

Notice of Regular Meeting

The Board of Trustees Devine ISD

A Regular Meeting of the Board of Trustees of Devine ISD will be held September 16, 2024, beginning at 6:30 PM in the Administration Building, 605 W Hondo Ave., Devine, TX 78016.

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

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

1. Call to Order, Roll Call and Declaration of Quorum

2. Pledge of Allegiance and Invocation

3. Citizen Communication

A. Public Comment for Non-Agenda Items

B. Public Address for Items on the Agenda

4. Elementary Campus Principal's Report

5. Administrative Reports and Discussion:

A. Central Office Reports

1. Superintendent's Reports

a. Monthly Report on Personnel, Safety, & Board Priorities: 1. Increase student success and continue a tradition of student achievement 2. Continue successful partnerships with the community, teachers and parents to support our schools and achieve student success 3. Align facilities and technology improvements with needs and career opportunities 4. Maintain Highly Qualified teachers and retain staff 5. Increase trade career opportunities and continue to develop enhanced technology resources for all students

b. 2023 Bond Project Update

c. Monthly Activity Calendar

d. District Activity Calendar

2. Director of Student Services, Dawn Schneider

a. Monthly Report on Student Services, Testing and Assessment, and Other

3. Director of Special Education Monthly Report on Student Enrollment, ARDs, 504, and Training, Jenni Hagdorn

B. Business Reports, Shannon Ramirez

1. Monthly reports on taxes, cafeteria, investments and cash flow

2. Payment of Bills

C. Principals' Reports on Monthly Activities

1. Devine High School Principal's Report, Juan Gonzalez

2. Devine Middle School Principal's Report, Kandi Darnell	
3. Devine Intermediate School Principal's Report, Michael Gomez	
4. JJ Ciavarra Elementary School Principal's Report, Maggie Strickland	
5. DLA/DAEP Principal's Monthly Report, JodiAnn Dzierzanowski	
D. Directors' Reports	
1. Monthly report on finances, department acquisitions, travel and student services provided.	
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C. Review District Investment Policy CDA (Local/Legal) Other Revenues: Investments and adopt resolutions	10
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B. Consider and Take Possible Action to Approve Calling for Bus Bids and to Authorize the Superintendent to Commit the Purchase Requisition for Two Buses	48
C. Consider and Take Possible Action to Adopt Resolution Regarding Texas Education Code Section 37.0814	49
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8. Closed Session	
A. Personnel (TGC 551.074)	
1. Personnel Update	
2. Consider and Discuss Superintendent's Goals and Objectives	
B. Considering discipline of a public school child, or complaint or charge against personnel. (TGC 551.082)	
C. Considering the deployment, specific occasions for, or implementation of, security personnel or devices (TGC 551.076)	
9. Reconvene from Closed Session	
10. Adjournment	

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

The notice for this meeting was posted in compliance with the Texas Open Meeting Act on _____,
at _____.

For the Board of Trustees



Devine Independent School District Board of Trustees Agenda Document

Meeting Date: September 16, 2024

Agenda Item: Minutes of Board Meeting (s)

Background Information:

Every month the office will submit to the Board of Trustees for approval a copy of last month's minutes for approval.

Administrative Consideration:

BE (LOCAL) – Board action shall be carefully recorded by the secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the President and the Secretary of the Board.

The official minutes shall be retained on file in the office of the Superintendent and shall be available for examination during regular office hours.

Budgetary Consideration:

None

Supporting Documents:

BE (LOCAL) Board Meetings

Recommendation:

Approve minutes of the regular board meeting on August 19, 2024 and the called meeting on September 9, 2024.

Respectfully Submitted by:

Geri Woods
Superintendent's Secretary

Approved by:

Todd Grandjean
Superintendent of Schools

Minutes of Regular Meeting

The Board of Trustees

Devine ISD

A Regular Meeting of the Board of Trustees of Devine ISD was held on Monday, August 19, 2024 beginning at 6:30 PM in the Devine Student Activity Center (DSAC), 194 Arabian Way, Devine, TX 78016

Board Members Present: Nancy Pepper (Board President), Henry Moreno (Vice-President), Keri James (Secretary), Carl Brown, Renee Frieda, Chris Davis, Ali Buvinghausen (arrived at 6:54 p.m.)

Guests Present: Anton Riecher (The Devine News), Jessica Alexander, Chad Saunders, Maddy Brown

School Officials Present: Dr. Todd Grandjean (Superintendent), Dawn Schneider (Director of Student Services), Juan Gonzalez (DHS Principal), Michael Gomez (Intermediate Principal), Magdalena Strickland (Elementary Principal), JodiAnn Dzierzanowski (DAEP/DLA Principal), Jenni Hagdorn (Special Ed Director), Shannon Ramirez (Finance Director), Geri Woods (Recording Secretary)

1. Call to Order, Roll Call and Declaration of Quorum

Nancy Pepper called this meeting of the Devine Independent School District Board of Trustees to order at 6:30 p.m. and stated for the record that a quorum of board members was present, that this meeting had been duly called, and that notice of this meeting had been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551. She further stated that trustees Carl Brown, Keri James, Chris Davis, Henry Moreno, Renee Frieda, and Nancy Pepper were present. (Ali Buvinghausen arrived after quorum established)

2. Presentation of Diplomas to DISD Summer 2024 Graduates

Pledge of Allegiance and Invocation led by students. Jodi Ann Dzierzanowski introduced the graduates and they received congratulations from the school board as they walked across the stage.

3. Student Recognition: FFA AG Clays State Champion Shooting Team

Chad Saunders recognized his students and presented certificates to Maddy Brown.

4. Citizen Communication

- A. Public Comment for Non-Agenda Items. None.
- B. Public Address for Items on the Agenda. None.

5. Teacher Incentive Allotment Presentation

High School Principal, Juan Gonzalez, presented information on the Teacher Incentive Allotment.

6. Administrative Reports and Discussion

A. Central Office Reports

- 1. Superintendent's Monthly Reports on Safety, Personnel, and Board Priorities, Monthly Activity Calendar, District Event Calendar, 2023 Bond Projects Update
- 2. Director of Student Services Monthly Report
 - a. STAAR Report
 - b. Review Handbooks
 - 1. Student Handbook
 - 2. Employee Handbook
 - 3. Extracurricular Handbook
 - 4. DAEP/DLA Handbook

- 5. Band Handbook
- 6. UIL Participant Handbook
- 7. DHS/DMS Athletic Handbook
- 8. DMS Cheerleading Handbook
- 9. DHS Cheerleading Handbook
- 10. FCCLA Bylaws and Handbook

B. Monthly Business Reports and Payment of Bills

7. Consent Agenda

Carl Brown moved and seconded by Henry Moreno to approve consent agenda as presented. This motion Passed. Yea: 7, Nay: 0

- A. Minutes of July 22, 2024 Board Meeting.
- B. Approve T-Tess Calendar and Appraisers

8. Action Item(s):

- A. Renee Frieda moved and seconded by Henry Moreno to re-adopt the 2024 - 2025 proposed General Fund Budget, Debt Service Budget, and Cafeteria Fund Budget to include the tax rate worksheet as presented. This motion Passed. Yea: 7, Nay: 0
- B. Renee Frieda moved and seconded by Carl Brown to approve the Ordinance Setting the 2024 Devine ISD ad valorem tax rate at \$0.9369, with the Maintenance & Operations Tax Rate at \$0.6969 and the Interest & Sinking Tax Rate at \$0.2400. This motion Passed. Yea: 7, Nay: 0
- C. Carl Brown moved and seconded by Henry Moreno to Approve 2024-2025 Student Code of Conduct as presented. This motion Passed. Yea: 7, Nay: 0
- D. Henry Moreno moved and seconded by Keri James to increase lunch prices by 10 cents for a total of \$3.00 and breakfast will remain at \$1.60 as presented. This motion Passed. Yea: 7, Nay: 0

9. Closed Session

Nancy Pepper stated for the record that the Board of Trustees, beginning at 8:03 p.m., will convene in a closed session in accordance with the Texas Open Meetings Act, for the purpose of discussing items listed under Texas Government Code Section 551.074, 551.076, and 551.082. NO FINAL ACTION, DECISIONS, OR VOTES WILL BE TAKEN WHILE THE BOARD IS IN EXECUTIVE SESSION.

- A. Personnel (TGC 551.074)
 - 1. Personnel Update
 - 2. Consider and discuss Superintendent Goals and Evaluation
- B. Considering the deployment, specific occasions for, or implementation of, security personnel or devices (TGC 551.076)
 - 1. Consider and Discuss the Emergency Operations Plan
- C. Considering discipline of a public school child, or complaint or charge against personnel (TGC 551.082)

10. Reconvene from Closed Session

The board reconvened in open session at 8:40 p.m.

11. Consider and Take Possible Action to Approve the District Emergency Operations Plan. No action taken.

12. Adjournment

Henry Moreno moved and seconded by Chris Davis to adjourn. This motion Passed. Yea: 7, Nay: 0

Meeting adjourned at 8:41 p.m.

Board President

Board Secretary

Minutes of Teambuilding Training Meeting

The Board of Trustees

Devine ISD

A Teambuilding Training Meeting of the Board of Trustees of Devine ISD was held on Monday, September 9, 2024 beginning at 6:00 PM in the Administration Building, 605 W Hondo Ave., Devine, TX 78016

Board Members Present: Nancy Pepper (President), Henry Moreno (Vice-President), Keri James (Secretary), Carl Brown, Alixana Buvinghausen, Chris Davis, Renee Frieda.

Guests Present: Linda McAnelly (Region 20)

School Officials Present: Dr. Todd Grandjean (Superintendent)

1. Call to Order, Roll Call and Declaration of Quorum

Nancy Pepper called this meeting of the Devine Independent School District Board of Trustees to order at 6:00 p.m. and stated for the record that a quorum of board members was present, that this meeting had been duly called, and that notice of this meeting had been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551. She further stated that trustees Henry Moreno, Keri James, Ali Buvinghausen, Carl Brown, Chris Davis, Renee Frieda, and Nancy Pepper were present.

2. Citizen Communication

A. Public Address for Items on the Agenda. None.

3. Team of Eight Team-Building Training

Linda McAnelly, Region 20

A. Review and Discuss HB3 Goals

B. Evaluating and Improving Student Outcomes Update

C. Board Member Duties & Responsibilities

4. Adjournment

Henry Moreno moved and seconded by Alixana Buvinghausen to adjourn. This motion Passed. Yea: 7, Nay: 0

Meeting adjourned at 9:02 p.m.

Board President

Board Secretary



Devine Independent School District Board of Trustees Agenda Document

Meeting Date: September 16, 2024

Agenda Item: 2024-2025 Budget Amendment

Background Information:

Budget amendments are mandated by the state for budgeted funds reallocated from one function level to another. These changes are usually the result of unexpected levels of expenditures in certain Functional areas and must be amended in the budget for legal compliance.

The district wanted the new band director to have input on the new uniforms. As discussed during budget workshops this expenditure will come out of fund balance.

Administrative Consideration:

TEA – Financial Accounting System Resource Guide

Budgetary Consideration:

Fund 199:

Increase function 34 expenses for bus purchases \$311,000.

Increase function 81 expenses for HeadStart building change order \$23,316.

Increase function 81 expenses for engineering fees for track design and HeadStart building \$7,250.

Fund 240:

Reallocate \$2,200 from 35 to 71 for leases.

Total amount towards fund balance: \$341,566.

Total amount against fund balance for the fiscal year: \$2,948,113.

Supporting Documents:

See attached budget amendment

Recommendation:

Approve the Budget Amendment.

Respectfully Submitted by:

Shannon Ramirez
Director of Finance

Approved by:

Todd Grandjean
Superintendent of Schools

**REVENUES,
RESOURCES
2024-2025**

	199 General Fund Current Budget	199 General Fund Amended Budget	Increase/ (Decrease)	240 Food Service Current Budget	240 Food Service Proposed Budget	Increase/ (Decrease)	599 Debt Service Current Budget	599 Debt Service Proposed Budget	Increase/ (Decrease)	98 Memorandum Proposed Budget
REVENUES:										
5700	\$ 5,335,515	\$ 5,335,515	\$ -	\$ 262,000	\$ 262,000	\$ -	\$ 1,537,928	\$ 1,537,928	\$ -	\$ 7,135,443
5800	\$ 15,083,434	\$ 15,083,434	\$ -	\$ 10,000	\$ 10,000	\$ -	\$ 302,176	\$ 302,176	\$ -	\$ 15,395,610
5900	\$ 40,000	\$ 40,000	\$ -	\$ 845,000	\$ 845,000	\$ -	\$ -	\$ -	\$ -	\$ 885,000
5030	\$ 20,458,949	\$ 20,458,949	\$ -	\$ 1,117,000	\$ 1,117,000	\$ -	\$ 1,840,104	\$ 1,840,104	\$ -	\$ 23,416,053
EXPENDITURES:										
0011	\$ 11,246,754	\$ 11,358,535	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,358,535
0012	\$ 225,917	\$ 225,917	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 225,917
0013	\$ 434,034	\$ 434,034	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 434,034
0021	\$ 368,215	\$ 368,215	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 368,215
0023	\$ 1,257,865	\$ 1,257,865	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,257,865
0031	\$ 1,137,446	\$ 1,137,446	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,137,446
0032	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0033	\$ 219,437	\$ 219,437	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 219,437
0034	\$ 552,424	\$ 863,424	\$ 311,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 863,424
0035	\$ -	\$ -	\$ -	\$ 1,117,000	\$ 1,114,800	\$ (2,200)	\$ -	\$ -	\$ -	\$ 1,114,800
0036	\$ 1,226,785	\$ 1,226,785	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,226,785
0041	\$ 962,611	\$ 962,611	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 962,611
0051	\$ 2,732,876	\$ 2,758,601	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,758,601
0052	\$ 218,500	\$ 218,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 218,500
0053	\$ 564,688	\$ 564,688	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 564,688
0061	\$ 30,000	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000
0071	\$ 189,450	\$ 189,450	\$ -	\$ -	\$ 2,200	\$ 2,200	\$ 1,487,427	\$ 1,487,427	\$ -	\$ 1,679,077
0081	\$ 1,398,988	\$ 1,429,554	\$ 30,566	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,429,554
0095	\$ 7,000	\$ 7,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,000
0099	\$ 155,000	\$ 155,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 155,000
6050	\$ 22,927,990	\$ 23,407,062	\$ 341,566	\$ 1,117,000	\$ 1,117,000	\$ -	\$ 1,487,427	\$ 1,487,427	\$ -	\$ 26,011,489
OTHER SOURCES AND USES										
7060	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7913	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7914	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
8060	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Excess (Deficiency) of Revenues and Other Sources										
1200	\$ (2,469,041)	\$ (2,948,113)	\$ (341,566)	\$ -	\$ -	\$ -	\$ 352,677	\$ 352,677	\$ -	\$ (2,595,436)
0100	\$ 15,540,883	\$ 15,540,883	\$ -	\$ 738,095	\$ 738,095	\$ -	\$ 1,649,228	\$ 1,649,228	\$ -	\$ 17,928,206
3000	\$ 13,071,842	\$ 12,592,770	\$ (479,072)	\$ 738,095	\$ 738,095	\$ -	\$ 2,001,905	\$ 2,001,905	\$ -	\$ 15,332,770



Devine Independent School District Board of Trustees Agenda Document

Meeting Date: September 16, 2024
Agenda Item: Investment Policy CDA (Local)

Background Information:

CDA (Legal) requires that the Board of Trustees review the local investment policy annually and approve the resolution for the training of investments officers and the independent sources of instruction.

Administrative Consideration:

Board Policy CDA (Legal/Local)

Budgetary Consideration:

None

Supporting Documents:

CDA (Legal/Local)
Resolutions

Recommendation:

Approve Resolutions approving the training of investment officers and the review of the district investment policy.

Respectfully Submitted by:

Shannon Ramirez
Director of Finance

Approved by:

Todd Grandjean
Superintendent of Schools



**RESOLUTION OF ANNUAL REVIEW OF THE INVESTMENT POLICY AND
INVESTMENT STRATEGIES OF
DEVINE INDEPENDENT SCHOOL DISTRICT**

WHEREAS, DEVINE INDEPENDENT SCHOOL DISTRICT (the “District”) has been legally created and operates pursuant to the general laws of the State of Texas applicable to Independent School District; and

WHEREAS, the Board of Trustees has convened on this date at a meeting open to the public and wishes to review the Investment Policy and Investment Strategies for the District, in the form attached hereto, pursuant to Chapter 2256, the Texas Government Code, as amended from time to time; Now, Therefore,

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

Section 1. The Investment Policy, in the form attached hereto is hereby reviewed and approved at its annual review.

Section 2. The provisions of this Resolution shall be effective as of the date reviewed and shall remain in effect until modified by action of the Board of Trustees.

PASSED AND APPROVED this 16th day of September, 2024

Nancy Pepper
President, Board of Trustees

Attest:

Keri James
Secretary, Board of Trustees



**RESOLUTION APPROVING THE TRAINING OF INVESTMENT OFFICERS
AND THE INDEPENDENT SOURCES OF INSTRUCTION RELATING TO
INVESTMENT RESPONSIBILITIES**

WHEREAS, Devine Independent School District (the “District”) has been legally created and operates pursuant to the general laws of the State of Texas applicable to independent school district; and

WHEREAS, the Board of Trustees has convened on this date at a meeting open to the public and wishes to approve investment training, pursuant to Chapter 2256.008(a), Texas Government Code, as amended from time to time; and

WHEREAS, Section 2256.008(a) Texas Government Code, as amended, requires the treasurer, chief financial officer if the treasurer is not the chief financial officer and investment officer of the District to attend an investment training session as required from an independent source approved by the Board of Trustees of the District or a designated investment committee advising the investment officer, as provided in the investment policy of the District; and

WHEREAS, the Investment Policy, CDA (LOCAL), designates the Superintendent of Schools and other persons as designated by the Board of Trustees as the investment officers; and

WHEREAS, the Texas Association of School Boards (“TASB”), the Texas Association of School Administrators (“TASA”), the Texas Association of School Business Officials (“TASBO”), the Government Treasurers’ Organization of Texas (“GTOT”), Southwest Securities and Local Government Investment Cooperative (LOGIC) provide investment training sessions relating to investment responsibilities; and

WHEREAS, the governing body of this local government wishes to approve Education Service Center, Region 20, TASB, TASA, TASBO, GTOT, Southwest Securities and LOGIC as independent sources of instruction to provide investment training sessions required by Section 2256.008(a): Now, Therefore,

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE DEVINE
INDEPENDENT SCHOOL DISTRICT THAT:**

Section 1: The approval of Education Service Center, Region 20, TASB, TASA, TASBO, GTOT, Southwest Securities, and LOGIC as independent sources of instruction relating to investment responsibilities for the investment officers of the District, as required by Section 2256.008(a), Texas Government Code, as amended.

PASSED AND APPROVED this 16th day of September, 2024

**Nancy Pepper
President, Board of Trustees**

ATTEST:

**Keri James
Secretary, Board of Trustees**

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OTHER REVENUES
INVESTMENTS

CDA
(LEGAL)

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All investments made by a district shall comply with the Public Funds Investment Act (Texas Government Code Chapter 2256, Subchapter A) and all federal, state, and local statutes, rules, or regulations. *Gov't Code 2256.026*

Definitions

Bond Proceeds	“Bond proceeds” means the proceeds from the sale of bonds, notes, and other obligations issued by a district, and reserves and funds maintained by a district for debt service purposes.
Investment Pool	“Investment pool” means an entity created under the Texas Government Code to invest public funds jointly on behalf of the entities that participate in the pool and whose investment objectives in order of priority are preservation and safety of principal, liquidity, and yield.
Pooled Fund Group	“Pooled fund group” means an internally created fund of a district in which one or more institutional accounts of a district are invested.
Separately Invested Asset	“Separately invested asset” means an account or fund of a district that is not invested in a pooled fund group. <i>Gov't Code 2256.002(1), (6), (9), (12)</i>
Pledged Revenue	“Pledged revenue” means money pledged to the payment of or as security for: <ol style="list-style-type: none">1. Bonds or other indebtedness issued by a district;2. Obligations under a lease, installment sale, or other agreement of a district; or3. Certificates of participation in a debt or obligation described by item 1 or 2. <i>Gov't Code 2256.0208(a)</i>
Joint Account	“Joint account” means an account maintained by a custodian bank and established on behalf of two or more parties to engage in aggregate repurchase agreement transactions.
Repurchase Agreement	“Repurchase agreement” means a simultaneous agreement to buy, hold for a specified time, and sell back at a future date obligations, described by Government Code 2256.009(a)(1) (obligations of governmental entities) or 2256.013 (commercial paper) or if applicable, 2256.0204 (corporate bonds), at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed. The term includes a direct security repurchase agreement and a reverse security repurchase agreement. <i>Gov't Code 2256.011(b)</i>

Hedging

“Hedging” means acting to protect against economic loss due to price fluctuation of a commodity or related investment by entering into an offsetting position or using a financial agreement or producer price agreement in a correlated security, index, or other commodity.

Eligible Entity

“Eligible entity” means a political subdivision that has:

1. A principal amount of at least \$250 million in outstanding long-term indebtedness, long-term indebtedness proposed to be issued, or a combination of outstanding long-term indebtedness and long-term indebtedness proposed to be issued; and
2. Outstanding long-term indebtedness that is rated in one of the four highest rating categories for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with the obligation.

Eligible Project

“Eligible project” has the meaning assigned by Government Code 1371.001 (issuance of obligations for certain public improvements).

Gov’t Code 2256.0207(a)

Corporate Bond

“Corporate bond” means a senior secured debt obligation issued by a domestic business entity and rated not lower than “AA-” or the equivalent by a nationally recognized investment rating firm. The term does not include a debt obligation that, on conversion, would result in the holder becoming a stockholder or shareholder in the entity, or any affiliate or subsidiary of the entity, that issued the debt obligation, or is an unsecured debt obligation. *Gov’t Code 2256.0204(a)*

Written Policies

The board shall adopt by rule, order, ordinance, or resolution, as appropriate, a written investment policy regarding the investment of its funds and funds under its control. The investment policies must primarily emphasize safety of principal and liquidity and must address investment diversification, yield, and maturity and the quality and capability of investment management. The policies must include:

1. A list of the types of authorized investments in which the district’s funds may be invested;
2. The maximum allowable stated maturity of any individual investment owned by the district;

OTHER REVENUES
INVESTMENTS

CDA
(LEGAL)

3. For pooled fund groups, the maximum dollar-weighted average maturity allowed based on the stated maturity date of the portfolio;
4. Methods to monitor the market price of investments acquired with public funds;
5. A requirement for settlement of all transactions, except investment pool funds and mutual funds, on a delivery versus payment basis; and
6. Procedures to monitor rating changes in investments acquired with public funds and the liquidation of such investments consistent with the provisions of Government Code 2256.021 [see Loss of Required Rating, below].

Gov't Code 2256.005(a), (b)

Annual Review

The board shall review its investment policy and investment strategies not less than annually. The board shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies. *Gov't Code 2256.005(e)*

Annual Audit

A district shall perform a compliance audit of management controls on investments and adherence to the district's established investment policies. The compliance audit shall be performed in conjunction with the annual financial audit. *Gov't Code 2256.005(m)*

Investment
Strategies

As an integral part of the investment policy, the board shall adopt a separate written investment strategy for each of the funds or group of funds under the board's control. Each investment strategy must describe the investment objectives for the particular fund using the following priorities in order of importance:

1. Understanding of the suitability of the investment to the financial requirements of the district;
2. Preservation and safety of principal;
3. Liquidity;
4. Marketability of the investment if the need arises to liquidate the investment before maturity;
5. Diversification of the investment portfolio; and
6. Yield.

Gov't Code 2256.005(d)

OTHER REVENUES
INVESTMENTS

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Investment Officer	<p>A district shall designate by rule, order, ordinance, or resolution, as appropriate, one or more officers or employees as investment officer(s) to be responsible for the investment of its funds consistent with the investment policy adopted by the board. If the board has contracted with another investing entity to invest its funds, the investment officer of the other investing entity is considered to be the investment officer of the contracting board's district. In the administration of the duties of an investment officer, the person designated as investment officer shall exercise the judgment and care, under prevailing circumstances, that a prudent person would exercise in the management of the person's own affairs, but the board retains the ultimate responsibility as fiduciaries of the assets of the district. Unless authorized by law, a person may not deposit, withdraw, transfer, or manage in any other manner the funds of the district. Authority granted to a person to invest the district's funds is effective until rescinded by the district or until termination of the person's employment by a district, or for an investment management firm, until the expiration of the contract with the district. <i>Gov't Code 2256.005(f)</i></p> <p>A district or investment officer may use the district's employees or the services of a contractor of the district to aid the investment officer in the execution of the officer's duties under Government Code Chapter 2256. <i>Gov't Code 2256.003(c)</i></p>
Investment Training	<p>Investment training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Public Funds Investment Act. <i>Gov't Code 2256.008(c)</i></p>
<i>Initial</i>	<p>Within 12 months after taking office or assuming duties, the treasurer, the chief financial officer if the treasurer is not the chief financial officer, and the investment officer of a district shall attend at least one training session from an independent source approved by the board or a designated investment committee advising the investment officer. This initial training must contain at least 10 hours of instruction relating to their respective responsibilities under the Public Funds Investment Act. <i>Gov't Code 2256.008(a)</i></p>
<i>Ongoing</i>	<p>The treasurer, or the chief financial officer if the treasurer is not the chief financial officer, and the investment officer of a district shall attend an investment training session not less than once in a two-year period that begins on the first day of the district's fiscal year and consists of the two consecutive fiscal years after that date, and receive not less than eight hours of instruction relating to investment responsibilities under the Public Funds Investment Act from an independent source approved by the board or by a designated</p>

investment committee advising the investment officer. *Gov't Code 2256.008(a-1)*

Exception

The ongoing training requirement does not apply to the treasurer, chief financial officer, or investment officer of a district if:

1. The district does not invest district funds or only deposits those funds in interest-bearing deposit accounts or certificates of deposit as authorized by Government Code 2256.010; and
2. The treasurer, chief financial officer, or investment officer annually submits to the agency a sworn affidavit identifying the applicable criteria under item 1 that apply to the district.

Gov't Code 2256.008(g)

Standard of Care

Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Investment of funds shall be governed by the following objectives, in order of priority:

1. Preservation and safety of principal;
2. Liquidity; and
3. Yield.

In determining whether an investment officer has exercised prudence with respect to an investment decision, the following shall be taken into consideration:

1. The investment of all funds, or funds under the district's control, over which the officer had responsibility rather than the prudence of a single investment; and
2. Whether the investment decision was consistent with the district's written investment policy.

Gov't Code 2256.006

Personal Interest

A district investment officer who has a personal business relationship with a business organization offering to engage in an investment transaction with the district shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity, as determined by Government Code Chapter 573 (nepotism prohibition), to an individual seeking to sell an investment to the investment officer's district shall file a statement disclosing that relationship. A required statement must be filed with the board and with the Texas

Ethics Commission. For purposes of this policy, an investment officer has a personal business relationship with a business organization if:

1. The investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
2. Funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or
3. The investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

Gov't Code 2256.005(i)

Quarterly Reports

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 reporting period. This report shall be presented not less than quarterly to the board and the superintendent within a reasonable time after the end of the period. The report must:

1. Describe in detail the investment position of the district on the date of the report;
2. Be prepared jointly and signed by all district investment officers;
3. Contain a summary statement of each pooled fund group that states the:
 - a. Beginning market value for the reporting period;
 - b. Ending market value for the period; and
 - c. Fully accrued interest for the reporting period;
4. State the book value and market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested;
5. State the maturity date of each separately invested asset that has a maturity date;
6. State the account or fund or pooled group fund in the district for which each individual investment was acquired; and

7. State the compliance of the investment portfolio of the district as it relates to the investment strategy expressed in the district's investment policy and relevant provisions of the Public Funds Investment Act.

If a district invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposit, or money market accounts or similar accounts, the reports prepared by the investment officers shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the board by that auditor.

Gov't Code 2256.023

Selection of Broker

The board or the designated investment committee shall, at least annually, review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with a district.
Gov't Code 2256.025

Bond Proceeds

The investment officer of a district may invest bond proceeds or pledged revenue only to the extent permitted by the Public Funds Investment Act, in accordance with:

1. Statutory provisions governing the debt issuance or the agreement, as applicable; and
2. The district's investment policy regarding the debt issuance or the agreement, as applicable.

Gov't Code 2256.0208(b)

Authorized Investments

A board may purchase, sell, and invest its funds and funds under its control in investments described below, in compliance with its adopted investment policies and according to the standard of care set out in this policy. *Gov't Code 2256.003(a)*

The board may specify in its investment policy that any authorized investment is not suitable. *Gov't Code 2256.005(j)*

Investment Management Firm

In the exercise of these powers, the board may contract with an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or with the State Securities Board to provide for the investment and management of its public funds or other funds under its control. A contract made under this authority may not be for a term longer than two years. A renewal or extension of the contract must be made by the board by order, ordinance, or resolution.

A district that contracts with an investment management firm may authorize the firm to invest the district's public funds or other funds

under the district's control in repurchase agreements as provided by Government Code 2256.011 using a joint account.

An investment management firm responsible for managing a repurchase agreement transaction using a joint account on behalf of a district must ensure that:

1. Accounting and control procedures are implemented to document the district's aggregate daily investment and pro rata share in the joint account;
2. Each party participating in the joint account retains the sole rights of ownership to the party's pro rata share of assets invested in the joint account, including investment earnings on those assets; and
3. Policies and procedures are implemented to prevent a party participating in the joint account from using any part of a balance of the joint account that is credited to another party.

Gov't Code 2256.003(b), .011(f), (g)

Obligations of
Governmental
Entities

The following are authorized investments:

1. Obligations, including letters of credit, of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks;
2. Direct obligations of this state or its agencies and instrumentalities;
3. Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;
4. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state, the United States, or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation (FDIC) or by the explicit full faith and credit of the United States;
5. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;
6. Bonds issued, assumed, or guaranteed by the state of Israel;

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7. Interest-bearing banking deposits that are guaranteed or insured by the FDIC or its successor, or the National Credit Union Share Insurance Fund or its successor; and
8. Interest-bearing banking deposits other than those described at item 7 above if:
 - a. The funds are invested through a broker with a main office or a branch office in this state that the district selects from a list the board or designated investment committee of the district adopts as required at Selection of Broker above or a depository institution with a main office or a branch office in this state and that the district selects;
 - b. The broker or depository institution selected as described above arranges for the deposit of the funds in the banking deposits in one or more federally insured depository institutions, regardless of where located, for the district's account;
 - c. The full amount of the principal and accrued interest of the banking deposits is insured by the United States or an instrumentality of the United States; and
 - d. The district appoints as the district's custodian of the banking deposits issued for the district's account the depository institution selected as described above, an entity described by Government Code 2257.041(d) (custodian with which to deposit securities), or a clearing broker-dealer registered with the Securities and Exchange Commission and operating under Rule 15c3-3 (17 C.F.R. Section 240.15c3-3).

Gov't Code 2256.009(a)

*Unauthorized
Obligations*

The following investments are not authorized:

1. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;
2. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
3. Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and

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4. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

Gov't Code 2256.009(b)

Certificates of
Deposit and Share
Certificates

A certificate of deposit or share certificate is an authorized investment if the certificate is issued by a depository institution that has its main office or a branch office in Texas and is:

1. Guaranteed or insured by the FDIC or its successor or the National Credit Union Share Insurance Fund or its successor;
2. Secured by obligations described at Obligations of Governmental Entities, above, including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates, but excluding those mortgage backed securities described at Unauthorized Obligations, above; or
3. Secured in accordance with Government Code Chapter 2257 (Public Funds Collateral Act) or in any other manner and amount provided by law for the deposits of the district.

Gov't Code 2256.010(a)

In addition to the authority to invest funds in certificates of deposit under the previous section, an investment in certificates of deposit made in accordance with the following conditions is an authorized investment:

1. The funds are invested by the district through a broker that has its main office or a branch office in this state and is selected from a list adopted by the district as required at Selection of Broker, above or a depository institution that has its main office or a branch office in this state and that is selected by the district;
2. The broker or depository institution selected by the district arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the district;
3. The full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and
4. The district appoints the depository institution selected by the district, an entity described by Government Code 2257.041(d) (custodian with which to deposit securities), or a clearing broker-dealer registered with the Securities and Exchange Com-

mission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3) as custodian for the district with respect to the certificates of deposit issued for the account of the district.

Gov't Code 2256.010(b)

The district's investment policies may provide that bids for certificates of deposit be solicited orally, in writing, electronically, or in any combination of those methods. *Gov't Code 2256.005(c)*

Repurchase
Agreements

A fully collateralized repurchase agreement is an authorized investment if it:

1. Has a defined termination date;
2. Is secured by a combination of cash and obligations described by Government Code 2256.009(a)(1) (obligations of governmental entities) or 2256.013 (commercial paper) or if applicable, 2256.0204 (corporate bonds);
3. Requires the securities being purchased by the district or cash held by the district to be pledged to the district either directly or through a joint account approved by the district, held in the district's name either directly or through a joint account approved by the district, and deposited at the time the investment is made with the district or a third party selected and approved by the district; and
4. Is placed through a primary government securities dealer, as defined by the Federal Reserve or a financial institution doing business in Texas.

The term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered. Money received by a district under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement.

Government Code 1371.059(c) (validity and incontestability of obligations for certain public improvements) applies to the execution of a repurchase agreement by a district.

Gov't Code 2256.011(a), (c), (d), (e)

Securities Lending
Program

A securities lending program is an authorized investment if:

1. The value of securities loaned is not less than 100 percent collateralized, including accrued income;

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2. A loan allows for termination at any time;
3. A loan is secured by:
 - a. Pledged securities described at Obligations of Governmental Entities, above;
 - b. Pledged irrevocable letters of credit issued by a bank that is organized and existing under the laws of the United States or any other state, and continuously rated by at least one nationally recognized investment rating firm at not less than A or its equivalent; or
 - c. Cash invested in accordance with Government Code 2256.009 (obligations of governmental entities), 2256.013 (commercial paper), 2256.014 (mutual funds), or 2256.016 (investment pools);
4. The terms of a loan require that the securities being held as collateral be pledged to the district, held in the district's name, and deposited at the time the investment is made with the district or with a third party selected by or approved by the district; and
5. A loan is placed through a primary government securities dealer, as defined by 5 C.F.R. Section 6801.102(f), as that regulation existed on September 1, 2003, or a financial institution doing business in this state.

An agreement to lend securities under a securities lending program must have a term of one year or less.

Gov't Code 2256.0115

Banker's
Acceptances

A banker's acceptance is an authorized investment if it:

1. Has a stated maturity of 270 days or fewer from the date of issuance;
2. Will be, in accordance with its terms, liquidated in full at maturity;
3. Is eligible for collateral for borrowing from a Federal Reserve Bank; and
4. Is accepted by a bank organized and existing under the laws of the United States or any state, if the short-term obligations of the bank, or of a bank holding company of which the bank is the largest subsidiary, are rated not less than A-1 or P-1 or

an equivalent rating by at least on nationally recognized credit rating agency.

Gov't Code 2256.012

Commercial Paper

Commercial paper is an authorized investment if it has a stated maturity of 365 days or fewer from the date of issuance; and is rated not less than A-1 or P-1 or an equivalent rating by at least:

1. Two nationally recognized credit rating agencies; or
2. One nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States law or any state.

Gov't Code 2256.013

Mutual Funds

A no-load money market mutual fund is an authorized investment if the mutual fund:

1. Is registered with and regulated by the Securities and Exchange Commission;
2. Provides the district with a prospectus and other information required by the Securities and Exchange Act of 1934 (15 U.S.C. 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.); and
3. Complies with federal Securities and Exchange Commission Rule 2a-7 (17 C.F.R. Section 270.2a-7), promulgated under the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.).

Gov't Code 2256.014(a)

In addition to the no-load money market mutual fund authorized above, a no-load mutual fund is an authorized investment if it:

1. Is registered with the Securities and Exchange Commission;
2. Has an average weighted maturity of less than two years; and
3. Either has a duration of:
 - a. One year or more and is invested exclusively in obligations approved by the Public Funds Investment Act, or
 - b. Less than one year and the investment portfolio is limited to investment grade securities, excluding asset-backed securities.

Gov't Code 2256.014(b)

Limitations

A district is not authorized to:

1. Invest in the aggregate more than 15 percent of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service, in mutual funds described in Government Code 2256.014(b);
2. Invest any portion of bond proceeds, reserves and funds held for debt service, in mutual funds described in Government Code 2256.014(b); or
3. Invest its funds or funds under its control, including bond proceeds and reserves and other funds held for debt service, in any one mutual fund described in Government Code 2256.014(a) or (b) in an amount that exceeds 10 percent of the total assets of the mutual fund.

Gov't Code 2256.014(c)

Guaranteed
Investment
Contracts

A guaranteed investment contract is an authorized investment for bond proceeds if the guaranteed investment contract:

1. Has a defined termination date;
2. Is secured by obligations described at Obligations of Governmental Entities, above, excluding those obligations described at Unauthorized Obligations, in an amount at least equal to the amount of bond proceeds invested under the contract; and
3. Is pledged to the district and deposited with the district or with a third party selected and approved by the district.

Bond proceeds, other than bond proceeds representing reserves and funds maintained for debt service purposes, may not be invested in a guaranteed investment contract with a term longer than five years from the date of issuance of the bonds.

To be eligible as an authorized investment:

1. The board must specifically authorize guaranteed investment contracts as eligible investments in the order, ordinance, or resolution authorizing the issuance of bonds;
2. The district must receive bids from at least three separate providers with no material financial interest in the bonds from which proceeds were received;
3. The district must purchase the highest yielding guaranteed investment contract for which a qualifying bid is received;

4. The price of the guaranteed investment contract must take into account the reasonably expected drawdown schedule for the bond proceeds to be invested; and
5. The provider must certify the administrative costs reasonably expected to be paid to third parties in connection with the guaranteed investment contract.

Government Code 1371.059(c) (validity and incontestability of obligations for certain public improvements) applies to the execution of a guaranteed investment contract by a district.

Gov't Code 2256.015

Investment Pools

A district may invest its funds or funds under its control through an eligible investment pool if the board by rule, order, ordinance, or resolution, as appropriate, authorizes the investment in the particular pool. *Gov't Code 2256.016, .019*

To be eligible to receive funds from and invest funds on behalf of a district, an investment pool must furnish to the investment officer or other authorized representative of the district an offering circular or other similar disclosure instrument that contains the information specified in Government Code 2256.016(b). To maintain eligibility, an investment pool must furnish to the investment officer or other authorized representative investment transaction confirmations and a monthly report that contains the information specified in Government Code 2256.016(c). A district by contract may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with its local funds. *Gov't Code 2256.016(b)-(d)*

Corporate Bonds

A district that qualifies as an issuer as defined by Government Code 1371.001 [see CCF], may purchase, sell, and invest its funds and funds under its control in corporate bonds (as defined above) that, at the time of purchase, are rated by a nationally recognized investment rating firm "AA-" or the equivalent and have a stated final maturity that is not later than the third anniversary of the date the corporate bonds were purchased.

A district is not authorized to:

1. Invest in the aggregate more than 15 percent of its monthly average fund balance, excluding bond proceeds, reserves, and other funds held for the payment of debt service, in corporate bonds; or
2. Invest more than 25 percent of the funds invested in corporate bonds in any one domestic business entity, including subsidiaries and affiliates of the entity.

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A district subject to these provisions may purchase, sell, and invest its funds and funds under its control in corporate bonds if the board:

1. Amends its investment policy to authorize corporate bonds as an eligible investment;
2. Adopts procedures to provide for monitoring rating changes in corporate bonds acquired with public funds and liquidating the investment in corporate bonds; and
3. Identifies the funds eligible to be invested in corporate bonds.

The district investment officer, acting on behalf of the district, shall sell corporate bonds in which the district has invested its funds not later than the seventh day after the date a nationally recognized investment rating firm:

1. Issues a release that places the corporate bonds or the domestic business entity that issued the corporate bonds on negative credit watch or the equivalent, if the corporate bonds are rated "AA-" or the equivalent at the time the release is issued; or
2. Changes the rating on the corporate bonds to a rating lower than "AA-" or the equivalent.

Gov't Code 2256.0204

Hedging
Transactions

The board of an eligible entity (as defined above) shall establish the entity's policy regarding hedging transactions. An eligible entity may enter into hedging transactions, including hedging contracts, and related security, credit, and insurance agreements in connection with commodities used by an eligible entity in the entity's general operations, with the acquisition or construction of a capital project, or with an eligible project. A hedging transaction must comply with the regulations of the federal Commodity Futures Trading Commission and the federal Securities and Exchange Commission.

Government Code 1371.059(c) (validity and incontestability of obligations for certain public improvements) applies to the execution by an eligible entity of a hedging contract and any related security, credit, or insurance agreement.

An eligible entity may:

1. Pledge as security for and to the payment of a hedging contract or a security, credit, or insurance agreement any general or special revenues or funds the entity is authorized by law to pledge to the payment of any other obligation.

2. Credit any amount the entity receives under a hedging contract against expenses associated with a commodity purchase.

An eligible entity's cost of or payment under a hedging contract or agreement may be considered an operation and maintenance expense, an acquisition expense, or construction expense of the eligible entity; or a project cost of an eligible project.

Gov't Code 2256.0206

Prohibited
Investments

Except as provided by Government Code 2270 (prohibited investments), a district is not required to liquidate investments that were authorized investments at the time of purchase. *Gov't Code 2256.017*

Note: As an "investing entity" under Government Code 2270.0001(7)(A), a district must comply with Chapter 2270, including reporting requirements, regarding prohibited investments in scrutinized companies listed by the comptroller in accordance with Government Code 2270.0201.

Loss of Required
Rating

An investment that requires a minimum rating does not qualify as an authorized investment during the period the investment does not have the minimum rating. A district shall take all prudent measures that are consistent with its investment policy to liquidate an investment that does not have the minimum rating. *Gov't Code 2256.021*

**Sellers of
Investments**

A written copy of the investment policy shall be presented to any business organization (as defined below) offering to engage in an investment transaction with a district. The qualified representative of the business organization offering to engage in an investment transaction with a district shall execute a written instrument in a form acceptable to the district and the business organization substantially to the effect that the business organization has:

1. Received and reviewed the district investment policy; and
2. Acknowledged that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the district and the organization that are not authorized by the district's investment policy, except to the extent that this authorization:
 - a. Is dependent on an analysis of the makeup of the district's entire portfolio;

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- b. Requires an interpretation of subjective investment standards; or
- c. Relates to investment transactions of the entity that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority.

The investment officer of a district may not acquire or otherwise obtain any authorized investment described in the district's investment policy from a business organization that has not delivered to the district the instrument required above.

Gov't Code 2256.005(k)-(l)

Nothing in this section relieves the district of the responsibility for monitoring investments made by the district to determine that they are in compliance with the investment policy.

Business
Organization

For purposes of the provisions at Sellers of Investments above, "business organization" means an investment pool or investment management firm under contract with a district to invest or manage the district's investment portfolio that has accepted authority granted by the district under the contract to exercise investment discretion in regard to the district's funds.

Gov't Code 2256.005(k)

Donations

A gift, devise, or bequest made to a district to provide college scholarships for district graduates may be invested by the board as provided in Property Code 117.004 (Uniform Prudent Investor Act), unless otherwise specifically provided by the terms of the gift, devise, or bequest. *Education Code 45.107*

Investments donated to a district for a particular purpose or under terms of use specified by the donor are not subject to the requirements of the Public Funds Investment Act. *Gov't Code 2256.004(b)*

**Electronic Funds
Transfer**

A district may use electronic means to transfer or invest all funds collected or controlled by the district. *Gov't Code 2256.051*

Investment Authority

The Superintendent or other person designated by Board resolution shall serve as the investment officer of the District and shall invest District funds as directed by the Board and in accordance with the District's written investment policy and generally accepted accounting procedures. All investment transactions except investment pool funds and mutual funds shall be settled on a delivery versus payment basis.

**Approved
Investment
Instruments**

From those investments authorized by law and described further in CDA(LEGAL) under Authorized Investments, the Board shall permit investment of District funds, including bond proceeds and pledged revenue to the extent allowed by law, in only the following investment types, consistent with the strategies and maturities defined in this policy:

1. Obligations of, or guaranteed by, governmental entities as permitted by Government Code 2256.009.
2. Certificates of deposit and share certificates as permitted by Government Code 2256.010.
3. Fully collateralized repurchase agreements permitted by Government Code 2256.011.
4. A securities lending program as permitted by Government Code 2256.0115.
5. Banker's acceptances as permitted by Government Code 2256.012.
6. Commercial paper as permitted by Government Code 2256.013.
7. No-load mutual funds, except for bond proceeds, and no-load money market mutual funds, as permitted by Government Code 2256.014.
8. A guaranteed investment contract as an investment vehicle for bond proceeds, provided it meets the criteria and eligibility requirements established by Government Code 2256.015.
9. Public funds investment pools as permitted by Government Code 2256.016.

Safety

The primary goal of the investment program is to ensure safety of principal, to maintain liquidity, and to maximize financial returns within current market conditions in accordance with this policy. Investments shall be made in a manner that ensures the preservation of capital in the overall portfolio, and offsets during a 12-month period any market price losses resulting from interest-rate fluctua-

tions by income received from the balance of the portfolio. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio.

**Investment
Management**

In accordance with Government Code 2256.005(b)(3), the quality and capability of investment management for District funds shall be in accordance with the standard of care, investment training, and other requirements set forth in Government Code Chapter 2256.

**Liquidity and
Maturity**

Any internally created pool fund group of the District shall have a maximum dollar weighted maturity of 180 days. The maximum allowable stated maturity of any other individual investment owned by the District shall not exceed one year from the time of purchase. The Board may specifically authorize a longer maturity for a given investment, within legal limits.

The District's investment portfolio shall have sufficient liquidity to meet anticipated cash flow requirements.

Diversity

The investment portfolio shall be diversified in terms of investment instruments, maturity scheduling, and financial institutions to reduce risk of loss resulting from overconcentration of assets in a specific class of investments, specific maturity, or specific issuer.

**Monitoring Market
Prices**

The investment officer shall monitor the investment portfolio and shall keep the Board informed of significant changes in the market value of the District's investment portfolio. Information sources may include financial/investment publications and electronic media, available software for tracking investments, depository banks, commercial or investment banks, financial advisers, and representatives/advisers of investment pools or money market funds. Monitoring shall be done at least quarterly, as required by law, and more often as economic conditions warrant by using appropriate reports, indices, or benchmarks for the type of investment.

**Monitoring Rating
Changes**

In accordance with Government Code 2256.005(b), the investment officer shall develop a procedure to monitor changes in investment ratings and to liquidate investments that do not maintain satisfactory ratings.

Funds/Strategies

Investments of the following fund categories shall be consistent with this policy and in accordance with the applicable strategy defined below. All strategies described below for the investment of a particular fund should be based on an understanding of the suitability of an investment to the financial requirements of the District and consider preservation and safety of principal, liquidity, marketability of an investment if the need arises to liquidate before maturity, diversification of the investment portfolio, and yield.

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Operating Funds	Investment strategies for operating funds (including any commingled pools containing operating funds) shall have as their primary objectives preservation and safety of principal, investment liquidity, and maturity sufficient to meet anticipated cash flow requirements.
Custodial Funds	Investment strategies for custodial funds shall have as their primary objectives preservation and safety of principal, investment liquidity, and maturity sufficient to meet anticipated cash flow requirements.
Debt Service Funds	Investment strategies for debt service funds shall have as their primary objective sufficient investment liquidity to timely meet debt service payment obligations in accordance with provisions in the bond documents. Maturities longer than one year are authorized provided legal limits are not exceeded.
Capital Project Funds	Investment strategies for capital project funds shall have as their primary objective sufficient investment liquidity to timely meet capital project obligations. Maturities longer than one year are authorized provided legal limits are not exceeded.
Safekeeping and Custody	The District shall retain clearly marked receipts providing proof of the District's ownership. The District may delegate, however, to an investment pool the authority to hold legal title as custodian of investments purchased with District funds by the investment pool.
Sellers of Investments	<p>Prior to handling investments on behalf of the District, a broker/dealer or a qualified representative of a business organization must submit required written documents in accordance with law. [See Sellers of Investments, CDA(LEGAL)]</p> <p>Representatives of brokers/dealers shall be registered with the Texas State Securities Board and must have membership in the Securities Investor Protection Corporation (SIPC) and be in good standing with the Financial Industry Regulatory Authority (FINRA).</p>
Soliciting Bids for CDs	In order to get the best return on its investments, the District may solicit bids for certificates of deposit in writing, by telephone, or electronically, or by a combination of these methods.
Interest Rate Risk	<p>To reduce exposure to changes in interest rates that could adversely affect the value of investments, the District shall use final and weighted-average-maturity limits and diversification.</p> <p>The District shall monitor interest rate risk using weighted average maturity and specific identification.</p>
Internal Controls	A system of internal controls shall be established and documented in writing and must include specific procedures designating who has authority to withdraw funds. Also, they shall be designed to

protect against losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the District. Controls deemed most important shall include:

1. Separation of transaction authority from accounting and recordkeeping and electronic transfer of funds.
2. Avoidance of collusion.
3. Custodial safekeeping.
4. Clear delegation of authority.
5. Written confirmation of telephone transactions.
6. Documentation of dealer questionnaires, quotations and bids, evaluations, transactions, and rationale.
7. Avoidance of bearer-form securities.

These controls shall be reviewed by the District's independent auditing firm.

Annual Review

The Board shall review this investment policy and investment strategies not less than annually and shall document its review in writing, which shall include whether any changes were made to either the investment policy or investment strategies.

Annual Audit

In conjunction with the annual financial audit, the District shall perform a compliance audit of management controls on investments and adherence to the District's established investment policies.



Devine Independent School District Board of Trustees Agenda Document

Meeting Date: September 16, 2024

Agenda Item: Resolution Authorizing District Investment Officers

Background Information:

Approval of Resolution Authorizing District Investment Officers as required by Public Funds Investment Act Chapter 2256, SEC. 2256.007.

Administrative Consideration:

Board Policy CDA (Legal)

Budgetary Consideration:

None

Supporting Documents:

CDA (Legal and Local)
Resolution

Recommendation:

Approve Resolution designating the district's investment officers.

Respectfully Submitted by:

Shannon Ramirez
Director of Finance

Approved by:

Todd Grandjean
Superintendent of Schools



**RESOLUTION OF INVESTMENT OFFICER DESIGNEES FOR THE DEVINE
INDEPENDENT SCHOOL DISTRICT**

WHEREAS, DEVINE INDEPENDENT SCHOOL DISTRICT (the “District”) has been legally created and operates pursuant to the general laws of the State of Texas applicable to Independent School District; and

WHEREAS, the Board of Trustees has convened on this date at a meeting open to the public and wishes to designate its Investment Officers to be responsible for the investment of the District’s funds pursuant to Chapter 2256 of the Texas Government Code and local Board policy, as amended from time to time; Now, Therefore,

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

Section 1. Superintendent Todd Grandjean and Chief Financial Officer Shannon Ramirez are hereby designated as the Investment Officers for the Devine Independent School District, in compliance with Section 2256.005 (f) of the Texas Government Code and in accordance with Board Policy CDA (Local); and

Section 2. The authority granted under this Resolution shall be effective as of the date of approval herein below indicated and shall remain in effect until modified or rescinded by action of the Board of Trustees or unless such authority is extinguished by operation of law.

PASSED AND APPROVED this 16th day of September, 2024

Nancy Pepper
President, Board of Trustees

Attest:

Keri James
Secretary, Board of Trustees



Devine Independent School District Board of Trustees Agenda Document

Meeting Date: 9/16/24

Agenda Item: 4-H Resolution and Adjunct Faculty Agreement

Background Information:

4-H must be recognized by the school board as eligible for extracurricular status under 19 TAC, Chapter 76.1 to allow the district to deem participating students in attendance for ADA purposes rather than counting these students absent and losing state funding through the foundation school program

Administrative Consideration:

In accordance with amendment to 19 TAC Section 129.21 (j), the School Board should consider naming county agents as adjunct faculty members of Devine ISD for the year 2024-25. This adjunct faculty status allows the adjunct faculty member to direct activities and participation of our DISD students who are members of Texas Agricultural Extension educational programs and contests. Devine ISD needs a current adjunct faculty agreement to allow Taryn Titsworth and Silia Lopez to sponsor our students in voluntary student programs conducted by the Texas Agricultural Extension Service.

This agreement allows the District to provide 4-H students with the same attendance provisions that we afford FFA students who are absent for stock shows and various contests but are “deemed present” since these activities are part of the school program.

Budgetary Consideration:

This will not affect the budget unless the School Board does not sign the agreement. If the District fails to sign the agreement, we would lose ADA when our 4-H students are absent for Texas Agricultural Extension educational programs and contests.

Supporting Documents:

Attached is a copy of the Adjunct Faculty Agreement and 4H Resolution

Recommendation:

Approve the Texas Agricultural Extension Adjunct Faculty Agreement and 4-H Resolution for extracurricular status provided by Medina County Extension Agency of the State of Texas.

Respectfully Submitted by:


Dr. Todd Grandjean
Superintendent of Schools

August 12, 2024

Todd Grandjean
Devine ISD
605 W Hondo Ave
Devine, TX 78016

Dear Mr. Grandjean,

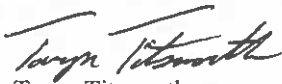
On behalf of the 4-H members of Medina County, we hereby respectfully request that the 4-H organization, by the attached resolution, be sanctioned as an extracurricular activity. We request the enclosed RESOLUTION be presented for consideration at the next scheduled meeting of the Board of Trustees of the Devine ISD. We further request that questions regarding this RESOLUTION be directed to us in a timely manner so that we may prepare and present an appropriate response so as not to delay action on this request.

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Finally, we request that a signed copy of this RESOLUTION, along with a copy of the minutes of the Board meeting be forwarded to us for our files.

Thank you and members of the Board of Trustees for your consideration of this request.

Sincerely,



Taryn Titsworth
Medina County Extension Agent
AG/NR

Attachment: Resolution for Extracurricular Status of 4-H Organization

**RESOLUTION
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION**

Be it hereby resolved that upon this date, the duly elected Board of Trustees of the

DEVINE ISD

meeting in public with a quorum present and certified,
did adopt this resolution that recognizes the

MEDINA

County Texas 4-H Organization as approved for recognition and eligible for
extracurricular status consideration under 19 Texas Administrative Code, Chapter 76.1,
pertaining to extracurricular activities.

42

Participation by 4-H members under provisions of this resolution are subject to all rules and
regulations set forth under the 19 Texas Administrative Code as interpreted by this Board and
designated officials of this school district.

Texas A&M AgriLife Extension will request academic eligibility for competitive activities,
regardless if a school absence is or is not required, and for non-competitive purposes when an
absence is required.

Approved this _____ day of _____, 2024

Board of Trustee

Superintendent

August 12, 2024

Todd Grandjean
Devine ISD
605 W Hondo Ave
Devine, TX 78016

Dear Mr. Grandjean,

On behalf of the Medina County Extension Staff, we hereby respectfully request approval of the attached Adjunct Faculty Agreement with the Devine Independent School District.

The State Board of Education passed an amendment to 19 TAC §129.21(j). Requirements for Student Attendance Accounting for State Funding Purposes allows public school students to be considered “in attendance” when participating in off campus activities with an adjunct staff member of the school district. Section 3 of the Student Attendance Handbook states:

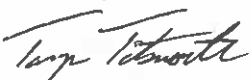
- (1) *The student is participating in an activity that is approved by the local board of school trustees and is under the direction of a member of the professional or paraprofessional staff of the school district, or an adjunct staff member who:*
- (A) *Has a minimum of a bachelor's degree; and*
 - (B) *Is eligible for participation in the Teacher Retirement System of Texas.*

Medina County requests the agents listed on the enclosed Adjunct Faculty Agreement be awarded adjunct staff member status for the period of time indicated on the agreement.

We hope Devine Independent School District will accept this request. Please let me know if you would like to schedule an appointment to discuss the amendment and request or if you need further information.

Thank you and members of the Board of Trustees for your consideration of this request.

Sincerely



Taryn Titsworth
Medina County Extension Agent
AG/NR

Attachment: Resolution for Extracurricular Status of 4-H Organization

Medina County Extension Office
1506 Ave M/Hondo, TX 78861
<https://medina.agrilife.org>/Tel. 830-741-6180

**THE STATE OF TEXAS
COUNTY OF MEDINA**

On this date, at a regularly scheduled and posted meeting, came the Board of Trustees of the Devine Independent School District, hereinafter referred to as "District". A quorum having been established, the Board proceeded to consider the appointment of the herein named individual as an adjunct member of the Devine Independent School District.

Upon consideration and vote of _____ in favor, Taryn Titsworth and/or Silia Lopez are hereby named as adjunct faculty member(s) of the Devine Independent School District subject to the following consideration and provisions of such appointment to wit:

1. This appointment shall commence on the _____ day of _____, 20____ and remain in effect until the _____ day of _____, 20____.

2. This appointment will include the Texas A&M AgriLife Extension Service employee listed below:

NAME	TITLE	DEGREE	INSTITUTION	DATE
Taryn Titsworth	County Extension Agent	BS	ASU	2018
Silia Lopez	4-H Program Assistant	BS	Texas State University	2023

3. Adjunct faculty member(s) will receive no compensation, salary, or remuneration from Devine Independent School District.
4. Adjunct faculty member(s) is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.
5. Adjunct faculty member(s) is and shall remain under the direct supervision of the District Extension Administrator of District 10.
6. Adjunct faculty member(s) shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty member(s) shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty members for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service pursuant to the supervisory authority of the District Extension Administrator or County Extension Director. Adjunct faculty member(s) is not the employee of the School District, and School District does not nor shall not supervise, direct or control the activities and/or participation of Medina County Extension Agent(s) who have/has been herein designated as an adjunct faculty member.

This appointment is made by the Independent School District by and through the Board of Trustees of said district for the benefit of allowing voluntary student participation in programs conducted by the Texas A&M AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by the Texas A&M AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 129.21(j)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for foundation school program purposes.

This appointment of the herein named Taryn Titsworth, County Extension Agent and Silia Lopez, 4-H Program Assistant is not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by Devine Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Signed this _____ day of _____, 2024

Devine Independent School District

By: _____



Devine Independent School District Board of Trustees Agenda Document

Meeting Date: 09/16/2024

Agenda Item: Portable Replacement Asphalt Cost

Background Information: An all-weather surface was required to meet current fire codes to allow first responder access to the site.

Administrative Consideration:

Project was a follow up to the portable completion project, as they did not list paving in their BuyBoard contract, their TIPS contract was utilized for paving.

Budgetary Consideration:

\$55,000.00

Supporting Documents:

Supporting Invoice

Recommendation:

Devine ISD Operations Dept. has reviewed the attached proposal and find the pricing to be in line with similar scopes of work, and therefore request approval from the Devine ISD Board of Trustees as authorization to proceed with the above described operations.

Respectfully Submitted by:

Darren Van Fossen
Director of Operations/Custodial Services

Approved by:

Dr. Todd Grandjean
Superintendent of Schools

DHMSA Construction, LLC

PO Box 240339

TX 78224

Invoice

Date	Invoice #
7/22/2024	1390

Bill To
Devine ISD 605 W. Hondo Ave., Devine, TX 78016

P.O. No.	Terms	Project
259959		Headstart Portable A...

Description	Qty	Rate	Amount
Asphalt for Headstart Portable	1	55,000.00	55,000.00

Subtotal		\$55,000.00
Sales Tax (8.25%)		\$0.00
Total		\$55,000.00
Payments/Credits		\$0.00
Balance Due		\$55,000.00



Devine Independent School District Board of Trustees Agenda Document

Meeting Date: September 16, 2024

Agenda Item: Call for Bus Bids

Background Information:

According to CNB (Legal), 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)*

The Devine ISD will post a Request for Proposal (RFP) on the BuyBoard to purchase two (2) 77 passenger school buses.

Administrative Consideration:

The transportation supervisor, Kandy Stein, is requesting the purchase of 2 new school buses. A 77 passenger school bus costs approximately \$152,000 and a 77 passenger school bus with a lift costs approximately \$159,000. Ms. Stein has been utilizing a Texas Commission on Environmental Quality Grant to replace pre-2007 diesel fueled school buses with buses that are the current or previous model year at the time of application.

Budgetary Consideration:

Given that the price of each bus is uncertain until the bids are submitted from a vendor, the budget consideration at this time would be not to exceed \$159,000 per unit from fund balance. The TCEQ grant will reimburse the district's fund balance \$87,822 per bus bringing the total cost to the district after the grant to approximately \$135, 356 for both buses.

Supporting Documents:

None at this time

Recommendation:

Approve the call for bids for one 70-80 passenger school bus and one 70-80 passenger school bus with a lift and grant authority to the superintendent to commit a purchase requisition to the vendor for the purchase of the two buses upon return of the bids.

Respectfully Submitted by:

Todd Grandjean
Superintendent of Schools



Devine Independent School District Board of Trustees Agenda Document

Meeting Date: September 16, 2024

Agenda Item: Consider Adopting Resolution Regarding Good Cause Exemption

Background Information:

During the last legislative session, HB 3 made numerous changes to school safety laws, including requiring districts to assign armed personnel at every campus. But unless the board claims a good cause exception due to lack of funding or qualified personnel, the board must ensure at least one armed security officer — specifically, a commissioned peace officer — is present during regular school hours at each campus. If the board claims an exception, the board must provide an alternative plan that may include reliance on a school marshal or an employee or contracted individual who has completed the handgun safety course required for handgun license holders and is authorized to carry a firearm by the district (often called a “guardian”). These requirements went into effect with the 2023-24 school year.

Administrative Consideration:

The Board of Trustees may determine that the District qualifies for the good cause exception(s), due to a lack of funding and the shortage of available commissioned peace officers in the District’s geographical area. The Board of trustees has developed a suitable alternative for providing safe and secure campuses by a combination of contracting with the Devine Police Department for the provision of a school resource officer that patrols the Devine ISD campuses during regular school hours, and by approving individuals through the School Guardian Program at each of the Devine ISD Campuses. The board adopted a good cause exception in 2023, but it is recommended that it is adopted annually.

Budgetary Consideration:

This will not affect the budget.

Supporting Documents:

Resolution

Recommendation:

Adopt Resolution

Respectfully Submitted by:

Todd Grandjean
Superintendent

**RESOLUTION OF THE
DEVINE INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

WHEREAS, the Board of Trustees of the Devine Independent School District (“Devine ISD” or “District”) is committed to the safety and security of all students and staff at Devine ISD; and

WHEREAS, the 88th Texas Legislature passed House Bill 3 addressing school safety and security to include amending the Texas Education Code by adding Section 37.0814, effective for the 2023-2024 school year, requiring the board of trustees of a public school district to determine the appropriate number of armed security officers for each district campus; and

WHEREAS, Texas Education Code 37.0814 requires an armed security officer at each campus during regular school hours, and each armed security officer must be a school district peace officer, school resource officer, or commissioned peace officer employed as security (referred to collectively as, “commissioned peace officer”); and

WHEREAS, Texas Education Code 37.0814(c) provides a good cause exception for Districts that are not able to provide a commissioned officer at every campus during regular school hours due to the availability of funding or lack of qualified commissioned peace officers, so long as school districts develop an alternative standard for compliance; and

WHEREAS, the Board of Trustees has determined that the District qualifies for the good cause exception(s), due to a lack of funding and the shortage of available commissioned peace officers in the District’s geographical area;

WHEREAS, the Board of Trustees has developed an alternative as outlined in Texas Education Code 37.0814(c) for the safety and security of students and staff, by a combination of contracting with the Devine Police Department for the provision of a school resource officer and by authorizing District employees, who have been trained by a qualified handgun instructor certified in school safety under Section 411.1901 of the Texas Government Code, to carry a handgun on school premises in accordance with written regulations (commonly referred to as “School Guardian Program”); and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Devine Independent School District has determined, pursuant to Texas Education Code 37.0814(c), that the District qualifies for the good cause exception to providing armed security officers at each individual campus during regular school hours, and has developed a suitable alternative for providing safe and secure campuses by a combination of contracting with the Devine Police Department for the provision of a school resource officer that patrols the Devine ISD campuses during regular school hours, and by approving individuals through the School Guardian Program at each of the Devine ISD Campuses.

BE IT FURTHER RESOLVED, the Board of Trustees hereby finds that the District in determining this good cause exception and establishing the alternative standard is in compliance with Texas Education Code 37.0814; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be placed in the meeting Minutes of the Devine ISD Board of Trustees; and

BE IT FURTHER RESOLVED, that the Superintendent shall take all actions necessary and appropriate to implement this resolution in compliance with State and Federal law and District policies, in consultation with the Board of Trustees and to ensure that documentation is maintained related to the district’s implementation of and compliance with these laws, including documentation related to the good cause exception and to provide said documentation to the Texas Education Agency as prescribed.

CERTIFICATE FOR RESOLUTION

I hereby certify that the foregoing resolution was presented to the Board of Trustees of Devine Independent School District during a lawfully called meeting on September 16, 2024. A quorum of the Board being then present, a motion was made to accept the resolution and seconded, such resolution was then adopted according to the following vote:

Ayes: _____
Noes: _____

Abstentions _____

President

Board Secretary



Devine Independent School District Board of Trustees Agenda Document

Meeting Date: September 16, 2024

Agenda Item: Board Operating Procedures

Background Information:

Annually, the DISD Board of Trustees reviews the Board's operations guidelines and recommends revisions, as appropriate to ensure the Board maintains a current comprehensive, practical operations manual to guide and inform Board members in carrying out their official duties and governing the District

Administrative Consideration:

The board should review the BOP for the 2024-2025 school year and consider any possible revisions. The Leadership Team section has been revised due to staffing changes.

Budgetary Consideration:

None

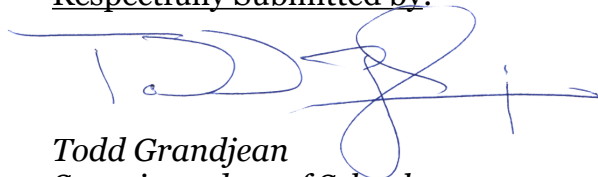
Supporting Documents:

Board Operating Procedures

Recommendation:

Recommend revisions or adopt the Board Operating Procedures.

Respectfully Submitted by:



Todd Grandjean
Superintendent of Schools

Board Operating Procedures



Devine Independent School District

2024-2025

TEAM OF EIGHT

Guidelines for Performance and Conduct

Devine Independent School District

Board and Leadership Teams

Team of Eight

Todd Grandjean.....	Superintendent of Schools
Nancy Pepper	Board President
Henry Moreno	Board Vice-President
Keri James	Board Secretary
Carl Brown	Board Member
Ali Buvinghausen	Board Member
Renee Frieda	Board Member
Chris Davis.....	Board Member

Leadership Team

Todd Grandjean.....	Superintendent of Schools
Shannon Ramirez.....	Chief Financial Officer
Dawn Schneider.....	Student Services Director
Jenni Hagdorn	Special Education Director
Juan Gonzalez.....	Principal, Devine High School
Kandi Darnell.....	Principal, Devine Middle School
Michael Gomez	Principal, Devine Intermediate School
Magdalena Strickland	Principal, J. J. Ciavarra Elementary School
Kandy Stein	Transportation Supervisor
Darren VanFossen.....	Director of Operations/Custodial Services
Ruben Ramirez.....	Director of Grounds
Kailyn Rotramel	Director Library Services
Annette Benavidez	Admin Assistant, Food Services
Jesse Hinojosa.....	Director Technology Services
Joslyn Wilson	Director Nursing Services
James Sessions	Athletic Director

Devine ISD Vision Statement

A dynamic educational community committed to a tradition of
excellence

Devine ISD Mission Statement

Empowering students to maximize their potential to achieve
lifetime success

DEVINE ISD ETHICS STATEMENT

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

Equity In Attitude

- I will be fair, just, and impartial in all my decisions and actions.
- I will accord others the respect I wish for myself.
- I will encourage expressions of different opinions and listen with an open mind to others' ideas.

Trustworthiness In Stewardship

- I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.
- I will be responsive to the community by seeking its involvement in District affairs and by communicating its priorities and concerns.
- I will work to ensure prudent and accountable use of District resources.
- I will make no personal promise or take private action that may compromise my performance or my responsibilities.

Honor In Conduct

- I will tell the truth.
- I will share my views while working for consensus.
- I will respect the majority decision as the decision of the Board.
- I will base my decisions on fact rather than supposition, opinion, or public favor.

Integrity Of Character

- I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.
- I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed.

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 avoid personal involvement in activities the Board has delegated to the Superintendent.
- I will seek continuing education that will enhance my ability to fulfill my duties effectively.

Student-Centered Focus

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

**BOARD OF TRUSTEES
OF THE
DEVINE INDEPENDENT SCHOOL DISTRICT
ADOPTION OF
BOARD OF TRUSTEES OPERATING PROCEDURES**

Annually, the DISD Board of Trustees reviews the Board’s operations guidelines and recommends revisions, as appropriate to ensure the Board maintains a current comprehensive, practical operations manual to guide and inform Board members in carrying out their official duties and governing the District; and

The Board has reviewed the operations manual and finds that it describes the practices and procedures the Board desires to follow in carrying out its official duties and governing the District;

The Board of Trustees hereby adopts the attached Board of Trustees Operating Procedures, and all Board members commit to following these unanimously agreed-upon practices and guidelines described in the manual.

Unanimously agreed upon and adopted on this _____ day of _____, 2024.

Nancy Pepper

Renee Frieda

Henry Moreno, Jr.

Chris Davis

Keri James

Ali Buvinghausen

Carl Brown

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I. DEVELOPING BOARD MEETING AGENDA

A. Placing items on agenda

1. In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings.
2. Any Trustee may request that a subject be included on the agenda for a meeting, and the Superintendent shall include on the preliminary agenda of the meeting all Trustee-requested topics that have been timely submitted.
3. The deadline for submitting items for inclusion on the agenda is noon on the Wednesday before regular meetings.
4. Before the official agenda is finalized for any meeting, the Superintendent shall consult with the Board President to ensure that the agenda and the topics included meet with the President's approval.
5. In accordance with Texas Open Meeting Law, no member can place an item on the agenda less than 72 hours in advance of a meeting, except in an emergency as per Texas Code.

B. Executive Session

1. All personnel items where an individual employee's status with the District is discussed will take place in executive session unless specifically required by Texas Open Meeting Law to be in open session. The Board of Trustees reserves the right to go into executive session in accordance with Section 551.071 through 551.084 of the Texas Government Code to discuss any item(s) it is authorized to discuss in executive session in accordance with the Texas Open Meetings Act. Any necessary Board action related to such item(s) will be taken in open session following executive session.
2. Anything that violates the right to privacy, i.e. Texas Open Meeting Act, Texas Open Record Act, cannot be placed on the agenda.

C. Consent agenda items

1. When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda.
2. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item.
3. For each item listed as part of a consent agenda, the Board shall be furnished with background material.
4. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.
5. Examples could include:
 - a. Annual renewal of Region XX and TEA items
 - b. Budget amendments
 - c. Financial information

- d. Minutes of regular and special Board meetings
- e. Updates of Board policy
- f. Bid recommendations

Related Policies: BE (Local), BEC (Legal)

II. MEMBER CONDUCT DURING BOARD MEETINGS

(Four members present constitute a quorum for a meeting.)

A. Be Prepared

1. The superintendent will ensure that supporting information required for informed decision-making is prepared in advance when possible and included in the board meeting agenda packet.
2. The superintendent will ensure that agenda packets are distributed to board members at least three days before scheduled board meetings.
3. Board members should be prepared to discuss, deliberate and take action on agenda items by doing the following:
 - a. Reading agenda packet materials before each board meeting.
 - b. Calling the superintendent with questions about agenda items or background information before the scheduled board meeting.
4. Receiving answers to questions in advance does not preclude board members from asking relevant questions about agenda items during board meetings.

B. Board shall observe the parliamentary procedures in Robert's Rules of Order

1. All discussion shall be directed solely to the business currently under deliberation.
2. The Board President has the responsibility to keep the discussion to the motion at hand and shall halt discussion that does not apply to the business before the Board.
3. The Board President has the right to recognize Board members prior to giving their comments.

C. Persons addressing the Board

1. Audience participation at a Board meeting is limited to the public comment portion of the meeting designated for that purpose. The Board President shall read Policy BED (LOCAL) at the beginning of public comment. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.
2. At regular meetings the Board shall allot 30 minutes to hear persons who desire to make comments to the Board on items that are not on the posted agenda. Persons who wish to participate in this portion of the meeting shall sign up by completing a public participation form indicating the topic about which they wish to speak at least 5 minutes before the meeting begins. An individual's comments shall not exceed 3 minutes. If three (3) or more persons sign up to address the Board on a single topic, a spokesperson will be selected to speak for the group.
3. At all meetings, individuals wishing to make comments to the Board on items that are posted on the agenda, shall have 3 minutes to speak. Persons who wish to participate in this portion of the meeting shall sign up by completing a public information form indicating the topic about which they wish to speak at least 5 minutes before the meeting begins.

D. Board response to persons addressing the Board

1. Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.
2. The presiding officer or designee shall determine whether a person addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the person shall be referred to the appropriate policy (see list below) to seek resolution:
 - a. Employee complaints: DGBA
 - b. Student or parent complaints: FNG
 - c. Public complaints: GF

E. Discussion of individual employees or students by the Board or audience

1. The Board will not entertain negative comments on individual personnel by name or position in public session (employees or Board member).
2. The Board will not entertain negative comments on individual students in public session. (It is extremely important that each board member know that they must be the jury of the facts once any issue has followed Board policy by seeking administrative remedy and the issue is brought before the full board in a Level III hearing.)

Related Policies: BED (Local), BE (Local)

III. VOTING

- A. Voting shall be by voice vote or show of hands, as directed by the President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request.
- B. The Board President will vote on all action items and can make or second motions.
- C. In case of a tie vote, the item fails. The President may bring the item back to the Board on a subsequent agenda.

Related Policies: BDAA (Local), BE (Local)

IV. INDIVIDUAL BOARD MEMBER REQUEST FOR INFORMATION OR REPORTS

- A. Board members shall request information and/or existing reports through the Board President to the Superintendent.
- B. The Superintendent will gather the information and/or existing report and disseminate it in a timely manner to the entire Board.
- C. Board members are encouraged to advise the Superintendent of questions or concerns on agenda items before the Board meeting.
- D. In accordance with law, the District shall track and report any requests under this provision, including the cost of responding to one or more requests by any individual Board member for 200 or more pages of material in a 90-day period.

Related Policies: BBE (Local & Legal)

V. CITIZEN OR EMPLOYEE REQUEST/COMPLAINT TO INDIVIDUAL BOARD MEMBER

- A. Listen briefly and respectfully. Remind the complainant of the board's responsibility to remain impartial and noncommittal because complaints may ultimately be brought to the board on appeal.
- B. Determine if the complainant wishes to express dissatisfaction or desires some action be taken to resolve an issue.
- C. The complainant should be referred to the appropriate policy outlining grievance procedures and informed that the steps listed in policy are necessary to protect everyone's rights while following an orderly process.
- D. Complainants who desire some action be taken should be directed to follow the "Chain of Command" outlined in district policy.
- E. If the complainant does not know the district's "Chain of Command," provide the following information:
 - 1. The complainant should first discuss the problem with the person in authority closest to the problem.
 - 2. If not satisfied with the resolution of the problem, the complainant should go to the administrative supervisor of the person noted in "1."
 - 3. The administrative supervisor will help the complainant initiate any correspondence or forms required by policy and attempt to resolve the complaint.
 - 4. If still not satisfied, the complainant may appeal to the superintendent or a designee for resolution.
 - 5. If the superintendent is unable to resolve the issue or the complainant is still not satisfied, the formal complaint is brought to the board following local policy.
- F. Board members will inform the superintendent of complaints from staff and community but will not direct the superintendent to take specific actions.
- G. The superintendent shall inform the board of the resolution of complaints referred by board members if the complaint requires superintendent intervention.
- H. Level III Grievances will be heard only at a special called meeting.
- I. When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Trustee may request that the issue be placed on the agenda.

Related Policies: *DGBA (LEGAL and LOCAL), FNG (LEGAL and LOCAL), GF (LOCAL), BBE (local)*

VI. BOARD MEMBER VISIT TO SCHOOL CAMPUS ACTIVITY

- A. Board members are encouraged to attend as many school events as their time permits.
- B. Board members are required to check in with the principal's office and follow campus guidelines for visitors.

- C. Board members shall not go into teachers' classrooms or campuses for the purpose of evaluation or investigation.
- D. Board members may not give any direction to any staff or students.
- E. When visiting with teachers of their own children, board members will make it clear that they are acting as parents rather than as board members.

Related policies: GKA (Legal), BBF (Local), BBFA (Legal)

VII. COMMUNICATION

A. GENERAL COMMUNICATION

1. Superintendent will meet with the Board President on a routine basis.
2. Superintendent will communicate with all Board members regularly.
3. Superintendent will communicate information in a timely fashion to all Board members.
4. Requests for written/verbal information and/or reports (short answers or information that is readily available) will be provided by the Superintendent to all board members.
5. Board will communicate with the community through public hearings, regular Board meetings, and publications.
6. Individual Board members cannot speak for the Board of Trustees unless authorized to do so by the Board of Trustees through an official act.

B. BOARD MEMBERS COMMUNICATION BETWEEN MEETINGS

1. Board Members may use mail, email, voice mail, text messaging, fax, phone, special committee meetings or personal contact to communicate with each other; however, Board Members shall never meet, talk, text or e-mail in a group large enough to constitute an official meeting, typically four (4) or more, unless notice has been posted. In email or text messaging, "Reply to All" should be avoided.
2. Board members shall avoid physical quorums as stated above to remain in compliance with the Open Meetings Act.
3. In keeping with the Open Meetings Act, Board members shall also avoid walking quorums by avoiding speaking of school district business in secession via phone, in person, text or email. No "pre-polling" of votes allowed as this violates open meetings act.
4. Board Members who participate in social media such as, but not limited to, Facebook, Google+, LinkedIn or Twitter, should be careful to avoid online conversations that could be construed as speaking for the Board or constituting an online Board meeting, continuing board business from a past or future meeting, or portraying the Board/District in a negative connotation.

C. OTHER TYPES OF COMMUNICATION

1. **Communications/Meetings with the Staff:** Trustees should refrain from communications with staff that circumvent or undermine the Superintendent's authority, including, but not limited to, directing staff or soliciting information without the Superintendent's knowledge and consent. Trustee concerns or questions regarding a staff member's performance should be referred to the Superintendent.
2. **Communications with Vendors:** Trustees shall not directly or indirectly communicate with vendors or bidders to the district regarding any pending bid or contract proposal.

3. **Communications with Outside General Counsel:** Communications with outside general counsel should be approved by the Board President unless a concern relates to the Board President's alleged misconduct.
4. **Confidential Information:** Trustees will not publicly disclose information that law requires be kept confidential; this includes student or personnel information and attorney-client privileged communications. Also included is any information to which trustees have access by virtue of their positions as trustees that has not been made public if to do so would compromise the Board or the administration in the conduct of district business. Trustees should refrain from commenting on pending legal matters including lawsuits, administrative proceedings, and grievances.
5. **Communications Amongst Trustees:** The Open Meetings Act prohibits trustees from knowingly deliberating district business with a quorum of trustees outside of a publicly posted and publicly held board meeting. Communications related to district business must not be sent from one trustee to more than two other trustees, even if no reply is requested, expected, or received. Trustees receiving messages should not forward them or "reply all" if a quorum of trustees will receive the message. Trustees should not use "blind carbon copy (bcc:)" when sending e-mail to other trustees. If a trustee wishes to share information with the entire Board, the information should be submitted to the Superintendent who may then provide the information to the entire Board, if DISD Board of Trustees Team Operating Procedures supports; however, the Superintendent cannot serve as a conduit for trustee deliberation of district business.

VIII. EVALUATION OF SUPERINTENDENT

A. Summative Evaluation in January

1. The president will distribute blank evaluation instruments to each member at least two weeks in advance of the summative evaluation meeting along with instructions for completing the instrument.
2. The superintendent will prepare a report and present it to the president for distribution to board members with the blank evaluation instruments. The report will include:
 - a. Summary results on superintendent performance goals established following the previous year's summative evaluation
 - b. Summary of progress on current year's district goals
 - c. Report on student performance as required by the state
 - d. Any additional district or professional highlights the superintendent believes will demonstrate effective performance for the past year
3. The president will compile all results of the summative evaluation in a written document

B. Board workshop to develop superintendent performance goals using district goals, data from TAPR report, and results of most recent summative evaluation; determine progress reports needed and dates to present to board. (February)

C. Board workshop to review instrument and process; revise if needed and adopt instrument for the coming year; budget discussion tied to board goals. (March)

D. Superintendent incorporates priorities from district goals and superintendent performance goals into district improvement plans and budget being drafted for next year. (April)

E. Board elections. (May)

F. Review evaluation process with new board members. (June)

- G. Formative evaluation; superintendent gives progress report on this year's performance goals. (July)
- H. Board reviews superintendent evaluation policy and confirms dates and process for January summative evaluation. (October)
- I. Board workshop to review and update district goals using data from most recent TAPR report. (November)
- J. Superintendent's "state of the district" report to the board; blank evaluation forms, copy of superintendent contract, and comparison information regarding superintendents' salaries and benefits distributed to board members. Report on district goals. (Early December)

Related policies: BJCD (LEGAL) and BJCD (LOCAL)

IX. EVALUATION OF THE BOARD

- A. By July workshop/retreat, the Board/Superintendent team is assessed and evaluated, operating procedures are reviewed and updated, and new board member orientation is conducted.
- B. The evaluation of the Board and Superintendent is an indication of the success the Governance Team is having in meeting established goals.

Related policies: BBD (Legal), BAA (Legal)

X. CRITERIA AND PROCESS FOR SELECTING BOARD OFFICERS

- A. At the first meeting after election and verified qualification of Trustees, the members of the Board shall organize by selecting:
 - 1. A president, who shall be a member of the Board.
 - 2. A secretary, who may or may not be a member of the Board.
 - 3. Such other officers and committees as the Board may deem necessary.
- B. Board members must serve a minimum of 1 year as a trustee in order to qualify to serve as a board officer.
- C. Elections are held in May of each year.

Related policies: BDAA (Local & Legal)

XI. ROLE AND AUTHORITY OF BOARD MEMBER AND/OR BOARD OFFICERS

- A. No Board member or officer has authority outside the Board meeting.
- B. No Board member can direct employees in regard to performance of duties.
- C. The Board President shall
 - 1. Preside at all Board meetings,
 - 2. Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.

3. Call Special Meetings,
4. Sign all legal documents required by law.

D. The Vice President shall

1. Act in capacity of President in the absence of the President.
2. Automatically become President of the Board if a vacancy in that office occurs.

E. The Secretary 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.

Related policies: BDAA (Local & Legal), BBE (Local & Legal)

XII. ROLE OF BOARD IN EXECUTIVE SESSION

- A. If a closed meeting is allowed, the Board shall not conduct the closed meeting unless a quorum of the Board first convenes in an open meeting for which proper notice has been given and the presiding officer has publicly announced that a closed meeting will be held and has identified the section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held.
- B. Board can only discuss those items listed on the executive session agenda and as limited by law.
- C. Board must vote in public session.
- D. Discussions during executive session must remain confidential.

Related Policies: BE

XIII. MEDIA INQUIRIES TO THE BOARD

- A. The Board President shall be the official spokesperson for the Board to the media/press on issues of media attention. All Board members who receive calls from the media should direct them to the Board President or designee. Individual board members can answer media questions related to their personal stance on pending issues; however, the Board President will be the official spokesperson for the Board as a whole.

Related Policies:

XIV. ANONYMOUS PHONE CALLS AND/OR LETTERS AND SOCIAL MEDIA

- A. The Devine ISD Board of Trustees encourages input; however, anonymous calls or letters will not receive Board attention, discussion, or response and will not result in directives to the administration.

- B. Board Members who participate in social media should be careful to avoid online conversations with each other that would violate the Texas Open Meetings Act. Account is subject to subpoena.
- C. Use of social media, texting or other forms of electronic communication are subject to open records requests.
- D. Trustees should follow the guidelines suggested in the TASB document, "Social Media Guidelines for School Board Members" (in the TASB Board Portal). Trustees who post on social media or host internet sites regarding matters relevant to district business will include a disclaimer providing that such postings are not made on behalf of the Board or district.
- E. Avoid discussing specific school district business on social media, especially if other board members are on the same page, post or comment thread. This could constitute a "walking quorum" and violate the Open Meetings Act. (GP)
- F. Electronic devices may not be used by members during closed session discussions.

Related policies:

XV. BOARD TRAVEL GUIDELINES

- A. Board members should contact the Superintendent's Secretary to make arrangements to travel on Board business.
- B. Board members will use district funds for designated personal expenses, not for family members.
- C. Board members may request a district vehicle and money for travel as allowed by the district.
- D. Meals and travel expenses will be reimbursed at the current per diem rates (lodging reservations may be made by district using district credit card).
- E. Board members should be prudent in spending taxpayer's money.

XVI. CAMPAIGNING FOR RE-ELECTION

- A. School Board incumbents running for reelection should not request or accept support from District employees during work time.
- B. School Board candidates will not accept or solicit help from District employees during work time, or to be performed during work time.

XVII. BOARD TRAINING

Board members will meet all board training requirements as outlined in TEC 11.159, 19 TEC 61.1, and HB 3834. As training requirements change, the list below will be amended.

A. NEW BOARD MEMBERS

1. Local district orientation (3 hours)
2. Orientation to the TEC (3 hours)
3. Open Government Training (Open Meetings Act and Public Information Act) (1 hour each)
4. 10 hours of CTE (Includes the 5 hours listed "B")

B. ON-GOING TRAINING FOR NEW AND EXPERIENCED BOARD MEMBERS

1. Legislative Update (Legislative years)
2. Cybersecurity (Annually)
3. Evaluating & Improving Student Outcomes (Bi-Annually)
4. Child Abuse/Human Trafficking (Annually)
5. Safety Training as required by HB690
6. Annual Teambuilding Training (3 hours)
7. 5 hours CTE

C. NEW BOARD MEMBER ORIENTATION

1. The Superintendent or his/her designee will conduct a pre-election information meeting with all school board candidates to inform them of training regulations, TASB Candidate Forum workshop dates, TASB materials for candidates, form filings, Board Code of Conduct, Board major activities calendar, first few meetings and retreat dates.
2. Region XX Education Service Center will conduct the District Orientation for new Board members and will supply training materials from the Texas Association of School Boards (TASB).
3. The Board President will coordinate an orientation meeting for the new Board members.
4. The Superintendent will coordinate a meeting for the new Board members with members of the Superintendent's Cabinet.
5. The new Board members will attend the Board/Superintendent Team Building Retreat scheduled following the election.
6. The Board President will assign a Board mentor for all new Board members.

Related Policies: BBD (Legal)

XVIII. ADVOCACY

- A. Board Members are encouraged to be advocates, not only for DISD, but for all public education. Through trainings and conferences, Board members will become familiar with those issues affecting DISD and other school districts across the state.
- B. Working with legislators and other elected officials locally and on the state and national level is part of what we do as Board members. Building these partnerships serves to strengthen all of public education.
- C. Board members are encouraged to serve as representatives, delegates, or members to local, state, and national organizations. Board members should inform the Board President if they have areas of interest for this service.

XIX. BOARD MEMBER BOP VIOLATIONS

If a Board Member has a serious, specific, concern about the performance of another member which appears to be in violation of Board Operating Procedures or Policies, the recommended process for addressing such concerns shall be the following:

- A. The concerned member shall have a private conversation with the member in question in order to work out the differences or resolve the issue(s).
- B. If the concern(s) remain, the concerned member will meet privately with the Board President and outline the specific issue(s). The Board President and the concerned member will meet with the member in question and attempt to resolve the issue(s). If the concern is with the performance of the Board President, the Vice President will be notified and will meet with the concerned member.
- C. If the issue is still not resolved, the concerned member will hold a conference with the Board President (or Vice President with concerns regarding the President) and the Superintendent (or the Superintendent's designee) to develop a plan of action to resolve the concerns.
- D. When the concerned member has gone through the outlined steps above and the issue(s) remain unresolved, the concerned member will, through the Board President, request that an item be placed on a regularly scheduled agenda as an executive/closed session item, posted as "Evaluation of Individual Board Member Performance".
- E. Should the Board determine that reprimand or censorship is warranted, such action may only be take in duly posted public meeting.
- F. No action may be taken that would conflict with the Texas Open Meetings Act. Nothing in this operating procedure shall be construed to limit a Board Member's constitutional rights.

Related Policies: BBC (LEGAL), BBF (LOCAL)

XX. CENSURE OF A BOARD MEMBER

- A. If a Board Member acts in a manner that is unbecoming of a member and disruptive to the business of the district, the Board can pass a resolution to censure that Board Member. This would consist of a statement identifying the following:
 - 1. The inappropriate behavior of the named Board member;
 - 2. The desired behavior;
 - 3. A statement of agreement by a majority of the Board members that the behavior is inappropriate.
- B. Resolutions are non-binding, but they have the effect of publicly disciplining a colleague, since removal from office is rare.

- C. The Board may choose to withhold financial resources from the offending Board Member. Examples might be disallowance of reimbursement for attendance at conventions, seminars, or other district travel plans.
- D. Under extreme conditions the Board may agree to ask the offending Board member to resign. However, a Board Member may only be removed from office for incompetency, official misconduct, public intoxication or conviction of a felony.

Related Policies: BBC (LEGAL)