress Measures
1.3.5 Recruit and retain students in the San Elizario Early College High School	1.3.5. A - Number of presentations on the SEECHS 1.3.5 B - Number of students enrolling in SEECHS 1.3.5 C - Student surveys
1.3.6 Collaborate with local employers to provide real-world experiences that align with career pathways	1.3.6 A - Internship Participation Rates
1.3.7 Continue to offer opportunities for ROTC programs	1.3.7 A - ROTC Enrollment Data 1.3.7 B - Student presentations
1.3.8 Continue supporting military families	1.3.8 A - Parent meeting agendas 1.3.8 B - Purple Star Designation
1.3.9 Provide training opportunities for parents regarding career readiness education	1.3.9 A – Schedule of meetings for parents regarding CCMR opportunities 1.3.9 B - Flyers, and other informational material

Long Term Outcomes:

1.3.A Increase the percentage of all College, Career, and Military Readiness points earned from 30% in June 2022 to 88% by June 2028 | June 2025 – 71%, June 2026 – 76%, June 2027 – 83%, June 2028 – 88%

Priority 2: Recruit, Retain, and Support Engaged Talent

Strategic Objective 2.1: **Cultivate trusting relationships with our staff, teachers, and administrators by**

Key Strategic Actions	Progress Measures
2.1.1 Refine employee appreciation events in meaningful ways utilizing district-approved funds	2.1.1 A - Monitor appreciation calendar with an accurate budget and related employee appreciation groups - Monthly
2.1.2 Improve employee safety and well-being	2.1.2 A - Monitor employee absence reasons and workers' compensation claims - twice a year
2.1.3 Create a tracking system to review retention rates for each job family	2.1.3 A - Monitor and update tracking system with employee separations by job family and related survey data with separation reasons - Monthly

Long Term Outcomes:

2.1.A - Increase the number of safety and well-being training each year from 1 online to 3 (1 online and 2 in person) a year by 2028. | June 2025 – 1 Online Training, June 2026 – 1 Online Training and 1 in-person Training, June 2027 – 1 Online Training and 2 in-person Trainings, June 2028 – 1 Online Training and 2 in-person Trainings

2.1.B - Establish baseline data on perceptions of communication, safety and well-being surveys

Priority 2: Recruit, Retain, and Support Engaged Talent

Strategic Objective 2.2: Recruit, hire, promote, and retain highly qualified faculty and staff to meet district and state goals

Key Strategic Actions	Progress Measures
2.2.1 Maintain a competitive salary and stipend schedule with 4A districts within the region(19).	2.2.1.A - Monitor and compare SEISD pay scale with TASB recommendations and comparably sized districts - yearly
2.2.2 Create district marketing and communication for the recruitment of highly qualified employees during strategically planned job fairs	2.2.2 A - Monitor the progress of Region 19 RTAP participants – monthly 2.2.2 B - Monitor SEISD employment opportunity communications to community and current employees - twice a year
2.2.3 Support and develop effective relationships with IHE's place student teachers and to mentor and recruit highly qualified teachers	2.2.3 A - Monitor the number of student-teacher interns at SEISD referred by IHE's - yearly

Long Term Outcomes: 2.2 A - Maintain the pay scale comparable to TASB recommendations by region each year.
2.2.B - Increase the number of SEISD RTAP participants completing from 0 to 9 by 2028.
2.2.C - Increase number of staffing meetings by 2 by 2026-2027 for a total of 4 annually

Priority 2: Recruit, Retain, and Support Engaged Talent

Strategic Objective 2.3: Refine and design effective human capital management systems

Key Strategic Actions	Progress Measures
2.3.1 Review current job descriptions for alignment to increase the efficiency of district resources and maximize job effectiveness	2.3.1.A - Create and maintain a district organizational chart
2.3.2 Refine the current coaching for success manual and training processes to include detailed approaches to coaching, expectations, and documentation	2.3.2.A - Review, revise, and train on the current coaching for success manual (progressive discipline)
2.3.3 Provide employees with ongoing coaching and professional development to continuously improve positive responsiveness, job-aligned knowledge, and SEISD culturally-centered service	2.3.3 A - Monitor employee absence trends, progressive discipline use, and workers' compensation claims for trends twice a year

Long Term Outcomes: 2.3.A - Review and Update job descriptions for alignment by job family from 0 groups to all by 2028

2.3.B - Increase the number of trainings on progressive discipline from 1 to 4 opportunities a year by 2028 | June 2025 – 1 Training, June 2026 – 2 Trainings, June 2027 – 3 Trainings, June 2028 – 4 Trainings

Priority 3: Recruit, Retain, and Support Engaged Talent

Strategic Objective 3.1: Increase Parent and/or legal guardian satisfaction and engagement

Key Strategic Actions	Progress Measures
3.1.1 Design & standardize learning opportunities for parents/guardians at each school.	3.1.1 A - Provide material, videos, handouts, etc.
3.1.2 Encourage participation and offer interactive communication methods, training, and workshops to teach parents different methods of accessing district information.	3.1.2.A - Market training/learning opportunities.
3.1.3 Develop and conduct a climate survey to assess effectiveness	3.1.3.A - Review, renew, roll out climate survey. 3.1.3.B - Track involvement and offer incentives (low cost to no cost) to encourage participation

Long Term Outcomes: 3.1.A - Results of climate survey show an increase in satisfaction and engagement: X to Y by Z | 2025 - Baseline (X), 2026 – Y, 2027- Y, 2028 - Y (Z)

Priority 3: Recruit, Retain, and Support Engaged Talent

Strategic Objective 3.2: Increase Community engagement

Key Strategic Actions	Progress Measures
3.2.1 Identify different ways to engage with the community (ie health fairs, movie nights, collaboration with influential community/city/state representatives, etc)	3.2.1 A - Tracking and reporting on community events
3.2.2 Connect with the community through digital and media marketing strategies.	3.2.2 A - Marketing materials developed
3.2.3 Continue strong volunteer program	3.2.3 A - Track volunteer hours

Long Term Outcomes: 3.2.A - Survey data regarding engagement and communication | 2025 - Baseline (X), 2026 – Y, 2027- Y, 2028 - Y/Z

Priority 3: Recruit, Retain, and Support Engaged Talent

Strategic Objective 3.3: **Strengthen relationships with external organizations and/or businesses to**

Key Strategic Actions	Progress Measures
3.3.1 Expand Partners in Education program to support the mission/vision of the District	3.3.1 A - Increase applications and activities for Partners in Education
3.3.2 Examine ways to reduce district expenses through business partnerships, grants, and financial support	3.3.1 A - Increase applications and activities for Partners in Education
3.3.3 Develop and implement a community-based student mentor program for high-risk students	3.3.3 A – Increase the number of mentors to support high risk students

Long Term Outcomes:

3.3.A - Increase Partners in Education Affiliations | 2025 - Baseline (X), 2026 – Y, 2027- Y, 2028 - Y/Z
3.3.B - Increase Community Attendance | 2025 - Baseline (X), 2026 – Y, 2027- Y, 2028 - Y/Z
3.3.C - Increase academic performance as determined in Priority 1 (please see Priority 1 outcomes)

Priority 4: Recruit, Retain, and Support Engaged Talent

Strategic Objective 4.1: **Ensure solvency, sustainability and transparency with district finances**

Key Strategic Actions	Progress Measures
4.1.1 Review cash flow projections and needs	4.1.1 A - Measure weekly via accounts payable and monthly via payroll
4.1.2 Review changes in enrollment, staffing, and legislative funding formulas and/or mandates	4.1.2 A - Measure as needed via Board presentations and required website postings
4.1.3 Present information and/or data and revise budget accordingly through Board action	4.1.3 A -Measure annually via the results of the Financial Audit Report and FIRST rating

Long Term Outcomes: 4.1.A - Continue to maintain an A rating on FIRST and/or provide a corrective action plan if below an A rating.

4.1.B - For a more robust credit rating, continue to maintain a minimum of 60 days' worth of cash to fund district operations or at least 90 days (preferable).

Priority 4: Recruit, Retain, and Support Engaged Talent

Strategic Objective 4.2: Guarantee the optimization of financial resources

Key Strategic Actions	Progress Measures
4.2.1 Alignment of budget sources with campus & department needs/instruction *Prioritize funding for student support (ie tutoring, intersessions, etc)...how do we monitor; How do we report	4.2.1 A - Meet with campus and department budget leaders at least three times a year to provide budget guidance.
4.2.2 Development of an equipment replacement plan (ERP)	4.2.2 A - Meet with the cabinet leadership team at least twice a year to prioritize those equipment needs
4.2.3 Development of a long-range facilities & maintenance needs plan	4.2.3 A - Hire a facility assessment company to establish a facility condition index of district buildings

Long Term Outcomes: 4.2.A - Continue to budget mandatory spending levels in state allotments and to disburse 70% of ESSA funds for campus use

4.2.B - Present a Board resolution to commit funds from fund balance to fund that ERP on an annual basis

4.2.C - Possible bond referendum on the November 2028 general election based on the results of the assessment

Priority 4: Recruit, Retain, and Support Engaged Talent

Strategic Objective 4.3: Focus on the implementation of operational efficiencies

Key Strategic Actions	Progress Measures
4.3.1 Benchmark of staffing ratios	4.3.1 A - Review of teacher-student ratio and staff-to-student ratio annually via the budget development process
4.3.2 Review of pay structures	4.3.2 A - Review of pay tables with surrounding districts annually via the budget development process
4.3.3 Conduct an efficiency audit	4.3.3 A - Hiring an audit firm to conduct an efficiency audit

Long Term Outcomes: 4.3.A - To continue rightsizing the district and not have to implement a reduction in force due to financial exigency because of declining enrollment
4.3.B - To offer the most competitive compensation package within 4-A districts for teachers in the region, effective for the 2027-2028 school year
4.3.B - To offer the most competitive compensation package within 4-A districts for teachers in the region, effective for the 2027-2028 school year

SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT

#SEISDManoAMano

2025 - 2026 Board Meeting Dates	
July 2025	No Board Meeting
Wednesday, August 13, 2025	Regular Board Meeting
Tuesday, September 16, 2025	Special Board Meeting *TASA|TASB txEDCON25 Sept 11 – 14 * Homecoming Parade Sept 17
Wednesday, October 8, 2025	Regular Board Meeting *MASBA Oct 2 – 3
Wednesday, November 12, 2025	Regular Board Meeting
December 2025	No Board Meeting
Wednesday, January 14, 2026	Regular Board Meeting
Wednesday, February 11, 2026	Regular Board Meeting
Wednesday, March 4, 2026	Special Board Meeting due to Spring Break
Wednesday, April 8, 2026	Regular Board Meeting *NSBA 26 April 10 – 12
Wednesday, May 13, 2026	Regular Board Meeting
Wednesday, May 20, 2026	Board Budget and Instructional Workshop
Wednesday, June 10, 2026	Regular Board Meeting
Wednesday, June 17, 2026	Special Board Meeting for Budget Adoption

Texas Education Agency

Commissioner Mike Morath

1701 North Congress Avenue • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • tea.texas.gov

March 14, 2025

Mrs. Jeannie Meza-Chavez
Superintendent
San Elizario ISD

Dear Superintendent Meza-Chavez:

This letter is to inform San Elizario ISD that the Texas Education Agency (TEA) has approved the 2025-2026 Provisional Designation application for San Elizario Early College High School as a Provisional Early College High School (ECHS). Provisional Designation is awarded to a campus for a period of one school year, during which time the campus may operate as an ECHS. Provisional Designation is for an ECHS in the first five school years of operation.

Provisional Designation is designed to:

- Provide time for the ECHS to grow cohorts, improve programming, and build strong partnerships.
- Allow ECHS to receive technical assistance and participate in the ECHS network.
- Enable the ECHS to demonstrate its ability to fully and appropriately implement its plan in accordance with the ECHS Blueprint design elements, OBMs, and artifacts.

As a reminder, all ECHS campuses must:

- Enroll historically underserved students, targeting at-risk and economically disadvantaged students.
- Facilitate the attainment of a high school diploma while providing students the opportunity to complete an associate degree before graduation.
- Partner with Texas Institutions of Higher Education (IHEs), giving students access to postsecondary education and outcomes.

Thank you for San Elizario ISD's hard work and dedication in providing opportunities for students to accelerate their learning and graduate from high school prepared for the postsecondary path of their choosing.

Should you have any questions or need additional information about the College and Career Readiness School Models (CCRSM) Network, please email us at ccrsm@tea.texas.gov.

Sincerely,



Mike Morath
Commissioner of Education

MM/Kg

Attachments
cc: Troy Enriquez

SAVE THE DATES

FAR WEST TEXAS SCHOOL BOARDS ASSOCIATION MEETING

TOPICS: *ONBOARDING NEW BOARD MEMBERS, ACCOUNTABILITY, SAFETY, MENTAL HEALTH*

SATURDAY, NOVEMBER 16, 2024

8:30 A.M.— 4:30 P.M.

PASO DEL NORTE CONFERENCE ROOM 1 & 2

BREAKFAST AND LUNCH WILL BE PROVIDED

FAR WEST TEXAS SCHOOL BOARDS ASSOCIATION MEETING

TOPICS: *TEAM BUILDING-TEAM OF 8*

THURSDAY, FEBRUARY 27, 2025

5:30 P.M.— 8:30 P.M.

STARLIGHT EVENT CENTER—SCENIC DRIVE ROOM

DINNER WILL BE PROVIDED

FAR WEST TEXAS SCHOOL BOARDS ASSOCIATION SPRING WORKSHOP

TOPICS: *TBD*

TUESDAY, MAY 6, 2025

5:00 — 9:00 P.M.

PASO DEL NORTE CONFERENCE ROOM 1 & 2

DINNER WILL BE PROVIDED

FAR WEST TEXAS SCHOOL BOARDS ASSOCIATION MEETING

TOPICS: *TBD*

THURSDAY, JULY 12, 2025

TIME AND LOCATION TBD

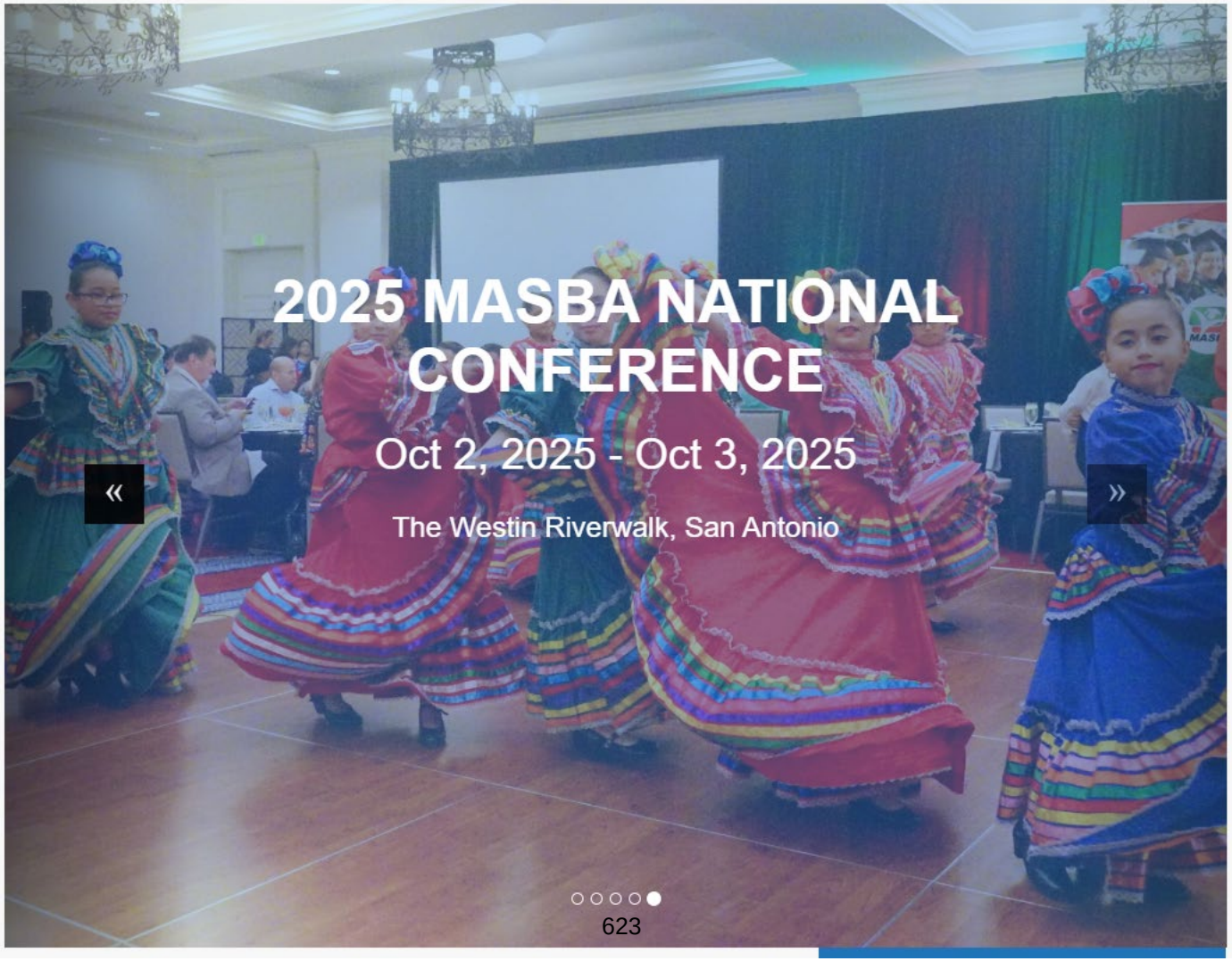

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Sept. 11-14 at the George R. Brown Convention Center, Houston, TX.

MASBA
SCHOOL BOARD MEMBERS FOR LATINO EQUITY

Summary Agenda Hotel Pricing Contact Us

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Save the Date — Registration & Housing Opens August 2025

This national event that brings together education leaders from across the country, offering a unique opportunity to learn about best governance practices, gain insights into child development, and explore cutting-edge programs and technology to enrich student learning. Join us in San Antonio for an empowering experience of national school board leadership learning and networking with like-minded professionals.

San Elizario ISD
P.O. Box 920
San Elizario, TX 79849
Phone: 915.872.3900
Fax: 915.872.3903

MEMORANDUM

To: Members of the Board of Trustees
From: Aggie Reyes – Executive Director for Child Nutrition Services
Subject: May 2025 – Meal Service Update
Date: June 11, 2025

HISTORY: The Child Nutrition Services Department will provide a monthly report to the Members of the Board of Trustees.

RATIONALE: The Child Nutrition Services Department served 78,030 student meals in the month of May 2025. This count includes breakfast, lunch, after-school snacks, and supper.

In the Month of May 2025, we participated in the following student activities.

- Athletic banquets at SEHS & GEMS.
- Special breakfast for UIL students at GEMS.
- Literacy luncheon for students at GEMS.
- Special breakfast for seniors & early college students at SEHS
- Special lunch for Maricahi Aguilas at SEHS.
- Special breakfast for Spring athletes at SEHS.
- Food sampling at Alarcon with the PAC students.
- Watermelon day for students at Loya Primary.
- Fun stickers for students who try new foods at Loya Primary.
- Pizza party for perfect attendance at Sambrano.
- CNS celebration for Lunch Hero Day.

Together we made it a successful school year. Thank you!

BUDGET IMPACT: No budget impact.

ADMINISTRATIVE RECOMMENDATION: No recommendation.

For Approval? ☐ Yes ☒ No
If no, please check one: ☐ Presentation ☒ Report ☐ Information
Please check if applicable: ☐ Attachment Included

San Elizario Independent School District

Enrollment Counts

Campus	EE	PK	KG	01	02	03	04	05	06	07	08	09	10	11	12	Enrolled	PY Enr	G/L	CTE	SPEC ED	LEP	GT	MIG
Borrego Elementary						142	137	125	115							519	498	21		106	319	41	1
L.G. Alarcon Elementary School						69	67	78	81							295	310	-15		50	194	21	3
Lorenzo Loya Primary	17	169														186	185	1		48	113	0	0
Sambrano Elementary School			165	195	196											556	606	-50		112	334	23	2
Garcia-Enriquez Middle School										210	200					410	422	-12	134	71	254	48	5
San Elizario High School												227	278	209	250	964	991	-27	786	122	550	87	7
Grade Level Totals	17	169	165	195	196	211	204	203	196	210	200	227	278	209	250	2930	3012	-82	920	509	1764	220	18
Prior Year Grade Level Totals	5	180	187	204	215	204	206	194	204	205	217	311	238	216	226								
GL	12	-11	-22	-9	-19	7	-2	9	-8	5	-17	-84	40	-7	24								