

Agenda of Regular

The Board of Trustees Mineral Wells ISD

A Regular of the Board of Trustees of Mineral Wells ISD will be held Thursday, July 20, 2006, beginning at 6:00 PM in the District Services Complex.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as 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/Establish Quorum**
2. **Closed Session**
 - A. Resignations of Certified Personnel
 - B. Employment/Appointment/Reassignment/Evaluation/Compensation/Duties of Personnel
 - C. Renewal/Nonrenewal/Assignment/Reassignment/Probationary Status/Return to Probationary Status/Continuing Status of District Personnel
3. **Open Session**
4. **Prayer**
5. **Pledge of Allegiance**
6. **Certification of Public Notice**
7. **Public Forum - Delegations/Communications**
8. **Comments & Compliments**
9. **Superintendent's Report**
10. **Consent Agenda Items**
 - A. Monthly financial reports, bills, and checks written since the last meeting 4
 - B. Quarterly Investment Report 11
 - C. Minutes of the June 6, 2006, meeting of the Board 13
 - D. ESC Region XI Principal Assessment Contract for 2006-2007 19
11. **Consider an Order Authorizing Issuance of Unlimited Tax School Building and Refunding Bonds, Series 2006**
12. **Consider an Order Authorizing Issuance of Unlimited Tax School Building Bonds, Series 2006**

13. Consider Approval of Financial Advisory Agreement with RBC Capital Markets	21
14. Bids for Office, Instructional, Library, and Athletic Supplies	27
15. Student Athletic/Accident Insurance for the 2006-2007 School Year	28
16. Review Updated (LEGAL) Policies and Act On (LOCAL) Policies	
A. Explanatory Notes - Update 78	29
B. BAA (LEGAL) - Board Legal Status: Powers and Duties	
C. BBB (LEGAL) - Board Members: Elections	
D. BBBA (LEGAL) - Board Members: Reporting Campaign Funds	
E. BBFA (LEGAL) - Ethics: Conflict of Interest Disclosures	
F. BDF (LEGAL) - Board Internal Organization: Citizen Advisory Committees	
G. CCG (LEGAL) - Local Revenue Sources: Ad Valorem Taxes	
H. CDA (LOCAL) - Other Revenues: Investments	
I. CE (LEGAL) - Annual Operating Budget	
J. CHF (LEGAL) - Purchasing and Acquisition: Payment Procedures	
K. CKC (LOCAL) - Safety Program/Risk Management: Emergency Plans	
L. CO (LEGAL) - Food Services Management	
M. CRD (LEGAL) - Insurance and Annuities Management: Health and Life Insurance	
N. CRD (LOCAL) - Insurance and Annuities Management: Health and Life Insurance	
O. DBD (LOCAL) - Employment Requirements and Restrictions: Conflict of Interest	
P. DC (LEGAL) - Employment Practices	
Q. DEA (LEGAL) - Compensation and Benefits: Salaries, Wages, and Stipends	
R. DEA (LOCAL) - Compensation and Benefits: Salaries, Wages, and Stipends	
S. DEB (LOCAL) - Compensation and Benefits: Fringe Benefits	
T. DHE (LOCAL) - Employee Standards of Conduct - Searches and Alcohol/Drug Testing	
U. EFAA (LEGAL) - Instructional Materials Selection and Adoption: Textbook Selection and Adoption	
V. EHBC (LEGAL) - Special Programs: Compensatory/Accelerated Services	
W. EHBE (LEGAL) - Special Programs: Bilingual Education/ESL	
X. EHBG (LEGAL) Special Programs: PreKindergarten	
Y. EKB (LEGAL) - Testing Programs: State Assessment	
Z. FDA (LOCAL) - Admissions: Interdistrict Transfers	
AA. FDAA (LEGAL) - Interdistrict Transfers: Public Education Grants	
BB. FDB (LEGAL) - Admissions: Intradistrict Transfers	
CC. FEA (LEGAL) - Attendance: Compulsory Attendance	
DD. FEB (LEGAL) - Attendance: Attendance Accounting	
EE. FFAB (LEGAL) - Wellness and Health Services: Immunizations	
FF. FFAB (EXHIBIT) - Wellness and Health Services: Immunizations	
GG. FFAC (LEGAL) - Wellness and Health Services: Medical Treatment	
HH. FL (LOCAL) - Student Records	

II. FOC (LEGAL) - Student Discipline: Placement in a Disciplinary Alternative Education Setting

17. **Vote on Closed Session Items**

18. **Adjournment**

BREAKDOWN OF TAX RECEIPTS RECEIVED FROM TAX ASSESSOR-COLLECTOR

REPORT # 27 DATE: 6/12/2006

YEAR	RECEIPTS		GENERAL FUND		INT & SINK	
	TAXES	P/I	TAXES	P/I	TAXES	P/I
2005	\$ 38,746.41	\$ 3,929.40	\$ 34,720.66	\$ 3,521.14	\$ 4,025.75	\$ 408.26
2004	\$ 1,418.09	\$ 380.65	\$ 1,271.46	\$ 341.29	\$ 146.63	\$ 39.36
2003	\$ 457.14	\$ 182.86	\$ 409.37	\$ 163.75	\$ 47.77	\$ 19.11
2002	\$ 415.07	\$ 212.38	\$ 379.12	\$ 193.99	\$ 35.95	\$ 18.39
2001	\$ 315.21	\$ 176.03	\$ 287.91	\$ 160.79	\$ 27.30	\$ 15.24
2000	\$ 126.31	\$ 96.00	\$ 113.51	\$ 86.28	\$ 12.80	\$ 9.72
1999	\$ 101.10	\$ 88.97	\$ 91.50	\$ 80.52	\$ 9.60	\$ 8.45
1998	\$ 128.17	\$ 128.17	\$ 92.09	\$ 92.09	\$ 36.08	\$ 36.08
1997	\$ 106.17	\$ 118.91	\$ 90.96	\$ 101.87	\$ 15.21	\$ 17.04
1996	\$ 108.18	\$ 134.14	\$ 92.08	\$ 114.18	\$ 16.10	\$ 19.96
PRIOR CED	\$ 359.93	\$ 532.32	\$ 241.15	\$ 356.65	\$ 118.78	\$ 175.67
TOTAL	\$ 42,281.78	\$ 5,979.83	\$ 37,789.82	\$ 5,212.54	\$ 4,491.96	\$ 767.29
1% CURR	\$ 387.50	\$ 39.30	\$ 426.80			
1% PRIOR	\$ 35.33	\$ 20.50	\$ 55.83			
1% TOTAL	\$ 422.83	\$ 59.80	\$ 482.63			
TOTAL	\$ 41,858.95	\$ 5,920.03	\$ 37,307.18	\$ 5,212.54	\$ 4,491.96	\$ 767.29

DEPOSIT BREAKDOWN	LM FUND	I & S FUND	TOTAL
CURRENT YEAR			\$ -
CURR YEAR PAST DUE	\$ 34,293.87	\$ 4,025.75	\$ 38,319.62
CURRENT YEAR P/I	\$ 3,621.48	\$ 408.26	\$ 4,029.74
PRIOR YEAR	\$ 3,013.33	\$ 466.21	\$ 3,479.54
PRIOR YEAR P/I	\$ 1,691.40	\$ 359.03	\$ 2,050.43
IN LIEU OF TAXES			\$ -
EXCESS FUNDS	\$ 585.30		\$ 585.30
CED	\$ -		\$ -
INTEREST ON DEPOSITS			\$ -
TOTAL	\$ 43,205.38	\$ 5,259.25	\$ 48,464.63

YTD TAX COLLECTIONS-LM FUND	\$4,461,742.86
YTD TAX COLLECTIONS-I&S FUND	\$ 473,741.79
TOTAL YTD TAXES COLLECTED	\$4,935,484.65

BREAKDOWN OF TAX RECEIPTS RECEIVED FROM TAX ASSESSOR-COLLECTOR

REPORT # 28 DATE: 6/15/2006

YEAR	RECEIPTS		GENERAL FUND		INT & SINK	
	TAXES	P/I	TAXES	P/I	TAXES	P/I
2005	\$ 14,358.25	\$1,716.42	\$ 12,866.43	\$ 1,538.08	\$ 1,491.82	\$ 178.34
2004	\$ 812.78	\$ 233.91	\$ 728.74	\$ 209.72	\$ 84.04	\$ 24.19
2003	\$ 878.98	\$ 352.94	\$ 787.13	\$ 316.06	\$ 91.85	\$ 36.88
2002	\$ 224.06	\$ 118.50	\$ 204.66	\$ 108.24	\$ 19.40	\$ 10.26
2001	\$ 86.78	\$ 56.17	\$ 79.26	\$ 51.31	\$ 7.52	\$ 4.86
2000	\$ 74.08	\$ 57.05	\$ 66.58	\$ 51.27	\$ 7.50	\$ 5.78
1999	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1998	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1997	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1996	\$ 0.03	\$ 0.02	\$ 0.03	\$ 0.02	\$ 0.00	\$ 0.00
PRIOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CED	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 16,434.96	\$2,535.01	\$ 14,732.82	\$ 2,274.70	\$ 1,702.14	\$ 260.31
1% CURR	\$ 143.58	\$ 17.17	\$ 160.75			
1% PRIOR	\$ 20.77	\$ 8.17	\$ 28.94			
1% TOTAL	\$ 164.35	\$ 25.34	\$ 189.69			
TOTAL	\$ 16,270.61	\$2,509.67	\$ 14,543.13	\$ 2,274.70	\$ 1,702.14	\$ 260.31

DEPOSIT BREAKDOWN	LM FUND	I & S FUND	TOTAL
CURRENT YEAR			\$ -
CURR YEAR PAST DUE	\$ 12,705.68	\$ 1,491.82	\$ 14,197.50
CURRENT YEAR P/I	\$ 1,570.42	\$ 178.34	\$ 1,748.76
PRIOR YEAR	\$ 1,837.45	\$ 210.32	\$ 2,047.77
PRIOR YEAR P/I	\$ 736.61	\$ 81.98	\$ 818.59
IN LIEU OF TAXES			\$ -
EXCESS FUNDS			\$ -
CED	\$ -		\$ -
INTEREST ON DEPOSITS	\$ 31.76		\$ 31.76
TOTAL	\$ 16,881.92	\$ 1,962.46	\$ 18,844.38

YTD TAX COLLECTIONS-LM FUND	\$4,476,475.68
YTD TAX COLLECTIONS-I&S FUND	\$ 475,443.93
TOTAL YTD TAXES COLLECTED	\$4,951,919.61

BREAKDOWN OF TAX RECEIPTS RECEIVED FROM TAX ASSESSOR-COLLECTOR

REPORT # 29 DATE: 6/21/2006

YEAR	RECEIPTS		GENERAL FUND		INT & SINK	
	TAXES	P/I	TAXES	P/I	TAXES	P/I
2005	\$ 5,453.76	\$ 842.93	\$ 4,887.11	\$ 755.35	\$ 566.65	\$ 87.58
2004	\$ 510.27	\$ 154.87	\$ 457.51	\$ 138.86	\$ 52.76	\$ 16.01
2003	\$ 1,561.62	\$ 554.73	\$ 1,398.43	\$ 496.76	\$ 163.19	\$ 57.97
2002	\$ 1,349.71	\$ 597.70	\$ 1,232.83	\$ 545.94	\$ 116.88	\$ 51.76
2001	\$ 120.24	\$ 39.57	\$ 109.83	\$ 36.14	\$ 10.41	\$ 3.43
2000	\$ 83.46	\$ 5.84	\$ 75.01	\$ 5.25	\$ 8.45	\$ 0.59
1999	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1998	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1997	\$ 13.93	\$ 11.00	\$ 11.93	\$ 9.42	\$ 2.00	\$ 1.58
1996	\$ 28.62	\$ 26.96	\$ 24.36	\$ 22.95	\$ 4.26	\$ 4.01
PRIOR CED	\$ 148.93	\$ 173.05	\$ 99.78	\$ 115.94	\$ 49.15	\$ 57.11
TOTAL	\$ 9,270.54	\$ 2,406.65	\$ 8,296.79	\$ 2,126.61	\$ 973.75	\$ 280.04
1% CURR	\$ 54.50	\$ 8.43	\$ 62.93			
1% PRIOR	\$ 38.14	\$ 15.64	\$ 53.78			
1% TOTAL	\$ 92.64	\$ 24.07	\$ 116.71			
TOTAL	\$ 9,177.90	\$ 2,382.58	\$ 8,180.08	\$ 2,126.61	\$ 973.75	\$ 280.04

DEPOSIT BREAKDOWN	LM FUND	I & S FUND	TOTAL
CURRENT YEAR			\$ -
CURR YEAR PAST DUE	\$ 4,824.18	\$ 566.65	\$ 5,390.83
CURRENT YEAR P/I	\$ 767.41	\$ 87.58	\$ 854.99
PRIOR YEAR	\$ 3,355.90	\$ 407.10	\$ 3,763.00
PRIOR YEAR P/I	\$ 1,371.26	\$ 192.46	\$ 1,563.72
IN LIEU OF TAXES			\$ -
EXCESS FUNDS			\$ -
CED	\$ -		\$ -
INTEREST ON DEPOSITS			\$ -
TOTAL	\$ 10,318.75	\$ 1,253.79	\$ 11,572.54

YTD TAX COLLECTIONS-LM FUND	\$4,484,772.47
YTD TAX COLLECTIONS-I&S FUND	\$ 476,417.68
TOTAL YTD TAXES COLLECTED	\$4,961,190.15

ACCOUNTS PAYABLE INVOICE LISTING REPORT

VENDOR	INVOICE NUMBER	DESCRIPTION	AMOUNT
ALLENSWORTH, ROBERT C. M.D.	720	TRANSPORTATION EXPENSE	\$ 75.00
BAYLOR UNIVERSITY	123-99	REGISTRATION	450.00
BLAIR'S LOCKSMITH	7391	KEYS	1.80
CHEM-SERV	54114	TRANSPORTATION EXPENSE	778.25
COLE'S HOUSE OF FLOWERS	6906	FLOWERS	300.00
CUMMINS SOUTHERN PLAIN	007-12241	TRANSPORTATION EXPENSE	216.79
DONUT SUPREME	621	SUPPLIES	38.82
DOUBLE H TIRE	96138	VEHICLE REPAIR	45.00
DOUBLE H TIRE	96562	VEHICLE REPAIR	15.00
DOUBLE H TIRE	96658	TRANSPORTATION EXPENSE	252.00
DOUBLE H TIRE	96723	TRANSPORTATION EXPENSE	50.00
EDUCATION SERVICE CTR REG XI	49043	REGION XI	200.00
EDUCATION SERVICE CTR REG XI	49044	REGION XI	200.00
EDUCATION SERVICE CTR REG XI	49045	REGION XI	200.00
EDUCATION SERVICE CTR REG XI	49050	TRAVEL	40.00
ENGINE-UNITY, LTD	2006-0337	SUPPLIES	393.71
EVERICH LOCKSMITH	1901	TRANSPORTATION EXPENSE	4.50
FURR BUILDING MATERIALS	06-07352	GROUND SUPPLIES	26.60
G & L NEW HOLLAND	5012599	REPAIR PARTS	33.70
GILBERT SAW SHOP	720	GROUND SUPPLIES	17.50
INTERSTATE BATTERIES	50001040	TRANSPORTATION EXPENSE	489.65
JACK POWELL FORD- MERCURY	43386	TRANSPORTATION EXPENSE	1,302.26
JODIE'S ALTERNATOR	6334	EQUIPMENT REPAIR	58.80
KYOCERA MITA AMERICA, INC	24624	COPIER	224.51
MARTIN OIL COMPANY	3323	OIL PRODUCTS	48.82
MARTIN OIL COMPANY	3593	OIL PRODUCTS	21.71
MINERAL WELLS PRINT CENTER	A036457	OFFICE SUPPLIES	68.50
NAPA AUTOMOTIVE PARTS CO	84956	TRANSPORTATION EXPENSE	264.99
NAPA AUTOMOTIVE PARTS CO	84967	REPAIR PARTS	18.33
NAPA AUTOMOTIVE PARTS	85564	REPAIR PARTS	18.69

CO			
NAPA AUTOMOTIVE PARTS			
CO	85724	REPAIR PARTS	21.66
NAPA AUTOMOTIVE PARTS		TRANSPORTATION	
CO	85875	EXPENSE	8.66
NAPA AUTOMOTIVE PARTS		TRANSPORTATION	
CO	86313	EXPENSE	273.87
NAPA AUTOMOTIVE PARTS		TRANSPORTATION	
CO	86524	EXPENSE	178.77
NAPA AUTOMOTIVE PARTS		REPAIR PARTS	
CO	87146		5.99
NAPA AUTOMOTIVE PARTS		SUPPLIES	
CO	87403		46.99
NAPA AUTOMOTIVE PARTS		TRANSPORTATION	
CO	87405	EXPENSE	95.96
NAPA AUTOMOTIVE PARTS		REPAIR PARTS	
CO	87496		9.69
NAPA AUTOMOTIVE PARTS		TRANSPORTATION	
CO	87679	EXPENSE	285.89
NAPA AUTOMOTIVE PARTS		TRANSPORTATION	
CO	87680	EXPENSE	11.49
NAPA AUTOMOTIVE PARTS		TRANSPORTATION	
CO	87682	EXPENSE	111.38
NAPA AUTOMOTIVE PARTS		TRANSPORTATION	
CO	87834	EXPENSE	137.96
NAPA AUTOMOTIVE PARTS		TRANSPORTATION	
CO	87924	EXPENSE	296.00
NATIONAL SCHOOL PUBLIC	009664-00	MEMBERSHIP	125.00
		POSTAGE METER	
PITNEY BOWES	462148	RENTAL	145.85
PROFESSIONAL TURF			
PRODUCTS	325310-00	REPAIR PARTS	41.52
PROFESSIONAL TURF			
PRODUCTS	325310-01	REPAIR PARTS	6.42
QUINLAN PUBLISHING			
GROUPS	15925979	SUPPLIES	154.98
REDI AUTO SUPPLY	D249112	REPAIR PARTS	61.11
REDI AUTO SUPPLY	D249265	REPAIR PARTS	12.98
REDI AUTO SUPPLY	D249340	REPAIR PARTS	72.34
REDI AUTO SUPPLY	D249477	REPAIR PARTS	19.91
REDI AUTO SUPPLY	D249548	REPAIR PARTS	7.79
REDI AUTO SUPPLY	D249549	REPAIR PARTS	22.51
REXEL MINERAL WELLS	302788701	ELECTRICAL	
REXEL MINERAL WELLS	302788701	SUPPLIES	14.54
REXEL MINERAL WELLS	302824702	ELECTRICAL	
		SUPPLIES	0.93
REXEL MINERAL WELLS	302852101	ELECTRICAL	
		SUPPLIES	27.79
ROBERT MATLOCK TOOL		TRANSPORTATION	
COMPANY	9254	EXPENSE	50.00
SAFETY-KLEEN		TRANSPORTATION	
CORPORATION	31963138	EXPENSE	158.85
TASB	267779	An Introduction to the Texas	72.46

TEJAS MFG CO	45456	Open Meetings Act	
TRACTOR SUPPLY PLAN		LETTER JACKET	50.00
CREDIT CARD PLAN	2210215281	SUPPLIES	402.32
U.S. TECH	85343	Supplies	658.00
U.S. TECH	85445	SUPPLIES	174.00
UNIFIRST CORPORATION	8290831129	TRANSPORTATION	
		EXPENSE	317.49
UNIFIRST CORPORATION	8290833230	TRANSPORTATION	
		EXPENSE	90.94
UNIFIRST CORPORATION	8290835347	TRANSPORTATION	
		EXPENSE	82.44
UNIFIRST CORPORATION	8290837451	TRANSPORTATION	
		EXPENSE	82.44
WESTERN HOME & AUTO	3902	REPAIR PARTS	300.00
WESTERN HOME & AUTO	3933	REPAIR PARTS	10.19
WESTERN HOME & AUTO	3938	REPAIR PARTS	10.99
WESTERN HOME & AUTO	3950	REPAIR PARTS	2.99
General Fund Total			\$10,516.02

VENDOR	INVOICE NUMBER	DESCRIPTION	AMOUNT
VARSITY FASHIONS	4085058	UNIFORMS	\$2,718.20
Co-Curricular Total			\$2,718.20

VENDOR	INVOICE NUMBER	DESCRIPTION	AMOUNT
PEOPLE'S PUB. GROUP, INC	10241567	MATH CURR.	\$3,318.18
PEOPLE'S PUB. GROUP, INC	10241587	LANGUAGE CURR.	\$6,862.91
Accelerated Reading Total			\$10,181.09

VENDOR	INVOICE NUMBER	DESCRIPTION	AMOUNT
CLASSROOM DIRECT	P20396780001	Instructional	
SADDLEBACK EDUCATIONAL, INC	501571	Materials	\$ 59.14
		Instructional	
		Materials	\$ 260.67
GATEWAY COMPANIES, INC	3869952	Star Tech USB IRDA	
		Adaptor	\$ 25.95
JAGUAR EDUCATIONAL	32628P	Instructional	
LAKESHORE LEARNING		Materials	\$ 66.65
MATERIALS	436838	Instructional	
LIGHT SPEED TECHNOLOGIES	2729	Materials	\$ 610.94
MICROTEL INN & SUITES	720	AC/DC Adaptor	\$ 26.57
		Hotel Rooms	\$ 185.30
RIVERDEEP	1840247	Instructional	
RIVERDEEP	1840247	Materials	\$ 69.95

Shars-Medicaid Total

\$1,305.17

MINERAL WELLS INDEPENDENT SCHOOL DISTRICT
INVESTMENT TRANSACTION REPORT
FOR THE QUARTER ENDED MAY 31, 2006

I. INVESTMENT POSITION AS OF MAY 31, 2006

	<u>Cash</u>		<u>CD's</u>		<u>Lone Star</u>		<u>Total</u>
General Fund	\$3,970,939.57	\$	0.00	\$	3,631.22	\$	3,974,570.79
Special Revenue	684,492.14		0.00		406,757.70		1,091,249.84
Debt Service	1,400,482.49		0.00		0.00		1,400,482.49
Internal Service	37,138.39		0.00		390,830.71		427,969.10
Trust & Agency	121,659.23		0.00		0.00		121,659.23
	<u>\$6,214,711.82</u>	\$	<u>-</u>	\$	<u>801,219.63</u>	\$	<u>7,015,931.45</u>

II. LONE STAR INVESTMENT POOL

The Pool invests solely in obligations of the U.S. Government and its agencies and instrumentalities and in certain other high-quality investments secured by or consisting of such securities. Pool investments are confined to those of the highest quality under the Public Funds Investment Act (U.S. Government obligations), thus effectively eliminating credit risk. Interest rate risk associated with the Pool is low; all securities held by the Pool are required to have a maximum maturity of no more than three years from the date of purchase. Each Fund within the Pool has received the highest rating, that of AAA, from Standard & Poor's as required by the Public Funds Investment Act. The Liquidity Plus Fund's book value and market value are materially the same. Average rates for the Liquidity Plus Fund for the months of March, April, and May, 2006 were 4.47%, 4.68% and 4.84% respectively.

The beginning balance in the General Fund's Liquidity Plus Fund was \$3,588.91. Interest of \$42.31 was deposited during the quarter resulting in an ending balance of \$3,631.22 as of May 31, 2006.

The beginning balance in the Food Service Fund's Liquidity Plus Fund was \$402,018.51. Interest of \$4,739.19 was deposited during the quarter resulting in an ending balance of \$406,757.70 as of May 31, 2006.

The beginning balance in the Internal Service Fund's (Insurance Fund) Liquidity Plus Fund was \$386,277.09. Interest of \$4,553.62 was deposited during the quarter, resulting in an ending balance of \$390,830.71 as of May 31, 2006.

The above transactions were in compliance with the District's investment policy and relevant provisions of law.

Paul Hearn

Paul Hearn, Chief Financial Officer / Investment
Officer

Dorinda Brown

Dorinda Brown, Accountant / Investment
Officer

**MINERAL WELLS INDEPENDENT SCHOOL DISTRICT
MINERAL WELLS, TEXAS**

REGULAR BOARD MEETING

The Board of Trustees of the Mineral Wells Independent School District met on Tuesday, June 6, 2006, in the District Services Complex, 906 S.W. 5th Avenue, Mineral Wells, Texas. Board President Dr. Ty L. Gore called the meeting to order at 5:16 p.m.

BOARD MEMBERS PRESENT:

Dr. Ty L. Gore, President; Rodney Henderson, Vice-President; Doug Pennington, Secretary; Dr. Moss Dickerson, Joel Hardeman, Holt Price, and David Bullock

MEMBERS ABSENT:

None

CENTRAL ADMINISTRATORS PRESENT:

Ray M. Crass, Superintendent; Linda Porter-Bradford, Assistant Superintendent; and Bobbye Estes, Assistant Superintendent

CERTIFICATION OF PUBLIC NOTICE OF MEETING:

Ray M. Crass, superintendent, certified that the provisions of Texas Government Code Chapter 551 had been complied with in connection with public notice of meeting.

OATH OF OFFICE FOR NEWLY ELECTED BOARD MEMBERS:

The Oath of Office was administered to board members David Bullock and Holt Price by Judy Brown, Notary Public for the State of Texas. (copies attached)

BOARD INTERNAL ORGANIZATION:

Dr. Ty L. Gore turned the chair over to Superintendent Crass for the Board's internal organization. Superintendent Crass announced that nominations are now in order for the office of Board President. Mr. Pennington nominated Dr. Ty L. Gore for Board President. Dr. Moss Dickerson seconded the motion. Mr. Crass reported that if there are no other nominations, the nominations are closed. He declared that Dr. Ty L. Gore, is reelected by acclamation. Mr. Crass turned the chair back over to Dr. Ty L. Gore.

Dr. Ty L. Gore announced that nominations are now in order for Board Vice-President. Doug Pennington nominated Rodney Henderson for Board Vice-President. Joel Hardeman seconded the motion. Dr. Gore reported that if there are no other

nominations, the nominations are closed. He declared that Rodney Henderson is reelected by acclamation.

Dr. Ty L. Gore announced that nominations are now in order for Board Secretary. Rodney Henderson nominated Doug Pennington for Board Secretary. Joel Hardeman seconded the motion. Dr. Gore reported that if there are no other nominations, the nominations are closed. He declared that Doug Pennington is reelected by acclamation.

INTERVIEW CONSTRUCTION MANAGEMENT AT-RISK:

The Board interviewed Steele & Freeman, Inc., Buford-Thompson Company, and SKANSKA USA Building Inc. for Construction Management At-Risk for the multi-purpose complex and junior high school building projects.

After the interviews, Dr. Ty L. Gore reported that the board members have decided to proceed in open session and move the closed session to the very end of the meeting.

PRAYER:

Dr. Ty L. Gore opened the meeting with prayer.

PLEDGE OF ALLEGIANCE:

The Board led the audience in the pledge of allegiance.

PUBLIC FORUM - DELEGATIONS/COMMUNICATIONS:

None

COMMENTS & COMPLIMENTS:

Dr. Ty L. Gore, board president, announced that Dr. Ramsey, Dr. Jones, a nurse, Twila Garrett, in Dr. Ramsey's office, and himself did physicals for the school district. Dr. Gore reported that they did 293 physicals. He complimented them for helping the school district.

Dr. Ty L. Gore complimented Rodney Henderson for all of his hard work on the school bond issue. In addition, Dr. Gore complimented all the other board members including Reyes Garcia III who supported the bond issue.

Doug Pennington, board member, complimented Sean Harvey, athletic director, and Superintendent Crass for being out in the public every morning talking with individuals about the bond issue.

Holt Price, board member, complimented Jay Walsworth, Mineral Wells Junior High School principal, for the annual Academic Banquet held in mid May. Mr. Price announced that this highlights all of the hard work by students. He reported that it is really a quality program.

Dr. Moss Dickerson, board member, complimented the graduating class. Dr. Dickerson reported that they were the best acting group of kids in years.

SUPERINTENDENT'S REPORT:

Superintendent Crass announced that a transportation report of the vehicles currently in the fleet has been provided for each board member. Mr. Crass mentioned that they might need to start looking at purchasing possibly one or two additional buses and one or two suburban type vehicles.

CONSENT AGENDA ITEMS:

Rodney Henderson moved and Doug Pennington seconded a motion to approve the consent agenda items as follows:

- Approved the monthly financial reports, bills, and checks written since the last meeting.
- Approved a budget amendment as presented.
- Approved the minutes of the May 9, 2006 and May 17, 2006, meetings of the Board.
- Approved the ESC Region XI Contract for Services for the 2006-2007 School Year as presented. (copy attached)
- Approved the Palo Pinto County Tax Assessor-Collector Contract for Assessment and Collection as presented. (copy attached)

The motion carried 7-0.

APPOINTMENT OF DELEGATE AND ALTERNATE FOR THE 46TH ANNUAL TASA/TASB CONVENTION:

Rodney Henderson moved and Holt Price seconded a motion to appoint David Bullock as the delegate to the 46th Annual TASA/TASB Convention scheduled October 6-8 in the George R. Brown Convention Center in Houston. The motion carried 7-0.

Doug Pennington moved and Dr. Moss Dickerson seconded a motion to appoint Joel Hardeman as the alternate to the 46th Annual TASA/TASB Convention. The motion carried 7-0.

APPOINTMENT OF BUDGET COMMITTEE:

Dr. Ty L. Gore indicated that he would serve on the budget committee. Dr. Gore requested volunteers to serve with him. Rodney Henderson and Dr. Moss Dickerson both indicated that they would serve on the committee. Dr. Gore invited the other board members to attend any of the budget workshops whenever they are scheduled.

DISCUSS DATE OF JULY BOARD MEETING:

Joel Hardeman moved and Holt Price seconded a motion to change the regular board meeting scheduled on Tuesday, July 11, 2006 to Thursday, July 20, 2006. The motion carried 7-0.

DISCUSS PRELIMINARY BOND SALE PLAN:

After Bill Gumbert, RBC Capital Markets-Financial Advisor, discussed the preliminary financing plan-2006 bond program, Holt Price moved and Doug Pennington seconded a motion to approve the preliminary bond sale plan and refunding plan as presented. The motion carried 6-0-1 with Dr. Ty L. Gore, Doug Pennington, Dr. Moss Dickerson, Holt Price, Joel Hardeman, and David Bullock voting yes and Rodney Henderson abstaining.

Holt Price moved and Doug Pennington seconded a motion to approve the underwriting bond team as presented. The motion carried 6-0-1 with Dr. Ty L. Gore, Doug Pennington, Dr. Moss Dickerson, Holt Price, Joel Hardeman, and David Bullock voting yes and Rodney Henderson abstaining.

CLOSED SESSION:

The Board adjourned into closed session at 8:00 p.m.

The Board adjourned from closed session at 9:23 p.m.

OPEN SESSION:

The Board reconvened in open session at 9:24 p.m.

VOTE ON CLOSED SESSION ITEMS:

Holt Price moved and David Bullock seconded a motion to approve Buford-Thompson as the Construction Management At-Risk for the multi-purpose complex and junior high school building projects. The motion carried 7-0.

Joel Hardeman moved and Rodney Henderson seconded a motion to accept the resignations of the following individuals:

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>EFFECTIVE DATE</u>
Misty Avila	Mineral Wells High School	June 1, 2006
Martin Blake Edwards	Mineral Wells High School	June 30, 2006
Stefany Gillen	Mineral Wells High School	June 1, 2006
Nicolas Gray	Mineral Wells High School	June 1, 2006
Angela Myrick	Mineral Wells High School	June 15, 2006
Donna Wagner	Houston Elementary	June 1, 2006
Lesa Whaley-Davis	Houston Elementary	June 9, 2006
Kyle Coker	Mineral Wells Junior High	June 1, 2006

Jamie Francisco	Mineral Wells Junior High	June 1, 2006
Cortney King	Lamar Elementary	June 1, 2006
Jennifer Gage	Lamar Elementary	June 1, 2006
Rebecca Wehbe	Lamar Elementary	June 1, 2006
Kristine Koder	Travis Elementary	June 1, 2006
Debbie Wilson	Travis Elementary	June 1, 2006

The motion carried 7-0.

Joel Hardeman moved and Rodney Henderson seconded a motion to approve the employment of the following individuals:

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>EFFECTIVE DATE</u>
Charla Jones	Special Ed.-Diagnostician	2006-2007 school year
Elizabeth McKurtis	Special Ed.-Diagnostician	2006-2007 school year
Linda Richardson	Mineral Wells High School	2006-2007 school year
David Farkas	Mineral Wells High School	2006-2007 school year
Bradi Johnson	Mineral Wells High School	2006-2007 school year
Karla Kirkpatrick	Houston Elementary	2006-2007 school year
Roberta Becker	Lamar Elementary	2006-2007 school year

The motion carried 7-0.

Doug Pennington moved and Holt Price seconded a motion to approve the reassignments of the following individuals:

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>EFFECTIVE DATE</u>
Linda Medlin	Houston Elementary-Counselor	August 1, 2006
Glen Mears	MWJH – Counselor	August 1, 2006

The motion carried 7-0.

Joel Hardeman moved and Rodney Henderson seconded a motion to approve employment contract revisions on the following individuals:

<u>NAME</u>	<u>CONTRACT CHANGE</u>	<u>EFFECTIVE DATE</u>
Jeanette Barron	11 Month Term Dual Contract	2006-2007 school year
Michelle Stone	11 Month Term Dual Contract	2006-2007 school year

The motion carried 7-0.

ADJOURNMENT:

Upon a motion by Rodney Henderson and a second by Joel Hardeman, the meeting was adjourned at 9:25 p.m. The motion carried 7-0.

Dr. Ty L. Gore, President

Doug Pennington, Secretary

jb

**Education Service Center
Region XI**

**Principal Assessment Contract
2006-2007**

Please review, sign below and return this contract to continue your participation in the Education Service Center, Region XI Principal Assessment Cooperative.

We have used best estimates or district data provided to ESC Region XI and PEIMS data for the number of principals and assistant principals in your district for the 2005-2006 school year. We provide these numbers to help you calculate your costs for budget planning. This number should reflect your total number of campus administrators at the present time. However, only 1/5 of the total will be assessed and will be charged to the district.

Please verify that we have the correct total numbers. Make changes to this contract if necessary and return the contract to the address below. Actual billing to your district, based on the numbers below, will occur in September 2006 and will be renewed each subsequent year for this five year assessment cycle.

Description	Total Number In District	1/5 Total to be Assessed	Admin. Services Members (\$750)	Admin. Services Non-Members (\$900)
Principals @ \$750.00/ \$900.00	6	3	\$2,250	\$2,700
Assistant Principals at \$750.00/ \$900.00	8			
Discount (\$150.00) per <u>approved</u> assessor / assessment	N/A			
		Total Costs 2006-2007	\$2,250	\$2,700

- o Please check if you are a member of Administrative Services Contract for 2006-2007

Mineral Wells ISD
School District

Education Service Center, Region XI
Service Center

Superintendent

Mr. Richard Ownby, Executive Director

Please return this signed contract by mail or fax before July 15, 2006 to:

Education Service Center, Region XI
Attention: Jennifer Coffey
3001 North Freeway
Fort Worth, TX 76106
Or FAX to 817.740.3608

Action Required
Due: July 17, 2006

Mineral Wells ISD
Principal and/or Assistant Principal
Assessment List for the 2006 - 2007 School Year

We will contact the administrator directly for a specific assessment date

Estimated number for Assessment 3

Last Name	First Name	Social Security #	Years of Experience as an Administrator	Contact Phone #	Campus	Position (Principal or Asst. Principal)	District E-mail Address
Narcomey	Pat	446-56-2973			Mineral Wells Junior High		
Setliff	Ben	449-84-9338			Mineral Wells High School		
Smith	Jeffery	461-21-1046	0				
Campbell	Brandy	466-89-9615	1				
Coker	Shanice	460-31-4716	0				

Please Mail or Fax to 817/740-3608 Attention Cheryl Grier

July 20, 2006

Honorable President and Members
of the Board of Trustees
Mineral Wells Independent School District
906 S.W. 5th Avenue
Mineral Wells, Texas 76067

Dear Ladies and Gentlemen:

1. **Retention of RBC Capital Markets.** We understand that the Mineral Wells Independent School District (“Issuer” or “you”) will have under consideration the issuance of obligations evidencing indebtedness (“Obligations”), either in a single financing or in a series of financings, and that in connection with the issuance of such Obligations you hereby agree to retain RBC Dain Rauscher Inc. doing business under the name RBC Capital Markets (“RBC Capital Markets”) as your financial advisor in accordance with the terms of this financial advisory agreement (“Agreement”). This Agreement shall apply to all Obligations that may be authorized and/or issued or otherwise created or assumed during the period in which this Agreement is effective.
2. **Scope of Services.** As financial advisor, we agree to perform the following services:
 - (a) Analyze the financing alternatives available to the Issuer, taking into account its borrowing capacity, future financing needs, policy considerations, and such other factors as we deem appropriate to consider.
 - (b) Recommend a plan for the issuance of Obligations that will include: (1) the type of bonds (current interest, capital appreciation, deferred income, etc.); (2) the date of issue; (3) principal amount; (4) interest structure (fixed or variable); (5) interest payment dates; (6) a schedule of maturities; (7) early redemption options; (8) security provisions; (9) appropriate management fee and takedown; and (10) other matters that we consider appropriate to best serve the Issuer’s interests. To the extent appropriate, the plan will address strategies in addition to the issuance of obligations, such as interest rate derivative transactions.
 - (c) Advise you of current conditions in the relevant debt market, upcoming bond issues, and other general information and economic data which might reasonably be expected to influence interest rates, bidding conditions or timing of issuance.

- (d) Organize and coordinate the financing team. Unless otherwise directed by you, we will select the paying agent, escrow agent and verification agent, as the particular transaction may require, each of whom will be retained and compensated by you. In a negotiated offering, we will solicit and evaluate underwriter proposals upon request and make a recommendation for the hiring of the underwriter(s).
- (e) Work with counsel on the transaction, including bond counsel whom you retain, who will be recognized municipal bond attorneys, whose fees will be paid by you, and who will prepare the proceedings, provide legal advice concerning the steps necessary to be taken to issue the Obligations, and issue an unqualified opinion (in a form standard for the particular type of financing) approving the legality of the Obligations and (as applicable) tax exemption of the interest paid thereon. In addition, bond counsel will issue an opinion to the effect that the disclosure document does not contain an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements contained therein, in light of the circumstances under which they were made, not misleading. Generally, working with counsel will mean coordinating with the attorneys and assisting in the financial advisory aspects of preparing appropriate legal proceedings and documents, including documents concerning any required election.
- (f) Assist in the Issuer's preparation of the Preliminary Official Statement ("POS") and the Official Statement ("OS") or equivalent document as the particular transaction may require (such as a private placement memorandum).
- (g) In connection with a competitive sale, we will:
 - i. coordinate the preparation of the Official Notice of Sale, the Uniform Bid Form (containing provisions recognized by the municipal securities industry as being consistent with the securities offered for sale) and other such documents which you may request or deem appropriate;
 - ii. submit all such documents for examination, approval, and certification by appropriate officials, employees, and agents of the Issuer, including bond attorneys;
 - iii. coordinate delivery of these documents to a list of prospective bidders;
 - iv. where appropriate, organize investor meetings;
 - v. coordinate the receipt of bids;
 - vi. advise as to the best bid, including acceptance or rejection of the best bid;
 - vii. if a bid is accepted, coordinate the delivery of and payment for the Obligations;
 - viii. assist in verification of final closing figures;

- ix. provide copies of documents to the purchaser of the Obligations in accordance with the terms of the Official Notice of Sale and the Uniform Bid Form.
- (h) Make recommendations as to credit rating(s) for the proposed Obligations and, should the Issuer seek a rating, coordinate the process of working with the rating agency or agencies and assist in the preparation of presentations as necessary.
- (i) Make recommendations as to obtaining municipal bond insurance, a liquidity facility or other credit enhancement for the Obligations and, should the issuer seek any such credit enhancement, coordinate the process and assist in the preparation of presentations as necessary.
- (j) Attend meetings of governing bodies of the Issuer, its staff, representatives or committees as requested.
- (k) After closing, we will deliver to the Issuer and the paying agent(s) definitive debt records, including a schedule of annual debt service requirements on the Obligations.

You acknowledge that advice and recommendations involve professional judgment on our part and that the results cannot be, and are not, guaranteed.

3. **Information to be Provided to RBC Capital Markets.** You agree (upon our request) to provide or cause to be provided to us information relating to the Issuer, the security for the Obligations, and other matters that we consider appropriate to enable us to perform our duties under this Agreement. With respect to all information provided by you or on your behalf to us under this Agreement, you agree upon our request to obtain certifications (in a form reasonably satisfactory to us) from appropriate Issuer representatives as to the accuracy of the information and to use your best efforts to obtain certifications (in a form reasonably satisfactory to us) from representatives of parties other than the Issuer. You acknowledge that we are entitled to rely on the accuracy and completeness of all information provided by you or on your behalf.
4. **Official Statement.** You acknowledge that you are responsible for the contents of the POS and OS and are subject to and may be held liable under federal or state securities laws for misleading or incomplete disclosure. To the extent permissible by law, you agree to indemnify and hold us harmless against any losses, claims, damages or liabilities to which we may become subject under federal or state law or regulation insofar as such losses, claims, damages or liabilities (or actions in respect thereof) arise out of or are based upon omission or alleged omission to state in the disclosure document a material fact required to be stated therein or necessary to make the statements therein not misleading; and will reimburse us for any legal or other expenses reasonably incurred by us in connection with investigating or defending any such loss, claim, damage, liability or action.
5. [This paragraph intentionally left blank.]
6. **Fees and Expenses.** In connection with the authorization, issuance, and sale of Obligations, you agree that our fee will be computed as shown on the "Fee Schedule" attached hereto. Our fee will become due and payable simultaneously with the delivery of the Obligations to the Purchaser. Our fee does not

include and we will be entitled to reimbursement from you for any actual “out-of-pocket” expenses incurred in connection with the provision of our services, including reasonable travel expenses or any other expenses incurred on your behalf. These expenses will be due and payable when presented to the Issuer, which normally will be simultaneously with the delivery of the Obligations to the Purchaser.

7. **Interest Rate Derivatives.** If you decide to consider the use of interest rate derivative products as part of the financing plan for Obligations covered by this Agreement, we will be pleased to provide our assistance upon request. The nature of our assistance will be set forth in an amendment to this Agreement or in another separate document.
8. **Other Conditions.** In addition to the terms and obligations herein contained, this Agreement is subject to the following special conditions: None.
9. **Term of Agreement.** This Agreement shall be for a period of 60 months (the “Term”) from its date. This Agreement will be automatically renewed for successive one (1) year periods on each anniversary date unless otherwise terminated, in writing, by either party. However, this Agreement may be terminated by either party upon 30 days written notice. If neither party provides written termination prior to the end of the Term, this Agreement will automatically renew for another Term. Paragraphs 4 and 6 (insofar as it concerns reimbursable expenses) survive any termination of this Agreement.
10. **Miscellaneous Provisions.** This Agreement is submitted in duplicate originals. Your acceptance of this Agreement will occur upon the return of one original executed by an authorized Issuer representative, and you hereby represent that the signatory below is so authorized. The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision of the Agreement, which shall remain in full force and effect. This Agreement constitutes the entire agreement between the parties as to the subject matter thereof and supersedes any prior understandings or representations. This Agreement may be amended or modified only by a writing signed by both parties. This Agreement is solely for the benefit of you and RBC Capital Markets, and no other person. RBC Capital Markets may not assign this Agreement without your prior written consent.

[The remainder of the page is intentionally left blank]

Respectfully Submitted,

RBC DAIN RAUSCHER INC.

By: _____
Name: William J. Gumbert
Title: Managing Director

ACCEPTANCE:

Accepted pursuant to action taken by the Board of Trustees of the Mineral Wells Independent School District on this the 20th day of July, 2006.

By: _____
Name: Ty Gore
Title: President, Board Of Trustees

ATTEST:

By: _____
Name: Doug Pennington
Title: Secretary, Board Of Trustees

By: _____
Name: Ray Crass
Title: Superintendent

FEE SCHEDULE

In consideration for the services rendered by RBC Capital Markets, the Issuer agrees that our fee for each issue of Obligations will be as follows:

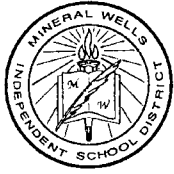
FEE SCHEDULE FOR FINANCIAL ADVISORY SERVICES – COMPETITIVE SALES

<u>Obligation Proceeds</u>		<u>The Fee Is</u>
<u>More Than</u>	<u>And Not More Than</u>	
\$ -0-	\$2,500,000	\$14,500 plus \$2.25 per \$1,000
2,500,000	5,000,000	\$20,125 plus \$1.75 per \$1,000 for all over \$2,500,000
5,000,000	10,000,000	\$24,500 plus \$1.30 per \$1,000 for all over \$5,000,000
10,000,000	20,000,000	\$31,000 plus \$0.85 per \$1,000 for all over \$10,000,000
20,000,000	No Limit	\$39,500 plus \$0.75 per \$1,000 for all over \$20,000,000

Note: The above fee schedule includes all of RBC Capital Markets' expenses (i.e., travel to District, telephone, copying, etc.) except for a personal presentation to rating agencies and other charges incurred by RBC Capital Markets on behalf of the District. In the event of a rating trip, RBC Capital Markets will be reimbursed for all reasonable out-of-pocket expenses including travel and hotel accommodations.

Fees for advance refunding Obligations and/or other Obligations involving Escrow Agreements, Lease Agreements, Liquidity Facilities, Standby Purchase Agreements, and/or certain Credit Agreements and negotiated sales will be the fee schedule set out in the Agreement above plus 25.0%. In addition, we will charge a structuring fee to be negotiated with the District on a case-by-case basis.

RBC Capital Markets will bill the Issuer at Closing for each issue of Obligations a net amount which will include a fee calculated on the above schedule as well as costs and expenses, where applicable, incurred on behalf of the Issuer.



MINERAL WELLS INDEPENDENT SCHOOL DISTRICT

906 S.W. 5th Ave.
Mineral Wells, Texas 76067

Office of:

Paul Hearn
Chief Financial Officer

July 20, 2006

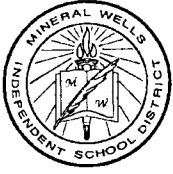
To: Board of Trustees, Mineral Wells I.S.D.
RE: Bids for Instructional and Office Supplies, etc.

The following vendors responded to the bid notice and bid opening of July 5, 2006:

Office Supplies	Instructional Supplies	Library Supplies	Athletic Supplies
Bennett's Office Supply	Bennett's Office Supply	Bound to Stay Bound Books	Alert Services, Inc.
Flatt Stationers, Inc.	Brook Mays Print Music	Follett Library Resources	Bobby Evans Sporting Goods
Mineral Wells Office Supply	Fisher Science Education	Gumdrop Books	BSN Sports
Quill Corporation	Flatt Stationers, Inc.	Harcourt Achieve	Carey's Sporting Goods, Inc.
School Specialty	Frey Scientific	Heineman-Raintree Library	M-F Athletic Supplies
Wal-Mart Supercenter	GF Educators, Inc.	Highsmith, Inc.	Team Sports of Texas
	Harcourt Achieve	Lakeshore Learning Materials	The Logo Shop
	Highsmith, Inc.	Perma-Bound Books	
	Lakeshore Learning Materials	Salem Press, Inc.	
	Mineral Wells Office Supply	Sommer Asso.	
	Quill Corporation		
	Renaissance Learning, Inc.		
	Southwest Strings		
	Wal-Mart Supercenter		

Recommendation: to accept all catalogue discount bids and vendor bids and place them on our approved vendor list.

Paul Hearn
Chief Financial Officer



MINERAL WELLS INDEPENDENT SCHOOL DISTRICT

906 S.W. 5th Ave.
Mineral Wells, Texas 76067

Office of:

Paul Hearn
Chief Financial Officer

July 20, 2006

To: Board of Trustees, Mineral Wells I.S.D.
RE: Student Athletic/Accident Insurance

We recently solicited bids/quotes for the purpose of providing student and athletic insurance for our students that participate in athletic activities and other UIL sponsored activities. The insurance company selected will also provide all students with a voluntary supplemental accident policy if the parents so choose.

Texas Monarch Management Corporation, our current provider, was the only company that responded to the bid notice. They have offered the following prices for the 2006-2007 school year:

The "Premier Plus" – High Option Plan	\$75,000.00
Catastrophic Plan	\$3,025.00

Note: The District has \$34,340 in claims paid-to-date for the 2005-2006 school year.

Recommendation: To approve Texas Monarch Management as the provider for student/athletic insurance coverage for 2006-2007.

Paul Hearn
Chief Financial Officer

Explanatory Notes

TASB Localized Policy Manual Update 78

District: Mineral Wells ISD

BAA (LEGAL) BOARD LEGAL STATUS
POWERS AND DUTIES

A new item 8—on INTERNAL AUDITOR—has been added. HB 1 from the recently completed special legislative session on school finance newly requires that any internal auditor that may be employed by the district be selected by and report directly to the board.

BBB (LEGAL) BOARD MEMBERS
ELECTIONS

Please note: HB 1, from the recently completed special legislative session on school finance, requires school districts to hold trustee elections on the same date as:

- The election of members of the governing body of a municipality located in the district, or
- The general election for state and county officers (November of even numbered years).

Additionally, elections held on the same date as the municipality or county must be held as joint elections, with common polling places.

Analysis by TASB Legal Services attorneys, in consultation with the Elections Division of the Office of the Texas Secretary of State, suggests that districts that held or cancelled trustee elections in May will not be required to hold another election on November 7, 2006 (the next general election). Districts should work with local counsel to determine what actions need to be taken for the 2007 election cycle.

Districts with questions about how these provisions apply to their trustee elections should contact the Secretary of State's Election Division at 1-800-252-VOTE (8683).

HB 1 does not require an immediate change in policy. Districts already committed to a November 7, 2006, election may proceed by having a joint election with the county. Preclearance from the U.S. Department of Justice may be required for November elections to the extent the district makes changes in election practices or procedures.

BBBA (LEGAL) BOARD MEMBERS
REPORTING CAMPAIGN FUNDS

For clarity, TASB attorneys have added to this policy Election Code provisions pertaining to terminating the campaign treasurer appointment of an inactive candidate or political committee. Included are circumstances under which a candidate or committee become inactive and the process by which the board terminates the campaign treasurer appointment.

BBFA (LEGAL) ETHICS
CONFLICT OF INTEREST DISCLOSURES

The newly enacted Local Government Code requirement that local government officers file a conflicts disclosure statement—for themselves and family members—includes by reference the Government Code definition of "family member." That definition—a person related within the first degree by consanguinity or affinity—has been added on page 3.

FAQs about this new requirement and a chart of the various conflict disclosure requirements may be found at <https://www.tasb.org/apps/icen/icenDetail.cfm?kv=232>. (Click on the title, "Legal FAQs: HB 914.")

BDF (LEGAL) BOARD INTERNAL ORGANIZATION
CITIZEN ADVISORY COMMITTEES

A perceived requirement—that elementary, middle, and junior high school students each engage in physical activity at least 30 minutes per school day or 135 minutes per school week—has been deleted from STATEMENT FOR PUBLIC INSPECTION.

Explanatory Notes

TASB Localized Policy Manual Update 78

TASB's Governmental Relations Division indicates that, while it may have been the intention of the 79th Legislature to require physical activity time for middle school, that intention was not enacted into law. The State Board of Education will consider this summer an extension of a physical education and/or physical activity requirement to middle schools to remedy the legislative oversight.

CCG (LEGAL) LOCAL REVENUE SOURCES AD VALOREM TAXES

Key local property tax provisions from HB 1, enacted by the recently completed special legislative session on school finance, are incorporated into this policy, as follows:

- TAX RATE CAP, on page 1, reflects the newly imposed limit on the tax rate adopted by a local district. The new cap may not exceed by more than 17 cents the product of the "compression percentage" and \$1.50 (or actual rate levied for 2005 if greater than \$1.50).
- 2006 TAX YEAR ELECTION, on page 4, addresses a 2006 transition provision requiring voter approval of a tax rate exceeding the rollback rate. The election must be called no later than August 31 and held on September 30. But for this transitional change, such an election would be governed by the time lines specified by Tax Code 26.08(a) and (b), subsections that appear in the policy immediately above the 2006 addition.
- COLLECTION AND DEPOSIT OF TAX INCREMENTS, on page 9, affects certain districts' payments into the tax increment funds.

At DISCOUNTS, on page 4, the text has been revised to reflect HB 2491 (from the regular session of the 79th legislature): a district now has clear statutory authority to adopt early-payment discounts even if the district contracts with another entity for the collection of taxes.

CDA (LOCAL) OTHER REVENUES INVESTMENTS

On page 3, we have added text addressing INTEREST RATE RISK, as suggested by independent auditors working with school districts to respond to various risk assessment issues addressed by General Accounting Standards Board (GASB) Statement 40. Essentially, the provision specifies that the district will reduce the risk of interest rate fluctuation by specifying final and weighted-average-maturity limits and by diversification.

In reviewing this policy, the district might concurrently fulfill its obligation to review—at least annually—this particular policy and to document its review and any resulting changes. The following sections merit special attention to ensure that they are in harmony with practice:

- MONITORING MARKET PRICES, on page 2: The law requires the policy to define the methods/resources that will be used to monitor the market price of investments.
- FUNDS/STRATEGIES, on page 2: The law requires the policy to define an investment strategy for each fund type to be invested.
- PORTFOLIO REPORT, beginning on page 3: While not required by law, good investment management practice suggests that the board at least annually consider overall portfolio performance and refine policies and strategies as needed to enhance the investment program. This provision was intended to provide a longer view of performance than quarterly, as provided by law, and somewhat presumes a diversified portfolio.

The district should confer with its investment counselor, its local attorney, and others with expertise in investment management when reviewing this policy. (The *TASB Regulations Resource Manual*, an administrative document available to policy administrators through myTASB, contains a model resolution form that may be used to document the review and changes.)

Explanatory Notes

TASB Localized Policy Manual Update 78

Please advise your policy consultant/analyst of any policy changes that arise from this review.

CE (LEGAL) ANNUAL OPERATING BUDGET

At PUBLICATION OF PROPOSED BUDGET SUMMARY, on page 3, appears a new requirement imposed by HB 1, enacted by the recently completed special legislative session on school finance. Statute now requires the district to post on the Internet—at the same time it publishes the required “notice of the meeting on the budget and proposed tax rate”—a comparison of the proposed budget with the previous year’s budget. The comparison must include per-student and aggregate spending in six categories:

- Instruction
- Instructional support
- Central administration
- District operations
- Debt service
- Any other category designated by the commissioner of education

CHF (LEGAL) PURCHASING AND ACQUISITION PAYMENT PROCEDURES

HB 2425 from the 78th regular legislative session amends the “Prompt Payment Law” to set the rate of interest payable by the district for tardy payment of vendor invoices to one percent over the prime rate. The prime rate is established on the first weekday in July and “prime-plus-one” applies to any payments due between September 1 and August 31 of the ensuing year.

This indexing is reflected on page 1 at INTEREST.

CKC (LOCAL) SAFETY PROGRAM/RISK MANAGEMENT EMERGENCY PLANS

Your current policy—addressing emergency procedures, retaining students during emergencies, evacuation procedures, and drills—has been effectively superseded by the district’s Emergency Operations Plan (EOP) aligned with the Texas School Safety Center (TSSC) template.

The TSSC template was promulgated in response to SB 11, from the 79th regular legislative session; districts were required to have developed a compatible plan by March 1, 2006. The EOP addresses emergency preparedness and emergency response and recovery as systems built on planning, training, drills, assessment, interagency cooperation, accountability, recordkeeping, and evaluation.

We recommend replacing your (LOCAL) policy with the streamlined language enclosed that speaks to the superintendent’s responsibility for ensuring that the plan is maintained and staff trained on an ongoing basis.

CO (LEGAL) FOOD SERVICES MANAGEMENT

SB 42 from the 79th regular session prohibits districts from barring a parent or grandparent from providing any food product of his or her choosing for a classroom birthday celebration or to students at school-related functions. The legislation, also known as “Lauren’s Law,” is effective with the 2006–2007 school year.

The Texas Department of Agriculture does not believe this more recent law conflicts with the Texas Public School Nutrition Policy (TPSNP) promulgated by the Commissioner of Agriculture and last revised in June 2004, six months before the 79th Legislature convened. TDA “policy” guidance states:

Explanatory Notes

TASB Localized Policy Manual Update 78

TDA recognizes that celebrating student birthdays with a classroom party is a time-honored tradition that provides the opportunity for parental involvement in the education of their children, which is beneficial for students, parents and teachers. Foods otherwise restricted by the policy are permitted in classroom student birthday parties. It is recommended such parties be scheduled at the end of the lunch period for the class so that these celebrations will not replace a nutritious lunch. Federal regulations do not permit foods of minimal nutritional value to be served in the food service area during meal periods.

In essence, TDA's guidance does not construe such birthday celebrations as a violation. "Lauren's Law" (and the fact that it amends, curiously, the portion of the Education Code that speaks to the required curriculum, rather than some more generalized section) blurs the picture. TASB attorneys believe that districts can still specify when classroom birthday celebrations may be held, so long as they are held after lunch service ends for that classroom.

In updated FAQs—issued January 24, 2006—TDA further notes, "Lauren's Law' does not supersede the TPSNP 'Event Day' provisions, which limits such [event] days to three per year; if a school permits restricted food at more than three school events per year, TDA will not reimburse the school for meals served for any days in excess of the three days permitted under the TPSNP."

The complete document may be found at <http://www.squaremeals.org>. (Click on "Texas Public School Nutrition Policy," then "Frequently Asked Questions.")

CRD (LEGAL) INSURANCE AND ANNUITIES MANAGEMENT HEALTH AND LIFE INSURANCE

New language regarding the health care supplement appears at DESIGNATION OF COMPENSATION FOR BENEFITS, on page 5. This text, drawn from HB 1 from the recently completed special legislative session on school finance, essentially clarifies previous statutory language. [Further statutory details regarding this supplement are included at DEA(LEGAL), in this update.]

In addition to this change, the policy itself has been extensively redeveloped to more closely track statutory language, to present the various provisions in a more logical flow, and to include additional text from current statute where such text might be helpful.

CRD (LOCAL) INSURANCE AND ANNUITIES MANAGEMENT HEALTH AND LIFE INSURANCE

Changes in CRD(LEGAL) have prompted a review—and significant redevelopment—of the companion (LOCAL) policy to more precisely reflect the interaction of continuation coverage with Family and Medical Leave and the district's health care plan, TRS Active Care or otherwise. The resulting policy clarifies:

- The board's role in establishing its contribution toward the employee's health insurance premium cost, allowing for differentiated contributions for part-time employees.
- An employee's responsibility for sustaining the full premium cost while on unpaid leave—subject to the exception provided by federal law for family and medical leave. That exception requires the district to sustain its customary contribution through the family and medical leave period.
- The requirement that an absent employee who is not on paid leave (or family and medical leave) may continue participating—with the employee funding the entire premium cost—for as long as the group health insurance plan permits. (TRS Active Care currently allows a participant to continue coverage for up to six full months after the unpaid leave begins, until employment terminates, or until eligibility terminates for a reason unrelated to the unpaid leave.)

DBD (LOCAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS CONFLICT OF INTEREST

We have rewritten the SUBSTANTIAL INTEREST section to make it clear that the substantial interest of an employee's relative does not in itself obligate the employee to file an affidavit. As noted in the policy text,

Explanatory Notes

TASB Localized Policy Manual Update 78

however, the superintendent must file an affidavit if his or her relative (in the first degree) has a substantial conflict.

DC (LEGAL) EMPLOYMENT PRACTICES

At INTERNAL AUDITOR, on page 1, appears a new requirement from HB 1 from the recently completed special legislative session on school finance. Also recited at BAA(LLEGAL), the law now requires that any internal auditor that may be employed by the district be selected by and report directly to the board.

DEA (LEGAL) COMPENSATION AND BENEFITS SALARIES, WAGES, AND STIPENDS

HB 1, from the recently completed special legislative session on school finance, prompts two additions:

- At STATE FUNDING, on page 1, new statute provides, subject to recapture and inclusive of the compensation supplement, \$2,500 for each classroom teacher, full-time librarian, full-time counselor, and full-time school nurse. This increase in compensation becomes effective with the 2006–2007 school year.
- At DESIGNATION OF COMPENSATION FOR BENEFITS, on page 5, revised statutory language addresses the (health care) compensation supplement. Eligible employees will annually elect in writing, (at the same time that the employee may elect to participate in a cafeteria plan) to earmark a portion of the supplement for the cafeteria plan or for payment of health care premiums.

In addition to these key changes, the policy has been restructured and its provisions revised for clarity:

- On page 1, DEFINITIONS have been added from TEA rules to further explain the introductory paragraph addressing the MINIMUM SALARY SCHEDULE.
- Education Code language has been added to EMPLOYEES FORMERLY ON CAREER LADDER—beginning on page 2—to more precisely define the salary guarantee to teachers and librarians on the career ladder in 1993 (when the career ladder was repealed).
- Repeated at PAY INCREASES, on page 3, are prohibitions—also found at CE(LLEGAL)—against:
 - An employee's receiving a supplementary financial benefit after services are rendered or performance of a contract begun.
 - An employee's receiving a salary advance and loan.
- Further material from federal regulations implementing the Fair Labor Standards Act has been added to pages 4–6.
- The section on PRINCIPAL PERFORMANCE INCENTIVES, previously at the end of the policy, has been deleted to avoid redundancy, as these provisions also appear at BQB(LLEGAL).

DEA (LOCAL) COMPENSATION AND BENEFITS SALARIES, WAGES, AND STIPENDS

This policy has been substantially revised for clarity as follows:

- The term “compensation plans” replaces “pay structures” to encompass pay schedules, stipends, benefits, and incentives.
- At PAY ADMINISTRATION, we have restated the administrative authority of the superintendent over the compensation plans. This authority includes classification of positions and determination of appropriate pay for new and reassigned employees.

Explanatory Notes

TASB Localized Policy Manual Update 78

- At ANNUAL PAY INCREASES, we have refined the text addressing the superintendent's responsibility of determining annual increases for individual employees, consistent with compensation plans and the approved budget.
- A new section on MID-YEAR PAY INCREASES restricts mid-contract increases in pay unless the employee has been reassigned or duties have been increased, with these increases requiring board approval. However, the superintendent is authorized to grant a mid-year pay increase to a noncontract employee whose assignment or duties have changed or for market value adjustments. Increases of this type are reported to the board.
- The new last paragraph at EXEMPT addresses the superintendent's authority to assign supplemental duties to exempt employees. Other provisions previously at SUPPLEMENTAL DUTIES have been deleted in favor of a cross-reference to DK(LOCAL)—Assignments and Schedules.

The COMPENSATORY TIME section, on page 2, has been revised to more clearly present the options and requirements governing overtime payment and compensatory time. As with current policy, a nonexempt employee may not accumulate more than 60 hours of compensatory time and must “clear the balance sheet” at the end of each fiscal year.

DEB (LOCAL) COMPENSATION AND BENEFITS FRINGE BENEFITS

We recommend that the district delete its DEB(LOCAL) policy; the enclosed FDA(LOCAL) has been redeveloped to address the district's current policy regarding all nonresident transfer students.

- For districts that admit nonresident transfer students, transfer request procedures for all applicants, including children of nonresident district employees, are covered by the new streamlined FDA(LOCAL), making separate provisions at DEB(LOCAL) regarding children of nonresident employees unnecessary.
- For districts that do not admit nonresident transfer students except for children of nonresident employees, that exception addressed at FDA(LOCAL).

Deleting nonresident student provisions from DEB(LOCAL) leaves no policy text, only a pointer to other policy codes. For that reason and since these codes are also identified within your manual's cross-index, we recommend deletion of your DEB(LOCAL) in its entirety.

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

At DRUG-RELATED VIOLATIONS, we have added—at item 2—“providing an adulterated, diluted, or a substituted specimen on an alcohol or drug test” as a violation of district policy. While such a violation has long been noted in DHE(LEGAL) as an offense requiring a report to the Texas Department of Public Safety, it was not specifically restated in DHE(LOCAL) as a violation of policy.

EFAA (LEGAL) INSTRUCTIONAL MATERIALS SELECTION AND ADOPTION TEXTBOOK SELECTION AND ADOPTION

This policy has been extensively supplemented with key Education Code provisions and State Board of Education rules regarding state and local textbook selection responsibilities. On page 1 is found the critical distinction between “conforming” (covering all Texas Essential Knowledge and Skills [TEKS] elements) and “nonconforming” (covering at least half but less than all TEKS elements). On page 2 is included the DURATION OF SELECTION provision, previously at CMD but more appropriately expressed here. Similarly, the CRIMINAL OFFENSE provision on page 2 echoes language found at DBD.

While the policy contains no other substantive changes, TASB attorneys have adjusted text throughout to more closely track statutory language.

Explanatory Notes

TASB Localized Policy Manual Update 78

EHBC (LEGAL) SPECIAL PROGRAMS COMPENSATORY/ACCELERATED SERVICES

A new section titled COMPENSATORY EDUCATION ALLOTMENT—appearing on page 1—has been drawn from the Education Code to anchor the policy.

At OPTIONAL FLEXIBLE SCHOOL DAY PROGRAM, beginning on page 4, we have incorporated provisions from HB 1, enacted by the recently completed special legislative session on school finance, effective for the 2006–2007 school year. Districts may apply to the commissioner of education for permission to offer an “optional flexible school day program” to at-risk students in grades 9–12 that would allow them to work at their own pace, with flexible hours, flexible days, and even on a part-time schedule. When approved by the commissioner, credits and funding are determined based on accumulation of time spent, not on a calendar year or semester.

Other changes to the policy are nonsubstantive, more closely tracking statutory language or the statutory order of topics and omitting, where appropriate, excessive detail.

EHBE (LEGAL) SPECIAL PROGRAMS BILINGUAL EDUCATION/ESL

New state law regarding assessment of limited English proficient students anchors revision of this policy. HB 1, arising from the recently completed special legislative session on school finance, establishes new requirements (found at PROGRAM EXIT on page 5) for exiting students from a bilingual or English as a Second Language program. Exiting may occur if the student is found to be able to participate equally in a regular all-English program. English proficiency is determined by TEA-approved tests; local tests are no longer permitted in making this determination. Proficiency in the student’s primary language is no longer considered; the student must perform satisfactorily on English language assessments, and parental evaluation is no longer considered.

On page 6 may be found HB 1 provisions regarding POST–EXIT MONITORING: the language proficiency assessment committee must reevaluate an exited student if he or she earns a failing grade in a foundation curriculum subject within the first two years of leaving the bilingual or ESL program.

These revisions allow for redevelopment of the policy to more closely track statute and to present the legal provisions in a more comprehensible manner.

EHBG (LEGAL) SPECIAL PROGRAMS PREKINDERGARTEN

HB 1 from the recently completed special legislative session broadens prekindergarten eligibility to include:

- A child of an active duty member of the U.S. armed forces.
- A child of a member of the state military forces or reserves called to active duty.
- A child of a member injured or killed while on active duty.

These new provisions may be found at ELIGIBILITY on page 1.

EKB (LEGAL) TESTING PROGRAMS STATE ASSESSMENT

Prompted by SB 658 from the 79th regular session, the commissioner of education adopted rules, effective April 3, 2006, concerning exceptions to the statewide testing calendar and restrictions on University Inter-scholastic League activities on test dates. The rule, summarized on pages 1 and 2 under ALTERNATE TEST DATES, defines four exceptional circumstances whereby a requesting district may be granted an alternate test date:

Explanatory Notes

TASB Localized Policy Manual Update 78

- Inclement weather or natural disasters severely impacting attendance on a test date.
- Health epidemics resulting in extensive absenteeism.
- Death of a student or school official that might impact student performance.
- Sudden emergencies on the day of testing (e.g., power outages, water main break, fire on campus).

If the commissioner approves an alternate test date, the commissioner may also prohibit the district or campus from participating in UIL competition on the new date.

Although not recited in this policy, it is of note that the legislation also requires the commissioner to provide UIL a three-year calendar of dates earmarked for testing, to develop a procedure for changing—in exceptional circumstances—these dates, and to establish criteria for determining whether a UIL competition must be cancelled if it conflicts with a changed date.

FDA (LOCAL) ADMISSIONS
INTERDISTRICT TRANSFERS

Changes are as follows:

- “Ancestral language” has been added to the array of considerations that cannot be used when granting or denying a student transfer in accordance with Texas Education Code 25.032.
- New language at FACTORS notes that, when approving transfers, the superintendent will consider availability of space and instructional staff and the student’s disciplinary history and attendance record.
- Under REVOCATION OF TRANSFER, the policy now clarifies that a transfer may be withdrawn in accordance with the written transfer agreement if the student violates district rules and regulations. The district will notify the student’s home district if the student’s transfer is revoked.
- The provision on TUITION has been generalized to affirm the authority of the board to set tuition if it deems it appropriate and to waive tuition for financial hardship.

Please note: Available June 20, Update 30 to the *TASB Regulations Resource Manual* contains a new model transfer agreement for processing interdistrict transfer requests.

FDA (LEGAL) INTERDISTRICT TRANSFERS
PUBLIC EDUCATION GRANTS

While this policy has been redeveloped for clarity and to more closely reflect statutory language, a key change is shown in the first paragraph on page 1. Eligibility for public education grants or intradistrict transfers previously hinged on two conditions regarding the student’s assigned school:

- Fifty or more students at the school failed to perform satisfactorily on state mandated assessments in any two of the three preceding years, OR
- The school was identified as “low performing” in any of the three preceding years. HB 1, from the recent special legislative session on school finance, revamped the terminology and replaced “low performing” with “academically unacceptable.”

Now, an eligible student may attend a public school in the district in which the student resides, or the student may use a public education grant to attend any other district chosen by the student’s parent.

FDB (LEGAL) ADMISSIONS
INTRADISTRICT TRANSFERS

Beginning on page 2, at OTHERS IN SPECIAL EDUCATION STUDENT’S HOUSEHOLD, appears new text drawn from HB 1 from the recently completed special session on school finance. Under this provision, a stu-

Explanatory Notes

TASB Localized Policy Manual Update 78

dent living in the same household as a special education intradistrict transfer student must be allowed to attend the same campus (if the student is otherwise eligible to attend school in the district and the campus includes the appropriate grade level). The district is not required to provide transportation to such a student.

As at FDAA(LLEGAL), the text at STUDENTS IN ACADEMICALLY UNACCEPTABLE SCHOOLS (on page 3) has been updated to reflect the shift in terminology from “low performing” to “academically unacceptable.”

FEA (LEGAL) ATTENDANCE
COMPULSORY ATTENDANCE

Several revisions, intended for clarity and completeness, appear under EXCUSED ABSENCES, on pages 3–4:

- At SPECIAL EDUCATION MATTERS, text from longstanding State Board of Education rule has been added. That provision allows students to miss school for special education assessments and related services without triggering compulsory attendance enforcement.
- At COURT PROCEEDINGS, a State Board of Education rule has been added allowing the excused absence—for compulsory attendance purposes—of a student who has been referred to juvenile court (for delinquent conduct or conduct indicating a need for supervision). This provision is recoded from FEB (Attendance Accounting) to this more appropriate code.
- At HUMAN SERVICES ACTIVITIES has been added the State Board compulsory attendance exemption for abused or neglected students who have been referred to the Texas Department of Human Services or a county or local welfare unit. This provision has been recoded from FEB since it pertains to compulsory attendance rather than attendance accounting.

FEB (LEGAL) ATTENDANCE
ATTENDANCE ACCOUNTING

As noted at FEA(LLEGAL), above, various provisions specific to compulsory attendance have been moved from FEB(LLEGAL). Remaining provisions—dealing with attendance accounting—have been re-examined for clarity and consistency with statutory language. As a result of that inspection, various nonsubstantive changes have been made throughout this policy.

Please note that the third paragraph on page 1, dealing with the superintendent’s responsibility for safekeeping of attendance records and reports, has existed in State Board of Education rule since 1996. It has been added to policy for a more complete rendering of legal requirements.

FFAB (LEGAL) WELLNESS AND HEALTH SERVICES
IMMUNIZATIONS

At MILITARY DEPENDENTS, on page 2, appears a 2004 Texas Department of State Health Services rule allowing provisional admission of military dependents transferring from one school to another while awaiting receipt of immunization records.

Please note: On page 1 of this policy, we include a pointer to http://www.dshs.state.tx.us/immunize/imm_sched.shtml where the Texas Department of State Health Services displays its updated immunization charts. To ensure that your policy manual does not present out-of-date immunization requirements, we recommend deletion of FFAB(EXHIBIT) in favor of this pointer. See the explanatory note below for further information.

FFAB (EXHIBIT) WELLNESS AND HEALTH SERVICES
IMMUNIZATIONS

Because this cited material is regularly updated by the Texas Department of State Health Services, we are urging deletion of this exhibit in favor of charts maintained on the TDSHS Web site. As noted at FFAB(LE-

Explanatory Notes

TASB Localized Policy Manual Update 78

GAL), the URL for this Web site is now contained in the (LEGAL) policy. For *Policy On Line* users, this URL will appear as an active hyperlink.

FFAC (LEGAL) WELLNESS AND HEALTH SERVICES
MEDICAL TREATMENT

HB 1, from the recently completed special legislative session on school finance, enacted law allowing a student suffering from a severe allergic reaction (“anaphylaxis”) to self-administer appropriate medicine, within the same constraints that apply to asthmatics.

FL (LOCAL) STUDENT RECORDS

Information recently released by the U.S. Department of Education regarding the Family Educational Rights and Privacy Act (FERPA) both simplifies and complicates the issue of “directory information”—student-specific information that must be released to any requestor, unless a parent has indicated otherwise.

- Districts do not have to allow parents to pick and choose (for release or withholding) individual items from the directory information listing established by a district. Instead the district can have an “all or nothing” provision whereby parents agree to or object to release of all directory information.

Your current FL(LOCAL) expressly permits parents to make such an item-by-item objection. Because that practice is clearly **not** a federal expectation and because the practice vastly complicates—and greatly increases the likelihood of errors in—releasing information, we recommend that the district adopt the “all or nothing” approach. Consequently, we have deleted from the enclosed policy a sentence permitting parents to selectively release certain kinds of directory information.

- Districts do have the authority to offer parents two different “directory information” lists: one list detailing information that will be released **by the school or district for specifically identified school purposes** and another for information that will be provided to **any requestor**. Examples of the former include publication of the student’s name, photo, and other information in the yearbook and newspaper, in choral and athletic programs, and on honor rolls. If the parent opts not to allow release of directory information for these specific purposes, release of information will be governed by the second listing. Any exceptions—for school purposes or otherwise—would require individual parental consent. Further information may be found in the **Model Student Handbook** recently released by Policy Service to superintendents and designated policy contacts. If your district would like to revise its FL(LOCAL) policy to exercise this new option, please contact your policy consultant/analyst for assistance.

FOC (LEGAL) STUDENT DISCIPLINE
PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

At COMPLETION OF PROCEEDINGS UPON WITHDRAWAL, on page 6, text has been added from current law—enacted in 2003—to close a troublesome Chapter 37 loophole that allowed a student facing disciplinary proceedings for a violation of the Student Code of Conduct to withdraw and avoid disciplinary consequences. The law authorizes a district to complete the proceedings for a withdrawing student and, if the student re-enrolls at a later date within the same or subsequent school year, to impose the consequences at that time. Also, a district to which the student may have transferred to avoid the proceedings and consequences may complete the proceedings and impose the appropriate disciplinary consequence.

This provision echoes similar language found at FOD(LEGAL) and was contained within HB 1314 from the 78th Legislature.