



**Marble Falls ISD
Regular Meeting**

**Monday, June 21, 2010
6:00 PM**

**AGENDA OF REGULAR MEETING
MARBLE FALLS INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES
MONDAY, JUNE 21, 2010 – 6:00 PM
Marble Falls Administration Building**

Notice is hereby given that on June 21, 2010, the Board of Trustees of the Marble Falls Independent School District will hold a Regular meeting at 6:00 PM, at the Marble Falls Administration Building.

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

1. Call to Order
Presenter: Martin McLean, President
2. Roll Call
3. Invocation
Presenter: Tommy Chaney
4. Pledge to the Flags
Presenter: Mike Savage
5. Special Board Recognition
Presenter: Ryder Warren
 - A. Strategic Planning Committee
6. Open Forum
7. Consent Agenda
Presenter: Ryder Warren
 - A. Review and Approval of Minutes from May 5th, May 17th, and May 24th 4
 - B. Review of Financial Reports 11
 - C. Review and Approval of Budget Amendments 27
 - D. Approval of Jim Boyle as Authorized Representative for Lone Star Investment Pool 28
8. Action Items
Presenter: Ryder Warren
 - A. Discussion and Possible Approval of MFISD Strategic Plan for Success 29
Presenter: Ryder Warren, Karl Westerman, Martin McLean
 - B. Discussion and Possible Approval of 2010-11 Appraisal Calendar 42
Presenter: Amy Jacobs
 - C. Discussion and Possible Approval of 2010-11 Code of Conduct 43
Presenter: Ryder Warren
 - D. Discussion and Possible Approval of Firm to Conduct Superintendent

Search

- E. Discussion and Possible Approval of Lease Agreement with Marble Falls Youth Baseball and Softball Association and Soccer Association
Presenter: Ryder Warren 99
- 9. Superintendent's Report
 - A. Report on Preliminary TAKS Scores
Presenter: Amy Jacobs
 - B. Quarterly Investment Report 106
Presenter: Mike Fletcher
- 10. Discussion of Possible July Meeting and Proposed Agenda Items
- 11. Discussion of Proposed Agenda Items for Regular August Meeting
- 12. Executive Session to Discuss Personnel Issues - Govt. Code 551.074 107
- 13. Discussion and Possible Approval of Professional Contracts
- 14. Discussion and Possible Approval of Resignation from Ryder Warren, Superintendent of Schools 138
- 15. Adjourn

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, Texas Govt. 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.

FOR THE BOARD OF TRUSTEES
MARBLE FALLS INDEPENDENT SCHOOL

Ryder Warren, Superintendent of Schools
Marble Falls Independent School District

Marble Falls Independent School District
Board Meeting Minutes
May 5, 2010

Martin McLean, President, called the meeting to order at 7:01 p.m. at the Marble Falls ISD Administration Building. A quorum was present; notice of this meeting was posted in accordance with the Texas Open Meetings Act., Texas Government Code Chapter 551.

Board Members Present: Tommy Chaney, Rick Edwards, Martin McLean, Kevin Naumann, Mike Savage, Karl Westerman
Kelly Fox arrived at 7:03 p.m.

Board Members Absent: None

Administrators Present: Ryder Warren, Amy Jacobs, Leslie Baty, Susan Maughan, and Vicki Crouse

Members of the Press: Raymond Whelan, *The River Cities Tribune*

Executive Session:

At 7:02 p.m. the Board adjourned into executive session to discuss personnel issues, specifically the hiring of an interim superintendent (Gov't Code 551.074). The Board reconvened into open session at 7:29 p.m.

Superintendent Selection Process

The Board discussed the hiring of a search firm to assist in the selection of a new superintendent. The Board instructed the administration to seek proposals from the firms recommended.

Interim Superintendent

The Board discussed the process of hiring an interim superintendent and instructed the administration to seek applications for candidates to be interviewed.

Adjournment:

Hearing no objection the Board adjourned at 7:43 p.m.

Approved:

Martin McLean, President

Kelly Fox, Secretary

Marble Falls Independent School District
Board Meeting Minutes
May 17, 2010

Martin McLean, President, called the meeting to order at 6:01 p.m. at the Marble Falls ISD Administration Building. A quorum was present; notice of this meeting was posted in accordance with the Texas Open Meetings Act., Texas Government Code Chapter 551.

Board Members Present: Tommy Chaney, Kelly Fox, Rick Edwards, Martin McLean, Mike Savage
Karl Westerman arrived at 6:05 p.m.

Board Members Absent: Kevin Naumann was absent.

Administrators Present: Ryder Warren, Amy Jacobs, Leslie Baty, Cord Woerner, Tom Barr, Allen Roberts, John Schumacher, Andy Reddock, Keith Powell, Michael Pittard, Peggy Little, Linda Romano, Michael Phillips, Mary Davidson and George Hamilton

Members of the Press: Geoff West, *The Highlander News*,
Daniel Clifton, *The River Cities Tribune*

Open Forum

Commissioner Joe Don Dockery thanked the Board for allowing the County to use the District's facilities to hold a Hazardous Waste Collection on May 8, 2010.

Special Board Recognitions

The Board recognized the following:

Ready, Set, Teach, Who's Who Award Winner, Gina Ruiz;
Theater Arts State Award Winner, 2nd Place, Colton Spurlock;
One Act Play Regional Qualifiers – Ace Coatney, Leslie Hopson, Kyli Bird, Mary Downey, Walker Rowsey, Kristin Cunningham and Alexander Sylvester;
UIL Academic Regional Qualifiers – Ross Brady, Cory Lane, and Alana Wooley
Tennis Regional Qualifiers Devon Dockery and Kyleigh Ann Futrell;
Special Olympic Medalists – 14 students competed at the State Level;
Track Regional Qualifiers – Shiloh Ribera, Jesus Manzano, and Ceril Lemon and William Nelson.

Oath of Office

Re-elected incumbents, Karl Westerman and Mike Savage, took the Oath of Office administered by Notary, Sylvia Weed.

Executive Session:

At 6:26 p.m. the Board adjourned into executive session to discuss personnel issues, specifically hiring the High School Principal (Gov't Code 551.074). The Board reconvened into open session at 7:08 p.m.

Upon a motion by Karl Westerman, second by Rick Edwards, the Board approved the professional employment of Eric Penrod as principal of Marble Falls High School.

For: 6 Against: 0 Absent: 1

At 7:11 p.m. the Board adjourned into executive session to discuss personnel issues, specifically professional contracts and to interview candidates for interim superintendent (Govt. Code 551.074). The Board reconvened into open session at 9:55 p.m.

Board Reorganization

Karl Westerman nominated Martin McLean for Board President, second by Tommy Chaney. Kelly Fox nominated Mike Savage; second by Tommy Chaney. Mr. Chaney rescinded his second on both motions.

Karl Westerman nominated Martin McLean for President. Kelly Fox nominated Mike Savage for President. A vote was taken for Judge McLean with Karl Westerman, Rick Edwards, Martin McLean and Tommy Chaney voting for the motion. A vote was taken for Mike Savage with Kelly Fox and Mike Savage voting for the motion. *Martin McLean was elected President.*

Kelly Fox nominated Mike Savage for Board Vice-President. Mike Savage nominated Rick Edwards as Vice-President. *Rick Edwards was unanimously elected Vice-President.*

Tommy Chaney nominated Kelly Fox for Board Secretary. There were no other nominations. *Kelly Fox was unanimously elected Secretary.*

Board Standing Committee

Judge McLean announced that there would be no changes to the Board Committee assignments. Current assignments are:

- Business and Finance – Martin McLean, Kelly Fox, and Kevin Naumann
- Building and Facilities – Martin McLean, Mike Savage, and Tommy Chaney
- Policy – Martin McLean, Karl Westerman, and Rick Edwards

Professional Contracts

Upon a motion by Tommy Chaney, second by Karl Westerman, the Board approved the following professional employment on a one year probationary contract, subject to assignment:

- High School - Angela Gamez, L. Christine McCloskey, Jae McCoy and Amanda Salazar;
- Middle School – Miheala Hammond, Debra Weis and Jennifer Wright; and
- Special Services – Colleen Bertirotti and Sara Gaulke

For: 6 Against: 0 Absent: 1

The Board was informed of the following professional resignations:

High School:

Teresa Delgado – Asst. Athletic Trainer effective 5/28/10
Frances Goodwin – Social Studies teacher retiring effective 5/28/10
David Orsag – PE/Health/Coach – retiring effective 5/28/10
Howland Reich – Science teacher – effective 5/28/10
Amanda Salazar – PE/Coach resigning dual contract effective 5/28/10

Highland Lakes

Diania Wendt – 3rd grade teacher effective 5/28/10

Marble Falls Elementary

Denise Cofer – 2nd grade teacher

The Board was informed of the following paraprofessional resignations:

Marble Falls Middle School

Miranda Cornelius – teacher’s aide effective 5/28/10
Raven Lathrop - teachers’ aide effective 5/28/10
NaTasha Sauer – teacher’s aide effective 5/28/10
Kirby Wright – teacher’s aide effective 5/28/10

The Board was informed of the following transfers:

High School

Pam Hickingbottom from Content Mastery teacher to Reading Resources teacher.

Colt Elementary

Amy Evans from PPCD to Resource/Inclusion teacher.
Christina Helms from Resource/Inclusion to PPCD teacher.

Consent Agenda

Upon a motion by Kelly Fox, second by Tommy Chaney, the following items were approved from the consent agenda:

- Minutes of April 19, 2010 meeting
- Financial report of expenditures for April 2010
- Approval of budget amendments recommended by Brenda Hudson, Accounting Supervisor

For: 6

Against: 0

Absent: 1

Agenda Items for the Regular June Meeting

Rick Edwards requested that Michael Phillips and the maintenance staff be recognized for all their work during the move to the new Central Administration.

Adjournment:

Hearing no objection the Board adjourned at 10:05 p.m.

Approved:

Martin McLean, President

Kelly Fox, Secretary

Marble Falls Independent School District
Board Meeting Minutes
May 24, 2010

Martin McLean, President, called the meeting to order at 7:00 p.m. at the Marble Falls ISD Administration Building. A quorum was present; notice of this meeting was posted in accordance with the Texas Open Meetings Act., Texas Government Code Chapter 551.

Board Members Present: Tommy Chaney, Kelly Fox, Rick Edwards, Martin McLean, Kevin Naumann, Mike Savage, Karl Westerman

Board Members Absent: None

Administrators Present: Ryder Warren, Amy Jacobs, Cord Woerner, and Allen Roberts

Members of the Press: Daniel Clifton, *The River Cities Tribune*
Geoff West, *The Highlander Newspaper*

Joint Resolution with Lake Travis ISD Regarding Detachment of Paleface Ranch Subdivision

Upon a motion by Rick Edwards, second by Kevin Naumann, the Board approved the joint resolution with Lake Travis ISD regarding the allocation of debt resulting from the detachment and annexation of Paleface Ranch Subdivision.

For: 6
Against: Kelly Fox
Absent: 0

Extracurricular and Drug Policy Handbook

Upon a motion by Kelly Fox, second by Tommy Chaney, the Board approved the following changes to the Extracurricular and Drug Policy Handbook:

- p.3 V. Procedures:
The coach, sponsor, administrator or DPA will determine whether an Extracurricular Code of Conduct violation has occurred.
- The Athletic Director, sponsor, Grade-Level Principal, and/or DPA
- p.4 VII. Alcohol/Drug Violations
If the violation is alcohol/drug related, the parent conference will be held by the DPA.

Drug Testing Policy

p.12 IV. Testing Procedures

f. One consent form will be required and kept on file for grades 7-8. When the ECP begins participation in high school, an additional consent form will be signed and kept on file for grades 9-12.

p. 13 V. Confidentiality

b. Only the ECP, parent/guardian, extracurricular sponsor, Athletic Director, campus principals, and the DPA will know the policy violation(s).

For: 7

Against: 0

Absent: 0

Resolution for the Sale of Property

Upon a motion by Kelly Fox, second by Tommy Chaney, the Board approved the resolution providing for the sale of property acquired at delinquent tax sale located north 15 feet of Lot 9, Block 240, City of Marble Falls, Burnet County, Texas to Bill Lacy for the sum of \$500.00

For: 7

Against: 0

Absent: 0

Drug Testing Report

This report was postponed until the June meeting as Carl Coleman, Director of Drug-Free and Safe Schools, was not present at the meeting.

Executive Session:

At 7:30 p.m. the Board adjourned into executive session to discuss personnel issues, specifically the hiring of an interim superintendent (Gov't Code 551.074). The Board reconvened into open session at 7:53 p.m.

Interim Superintendent

Upon a motion by Karl Westerman, second by Tommy Chaney, the Board approved the hiring of Dr. James Boyle as interim superintendent. The motion included authorizing Judge McLean to negotiate a contract with Dr. Boyle.

Adjournment:

Hearing no objection the Board adjourned at 7:56 p.m.

Approved:

Martin McLean, President

Kelly Fox, Secretary

Marble Falls ISD
Statement of Revenues and Expenditures - General Fund
As of May 31, 2010
75% Of Fiscal Year

	CURRENT YEAR				PRIOR YEAR			
	BUDGET	YTD ACTIVITY	BALANCE	% OF BUDGET	BUDGET	YTD ACTIVITY	% OF FINAL BUDGET	
REVENUES								
5710 LOCAL TAX REVENUES	\$ 28,959,337	\$ 28,435,607	\$ 523,730	98.19%	\$ 27,927,256	\$ 26,323,833	94.26%	
57XX OTHER LOCAL REVENUES	\$ 628,935	\$ 516,070	\$ 112,865	82.05%	\$ 951,000	\$ 429,149	45.13%	
58XX STATE PROG. REVENUES	\$ 6,546,663	\$ 4,090,286	\$ 2,456,377	62.48%	\$ 8,396,267	\$ 9,021,115	107.44%	
5900 FEDERAL REVENUE	\$ 10,000	\$ 114,819	\$ (104,819)	1148.19%	\$ 31,212	\$ 2,793	8.95%	
TOTAL REVENUE	\$ 36,144,935	\$ 33,156,782	\$ 2,988,153	91.73%	\$ 37,305,735	\$ 35,776,890	95.90%	
EXPENDITURES								
11 INSTRUCTION	\$ 18,156,112	\$ 12,408,688	\$ 5,747,424	68.34%	\$ 18,229,192	\$ 11,310,253	62.04%	
12 LIBRARY	\$ 554,291	\$ 410,554	\$ 143,737	74.07%	\$ 514,935	\$ 320,492	62.24%	
13 STAFF DEVELOPMENT	\$ 197,542	\$ 127,768	\$ 69,774	64.68%	\$ 201,631	\$ 110,490	54.80%	
21 INST ADMINISTRATION	\$ 761,524	\$ 562,350	\$ 199,174	73.85%	\$ 728,407	\$ 481,590	66.12%	
23 SCHOOL ADMINISTRATION	\$ 2,205,390	\$ 1,459,362	\$ 746,028	66.17%	\$ 1,958,083	\$ 1,173,814	59.95%	
31 GUID AND COUNSELING	\$ 1,115,787	\$ 818,351	\$ 297,436	73.34%	\$ 1,050,054	\$ 677,305	64.50%	
33 HEALTH SERVICES	\$ 375,428	\$ 262,785	\$ 112,643	70.00%	\$ 384,912	\$ 239,510	62.22%	
34 PUPIL TRANSP - REGULAR	\$ 1,834,306	\$ 1,493,067	\$ 341,239	81.40%	\$ 1,742,346	\$ 1,398,190	80.25%	
36 CO-CURRICULAR ACT	\$ 1,487,581	\$ 1,150,961	\$ 336,620	77.37%	\$ 1,403,151	\$ 971,409	69.23%	
41 GEN ADMINISTRATION	\$ 1,043,999	\$ 727,225	\$ 316,774	69.66%	\$ 990,474	\$ 612,606	61.85%	
51 PLANT MAINT & OPERATION	\$ 4,744,926	\$ 3,569,818	\$ 1,175,108	75.23%	\$ 4,729,965	\$ 3,125,121	66.07%	
52 SECURITY & MONITORING	\$ 102,130	\$ 22,832	\$ 79,298	22.36%	\$ 87,630	\$ 27,706	31.62%	
53 DATA PROCESSING	\$ 1,486,732	\$ 1,031,401	\$ 455,331	69.37%	\$ 989,783	\$ 716,747	72.41%	
61 COMMUNITY SERVICES	\$ 276,199	\$ 225,671	\$ 50,528	81.71%	\$ 278,929	\$ 187,280	67.14%	
81 FACILITIES ACQ & CONST	\$ 35,000	\$ -	\$ 35,000	0.00%	\$ 10,000	\$ -	n/a	
91 STUDENT ATTENDANCE CR	\$ 3,527,361	\$ 1,112,121	\$ 2,415,240	31.53%	\$ 4,722,003	\$ 1,630,950	74.95%	
99 PURCHASES & CONT SRVS	\$ 625,000	\$ 490,840	\$ 134,160	78.53%	\$ 600,000	\$ 449,689	n/a	
TOTAL EXPENDITURES	\$ 38,529,308	\$ 25,873,794	\$ 12,655,514	67.15%	\$ 38,621,495	\$ 23,433,152	60.67%	
7000 Other Sources	\$ -				Other Sources	\$ -		
8000 Other Uses	\$ -				Other Uses	\$ -		
1200 EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	\$ 7,282,988				EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES - FY 2008-2009	\$ 12,343,738		
3000 BEG FUND BAL 9/1/09	\$ 9,511,110							
3000 END FUND BAL 8/31/10	\$ 16,794,098							
3600 UNRESERVED FUND BAL	\$ 16,794,098							

Stimulus Funds
Fund # 266

Revenue		
58XX Fed. Flow thru State Rev.	\$1,173,088	\$1,055,779
Expense		
61XX Inst. Salaries	\$1,173,088	\$1,173,088

***Marble Falls
Independent
School District***

Financial Report

June 21, 2010

*****Check Payment Fund Summary*****

*****Expenditure to Budget Report*****

Check Payment Fund Summary

For Bills Paid

May 1 – May 31, 2010

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
199	GENERAL FUND	69,003.84	24,440.65	471,068.61	564,513.10
204	ESEA TITLE IV SAFE&DRUG FREE	0.00	0.00	1,045.89	1,045.89
211	TITLE I PART A, BASIC PROGRAMS	0.00	0.00	10,853.35	10,853.35
224	IDEA PART B FORMULA	0.00	0.00	35,418.87	35,418.87
225	IDEA PART B PRESCHOOL	0.00	0.00	110.15	110.15
226	IDEA PART B DISCRETIONARY	0.00	0.00	12,843.35	12,843.35
240	FOOD SERVICE	0.00	0.00	199.97	199.97
244	VOC. ED.-BASIC GRANT	0.00	0.00	4,983.44	4,983.44
255	TITLE II PART A TCHR & PRINCPL	0.00	0.00	852.00	852.00
263	TITLE III - BILINGUAL	0.00	0.00	3,879.33	3,879.33
283	IDEA B FORMULA ARRA STIMULUS	0.00	0.00	28,668.74	28,668.74
285	TITLE I PART A ARRA STIMULUS	0.00	0.00	208.43	208.43
394	LIFE SKILLS FOR STUDNT PARENTS	0.00	0.00	288.35	288.35
411	TECHNOLOGY ALLOTMENT	0.00	0.00	46,191.44	46,191.44
428	HIGH SCHOOL ALLOTMENT	0.00	0.00	275.43	275.43
699	CAPITAL PROJECTS	0.00	0.00	263,419.63	263,419.63
863	PAYROLL CLEARING	719,498.24	0.00	0.00	719,498.24
***	Fund Summary Totals ***	788,502.08	24,440.65	880,306.98	1,693,249.71

***** End of report *****

Expenditure to Budget Report

June 21, 2010

General Operating Fund

&

Food Service Fund

	2009-10	May 2009-10	2009-10	REVENUE	PERCENT	2009-10
Obj	ESTIMATED REVENUE	MTHLY ACTIVITY	Activity	BALANCE	REALIZED	YTD %
199	GENERAL FUND					
5700	REVENUE-LOCAL & INTERMED					
571-	28,959,337.00	380,721.23	28,435,607.93	523,729.07	98.16	98.19
573-	168,000.00	19,880.07	115,216.66	52,783.34	70.21	68.58
574-	331,002.00	24,517.51	286,807.41	44,194.59	87.90	86.65
575-	138,950.00	7,186.40	114,045.25	24,904.75	82.16	82.08
57--	29,597,289.00	432,305.21	28,951,677.25	645,611.75	97.81	97.82
5800	STATE PROGRAM REVENUES					
581-	4,940,663.00	106,305.00	2,901,772.00	2,038,891.00	58.73	58.73
582-	6,000.00	0.00	5,837.00	163.00	97.28	97.28
583-	1,600,000.00	138,934.22	1,182,677.58	417,322.42	73.92	73.92
58--	6,546,663.00	245,239.22	4,090,286.58	2,456,376.42	62.48	62.48
5900	FEDERAL PROGRAM REVENUES					
593-	10,000.00	0.00	114,819.00	-104,819.00	1,148.19	1,148.19
59--	10,000.00	0.00	114,819.00	-104,819.00	1,148.19	1,148.19
----	36,153,952.00	677,544.43	33,156,782.83	2,997,169.17	91.70	91.71

	Obj	Obj	2009-10 ESTIMATED REVENUE	May 2009-10 MTHLY ACTIVITY	2009-10 Activity	REVENUE BALANCE	PERCENT REALIZED	2009-10 YTD %
240		FOOD SERVICE						
5700		REVENUE-LOCAL & INTERMED						
	574-	TRANS FROM WITHIN STATE	2,000.00	235.69	1,815.33	184.67	90.77	90.77
	575-	ENTERPRISING ACTIVITIES	767,188.00	64,074.92	673,653.36	93,534.64	87.81	87.81
	57--	REVENUE-LOCAL & INTERMED	769,188.00	64,310.61	675,468.69	93,719.31	87.82	87.82
5800		STATE PROGRAM REVENUES						
	582-	STATE REVENUE DISTRBD BY TEA	12,304.00	0.00	12,622.00	-318.00	102.58	102.58
	58--	STATE PROGRAM REVENUES	12,304.00	0.00	12,622.00	-318.00	102.58	102.58
5900		FEDERAL PROGRAM REVENUES						
	592-		1,191,494.00	148,326.01	1,095,124.69	96,369.31	102.46	91.91
	59--	FEDERAL PROGRAM REVENUES	1,191,494.00	148,326.01	1,095,124.69	96,369.31	102.46	91.91
	----	FOOD SERVICE	1,972,986.00	212,636.62	1,783,215.38	189,770.62	96.75	90.38

Obj	Obj	2009-10 ESTIMATED REVENUE	May 2009-10 MTHLY ACTIVITY	2009-10 Activity	REVENUE BALANCE	PERCENT REALIZED	2009-10 YTD %
266	SFSF - STIMULUS FUNDS						
5900	FEDERAL PROGRAM REVENUES						
592-		1,173,088.00	1,055,779.00	1,055,779.00	117,309.00	90.00	90.00
59--	FEDERAL PROGRAM REVENUES	1,173,088.00	1,055,779.00	1,055,779.00	117,309.00	90.00	90.00
----	SFSF - STIMULUS FUNDS	1,173,088.00	1,055,779.00	1,055,779.00	117,309.00	90.00	90.00

***** End of report *****

	Obj	Obj	2009-10 ESTIMATED REVENUE	May 2009-10 MTHLY ACTIVITY	2009-10 Activity	REVENUE BALANCE	2009-10 YTD %
199		GENERAL FUND					
	5---	REVENUE	36,153,952.00	677,544.43	33,156,782.83	2,997,169.17	91.71
	----	GENERAL FUND	36,153,952.00	677,544.43	33,156,782.83	2,997,169.17	91.71
240		FOOD SERVICE					
	5---	REVENUE	1,972,986.00	212,636.62	1,783,215.38	189,770.62	90.38
	----	FOOD SERVICE	1,972,986.00	212,636.62	1,783,215.38	189,770.62	90.38
266		SFSF - STIMULUS FUNDS					
	5---	REVENUE	1,173,088.00	1,055,779.00	1,055,779.00	117,309.00	90.00
	----	SFSF - STIMULUS FUNDS	1,173,088.00	1,055,779.00	1,055,779.00	117,309.00	90.00

***** End of report *****

COMPARISON OF EXPENDITURES & ENCUMBRANCE TO BUDGET (Date: 5/2010)

Obj	Obj	2009-10 BUDGET	ENCUMBRANCE YTD	2009-10 EXPENDITURES	May 2009-10 ACTIVITY	BALANCE	2009-10 YTD %
199	GENERAL FUND						
11	INSTRUCTION						
	61-- PAYROLL COSTS	16,974,615.00	0.00	11,478,029.28	1,586,695.20	5,496,585.72	67.62
	62-- PURCHASE & CONTRACTED SVS	341,843.00	41,126.85	311,657.32	15,248.52	-10,941.17	91.17
	63-- SUPPLIES AND MATERIALS	717,786.00	126,971.87	518,965.79	95,823.80	71,848.34	72.30
	64-- OTHER OPERATING EXPENSES	134,902.00	8,636.54	84,940.89	20,115.40	41,324.57	62.96
	66-- CPTL OUTLY LAND BLDG & EQ	0.00	0.00	15,095.00	0.00	-15,095.00	0.00
	---- INSTRUCTION	18,169,146.00	176,735.26	12,408,688.28	1,717,882.92	5,583,722.46	68.30
12	INST. RESOURCES & MEDIA SVCS						
	61-- PAYROLL COSTS	423,349.00	0.00	299,815.82	33,304.76	123,533.18	70.82
	62-- PURCHASE & CONTRACTED SVS	22,643.00	479.51	18,594.29	6,103.58	3,569.20	82.12
	63-- SUPPLIES AND MATERIALS	103,599.00	10,289.96	86,125.56	16,187.39	7,183.48	83.13
	64-- OTHER OPERATING EXPENSES	5,534.00	0.00	6,017.84	454.88	-483.84	108.74
	---- INST. RESOURCES & MEDIA S	555,125.00	10,769.47	410,553.51	56,050.61	133,802.02	73.96
13	CURRICULUM DEV & INST STFF DEV						
	61-- PAYROLL COSTS	92,612.00	0.00	69,265.82	7,816.60	23,346.18	74.79
	62-- PURCHASE & CONTRACTED SVS	53,668.00	8,878.15	32,846.50	4,946.50	11,943.35	61.20
	63-- SUPPLIES AND MATERIALS	27,243.00	2,737.13	17,010.23	15,870.82	7,495.64	62.44
	64-- OTHER OPERATING EXPENSES	21,162.00	3,229.02	8,645.51	866.10	9,287.47	40.85
	---- CURRICULUM DEV & INST STF	194,685.00	14,844.30	127,768.06	29,500.02	52,072.64	65.63
21	INSTRUCTIONAL LEADERSHIP						
	61-- PAYROLL COSTS	700,599.00	0.00	530,085.50	58,779.55	170,513.50	75.66
	62-- PURCHASE & CONTRACTED SVS	13,700.00	1,602.99	8,170.57	5,255.84	3,926.44	59.64
	63-- SUPPLIES AND MATERIALS	27,709.00	4,669.92	14,131.01	5,516.39	8,908.07	51.00
	64-- OTHER OPERATING EXPENSES	18,521.00	1,684.07	9,963.27	429.50	6,873.66	53.79
	---- INSTRUCTIONAL LEADERSHIP	760,529.00	7,956.98	562,350.35	69,981.28	190,221.67	73.94

COMPARISON OF EXPENDITURES & ENCUMBRANCE TO BUDGET (Date: 5/2010)

Obj	Obj	2009-10 BUDGET	ENCUMBRANCE YTD	2009-10 EXPENDITURES	May 2009-10 ACTIVITY	BALANCE	2009-10 YTD %
199	GENERAL FUND						
23	SCHOOL LEADERSHIP						
	61-- PAYROLL COSTS	2,039,362.00	0.00	1,356,978.33	150,360.53	682,383.67	66.54
	62-- PURCHASE & CONTRACTED SVS	49,812.00	9,262.62	28,680.48	2,218.52	11,868.90	57.58
	63-- SUPPLIES AND MATERIALS	73,942.00	5,315.47	43,586.16	9,843.72	25,040.37	58.95
	64-- OTHER OPERATING EXPENSES	21,745.00	2,808.68	14,441.65	1,357.63	4,494.67	66.41
	66-- CPTL OUTLY LAND BLDG & EQ	15,676.00	0.00	15,675.32	0.00	0.68	100.00
	---- SCHOOL LEADERSHIP	2,200,537.00	17,386.77	1,459,361.94	163,780.40	723,788.29	66.32
31	GUIDANCE & COUNSELING						
	61-- PAYROLL COSTS	1,034,581.00	0.00	750,830.81	89,161.16	283,750.19	72.57
	62-- PURCHASE & CONTRACTED SVS	27,129.00	9,227.00	23,794.79	2,200.00	-5,892.79	87.71
	63-- SUPPLIES AND MATERIALS	30,506.00	2,699.95	23,890.84	4,758.07	3,915.21	78.32
	64-- OTHER OPERATING EXPENSES	24,566.00	1,345.88	19,834.44	4,427.15	3,385.68	80.74
	---- GUIDANCE & COUNSELING	1,116,782.00	13,272.83	818,350.88	100,546.38	285,158.29	73.28
33	HEALTH SERVICES						
	61-- PAYROLL COSTS	361,092.00	0.00	251,522.32	31,412.10	109,569.68	69.66
	62-- PURCHASE & CONTRACTED SVS	674.00	0.00	607.71	396.00	66.29	90.16
	63-- SUPPLIES AND MATERIALS	11,606.00	147.21	9,152.60	2,447.80	2,306.19	78.86
	64-- OTHER OPERATING EXPENSES	2,056.00	253.45	1,502.14	628.00	300.41	73.06
	---- HEALTH SERVICES	375,428.00	400.66	262,784.77	34,883.90	112,242.57	70.00
34	PUPIL TRANSPORTATION						
	61-- PAYROLL COSTS	1,289,316.00	0.00	1,027,921.25	122,863.37	261,394.75	79.73
	62-- PURCHASE & CONTRACTED SVS	28,583.00	10,115.31	6,650.06	589.05	11,817.63	23.27
	63-- SUPPLIES AND MATERIALS	452,552.00	15,701.77	320,114.74	32,962.07	116,735.49	70.74
	64-- OTHER OPERATING EXPENSES	-206,150.00	558.90	-122,926.24	-40,465.34	-83,782.66	59.63
	66-- CPTL OUTLY LAND BLDG & EQ	279,007.00	0.00	261,307.00	0.00	17,700.00	93.66
	---- PUPIL TRANSPORTATION	1,843,308.00	26,375.98	1,493,066.81	115,949.15	323,865.21	81.00

COMPARISON OF EXPENDITURES & ENCUMBRANCE TO BUDGET (Date: 5/2010)

Obj	Obj	2009-10 BUDGET	ENCUMBRANCE YTD	2009-10 EXPENDITURES	May 2009-10 ACTIVITY	BALANCE	2009-10 YTD %
199	GENERAL FUND						
36	COCURR./EXTRACURR.ACTIVITIES						
	61-- PAYROLL COSTS	652,661.00	0.00	515,352.69	78,125.93	137,308.31	78.96
	62-- PURCHASE & CONTRACTED SVS	188,253.00	11,905.40	183,514.95	9,281.13	-7,167.35	97.48
	63-- SUPPLIES AND MATERIALS	208,753.00	40,756.36	135,191.62	19,108.16	32,805.02	64.76
	64-- OTHER OPERATING EXPENSES	425,109.00	12,823.79	308,096.80	29,851.84	104,188.41	72.47
	66-- CPTL OUTLY LAND BLDG & EQ	3,805.00	0.00	8,805.00	0.00	-5,000.00	231.41
	---- COCURR./EXTRACURR.ACTIVIT	1,478,581.00	65,485.55	1,150,961.06	136,367.06	262,134.39	77.84
41	GENERAL ADMINISTRATION						
	61-- PAYROLL COSTS	728,099.00	0.00	549,871.19	52,462.69	178,227.81	75.52
	62-- PURCHASE & CONTRACTED SVS	188,440.00	19,359.14	102,577.75	13,973.38	66,503.11	54.44
	63-- SUPPLIES AND MATERIALS	37,213.00	7,080.95	21,086.86	1,665.42	9,045.19	56.67
	64-- OTHER OPERATING EXPENSES	93,680.00	7,667.65	53,689.26	2,196.49	32,323.09	57.31
	---- GENERAL ADMINISTRATION	1,047,432.00	34,107.74	727,225.06	70,297.98	286,099.20	69.43
51	PLANT MAINTENANCE & OPERATIONS						
	61-- PAYROLL COSTS	2,342,391.00	0.00	1,885,585.34	213,010.06	456,805.66	80.50
	62-- PURCHASE & CONTRACTED SVS	1,630,215.00	53,870.72	1,136,262.14	119,538.01	440,082.14	69.70
	63-- SUPPLIES AND MATERIALS	469,244.00	71,116.05	293,860.00	28,553.87	104,267.95	62.62
	64-- OTHER OPERATING EXPENSES	202,500.00	510.00	199,247.83	1,439.44	2,742.17	98.39
	66-- CPTL OUTLY LAND BLDG & EQ	100,000.00	29,775.85	54,862.60	6,000.00	15,361.55	54.86
	---- PLANT MAINTENANCE & OPERA	4,744,350.00	155,272.62	3,569,817.91	368,541.38	1,019,259.47	75.24
52	SECURITY & MONITORING SERVICES						
	61-- PAYROLL COSTS	15,730.00	0.00	11,011.23	1,336.51	4,718.77	70.00
	62-- PURCHASE & CONTRACTED SVS	82,900.00	1,755.00	8,796.50	165.00	72,348.50	10.61
	63-- SUPPLIES AND MATERIALS	3,500.00	0.00	3,024.00	0.00	476.00	86.40
	---- SECURITY & MONITORING SER	102,130.00	1,755.00	22,831.73	1,501.51	77,543.27	22.36

Obj	Obj	2009-10 BUDGET	ENCUMBRANCE YTD	2009-10 EXPENDITURES	May 2009-10 ACTIVITY	2009-10 BALANCE	2009-10 YTD %
199	GENERAL FUND						
53	DATA PROCESSING SERVICES						
61--	PAYROLL COSTS	743,485.00	0.00	488,273.52	56,006.32	255,211.48	65.67
62--	PURCHASE & CONTRACTED SVS	271,847.00	58,545.02	167,565.17	5,770.09	45,736.81	61.64
63--	SUPPLIES AND MATERIALS	116,600.00	15,185.31	76,408.76	8,156.77	25,005.93	65.53
64--	OTHER OPERATING EXPENSES	8,395.00	0.00	3,925.38	250.00	4,469.62	46.76
66--	CPTL OUTLY LAND BLDG & EQ	346,405.00	46,843.00	295,228.09	0.00	4,333.91	85.23
----	DATA PROCESSING SERVICES	1,486,732.00	120,573.33	1,031,400.92	70,183.18	334,757.75	69.37
61	COMMUNITY SERVICES						
61--	PAYROLL COSTS	234,114.00	0.00	189,705.19	20,981.39	44,408.81	81.03
63--	SUPPLIES AND MATERIALS	5,262.00	186.64	4,904.95	596.92	170.41	93.21
64--	OTHER OPERATING EXPENSES	36,823.00	453.07	31,060.52	3,193.80	5,309.41	84.35
----	COMMUNITY SERVICES	276,199.00	639.71	225,670.66	24,772.11	49,888.63	81.71
81	FACILITIES ACQ. & CONSTRUCTION						
66--	CPTL OUTLY LAND BLDG & EQ	35,000.00	0.00	0.00	0.00	35,000.00	0.00
----	FACILITIES ACQ. & CONSTRU	35,000.00	0.00	0.00	0.00	35,000.00	0.00
91	INTERGOVERNMENTAL CHARGES						
62--	PURCHASE & CONTRACTED SVS	2,503,024.00	0.00	1,112,121.00	257,837.00	1,390,903.00	44.43
----	INTERGOVERNMENTAL CHARGES	2,503,024.00	0.00	1,112,121.00	257,837.00	1,390,903.00	44.43
99	OTHR INTERGOVERNMENTAL CHARGES						
62--	PURCHASE & CONTRACTED SVS	625,000.00	0.00	490,840.88	0.00	134,159.12	78.53
----	OTHR INTERGOVERNMENTAL CH	625,000.00	0.00	490,840.88	0.00	134,159.12	78.53
----	GENERAL FUND	37,513,988.00	645,576.20	25,873,793.82	3,218,074.88	10,994,617.98	68.97

COMPARISON OF EXPENDITURES & ENCUMBRANCE TO BUDGET (Date: 5/2010)

		2009-10	ENCUMBRANCE	2009-10	May 2009-10		2009-10
	Obj Obj	BUDGET	YTD	EXPENDITURES	ACTIVITY	BALANCE	YTD %
240	FOOD SERVICE						
35	FOOD SERVICES						
	62-- PURCHASE & CONTRACTED SVS	1,963,997.00	0.00	1,580,438.46	204,293.45	383,558.54	80.47
	63-- SUPPLIES AND MATERIALS	0.00	0.00	64,368.73	76.53	-64,368.73	0.00
	64-- OTHER OPERATING EXPENSES	0.00	1,743.60	1,999.97	199.97	-3,743.57	0.00
	66-- CPTL OUTLY LAND BLDG & EQ	0.00	0.00	9,116.77	0.00	-9,116.77	0.00
	---- FOOD SERVICES	1,963,997.00	1,743.60	1,655,923.93	204,569.95	306,329.47	84.31
	---- FOOD SERVICE	1,963,997.00	1,743.60	1,655,923.93	204,569.95	306,329.47	84.31

		2009-10	ENCUMBRANCE	2009-10	May 2009-10		2009-10
	Obj Obj	BUDGET	YTD	EXPENDITURES	ACTIVITY	BALANCE	YTD %
266	SFSF - STIMULUS FUNDS						
11	INSTRUCTION						
	61-- PAYROLL COSTS	1,173,088.00	0.00	1,173,088.00	0.00	0.00	100.00
	---- INSTRUCTION	1,173,088.00	0.00	1,173,088.00	0.00	0.00	100.00
	---- SFSF - STIMULUS FUNDS	1,173,088.00	0.00	1,173,088.00	0.00	0.00	100.00

***** End of report *****

RECAP OF EXPENDITURES BY FUND (Date: 5/2010)

	Obj	Obj	2009-10 BUDGET	ENCUMBRANCE YTD	2009-10 EXPENDITURES	May 2009-10 ACTIVITY	2009-10 BALANCE	2009-10 YTD %
199		GENERAL FUND						
	6---	EXPENDITURES	37,513,988.00	645,576.20	25,873,793.82	3,218,074.88	10,994,617.98	68.97
	----	GENERAL FUND	37,513,988.00	645,576.20	25,873,793.82	3,218,074.88	10,994,617.98	68.97
240		FOOD SERVICE						
	6---	EXPENDITURES	1,963,997.00	1,743.60	1,655,923.93	204,569.95	306,329.47	84.31
	----	FOOD SERVICE	1,963,997.00	1,743.60	1,655,923.93	204,569.95	306,329.47	84.31
266		SFSF - STIMULUS FUNDS						
	6---	EXPENDITURES	1,173,088.00	0.00	1,173,088.00	0.00	0.00	100.00
	----	SFSF - STIMULUS FUNDS	1,173,088.00	0.00	1,173,088.00	0.00	0.00	100.00

***** End of report *****

**MARBLE FALLS INDEPENDENT SCHOOL DISTRICT
GENERAL OPERATING FUND
June 21, 2010**

EXPENDITURES

<u>Description/Function</u>	<u>Increase</u>	<u>Decrease</u>
Fund 199		
Student Attendance Credits/91	\$1,024,337	
Fund Balance		
Unreserved		\$1,024,337
Fund 199		
Instruction/11		\$9,500
School Leadership/23	\$9,500	
	<hr/>	<hr/>
Total	\$1,033,837	\$1,033,837
Net Affect to Adopted Budget		<u><u>\$1,024,337</u></u>

Budget expenditure increase of \$1,024,337 to cover the anticipated settle-up recapture payment due in August.

Transfer budget between functions to insure proper accounting of expenditures for summer school administration.

Approval

Date

Authorized Representative Add Form

Name of Participant Marble Falls ISD

Addition of Authorized Representative

The following officers, officials, or employees of the Participant are hereby designated as Authorized Representatives within the meaning of the Inter-local Agreement (Agreement), with full power and authority to execute the Agreement and any other documents, as may be required to deposit money to and withdraw money from the Participant's Lone Star Investment Pool (Lone Star) account from time to time in accordance with the Agreement and the Information Statement and take all other actions deemed necessary or appropriate for the investment of local funds of the Participant:

	Rep #1	Rep #2	Rep #3
Printed Name	<u>Jim Boyle</u>	_____	_____
Title	<u>Interim Superintendent</u>	_____	_____
E-mail address	<u>jboyle@mfisd.txed.net</u>	_____	_____
Signature	_____	_____	_____

In accordance with Lone Star procedures, an Authorized Representative shall promptly notify Lone Star of any changes in who is serving as Authorized Representative.

In addition to the foregoing Authorized Representative, each Investment Officer of Lone Star appointed by the Lone Star Investment Pool Board of Trustees from time to time is hereby designated as an investment officer of the Government Entity and, as such, shall have responsibility for investing the share of Lone Star assets representing local funds of the Government Entity.

PASSED AND APPROVED this 21 day of June, 200 10.

By: _____ By: _____

Martin McLean

Kelly Fox

Printed Name, Board President

Printed Name, Board Secretary

State of Texas,

County of _____

Before me, _____, on this day personally appeared _____, known to
(name of notary) *(name of President and Secretary)*

me (or proved to me on the oath of _____) or through _____ to be the person(s)
(person providing oath) *(identification item)*

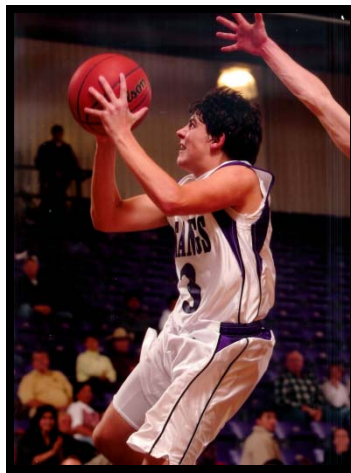
whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 200 _____,

(Personalized Seal)

Notary Public's Signature

Marble Falls ISD Strategic Plan Draft



**MFISD Board of Trustees
June 21, 2010**

Beliefs

Proposed as the district's fundamental convictions, values and characters

We believe that...

- Safety is paramount.
- Every individual has unique needs and potential.
- Positive self-worth is critical to healthy development.
- Open communication promotes success.
- Relationships are vital.
- Parent and family involvement profoundly influences a child's life.
- Knowledge fosters independence and self-sufficiency.
- Good character traits are essential to a productive society.
- All people are innately responsible for their actions.

Mission

Proposed as the unique purpose for which the school district exists and the specific function it performs

The mission of Marble Falls ISD is to inspire and empower all students to lead extraordinary lives and embrace the possibilities of the 21st century through relevant, engaging learning experiences led by inspirational and nurturing educators.

Objectives

Proposed as the desired and measurable end results for the district

- Every student will achieve extraordinary academic success.
- Every student will actively pursue learning throughout life.
- Every student will exhibit strength of character.
- All students will realize their uniqueness as citizens and contribute to the well being of their community.

Parameters

Proposed as the established guidelines within which the district will accomplish its mission

- *We will* stress safety throughout the district.
- *We will* honor relationships and treat all people with dignity and respect.
- *We will* model and expect impeccable character.
- *We will* be responsible stewards of our resources.
- *We will* practice and promote open communication.
- *We will not* compromise excellence.

Strategies

Proposed as the means of accomplishing the district's objectives

We will...

- Build strong, vital relationships within our diverse communities.
- Embrace innovative applications of technology with primary focus on student immersion.
- Cultivate opportunities for student participation that extend beyond the classroom.
- Ensure all students receive exceptional instruction through inspired learning experiences.
- Promote personal wellness and healthy choices.
- Exemplify strength of character.

Strategy I:

We will build strong, vital relationships within our diverse communities.

Year 1	Year 2/3	Year 4/5	Result Statement
	X		1. Each campus will hold a parent orientation for the school year, scheduled at different dates for elementary, middle school, and high school to accommodate multi-sibling families.
X			2. Campuses will communicate consistently with parents.
		X	3. Campuses will develop and facilitate a mentorship program that vertically aligns from elementary to high school.
	X		4. Campuses will establish effective transitional activities.
X			5. Each campus will develop and maintain a volunteer program.
	X		6. The district will provide a list of community resources available to parents and students.
		X	7. The district will conduct an annual multicultural fair to promote awareness and to celebrate our diverse community.

Strategy II:

**We will embrace innovative applications of technology
with primary focus on student immersion.**

Year 1	Year 2/3	Year 4/5	Result Statement
	X		1. Instructional technology will be commensurate with the demands of the 21st century learner.
X			2. The district filter criteria will be conducive to online learning.
X			3. Specialized training based on individual needs will be provided with the expectation that all staff will be technologically proficient.
	X		4. A liaison between technology and curriculum will be established by the district in order to ensure effective and consistent use of instructional technology.
	X		5. A campus-based cohort of teachers who excel in technological learning will assist campus instructional technologists with curriculum integration.
		X	6. Each student will create an annually updated digital portfolio.
		X	7. A student-directed technology showcase will be conducted with participation from each campus.
	X		8. A technical support response system will be established to meet district and campus needs.

Strategy III:

We will cultivate opportunities for student participation that extend beyond the classroom.

Year 1	Year 2/3	Year 4/5	Result Statement
X			1. The district will actively inform all students and parents about district-wide student participation opportunities.
	X		2. Each campus will establish a parent volunteer program.
	X		3. Each campus will establish a student mentoring group to encourage student participation.
		X	4. A community service/student participation incentive and recognition program will be developed.
		X	5. A transportation program will be developed for student participation opportunities.

Strategy IV:

We will ensure all students receive exceptional instruction through inspired learning experiences.

Year 1	Year 2/3	Year 4/5	Result Statement
X			1. Every campus will honor students who achieve excellence.
	X		2. All secondary campuses will have an after-school academic learning environment to allow students opportunities and resources for academic development.
	X		3. Teachers will use innovative approaches to differentiate instruction in order to meet the needs of their diverse populations.
X			4. Teachers will engage in purposeful professional development opportunities based on our district's strategic plan.
	X		5. Teachers will provide authentic learning experiences for students using a variety of technologies.

Strategy V:

We will promote personal wellness and healthy choices.

Year 1	Year 2/3	Year 4/5	Result Statement
	X		1. The health curriculum at secondary schools will be strengthened.
	X		2. The health curriculum previously purchased at the elementary schools will be implemented.
		X	3. Student and staff competitive game events will be created.
X			4. Health information, support programs, and in-services for staff will be provided.
X			5. Health and wellness information will be offered for parents and caretakers.
	X		6. Helpful tips, interesting facts, and success stories will be included in the current weekly wellness bulletin.
	X		7. Healthy snack alternatives for the cafeteria will be ensured and encouraged.

Strategy VI:

We will exemplify strength of character.

Year 1	Year 2/3	Year 4/5	Result Statement
		X	1. We will provide multiple opportunities for parents, community, staff and students to model exemplary character by participating in service activities.
X			2. We will ensure a uniform and aligned character curriculum to include developmentally appropriate strategies throughout the district.
	X		3. We will establish and recognize a culture of exemplary character.
	X		4. We will establish a character based, organized volunteer program including role models, mentors, and campus monitors.

Cost Analysis
Considerations for Additions to MFISD Budget

Strategy	Year 1	Year 2/3	Year4/5
Strategy 1 (Relationships)	**	**	**
Strategy 2 (Technology)	**	#1- up to 2.5 million #4 – stipend TBD #5 – possible stipend	**
Strategy 3 (Participation)	**	**	**
Strategy 4 (Instruction)	**	#2- program design will determine cost (\$3K-\$10K)	**
Strategy 5 (Wellness)	**	**	**
Strategy 6 (Character)	**	**	**

****No additional costs are anticipated above current budget allowances.**

MFISD PDAS Timeline 2010-2011

First 12 Weeks	Second 12 Weeks	Third 12 Weeks	Last 15 Days of Instruction
<p>Teacher Orientation Within 1st 3 Weeks (9/10/10)</p> <p>Observations no earlier than 3 weeks after orientation</p> <p>Earliest date for observation is (Between 9/13/10 & 10/1/10 depending on teacher orientation date)</p>			
<p>Teacher Self-Report I</p> <p>No later than 3 weeks after orientation (Between 9/10/10 & 10/1/10 depending on teacher orientation date.)</p>	<p>Teacher Self-Report II & III</p> <p>At least 2 weeks prior to Summative Conference</p> <p>Not later than 4/20/11 if the Summative Conference is 5/5/11 (Last date for Summative Conference)</p>		
	<p>Formal Observation</p> <ul style="list-style-type: none"> • Minimum of 45 minutes or shorter segments that = 45 minutes • Written summary within 10 working days • Advanced notice may be given but is NOT REQUIRED • Follow district APPRAISAL CALENDAR • May have pre or post conference at request of Teacher or Appraiser 		<div style="border: 1px solid black; padding: 5px; color: red; font-size: small;"> <p>Appraiser will establish a 2-week window for Formal Observations following guidelines in <i>19 TAC 150.1006</i></p> </div>
<p>Walk-Through Visits</p> <ul style="list-style-type: none"> • To be at the discretion of the appraiser • Documentation shared with teacher within 10 days 			
<p>ADDITIONAL TIMELINE ISSUES</p> <ul style="list-style-type: none"> • Teacher Response within 10 working days (Appraiser may extend to 15) • May rebut or request 2nd appraisal within 10 working days after receiving any documentation <p>SUMMATIVE ANNUAL REPORT</p> <ul style="list-style-type: none"> • 5 working days before conference April 28, 2011 if Summative is May 5, 2011 • No later than 15 working days before last day of instruction May 5, 2011 • Observation Summary • Walk-Through documentation • Third Party/Teacher documentation • TSR I, II, III <p>SUMMATIVE CONFERENCE</p> <ul style="list-style-type: none"> • No later than 15 working days before last day of instruction May 5, 2011 • If appraiser is not administrator on campus, principal asst. or designated supervisory staff will participate 			

Please note: All changes in the document have “~~striketroughs~~ and the correction is highlighted in yellow. The S&E model and the MFISD version are not exactly the same so page and item #'s vary.



SCHWARTZ & EICHELBAUM WARDELL MEHL AND HANSEN, P.C.

2010-2011 STUDENT CODE OF CONDUCT CHART OF CHANGES

Changes for the 2010-11 Student Code of Conduct are almost entirely editorial; we believe the changes on pages 9 and 15 are important to be incorporated, but the other changes are entirely up to the District.

p 8, item 9 MFISD p. 7 - item 9	To provide greater flexibility to staff, we changed "lawful" to "reasonable."
p 8, item 13 MFISD item 15	To provide greater flexibility, we changed "misbehavior" to "conduct."
p 9, items 19-20 MFISD p. 8, item 19	In an attempt to cover as many bases as possible, we add "voice or video recording device" to the items that are prohibited at school without specific permission.
p 9, item 31 MFISD p. 9, item 29	This is a new item to incorporate a prohibition on students having tobacco substitutes or non-tobacco smoking materials while they are under school jurisdiction.
p 14 MFISD p 13	In the first line, "negates" to "eliminates" for readability.
p 15 p 14 - MFISD	In the final paragraph under CORPORAL PUNISHMENT, we add an additional legitimate use of "physical exercises or activity" by teachers to include "to encourage moderate or vigorous physical activity," which is now a requirement, perhaps daily, for elementary and middle school/junior high students. The phrase should be inserted in the 3 rd line between "activities" and "and."
p 17 MFISD p. 16	In the first statement under "General DAEP Information", we inserted the broader scope of "violated this code of conduct" between "have" and "committed." As previously written, it was not completely consistent with an approach that permits DAEP assignments for any violation of the SCOC.
p 19 MFISD p. 18	In the 7 th line at "Effect of Withdrawal," we changed "empowered" to "has authority" to simplify the language for students and parents.
p 20 MFISD p. 18	In the 5 th line from the top of page, "which" to "that" for appropriate grammar and usage.

p 20 MFISD p.18	At "Effect of Transfer Into District," in the 3 rd line, we eliminated "___ ISD" in favor of "the District."
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Marble Falls
INDEPENDENT SCHOOL DISTRICT
2010-2011
STUDENT CODE OF CONDUCT



ADOPTED BY THE MFISD BOARD OF TRUSTEES

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Acknowledgement

Dear Student and Parent:

The Marble Falls Independent School District Board of Trustees officially adopted the Student Code of Conduct in order to promote a safe and orderly learning environment for every student.

We urge you to read this publication thoroughly and to discuss it among your family. If you have any questions about the rules and consequences, we encourage you to ask for an explanation from the student's teacher, the school counselor, or campus administrator.

The student and parent should each sign this page on the space provided below, then return the page to the student's school. Thank you.



We acknowledge that we have received the MFISD Student Code of Conduct for the 2010-2011 school year, and that we are responsible for reading and understanding the rules and other information contained in the Student Code of Conduct.

Student's Name: _____
(Please print)

Student's Signature: _____ Date: _____

Parent's Name: _____
(Please print)

Parent's Signature: _____ Date: _____

School: _____ Grade Level: _____

**Please sign this page, remove it, and return it to the student's school.
Thank you.**

Purpose of a Student Code of Conduct

The Student Code of Conduct that follows is the District's response to the requirements of Chapter 37 of the Texas Education Code. The law requires the District to establish standards of student conduct and to identify the circumstances under which a student may be removed from a classroom, campus, or disciplinary alternative education program, transferred to a disciplinary alternative education program, suspended, or expelled. The Code provides information to parents and students regarding expectations for behavior, consequences of misconduct, and procedures for administering discipline.

We provide you a copy of or access to the Code annually; a copy is also available for review in the principal's office of each campus in the District. The Code is posted on the District's website (www.mfisd.txed.net) and can be accessed or printed at any time from that site. If you do not have access to a computer, the principal's office at your child's campus will print one for you, upon request.

This Code is not a contract and can be amended by the District at any time. However, any change or amendment to the Code will be approved by the Board of Trustees.

Violations of the Code of Conduct are documented by teachers and other professional employees using campus discipline referral forms.

Teachers and principals may impose campus or classroom rules in addition to those found in the Student Code of Conduct. These rules may be posted in classrooms or given to the student and may or may not also constitute violations of the Student Code of Conduct.

Expectations for Student Behavior

Each student is expected to:

- Demonstrate courtesy and respect for others.
- Behave in a responsible manner.
- Attend all classes, regularly and on time.
- Be prepared for each class; take appropriate materials and assignments to class.
- Be well-groomed and dressed appropriately, as articulated in the MFISD student handbook.
- Obey all campus and classroom rules.
- Respect the rights and privileges of other students and of teachers and other District staff.
- Respect the property of others, including District property and facilities.
- Cooperate with or assist the school staff in maintaining safety, order and discipline.
- Avoid violations of the Student Code of Conduct.

General Authority to Impose Discipline

The Texas Legislature has delegated the authority to manage independent school districts and discipline students to the Board of Trustees and its employees. The school has the authority to administer discipline whenever the interest of the school is involved, on or off school property, in conjunction with or independent of classes and school-sponsored activities. The District's disciplinary authority applies:

- during the regular school day and while the student is going to and from school on District transportation;
- within 300 feet of school property;
- while the student is participating in any activity during the school day on school grounds;
- during lunch (whether on or off school campus);
- while the student is in attendance at any school-related activity of the District, regardless of time or location;
- while the student is on school property of another Texas school district or attending a school activity of a school in another Texas school district;
- for any school-related misconduct, regardless of time or location;
- when the student retaliates or threatens retaliation against a school employee, regardless of time and location;
- when the district has a reasonable belief that the student has engaged in conduct that would be punishable as a felony, as provided by Texas Education Code § 37.006;
- when the student is involved in criminal mischief on or off school property or at a school-related event;
- when the student makes a false alarm or report of bombing, fire, or other emergency involving a public school, regardless of time or location;
- when the student makes a terroristic threat involving a public school, regardless of time or location; and
- when the student commits aggravated robbery against another student, regardless of time or location.

All District facilities, any other real property that is owned, rented, or leased by the District, and the area within 1,000 feet of any of those facilities is a **gang-free zone** under state law. The penalties from the juvenile or criminal justice systems for certain organized criminal activity occurring within a "gang-free zone" will be enhanced. See "Gang-Free Zones" in the Definitions section for more complete information.

Discipline of Students with Disabilities

Federal law regarding the education of students with disabilities (IDEA and Section 504) imposes specific procedures and limitations on the discipline of students with disabilities. For further information on this topic, please contact the principal, who will direct you to special education staff or Dr. Susan Maughan at (830) 693-4357. Information is also available to parents of students with disabilities in the “Explanation of Rights and Procedural Safeguards of a Parent with a Child with Disabilities in School,” which is provided to parents at the time of admission to special education and annually, upon initial referral, upon request for an evaluation, upon the filing of a request for a special education due process hearing, or upon request by a parent.

Prohibited Conduct

A significant part of the district’s educational mission is to inculcate, or instill, the habits and manners of civility and to teach students the boundaries of socially appropriate behavior. In furtherance of this mission, students will be subject to disciplinary consequences if they engage in any of the following prohibited conduct while they are subject to the school’s jurisdiction as described in this Code of Conduct:

- 1. Scholastic dishonesty, which includes, but is not limited to, cheating on a test or any other assignment, plagiarism, or unauthorized collaboration with another person in preparing written work or any other assignment for which a grade is awarded.**
- 2. Conduct that can cause injury to person or property**
- 3. Leaving classrooms, school grounds, or school-sponsored events without permission**
- 4. Using profanity, lewd or vulgar language, or obscene gestures**
- 5. Scuffling or fighting or other inappropriate physical contact that does not meet the definition of simple assault**
- 6. Stealing**
- 7. Lying about the conduct of other students or making false accusations about district employees**
- 8. Disobeying school rules about conduct on school buses**
- 9. Failing to comply with lawful **reasonable** directives given by school personnel**
- 10. Failing to comply with campus or district policies**
- 11. Bullying or harassment, which may include the following offenses:**

- a. Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person), or forcing an individual to act through the use of force or threat of force
 - b. Making ethnic, racial, or religious slurs or any other harassment based on race, color, national origin, religion, or disability
 - c. Verbal abuse or derogatory or offensive remarks addressed to others
 - d. Damaging or vandalizing property of other students
 - e. Conduct that constitutes sexual harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including without limit, requests for sexual favors
 - f. Dating violence, meaning the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in a dating relationship
12. Making a hit list, i.e., a list of people targeted to be harmed using a firearm, knife, or any other object to be used with intent to cause bodily harm
 13. Harassing or threatening school employees or volunteer through inappropriate, offensive, or sexually explicit or suggestive comments made orally in person or by telephone or in writing through letters, emails, text messages, journals, or in any other way.
 14. Committing or assisting in a robbery, theft, or burglary
 15. Any ~~misbehavior~~ **conduct** that gives school officials reasonable cause to believe that the conduct will substantially disrupt the school program or incite violence
 16. Damaging or vandalizing district property or property of any school employee or volunteer.
 17. Possessing stereo head sets, CD players, cassette players, MP3 players, iPods, electronic games, or a similar device without permission
 18. Possessing or displaying sexually explicit photographs, films, or images.
 19. Using a paging device or cellular telephone, camera telephone, handheld computer or PDA, **voice or video recording device** or a similar device without permission of district personnel
 20. Using or possessing a taser, stun-gun, or similar device
 21. Using or possessing a pellet gun, air-powered rifle, toy gun, or any other instrument that may be perceived by a third party as a firearm
 22. Using or exhibiting school supplies (i.e., pencils, pens, scissors, etc.), or any other item in a manner that threatens to inflict or actually inflicts bodily harm to another person

23. Possessing drug paraphernalia (roach clips, rolling papers, needles, baggies with residue, razor blades, pipes, etc.)
24. Possessing or using martial arts objects (such as shurikan [throwing stars], nunchakus [“nun-chucks”], tonfa [wooden weapon], staff, baton [short stick], bolo [long cord with weights at end])
25. Possessing or using fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device
26. Inappropriate or offensive physical or sexual contact, whether or not it is consensual
27. Inappropriate exposure of a student’s body parts, including exposure of any portions of the body that are ordinarily covered by clothing or required to be covered by the dress code
28. Behaving in any way that disrupts the school environment or educational process
29. Possessing, smoking, or using tobacco products, **non-tobacco smoking materials or tobacco substitutes**
30. Possessing or using matches or a lighter
31. Possessing or using a knife with a blade of 5 ½ inches or less
32. Truancy, i.e., skipping school or cutting class without the parent’s or school’s knowledge or permission
33. Possessing or using any substance represented to be an illegal drug, a dangerous drug, a controlled substance, or alcohol
34. Violating district internet acceptable use policies, rules, or agreements signed by the student and/or agreements signed by the student’s parent or guardian
35. Gambling of any kind
36. Violating safety rules
37. Violating dress or grooming standards
38. Being a member of, pledging to become a member of, or soliciting another person to join or pledge a public school fraternity, sorority, secret society, or gang
39. Gang-related behavior or activity
40. Assisting, encouraging, promoting, or attempting to assist in the commission of a serious offense
41. Failing to report the commission of a serious offense by another student to a school official
42. Hazing

43. Making a false alarm or report of bombing, fire, or other emergency involving a public school, which includes the following offenses:
 - a. Pulling a fire alarm or discharging a fire extinguisher in a building owned or operated by MFISD, when there is no smoke, fire, or danger that requires evacuation
 - b. Calling 911 when no emergency exists
41. Making a terroristic threat involving a public school
42. Retaliating against any school employee or volunteer
43. Threatening death or injury to other student(s), school employee(s), or volunteer(s).
44. Repeatedly violating previously communicated campus or classroom standards of behavior
45. Violating DAEP rules while assigned to the DAEP
46. Engaging in any conduct punishable as a felony, which includes the offenses of:
 - a. Causing an employee to be in contact with the blood, bodily fluids, saliva, urine, or feces of any person or animal
 - b. placing graffiti on any tangible property owned by the district
 - c. distributing, selling, delivering, or attempting to distribute, sell or deliver any substance represented to be an illegal drug, a dangerous drug, a controlled substance, or alcohol
 - d. “online harassment”
47. Committing an assault of any kind
48. Selling, giving, or delivering to another person or possessing, using or being under the influence of marijuana or a controlled substance or a dangerous drug
49. Selling, giving, or delivering to another person an alcoholic beverage; committing a serious act or offense while under the influence of alcohol; or possessing, using, or being under the influence of alcohol
50. Engaging in conduct that would be an offense relating to an abusable volatile chemical
51. Engaging in conduct that would be considered public lewdness or indecent exposure
52. Using, exhibiting, or possessing a firearm except as permitted for participation or preparation for a school-sanctioned shooting sports educational activity sponsored by Texas Parks & Wildlife and that is not located on school property

- 53. Using, exhibiting, or possessing an illegal knife**
- 54. Using, exhibiting, or possessing a club**
- 55. Using, exhibiting, or possessing a prohibited weapon**
- 56. Engaging in conduct that would be aggravated assault, sexual assault, or aggravated sexual assault**
- 57. Engaging in conduct that would be arson**
- 58. Engaging in conduct that would be murder, capital murder, or criminal attempt to commit murder or capital murder**
- 59. Engaging in conduct that would be indecency with a child**
- 60. Engaging in conduct that would be aggravated kidnapping**
- 61. Engaging in conduct that would be aggravated robbery against another student**
- 62. Engaging in conduct that would be manslaughter**
- 63. Engaging in conduct that would be criminally negligent homicide**
- 64. Engaging in conduct that would be deadly conduct**
- 65. Engaging in conduct that would be continuous sexual abuse of a young child or children**

Disciplinary Consequences

In assessing discipline, administrators will consider:

1. The seriousness of the offense.
2. The student's age.
3. The student's attitude.
4. The potential effect of the misconduct on the school environment.

In making a decision concerning suspension, removal to the DAEP, expulsion, or placement in a JJAEP, regardless of whether the decision concerns mandatory or discretionary disciplinary action, administrators shall also consider:

1. Whether the student was defending himself or herself.
2. The student's intent or lack of intent at the time the student engaged in the conduct.
3. The student's disciplinary history.
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, but only as required by federal law and regulations related to discipline of students with disabilities.

The following discipline management techniques may be used, alone or in combination, for misbehavior that violates the Student Code of Conduct or campus or classroom rules:

- Verbal correction
- Cooling-off time or “time-out” in a setting separate from other students that is not locked and from which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object
- Seating changes within the classroom
- Counseling by teachers, counselors, or administrative personnel
- Parent-teacher or parent-administrator conferences
- Temporary confiscation of items that disrupt the educational process (Parents may be required to pick up confiscated paging devices or cellular phones within 30 days of devices may be disposed of by school personnel.)
- Grade reductions as permitted by policy
- Rewards or demerits
- Behavioral contracts
- Sending the student to the office or other assigned area
- Assigned school duties other than class tasks
- Withdrawal of privileges, such as participation in extracurricular activities, participation in graduation exercises, and eligibility for seeking and holding honorary offices and/or membership in school-sponsored clubs or organizations
- Consequences or penalties identified in individual student organizations’ codes of conduct, bylaws, constitutions, or rules
- Withdrawal or restriction of bus privileges
- School-assessed and school-administered probation
- Assignment to Y.A.L.E. (High School only)
- Citation or ticket from School Resource Officers or school security personnel
- Referral to outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District

The following disciplinary measures may be used, alone or in combination with each other or any of the above techniques, for misbehavior that violates the Student Code of Conduct or campus or classroom rules:

- Corporal Punishment [District Policy FO (Local)]

- In-school suspension
- Detention
- Suspension from school, not to exceed three school days at one time
- Formal removal from class by the teacher
- Removal to a disciplinary alternative education program
- Extension of disciplinary alternative education program removal term for additional offenses while in the alternative program
- Expulsion from school

What minimum procedures will be provided each student facing discipline other than detention? Each student will be told what infraction the administrator believes the student to have committed. Each student will then be given the opportunity to tell his or her side of the incident. The student's admission of the offense ~~negates~~ **eliminates** the need for further investigation or procedures, though the administrator may seek further information if desired.

How and when will we contact you about disciplinary action? Parents are responsible to provide to the campus administration each year the address and telephone number(s) at which parents can be reached and to update those numbers as necessary during the school year. School officials will use the information provided by the parent to contact parents about disciplinary matters. Parents will be notified of all code of conduct violations that can result in suspension, removal to DAEP, or expulsion in a reasonable amount of time by telephone or in writing. Campus administrators will make every attempt to, but are not required to, notify parents of incidents by telephone on the day of the incident.

What consequences will occur when a student is an accomplice in an offense? Any student who assists, encourages, promotes, or attempts to assist in the commission of a serious offense (see Definitions section) will receive the same punishment as a student who actually engages in the conduct.

What are the expectations for student reporting of offenses? A student who has knowledge that another student or students have committed a serious offense (see Definitions page 48) is expected to report that information to a school official. If the administrator learns that a student failed to report the commission of a serious offense, the student will be subject to a lesser disciplinary consequence, either one step lower than that imposed for the serious offense of which the student had knowledge or a shorter term of discipline.

Physical Restraint

In some circumstances, it may be necessary for a district employee to use force, but not deadly force, to physically restrain a student in order to lead, guide, and direct the student or to protect the student or any other person from physical injury, to obtain possession of a weapon or other dangerous object, to protect property from serious damage, to remove a student who is refusing to comply with a legitimate

directive from a school employee from a specific location in order to restore order or to impose disciplinary measures, or to restrain an irrational student, or to maintain order and discipline in the class or activity.

Corporal Punishment

Corporal punishment has been approved by the MFISD Board of Trustees as an appropriate disciplinary consequence for Code of Conduct violations.

Are there any guidelines for administering corporal punishment? Corporal punishment is limited to spanking or paddling the student and will be administered only in accordance with the following guidelines: (FO Local)

1. The student shall be told the reason corporal punishment is being administered.
2. Corporal punishment shall be administered only by the principal, assistant principal, or a teacher in the presence of a building administrator.
3. The instrument to be used in administering corporal punishment shall be approved by the principal or a designee.

The District shall honor a parent request that corporal punishment not be administered to his or her child; however, the District shall impose other disciplinary measures consistent with the offense.

Coaches and physical education teachers and classroom teachers supervising students outdoors during recess or lunch may use reasonable physical exercises or activities as a measure to enforce class or team rules in their classes and activities, to encourage moderate or vigorous physical activity, and these exercises or activities are not considered to be “corporal punishment.” No other employees may use exposure to the physical elements (e.g., standing outside in heat or cold) or physical exertion (e.g., running, sit-ups, etc.) as a disciplinary measure.

In-School Suspension

For any infraction of the Student Code of Conduct that is not specified as “serious offense” (See Definitions p. 48 for “serious offense”), or campus or classroom rules, teachers or administrators may assign a student to one or more days of in-school suspension where, under the supervision of school personnel, students will complete assignments given them by their regular teachers. Both the length of the suspension and restrictions on participation in school-sponsored or school-related extracurricular activities during the suspension are left to the discretion of the administrator (see p. 11, “Disciplinary Consequences”).

How long are ISS assignments? Students are assigned to ISS with a written order that states the number of school days that must be successfully served. The length of all ISS assignments is at the discretion of the administration.

What is a “successful day”? Students will be credited with a “successful day” of ISS assignment if the student is present, completes all assigned work, follows all rules for the ISS, and engages in no additional violations of the Student Code of Conduct.

Are there any other circumstances that could warrant placement in ISS? Students may be placed in ISS during an investigation of suspected code of conduct violations.

What if a student transfers within the District while assigned to ISS? Students, who transfer to another school within the District, will be required upon enrollment in the new school of this District to complete the number of days assigned to the ISS program before being allowed to attend their regular campus schedule. This requirement to complete the ISS assignment includes students who withdraw from this District for the purpose of home schooling.

Detention

For minor infractions of the Student Code of Conduct or campus or classroom rules, teachers or administrators may detain students after school hours or during lunch on one or more days. When after school detention is used, notice shall first be given to the student's parents to inform the parent of the reason for the detention and permit arrangements for the necessary transportation of the student.

Suspension

When and for how long will a student be suspended? The principal or other appropriate administrator may suspend a student for a maximum of three school days at a time if the student violates the Code of Conduct by engaging in any prohibited conduct. Both the length of the suspension and restrictions on participation in school-sponsored or school-related extracurricular activities during the suspension are left to the discretion of the administrator.

How many times can a student be suspended? Neither state law nor this Code of Conduct imposes a limit on the number of times a student may be suspended during a semester or school year.

Formal Removal from Class by Teacher

What is the difference between being sent to the office and formal teacher removal? Students may be sent to the principal's office for committing minor classroom infractions. However, a student who has been documented to repeatedly interfere with a teacher's ability to communicate effectively with the students in the class or with the ability of the students to learn, or who behaves in a manner the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students or with the ability of other students to learn will be formally removed from the teacher's classroom.

What is the process for formally removing a student from a teacher's classroom? Within three days of the removal, a conference will be held between the principal or other

appropriate administrator, the student's parent or guardian, the teacher removing the student from class, and the student. Pending the conference, the principal may place the student in another appropriate classroom, in-school suspension, or a disciplinary alternative education program. Following the conference, the principal will order the placement of the student. The principal will not return the student to the teacher's class without that teacher's consent, unless the Placement Review Committee determines that such placement is the best or only alternative.

Are there any special limitations associated with formal teacher removal? If a teacher removes a student from class because the student committed any kind of assault against the teacher, the student may not be returned to the teacher's class without the teacher's consent.

Disciplinary Alternative Education Program

General DAEP Information

What is a DAEP? The District operates a Disciplinary Alternative Education Program (DAEP) for students who have **violated this code of conduct** committed certain "serious offenses" (see page 48). The DAEP:

1. is in a setting other than the student's regular classroom;
2. is located off a regular school campus;
3. separates students in the DAEP from students in the regular program or in another disciplinary setting in the same building as the DAEP;
4. separates elementary school students assigned to DAEP from secondary school students assigned to DAEP;
5. focuses on English language arts, mathematics, science, history, and self-discipline;
6. provides for students' educational and behavioral needs; and
7. provides supervision and counseling.
8. employs only teachers who are fully certified; and
9. provides at least a 7-hour school day, including lunch and other breaks, but not longer than 10 hours each day.

No student who has engaged in behavior warranting a DAEP assignment will be placed in an unsupervised setting, other than an out-of-school suspension pending the DAEP conference.

Where is the DAEP? Will it operate during the school day? Is transportation provided? MFISD's disciplinary alternative education program, EPIC, is located at 2001 Broadway, and operates between the hours of 8:00 and 3:00. District transportation is not provided, and parents are responsible for making sure students attend while assigned. Failure to attend the DAEP is a violation of compulsory attendance laws, and students and parents may be prosecuted for failure to attend while assigned.

What kinds of courses are taught at the DAEP? Instruction in the DAEP will focus on English language arts, mathematics, science, history, and self-discipline. The District will provide an opportunity for students who have been placed in the DAEP to complete a foundation curriculum course in which the student was enrolled at the time of removal before the beginning of the next school year, if the term of the student's placement is such that the student is not able to continue enrollment in all his or her courses. The district will make every possible attempt to continue enrollment in Pre-AP and AP courses during the term of the student's placement. The opportunity to complete coursework will be provided through any method available, which may include summer school, distance learning, credit by exam, or correspondence courses. The District will not assess any charge for the student to complete a course under this provision.

TERM OF PLACEMENT: Students are assigned to DAEP with a written removal order that states a specific term of placement that is the number of successful school days that must be served. Students will be credited with a "successful day" of DAEP assignment if the student is present, completes all assigned work, follows all rules of the DAEP, and engages in no additional violations of the Student Code of Conduct. The length of all DAEP assignments is at the discretion of the administration, within the guidelines stated below.

What are the guidelines for the term of DAEP placement? The duration of a student's placement in a DAEP will be determined by the campus principal or designee; and maybe for as brief a time as 3 days or up to as much as a calendar year. The duration of a student's placement will be determined on a case-by-case basis. DAEP placement will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

Ordinarily a DAEP assignment will not extend beyond the end of a school year. However, if the administrator making the placement determines: 1) that the student's presence in the regular classroom or at the student's regular campus poses a danger of physical harm to the student or another individual; or 2) the student has engaged in serious or persistent misbehavior that violates the District's Student Code of Conduct, then the assignment may be continued to the next school year.

"Persistent misbehavior" is defined in the Definitions section.

The DAEP administrator may extend the original term of removal based on new violations that occur while the student is assigned to the DAEP, including violation of DAEP rules, by following the procedures for initial DAEP placement, i.e., a conference with student and parents.

Are some offenses subject to a different length of assignment? Yes. A student who has received punishment through the criminal justice system for sexually assaulting another student, regardless of whether the conduct occurred on or off school property, and who cannot be assigned to a campus other than a campus where the victim of the assault is assigned may be assigned to the DAEP for so long as both students are enrolled in the district.

SCHOOL-RELATED ACTIVITIES: Students assigned to a DAEP may not attend or participate in extracurricular activities during the term of their assignment. The district does not permit a student who is placed in a DAEP to seek or hold honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP will not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

STUDENTS YOUNGER THAN TEN: Students younger than ten who commit an expellable offense will be placed in a disciplinary alternative education program for elementary age students.

STUDENTS YOUNGER THAN SIX: Students younger than six will not be placed in a disciplinary alternative education program for any reason other than bringing a firearm to school.

EFFECT OF WITHDRAWAL: Withdrawing a student from school does not affect the District's authority to schedule and conduct a conference on the student's conduct and enter an order of removal, regardless of whether the student or parent is present to participate. The order of removal will be included with the records sent to any transferring school, including another public school, a campus charter program, or an open-enrollment charter school, and that district or school ~~will be empowered~~ **has authority** to exercise its authority to honor the removal. Furthermore, even if we do not complete the removal process and issue a removal order, we will send disciplinary records to the next school, and that school has the authority to complete the removal process and issue a removal order.

Students who transfer out of this District to another public or private school, including students who withdraw from this District for the purpose of home schooling, and students who do not attend MFISD's disciplinary alternative education program for the duration of the placement for any reason (other than reasons ~~which~~ **that** constitute an "excused absence" under District policy) will be required, upon return to this District, to complete the number of days missed in the disciplinary alternative education program before being allowed to return to the regular campus, unless their records indicate that the term of removal was served in another school district or charter school.

EFFECT OF TRANSFER INTO DISTRICT: If a student transfers into this District from another school district in which the student was placed in a disciplinary alternative education program, ~~MFISD~~ **the District** may continue the DAEP placement under the terms of the order provided by the sending school district.

If a student transfers into this District from an open-enrollment charter school or from another state and the District receives a copy of the removal order in the records from the other school, the district may enforce the terms of that removal

order, provided the grounds for removal to DAEP in the charter school or other state are grounds for removal in the District.

GRADUATING SENIORS IN THE DAEP: When a student is placed in the DAEP during the 12th grade, the District may allow that student to participate in graduation ceremonies, provided that all prerequisites for graduation are met and provided that the student has successfully completed all of the days that the student was placed in the DAEP; however, a student who was in DAEP on the last day of school is not permitted to participate in graduation ceremonies. If the student in question has unexcused absences or has not completed his or her days in the DAEP for any other reason, such as withdrawal or transfer to another school district, the student will not be allowed to participate in graduation ceremonies. Furthermore, senior students initially assigned to the DAEP during the final grading period of the school year generally will not be permitted to participate in graduation ceremonies or activities. Any decision concerning participation in graduation ceremonies will be made by the student's home campus principal, whose decision is final.

Conduct That Warrants DAEP Placement

MANDATORY PLACEMENT

SCHOOL-RELATED CONDUCT: The campus principal or other appropriate administrator will place a student in DAEP if the student:

- makes a false report of bombing, fire, or other emergency involving a public school, regardless of when the false report is made or the place from which the false report is made, or
- makes a terroristic threat involving a public school, regardless of when the threat is made or the place from which the threat is made.

The campus principal or other appropriate administrator will place a student in DAEP if the student commits any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Conduct punishable as a felony
- Assault resulting in bodily injury
- Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense (School-related felony drug offenses are addressed in the Expulsion section.)
- Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable

as a felony offense (School-related felony alcohol offenses are addressed in the Expulsion section.)

- Offenses relating to abusable volatile chemicals
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure
- Placing graffiti on any tangible property owned by the district
- Harassment of a public servant, i.e., causing an employee to be in contact with the bodily fluids [as defined by statute], of any person or animal with the intent to assault, harass, or alarm [Penal Code 22.11 (a)(2)]
- Terroristic threat involving a public school
- Retaliation against a school employee, regardless of where the conduct takes place

Definitions of the above offenses can be found in the Definition section

A student who is charged with an offense warranting expulsion will be suspended for three days and then placed in the DAEP pending the expulsion hearing.

DISCRETIONARY PLACEMENT

Serious misbehavior also includes the following offenses and may result in DAEP placement. The campus administrator will exercise discretion in making assignments for the serious offenses listed here and will consider all the facts and circumstances in determining appropriate disciplinary action:

- Using profanity, lewd or vulgar language, or obscene gestures directed at a school employee
- Lying about the conduct of other students or making false accusations about district employees
- Failing to comply with campus or district policies (see building principal for campus specific procedures)
- Bullying or harassment, which include the following offenses:
 - Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person), or forcing an individual to act through the use of force or threat of force
 - Making ethnic, racial, or religious slurs or any other harassment based on race, color, national origin, religion, or disability against students, employees, or volunteers
 - Verbal abuse or derogatory or offensive remarks addressed to others
 - Damaging or vandalizing property of other students
 - Conduct that constitutes sexual harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including without limit, requests for sexual favors

- Dating violence, meaning the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in a dating relationship
- Making a hit list, i.e., a list of people targeted to be harmed using a firearm, a knife, or any other object to be used with intent to cause bodily harm
- Committing or assisting in a robbery, theft, or burglary
- Damaging or vandalizing district property other than graffiti, when the value of the damage is less than \$1,500
- Using or possessing a pellet gun, air-powered rifle, toy gun, or any other instrument that may be perceived by a third party as a firearm
- Using or possessing a taser, stun-gun, or similar device
- Conduct that can cause injury to another person
- Possessing or using martial arts objects, other than those that would be prohibited weapons, unless the conduct amounts to assault resulting in bodily injury.
- Inappropriate physical or sexual contact, whether or not it is consensual
- Inappropriate or indecent exposure of a student's body parts, including exposure of any portions of the body that are ordinarily covered by clothing or required to be covered by the dress code
- Possessing or using any substance represented to be an illegal drug, a dangerous drug, a controlled substance, or alcohol
- Gambling of any kind
- Gang-related behavior of any kind
- Hazing
- Repeatedly violating other previously communicated campus or classroom standards of behavior
- Committing an assault of any kind

“Persistent misbehavior” consists of two or more separate violations of the Student Code of Conduct in general or repeated violations of the same offense during the school year.

CONDUCT UNRELATED TO SCHOOL - TITLE 5 OFFENSES: A student will be removed from class and placed in a disciplinary alternative education program based on off-campus criminal conduct punishable as a felony under Title 5, Texas Penal Code. However, if more than a year passes from the date of the off-campus criminal offense to the time that a school administrator learns of the offense, the administrator is not required to place the student in the DAEP.

What are Title 5 offenses? Title 5 offenses are crimes against the person, identified in Title 5 of the Texas Penal Code. Specifically, Title 5 offenses include: murder; capital murder; manslaughter; criminally negligent homicide; kidnapping; aggravated kidnapping; indecency with a child; sexual assault; aggravated assault; aggravated sexual assault; injury to a child, elderly individual, or disabled individual; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product.

CONDUCT UNRELATED TO SCHOOL - NON-TITLE 5 OFFENSES: A student will be removed from class and placed in a disciplinary alternative education program for off-campus criminal conduct punishable as a felony, other than offenses defined by Title 5, Texas Penal Code, if the administration determines that the student's continued presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process. However, if more than a year passes from the date of the off-campus criminal offense to the time that a school administrator learns of the offense, the administrator is not required to place the student in the DAEP.

RELATIONSHIP OF CRIMINAL OR JUSTICE SYSTEM AND THE SCHOOL DISTRICT: The school district may place a student in the DAEP regardless of any action or lack of action taken by the criminal or juvenile justice system. However, in some circumstances, the district may re-assess the punishment based on information from law enforcement authorities.

When will the school contact law enforcement about a student's conduct? The principal or designee is required to notify the sheriff's department or the city police department if he or she has reasonable grounds to believe that a student or anyone else has engaged in certain criminal conduct on school property or at a school activity. Those activities include any conduct that would be an offense listed in Government Code § 508.149 (see Definitions); deadly conduct; a terroristic threat; drug, paraphernalia, or marijuana offenses; possession of a prohibited weapon; organized criminal activity; criminal conduct that would support mandatory expulsion. The District may contact law enforcement officials at any time the administrator determines that their presence will assist the District.

Does a student have to be arrested or convicted of a felony offense before the District can place the student in a DAEP? No. A student may be removed from class and placed in a DAEP if the administration determines that the student committed an offense requiring DAEP assignment while he or she was under the school's jurisdiction. The district will send the required information about the removal to the juvenile authorities.

When the assignment is necessary because of CONDUCT UNRELATED TO SCHOOL, the removal is based on the administrator's reasonable belief that the student has committed a felony offense. If the out-of-school offense is a non-Title 5 felony, before the student is placed in the DAEP, the administration must also determine that the continued presence of the student in the regular classroom

threatens the safety of other students or teachers or will be detrimental to the educational process.

In determining whether there is a reasonable belief that a student has engaged in conduct defined as a felony offense in the Penal Code, the administrator may consider all information available, including information furnished by law enforcement.

What options does the school have if the student is found guilty of a Title 5 felony offense? The administration must place the student in DAEP if the conviction, deferred prosecution, or determination of delinquency occurs during the school year while the student is enrolled in a district school and the student is not otherwise confined under the authority of the criminal or juvenile justice system. The administration also has the authority to expel the student to the DAEP or a JJAEP in which the district participates [See Permissive Expulsion to JJAEP or DAEP of Students with Criminal Histories in the Expulsion portion of the Code for more complete information] after a conference with the student and parent, if it determines that the student's presence in the regular classroom threatens the safety of other students or of district employees, is detrimental to the educational process, or is not in the best interest of the district's students.

The administration can order DAEP placement for a student who has received deferred adjudication or been determined delinquent based on a Title 5 felony regardless of the date of the conduct, where the offense occurred, whether the student was enrolled in the District at the time, or whether the student has successfully completed any court disposition requirements. The placement order in this circumstance can be for any period the administration considers necessary and is not limited to one year.

The decision regarding DAEP placement in this circumstance is final and may not be appealed.

What happens if the courts say the student did not commit the offense or the student is not prosecuted for other reasons? If, after the placement, the administration receives notice from an appropriate law enforcement agency that the student was found not guilty of the felony offense and the case was dismissed with prejudice, or that the student was not prosecuted and no formal proceedings, deferred adjudication, or deferred prosecution was initiated, the administration will review the student's placement in the DAEP. The student will remain in the DAEP pending the review, which will take place within three class days of the administration's receiving the notice. The parents or guardian will be provided an opportunity for input. However, if after the review the administration believes that the presence of the student in the regular classroom threatens the safety of other students or teachers, the administration may continue the student's placement in the DAEP.

This review is not necessary if the reason for the removal is an offense that must result in DAEP placement because (1) it is a false report or terroristic threat or (2) the conduct occurred on or within 300 feet of school property or at any school-related activity or event, regardless of time or place. The student

will ordinarily remain in the DAEP until the term of removal has been completed, regardless of additional information from an appropriate law enforcement agency.

If the student is not being prosecuted for the out-of-school offense, but the school wants to continue the DAEP placement, what rights of appeal does the student have? The student or the parent or guardian may appeal the decision of the administration to continue the student's placement in the DAEP to the MFISD Board of Trustees. The appeal will be heard at the next regularly scheduled board meeting, where the board will review the notice letter from law enforcement and receive information from the administration and the student or the student's parent or guardian. The decision of the Board of Trustees is appealable to the Commissioner of Education. The student remains in the DAEP pending all appeals.

JUVENILE COURT-ORDERED PLACEMENT IN DAEP: The juvenile court may order a student to attend the district's DAEP as a condition of probation, regardless of whether the school district has a basis for imposing discipline on the student. When the juvenile court orders a student to attend the DAEP as a condition of probation, the district, after receiving a copy of the order, will immediately transfer the student to the DAEP for the period of time designated by the court. However, state law prohibits the juvenile court from ordering a student who has been expelled from the district to attend the DAEP.

OTHER COURT-ORDERED PLACEMENT IN DAEP: When the district receives a copy of an order from a justice or municipal court indicating that a student must attend the DAEP as a condition of a term of probation under Code of Criminal Procedure 45.051, the principal or other administrator will hold a conference as described in Procedures for Removal to an DAEP and determine whether the student should be assigned to the DAEP or should remain in the regular school setting. The principal or other administrator will consider the nature of the misdemeanor offense resulting in the order in making this determination.

PLACEMENT OF STUDENTS WHO ARE REGISTERED SEX OFFENDERS: A student who is currently required to register as a sex offender may be removed from the regular classroom and placed in another setting according to the requirements of state law.

A student who is a registered sex offender under any form of court supervision must be placed in the DAEP or a JJAEP in which the District participates, in accordance with the District's agreement with the juvenile board or in accordance with a court order, for at least one semester. If a student who is a registered sex offender under court supervision moves or transfers into the District, the District may require the student to complete an additional semester in the appropriate alternative setting without conducting a review or it may count any time the student has been in an alternative setting toward the mandatory one semester assignment.

A student who is a registered sex offender and who is not under any form of court supervision may be placed in the DAEP or a JJAEP available to the District, in accordance with the District's agreement with the juvenile board or in accordance with a court order, for at least one semester or in the regular classroom. However, the District may not place a student in the regular classroom if District officials determine that the student's presence in the regular classroom (1) threatens the safety of other students or teachers, (2) will be detrimental to the educational process, or (3) is not in the best interest of the District's students.

At the end of the first semester of placement in an appropriate alternative setting, the District shall convene a committee to review the student's placement. The committee will be composed of a teacher from the student's home campus, the student's parole, probation, or juvenile probation officer, an instructor from the alternative setting, the principal of the home campus or other person designated by the District, and a District counselor. The committee by majority vote will determine a recommendation to be made to the superintendent or designee regarding whether the student should continue placement in the alternative setting or be returned to the regular campus.

The superintendent or designee shall follow the committee's recommendation on placement unless the superintendent or designee determines that the student's presence in the regular classroom (1) threatens the safety of other teachers and students, (2) will be detrimental to the educational process, or (3) is not in the best interest of the District's students. If the superintendent or designee determines that the student should remain in the alternative setting, then before the beginning of the next school year, and any additional school years, the District must convene the committee to review and determine the student's placement, using the same standards set out in this paragraph.

A student who is a registered sex offender not under court supervision who moves or transfers into the District will be placed in the regular classroom or an appropriate alternative setting using the committee recommendation and review process described above.

The student or parent may appeal the District's decision regarding placement by asking for a conference among the superintendent or designee, the parent, and the student. The conference is limited to the factual question of whether the student is or is not a registered sex offender. If the District determines that the student is a registered sex offender, then student will be placed as described above, and that decision is final and cannot be appealed.

An ARD committee will make decisions about a student with disabilities who is a registered sex offender.

Procedures for Removal to DAEP

Will the student have a chance to dispute the allegations? Before a student is placed in a disciplinary alternative education program, the principal or other administrator will tell the student briefly why he or she is being removed to that program and explain that the student will have an opportunity to give his or her version of events at a

conference to be scheduled and held within three class days. In most circumstances, the student will be suspended pending the placement conference.

Will parents have an opportunity to provide input? Within three class days after the date the student is charged with the offense, the principal or other administrator will contact the parent by telephone or in writing to schedule and hold a conference with the student, the teacher who removed the student from class (if any), and the parents and will make efforts to ensure that all invited parties can attend.

What if the parent cannot attend the conference? The District may proceed with the conference without the parents or student present, so long as the parents and student have been notified of the conference. Whether or not the parents attend the conference, the student will receive oral or written notice at the conference from the administrator of the reason(s) for the removal and the offense the student is charged with violating. The student will have an opportunity at that time to explain or respond to the reasons for removal. The student and parents will receive a written notice no later than two days after the conference memorializing the conference and stating the length of the removal to the DAEP, if applicable, and any conditions or other requirements related to the DAEP assignment, i.e., a written removal order.

What information will be provided to the juvenile authorities? When a student is placed in the DAEP for a mandatory placement reason, a copy of the removal order, the child's and parent's names and address, names and address of any witnesses, and a complete statement of the circumstances surrounding the conduct will be forwarded to the authorized officer of the juvenile court in the county in which the student resides.

Emergency Placement

A campus administrator or the superintendent may order a student immediately placed in a disciplinary alternative education program if his or her behavior is so unruly, disruptive, or abusive that it seriously interferes with school operations or activities. At the time the student is placed in DAEP under this emergency provision, the student will be told of the reason for the placement, which must be one of the District's reasons for DAEP placement under this Code.

Appeal of DAEP Placement

The student remains in the DAEP during all appeals.

The student or the student's parent or guardian may appeal the decision to place a student in the DAEP to the Superintendent. The request for appeal must be in writing and must be received by the Superintendent within 3 days of the date of the DAEP order. The Superintendent will schedule a conference with the student and the parent to be held within 5 days, after which a written decision will be issued. If the parent is dissatisfied with the decision of the Superintendent, the student or the student's parent may appeal the decision to the MFISD Board of Trustees. The request for appeal must be in writing and must be received by the Superintendent within 7 days of the date of the Superintendent's decision. The appeal will be heard

at the next regularly scheduled board meeting. The student remains in the DAEP pending all appeals. Any decision by the Board is final and may not be appealed. If a conference is not scheduled, a written decision will be issued within seven days after receipt of the appeal.

Academic Assessment **and** **120-Day Review of DAEP Status**

How will the District assess a student's academic growth in DAEP? If a student will be assigned to DAEP for a term of 90 school days or more, the District will administer a test approved by the commissioner of education to the student initially on placement and again on the day the student leaves the DAEP, or as near that date as possible.

What does a review consist of? Who attends? Both the discipline and the academic status of students assigned to the DAEP will be reviewed as needed, but in any event, at least every 120 calendar days. At the review, the parents may make arguments for the student's return to the regular classroom. If the student is in high school and is to remain in the DAEP, the administration, together with the parents, will establish a plan designed to assist the student's progress toward meeting high school graduation requirements. The District is not required to provide all a student's courses necessary for graduation while the student is assigned to the DAEP, but must offer an opportunity for the student to complete courses before the beginning of the next school year without charge to the student.

Expulsion

STUDENTS YOUNGER THAN TEN: Students younger than ten who commit expellable offenses will be placed in a disciplinary alternative education program.

STUDENTS YOUNGER THAN SIX: Students younger than six will not be expelled or placed in a disciplinary alternative education program for any reason other than bringing a firearm to school.

Conduct that Warrants Expulsion

MANDATORY EXPULSION: A student will be expelled if the student, on school property or while attending a school-sponsored or school-related activity on or off school property:

1. Uses, possesses, or exhibits a firearm, an illegal knife or any knife prohibited by local policy, a club, or a prohibited weapon, unless pursuant to written regulations or written authorization of the District;

2. Commits aggravated assault, sexual assault, aggravated sexual assault, arson, murder, capital murder, criminal attempt to commit murder or capital murder, indecency with a child, aggravated kidnapping, aggravated robbery, manslaughter, or criminally negligent homicide, or continuous sexual abuse of a young child or children;
3. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or a dangerous drug, if the conduct is punishable as a felony.
4. Sells, possesses, gives, or delivers to another person an alcoholic beverage, or commits a serious act or offense while under the influence of alcohol, or uses or is under the influence of an alcoholic beverage, if the conduct is punishable as a felony.

A student will also be expelled if he or she commits any offense listed in items 1-4 above against a District employee or volunteer in retaliation for or as a result of the person's employment or other work in the District, without regard to where the conduct occurs.

Definitions of the above offenses can be found in the Definitions section of the Code of Conduct.

Please note that a student **will not** be expelled **solely** because of a firearm offense when the use, possession, or exhibition of the firearm occurs at an approved target range facility that is not located on school property while the student is participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Texas Parks & Wildlife Department or a shooting sports organization working with TPWD. Furthermore, the exception stated in this paragraph does not by itself authorize a student to bring a firearm on school property.

DISCRETIONARY EXPULSION FOR CONDUCT ON OR IN PROXIMITY TO SCHOOL: A student may be expelled, at the discretion of the administration in view of all the facts and circumstances, for any of the following offenses when they occur on or within 300 feet of school property, as measured from any point on the school's real property boundary line:

1. Drug, alcohol, or abusable volatile chemical offenses, regardless of the amount
2. Assault resulting in bodily injury against a school employee or volunteer
3. Deadly conduct
4. Making a false alarm or report of bombing, fire, or other emergency involving a public school
5. Making a terroristic threat involving a public school
6. Committing any offense stated in item 1 and 2 under MANDATORY EXPULSION

7. Committing a serious offense or engaging in persistent misconduct while assigned to the DAEP

“Serious offense” and “persistent misconduct” are defined in the Definitions section of this Code.

DISCRETIONARY EXPULSION FOR CONDUCT OUTSIDE OF SCHOOL: A student may be expelled, at the discretion of the administration in view of all the facts and circumstances, for any of the following offenses, regardless where they occur:

1. Intentionally or knowingly damaging personal property, including real estate and tangible personal property belonging to any public school or institution of higher education, and the amount of loss is greater than \$1,500
2. Intentionally or knowingly damaging the property of any other person without the person’s consent, and the amount of loss is greater than \$1,500
3. Making a false report or alarm or a terroristic threat involving a public school
4. Assaulting an employee or volunteer in retaliation for or because of the person’s relationship with the school and the assault results in bodily injury
5. Committing aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, criminal attempt to commit capital murder, or aggravated robbery against another student
6. Committing any offense listed at item 1-4 under MANDATORY EXPULSION on the school property of another Texas school district or while attending a school-sponsored or school-related activity of another Texas school district

PERMISSIVE EXPULSION TO JJAEP OR DAEP FOR STUDENTS WITH CRIMINAL HISTORIES: Unless a student would be subject to mandatory expulsion, a student may be expelled and placed in a JJAEP in which the District participates or the DAEP if the student has any criminal history described as follows:

1. Received deferred adjudication under the Family Code for a Title 5 felony offense;
2. Been found to have engaged in delinquent conduct under the Family Code for a Title 5 felony offense;
3. Is charged with engaging in a Title 5 felony offense;
4. Has been referred to a juvenile court for allegedly engaging in a Title 5 felony offense;
5. Has received probation or deferred adjudication for a Title 5 felony offense;
6. Has been convicted of a Title 5 felony offense; or
7. Has been arrested for or charged with a Title 5 felony offense.

A student will be expelled and placed as indicated if the board or its designee determines, after the student has an opportunity for a hearing, that the student has a criminal history as described above and that the student's presence in the regular classroom (1) threatens the safety of other students or teachers, (2) will be detrimental to the educational process, or (3) is not in the best interests of the District's students. At the hearing, the issues shall be limited to the determination whether or not the student has a criminal history, as described, and the District's determination as indicated.

The decision of the board or its designee is final and may not be appealed.

The student may be expelled and placed in a JJAEP in which the District participates or the DAEP regardless of the date on which the conduct occurred, the location at which the conduct occurred, whether the student was enrolled in the District at the time the conduct occurred, or whether the student has completed any court disposition requirements associated with the conduct.

A student expelled and placed under these circumstances is subject to that placement until one of the following occurs:

1. The student graduates from high school;
2. The charges described above are dismissed or reduced to a misdemeanor offense; or
3. The student completes the term of the placement or is assigned to another program.

The term of placement continues to apply if the student transfers to another Texas school district.

The student will receive the periodic assessment and review during the expulsion and JJAEP or DAEP placement as described above for students assigned to the DAEP.

Procedures for Expulsion

Before an expulsion, a hearing will be scheduled before the superintendent or a designee from the district administrative staff within a reasonable time. The student's parent or guardian will be given written notice of the time and date of the hearing.

The notice will state the basis for the recommended expulsion, the names of any witnesses whose testimony may be used against the student, and a description of the evidence to be presented against the student.

Until a hearing can be held, the principal may place the student in:

1. Another appropriate classroom

2. In-school suspension
3. Out-of-school suspension
4. A disciplinary alternative education program

A student facing expulsion will be given appropriate due process as required by the federal constitution. The student is entitled to:

1. The right to an adult representative who is not a district employee or legal counsel who can provide guidance to the student
2. An opportunity to testify and to present evidence and witnesses in the student's defense
3. An opportunity to question the district's witnesses

The hearing is a formal hearing but it is not a court proceeding. Rules of Evidence do not apply. Hearsay is admissible; the superintendent or superintendent's designee can assign the proper weight to hearsay evidence. There is no right to subpoena witnesses at this hearing. The hearing will be recorded.

In an expulsion hearing, the District may rely on testimony of school administrators who investigate disciplinary infractions. This means that the school administration may present evidence or statements taken from students without revealing the identity of the student. The decision will be based exclusively on the evidence presented at the hearing. The student may be expelled based on the Superintendent or designee's reasonable belief that the evidence shows it is more likely than not that the student engaged in the conduct with which he or she was charged.

EXPULSION ORDER: The administration will deliver a copy of the order expelling the student to the student's parent or guardian, who is responsible for providing adequate supervision for the student during the period of expulsion. In addition to notifying the parents, and not later than the second business day after the date an expulsion hearing is held, the administration will deliver a copy of the expulsion order to the authorized officer of the juvenile court in the county in which the student resides. The administration will also provide the child's and parent's names and address, names and addresses of any witnesses, and a complete statement of the circumstances surrounding the conduct to the juvenile board, as required by Family Code § 52.041.

GUIDELINES FOR TERM OF EXPULSION: An expulsion may be for as brief a time as four school days up to one full year from the date of the order. The administrator issuing the expulsion order will use his or her best professional judgment, taking into account the factors considered in all disciplinary actions, in setting a term of expulsion. In some circumstances, an expulsion term may be longer than one year if, after a review, the administrator determines that the student is a threat to

the safety of other students or to employees or that an extended expulsion would be in the student's best interest.

EFFECT OF WITHDRAWAL: Withdrawal from school does not affect the District's authority to schedule and conduct a hearing on the student's conduct and enter an order of expulsion, regardless of whether the student or parent is present to participate. The order of expulsion will be included with the records transferred to the new school district, including another public school, a campus charter program, or an open-enrollment charter school, and that district will be empowered to exercise its authority to honor the expulsion. Furthermore, even if we do not complete the expulsion process and issue an expulsion order, we will send disciplinary records to the next school, and that school has the authority to complete the expulsion process and issue an expulsion order.

Students who transfer out of this District to another public or private school, including students who withdraw from this district for the purpose of home schooling, will be required upon return to the District, to complete the term of expulsion before being allowed to return to the regular campus, unless the student's records indicate the student served the days of expulsion in another district.

EFFECT OF TRANSFER INTO DISTRICT: If a student transfers into this District from another school district in which the student was expelled, MFISD may continue the expulsion under the terms of the order provided by the sending school district.

If a student transfers into this District from an open-enrollment charter school or from another state and the District receives a copy of the expulsion order in the records from the other school, the District may enforce the terms of that expulsion order, provided the grounds for expulsion in the open-enrollment charter school or other state are grounds for expulsion in the District.

If a student transfers into this District from another school district in which the student was placed in the juvenile justice alternative education program, this District shall continue the term of the expulsion under the previous school's order, or assign the student to DAEP for the term of the previous school's expulsion order.

EFFECT ON CREDITS: Expelled students will not receive credit for courses not completed because of an expulsion. Students may use correspondence courses or credit by examination, within the limits set by District policy, to earn graduation units. Students are responsible for all costs associated with correspondence courses or credit by examination.

GRADUATING SENIORS AND EXPULSION: Students who have been expelled during the senior year and whose expulsion term ends at the end of the school year will not be permitted to participate in graduation exercises. Furthermore, a senior student initially expelled during the final grading period of the school year generally shall not be permitted to participate in graduation ceremonies.

Appeal of Expulsion to Board of Trustees

A student is expelled during all appeals.

A decision by the administration to expel a student may be appealed to the Board. The request for appeal must be in writing and must be received by the Superintendent within 10 days of the day of order of expulsion. The appeal will be heard at the next regularly scheduled board meeting. At the meeting, the Board will review the record made at the expulsion hearing and will provide the parent and/or student with an opportunity to make a presentation to the Board. The administration may also be asked to speak. No new evidence, including witnesses or documents, will be admitted. The Board may set reasonable time limitations for presentations. The student is expelled pending appeal.

Emergency Expulsion

A campus administrator or the superintendent may order the immediate expulsion of a student if the administrator reasonably believes that the action is necessary to protect people or property from imminent harm. At the time of the emergency expulsion, the student will be given oral notice of the reasons for the action, which must be a reason for which the student could be expelled on a non-emergency basis. Formal due process as explained on page 30 will occur within a reasonable time thereafter.

Summer School

Our summer school program is not part of the regular school year program. Students voluntarily attend summer school to earn additional credits, to re-take courses they did not pass in the regular school year, to receive intensive instruction in subject areas where they did not demonstrate mastery on the state assessment instruments, or to complete courses necessary for graduation that were incomplete because of the student's expulsion or placement in DAEP. Other students are required to attend summer school in order to receive intensive instruction in those subjects or areas where the student was not successful on the state assessment instruments. During summer school, all students are expected to abide by the rules of conduct that are in place during the school year. We will handle minor, isolated violations of conduct expectations through parent conferences; however, students who commit serious offenses or who have persistent behavior problems while enrolled in summer school will be withdrawn from the program after a parent conference for DAEP removal or expelled after an expulsion hearing if the conduct warrants expulsion. When a student is withdrawn from summer school for conduct that would warrant DAEP removal or expulsion, the summer campus administrator may withdraw the student and defer the assessment of the term of removal or expulsion to be served during the following school year.

Definitions

ABUSABLE VOLATILE CHEMICAL OFFENSES

No student shall inhale, ingest, apply, use, or possess an abusable volatile chemical with intent to inhale, ingest, apply or use any of these in a manner:

1. Contrary to the directions for use, cautions, or warnings appearing on a label of a container of the chemical;
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination, or elation, or change, distort, or disturb the person's eyesight, thinking process, balance, or coordination.

Health and Safety Code 485.031

No student shall knowingly deliver to a person younger than 18 an abusable volatile chemical that does not contain additive material in accordance with rules adopted by the Commissioner of Health.

Health and Safety Code 485.032

No student shall knowingly use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the human body an abusable volatile chemical. No student shall knowingly deliver, sell, or possess with intent to deliver or sell inhalant paraphernalia knowing that that person who receives it intends to use it to inhale, ingest, apply, use, or otherwise introduce into the human body an abusable volatile chemical.

Health and Safety Code 485.033

AGGRAVATED ASSAULT

"Aggravated assault" is defined as causing serious bodily injury to another or using or exhibiting a deadly weapon during the commission of any assault.

Penal Code 22.02(a)

"Serious bodily injury" is defined as bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

"Deadly weapon" is defined as a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily injury or anything that in the manner of its use or intended use is capable of causing death or serious bodily injury.

Penal Code 1.07(46), (17)

AGGRAVATED KIDNAPPING

(a) A person commits an offense if he intentionally or knowingly abducts another person with the intent to:

- (1) hold him for ransom or reward;

- (2) use him as a shield or hostage;
- (3) facilitate the commission of a felony or the flight after the attempt or commission of a felony;
- (4) inflict bodily injury on him or violate or abuse him sexually;
- (5) terrorize him or a third person; or
- (6) interfere with the performance of any governmental or political function.

(b) A person commits an offense if the person intentionally or knowingly abducts another person and uses or exhibits a deadly weapon during the commission of the offense.

Penal Code 20.04

AGGRAVATED ROBBERY

A person commits an offense if he commits robbery and he:

- (1) causes serious bodily injury to another;
- (2) uses or exhibits a weapon; or
- (3) causes bodily injury to a person or threatens or places another person in fear of imminent bodily injury or death if the other person is 65 years of age or older or a disabled person, i.e., an individual with a mental, physical, or developmental disability who is substantially unable to protect himself from harm.

Penal Code 29.031

A person commits robbery if, in the course of committing theft as defined in Chapter 31 and with intent to obtain or maintain control of the property, he (1) intentionally, knowingly, or recklessly causes bodily injury to another; or (2) intentionally or knowingly threatens or places another in fear of imminent bodily injury or death.

Penal Code 29.02

AGGRAVATED SEXUAL ASSAULT

“Aggravated sexual assault” is defined as sexual assault (also see definition of sexual assault) in which the actor:

- 1. Causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode; or
- 2. By acts or words, places the victim in fear that death, serious bodily injury, or kidnapping will be imminently inflicted on any person; or
- 3. By acts or words occurring in the presence of the victim, threatens to cause death, serious bodily injury, or kidnapping; or
- 4. Uses or exhibits a deadly weapon in the course of the same criminal episode; or

5. Acts in concert with another, who commits a sexual assault directed toward the same victim and occurs during the same criminal episode; or
6. Assaults a victim who is younger than 14 years of age or is 65 years of age or older.

Penal Code 22.021

ARSON

(a) A person commits an offense if the person starts a fire, regardless of whether the fire continues after ignition, or causes an explosion with intent to destroy or damage:

- (1) any vegetation, fence, or structure on open-space land; or
- (2) any building, habitation, or vehicle:
 - (A) knowing that it is within the limits of an incorporated city or town;
 - (B) knowing that it is insured against damage or destruction;
 - (C) knowing that it is subject to a mortgage or other security interest;
 - (D) knowing that it is located on property belonging to another;
 - (E) knowing that it has located within it property belonging to another; or
 - (F) when he is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.

(a-2) A person commits an offense if the person intentionally starts a fire or causes an explosion and in so doing:

- (1) recklessly damages or destroys a building belonging to another; or
- (2) recklessly causes another person to suffer bodily injury or death.

(b) It is an exception to the application of Subsection (a)(1) that the fire or explosion was a part of the controlled burning of open-spaced land.

Penal Code 28.02

ASSAULT

Assault is defined as:

1. Intentionally, knowingly, or recklessly causing bodily injury to another. Penal Code 22.01(a)(1)
2. Intentionally or knowingly threatening another with imminent bodily injury. Penal Code 22.01(a)(2)

3. Intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. Penal Code 22.01(a)(3);

“Bodily injury” is defined as physical pain, illness, or any impairment of physical condition. Penal Code 1.07(8)

BULLYING

Engaging in written or verbal expression or physical conduct that the administration determines:

- (1) will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to student’s person or of damage to the student’s property; or
- (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

Education Code 25.0341 (a)

CONDUCT UNDER TEX. GOV’T CODE § 508.149 (A)

- (2) murder (first or second degree felony);
- (3) capital murder;
- (4) aggravated kidnapping (first or second degree felony);
- (5) harassment of a public servant;
- (6) sexual assault (felony);
- (7) aggravated assault (first or second degree felony);
- (8) aggravated sexual assault (first degree felony);
- (9) injury to a child, elderly individual, or disabled person
(first degree felony)
- (10) arson (first degree felony);
- (11) robbery (second degree felony);
- (12) aggravated robbery (first degree felony);
- (13) bribery (first degree felony);
- (14) an offense enhanced because it occurred in a drug-free school zone;
- (15) sexual performance of a child; or
- (16) continuous sexual abuse of a young child or children.

CONTINUOUS SEXUAL ABUSE OF A YOUNG CHILD OR CHILDREN

A person commits an offense if:

(1) during a period that is 30 or more days in duration, the person commits two or more acts of sexual abuse, regardless of whether the acts of sexual abuse are committed against one or more victims; and

(2) at the time of the commission of each of the acts of sexual abuse, the actor is 17 years of age or older and the victim is a child younger than 14 years of age.

For purposes of this definition, “act of sexual abuse” means any of the following:

(1) aggravated kidnapping, if with the intent to violate or abuse the victim sexually;

(2) indecency with a child in a manner other than by touching, including touching through clothing, the breast of a child;

(3) sexual assault;

(4) aggravated sexual assault;

(5) burglary punishable as a felony if with the intent to commit an offense listed in items (1) – (4);

(6) sexual performance of a child.

Certain affirmative defenses may apply.

Penal Code 21.02

CONTROLLED SUBSTANCE AND DANGEROUS DRUG

Controlled substances or dangerous drugs include, but are not limited to, marijuana; any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, barbiturate; anabolic steroid; or prescription medicine provided to any person other than the person for whom the prescription was written.

Policy FNCF Local

CRIMINAL MISCHIEF

(a) A person commits an offense if, without the effective consent of the owner:

(1) he intentionally or knowingly damages or destroys the tangible property of the owner;

(2) he intentionally or knowingly tampers with the tangible property of the owner and causes pecuniary loss or substantial inconvenience to the owner or a third person; or

(3) he intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or paintings, on the tangible property of the owner.

(b) An offense under this section is a state jail felony if the amount of the pecuniary loss to real property or to tangible personal property is \$1,500 or

more but less than \$20,000 and the damage or destruction is inflicted on a public or private elementary school, a secondary school, or institution of higher education.

Penal Code 28.03

CRIMINALLY NEGLIGENT HOMICIDE

Causing the death of an individual by acting with criminal negligence, i.e., with respect to circumstance surrounding his conduct or the result of his conduct when he ought to be aware of a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor's viewpoint.

Penal Code 19.05, 6.03(d)

DATING RELATIONSHIP

"Dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of the relationship will be determined based on consideration of the (1) the length of the relationship, (2) the nature of the relationship, and (3) the frequency and type of interaction between the persons involved in the relationship. A casual acquaintance or ordinary fraternization in a school or social context does not constitute a "dating relationship."

Family Code 71.0021 (b)-(c)

DATING VIOLENCE

"Dating violence" includes the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship.

Education Code 37.0831 (b)

DEADLY CONDUCT

A person engages in deadly conduct if he recklessly engages in conduct that places another in imminent danger of serious bodily injury or knowingly discharges a firearm at or in the direction of one or more individuals or a habitation, building, or vehicle and is reckless as to whether it is occupied. Recklessness and danger are presumed if the person knowingly points a firearm at or in the direction of another whether or not the actor believed the firearm to be loaded.

A person acts recklessly, or is reckless, with respect to circumstances surrounding his conduct or the result of his conduct when he is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that its disregard constitutes a gross deviation from the standard of

care that an ordinary person would exercise under all the circumstances as viewed from the actor's viewpoint.

Penal Code 22.05, 6.03(c)

DISRUPTION OF CLASSES, TRANSPORTATION, AND/OR LAWFUL ASSEMBLY

Conduct by students either in or out of class that for any reason - whether because of time, place, or manner of behavior - materially disrupts class work or involves substantial disorder or invasion of the rights of others is prohibited.

Student demonstrations and similar activities shall be prohibited when there is evidence that may reasonably lead school authorities to forecast substantial disruption of, or material interference with, normal school operations or approved school activities.

No person shall be permitted, on school property or on public property within 500 feet of school property, to willfully disrupt, alone or in concert with others, the conduct of classes or other school activities.

Conduct that disrupts the educational activities of a school includes:

1. Emissions by any means of noise of an intensity which prevents or hinders classroom instruction.
2. Enticement or attempted enticement of students away from classes or other school activities which students are required to attend.
3. Prevention or attempted prevention of students from attending classes or other school activities which students are required to attend.
4. Entrance into a classroom without consent of either the principal or teacher and either through acts of misconduct and/or use of loud or profane language causing disruption of class activities.

For purposes of this provision, "school property" shall include the public school campuses or school grounds upon which any public school is located, and any grounds or buildings used by District schools for assemblies or other school-sponsored activities.

For purposes of this provision, "public property" shall include any street, highway, alley, public park, or sidewalk.

Education Code 37.124

No person or group of persons acting in concert may intentionally engage in disruptive activity or disrupt a lawful assembly on the campus or property of any school in the District. Disruptive activity means:

1. Obstructing or restraining the passage of persons in an exit, entrance, or hallway or any building without the authorization of the administration of the school.

2. Seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity.
3. Preventing or attempting to prevent by force or violence or the threat of violence any lawful assembly by the school administration.
4. Disrupting by force or violence or the threat of force or violence a lawful assembly in progress.
5. Obstructing or restraining the passage of any person at any exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.

A lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

Education Code 37.123

A person commits an offense if, in a manner intended to cause alarm or personal injury to another person or to damage school property, the person intentionally exhibits, uses, or threatens to exhibit or use a firearm:

- (1) in or on any property, including a parking lot, parking garage, or other parking area, that is owned by a public school; or
- (2) on a school bus being used to transport children to and from school-sponsored activities of a public school.

Education Code 37.125

GANG ACTIVITY

A “gang” is defined as any group of two or more individuals whose purposes may include the commission of illegal acts. A gang is a prohibited fraternity, sorority, or society as defined by Education Code 37.121.

Gang activities and gang involvement are described as:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, graffiti, or other items that are evidence of membership or affiliation in a gang.
2. Committing any act or using any speech, either verbal or non-verbal such as gestures, handshakes, and the like, that indicates membership or affiliation in a gang.
3. Promoting interest in any gang or gang activity, including but not limited to:
 - a. Soliciting others for membership.

- b. Requesting any person to pay protection or otherwise intimidating or threatening any person.
- c. Committing any other illegal act or other violation of District policies.
- d. Inciting other students to act with physical violence toward any other person.
- e. Engaging in concert with others in intimidating, fighting, assaulting, or threatening to assault others.
- f. Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property, or on property of students or staff.

GANG-FREE ZONES

All District schools and any other property owned, rented, or leased by the District are “gang-free zones.” Certain criminal offenses that occur in, on, or within 1,000 feet of a school or any other property owned, rented, or leased by the District will be enhanced **in the criminal justice system** to the next highest category of offense if they are determined to be committed by a person who is a member of a criminal street gang, unless the offense is already punishable as a first degree felony.

Affected offenses include (1) murder, capital murder, arson, aggravated robbery, robbery, aggravated kidnapping, kidnapping, aggravated assault, aggravated sexual assault, sexual assault, forgery, deadly conduct, and assault resulting in bodily injury; (2) unlawful manufacture, transportation, repair, or sale of firearms or prohibited weapons; (3) obscene display or distribution, obscenity, sale, distribution, or display of harmful material to a minor, sexual performance by a child, employment harmful to children, possession or promotion of child pornography when a child younger than 18 years of age is depicted or involved in the offense.

Penal Code 72.028; Subchapter B, Chapter 43, Penal Code

GRAFFITI

A person commits an offense if, without the effective consent of the owner, the person intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or paintings on the tangible property of the owner with (1) ~~aerosol paint~~; (2) an indelible marker; or (3) an etching or engraving device.

Penal Code 28.08 (a)

HARASSMENT

“Harassment” means threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student’s physical or emotional health and safety.

Education Code 37.001 (b) (1)

HARASSMENT OF PUBLIC SERVANT

A person commits an offense if, with the intent to assault, harass, or alarm, the person causes another person the actor knows to be a public servant to contact the bodily fluid [as defined by statute] of the actor, any other person, or an animal while the public servant is lawfully discharging an official duty or in retaliation or on account of an exercise of the public servant's official power or performance of an official duty.

Penal Code 22.11 (a)(2)

HAZING

"Hazing" means any intentional, knowing, or reckless act occurring on or off school property directed against a student, by one person alone or acting with others, that endangers the mental or physical health or the safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include other students. The term includes but is not limited to:

1. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
2. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to any unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
4. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described above.
5. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.

Education Code 37.151

A person commits an offense if the person commits any of the following:

1. Engages in hazing.

2. Solicits, encourages, directs, aids, attempts to aid another in an act of hazing.
3. Recklessly permits hazing to occur.
4. Has firsthand knowledge of the planning of a specific hazing incident involving a student, or first-hand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the principal, Superintendent or designee.

Education Code 37.152

HIT LIST

“Hit list” means a list of people targeted to be harmed using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Education Code 37.001(b)(2)

INDECENCY WITH A CHILD

- (a) A person commits an offense if, with a child younger than 17 years of age, whether the child is of the same or opposite sex, the person:
 - (1) engages in sexual contact with the child or causes the child to engage in sexual contact; or
 - (2) with intent to arouse or gratify the sexual desire of any person:
 - (A) exposes the person’s body parts [as defined by statute], knowing the child is present; or
 - (B) causes the child to expose the child’s body parts [as defined by statute].
- (b) It is an affirmative defense to prosecution under this section that the actor:
 - (1) was not more than three years older than the victim and of the opposite sex; and
 - (2) did not use duress, force, or a threat against the victim at the time of the offense.
 - (3) was the spouse of the child at the time of the offense.
- (c) In this section, “sexual contact” means the following acts, if committed with the intent to arouse or gratify the sexual desire of any person:
 - (1) any touching by a person, including touching through clothing, of the body parts [as defined by statute] of a child; or
 - (2) any touching of any part of the body of a child, including touching through clothing, with the body parts [as defined by statute] of a person.

Penal Code 21.11

INDECENT EXPOSURE

A person commits an offense if he exposes his body parts [as defined by statute] with intent to arouse or gratify the sexual desire of any person, and he is reckless about whether another is present who will be offended by his act.

Penal Code 21.08

MANSLAUGHTER

Recklessly causing the death of an individual, i.e., acting, with respect to circumstances surrounding his conduct or the result of his conduct when he is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that its disregard constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor's viewpoint.

Penal Code 19.04, 6.03(c)

MURDER

[Subsections (a) and (b) are not pertinent to school offenses.]

(c) A person commits an offense of murder if he:

- (1) intentionally or knowingly caused the death of an individual;
- (2) intends to cause serious bodily injury and commits an act clearly dangerous to human life that caused the death of an individual; or
- (3) commits or attempts to commit a felony, other than manslaughter, and in the course of and in furtherance of the commission or attempt, or in immediate flight from the commission or attempt, he commits or attempts to commit an act clearly dangerous to human life that causes the death of an individual.

Penal Code 19.02

CAPITAL MURDER, CRIMINAL ATTEMPT TO COMMIT CAPITAL MURDER

(a) A person commits an offense of capital murder if he commits murder as defined under Section 19.02(b)(1) and:

- (1) the person murders a peace officer or fireman who is acting in the lawful discharge of an official duty and who the person knows is a peace officer or fireman;
- (2) the person intentionally commits the murder in the course of committing or attempting to commit kidnapping, burglary, robbery, aggravated sexual assault, arson, or obstruction or retaliation;
- (3) the person commits the murder for remuneration or employs another to commit the murder for remuneration or the promise of remuneration;

- (4) the person commits the murder while escaping or attempting to escape from a penal institution;
- (5) the person, while incarcerated in a penal institution, murders another:
 - (A) who is employed in the operation of the penal institution; or
 - (B) with the intent to establish, maintain, or participate in a combination or in the profits of a combination;
- (6) the person:
 - (A) while incarcerated for an offense under this section or Section 19.02, murders another; or
 - (B) while serving a sentence of life imprisonment or a term of 99 years for an offense under Section 20.04, 22.021, or 29.03, murders another;
- (7) the person murders more than one person:
 - (A) during the same criminal transaction; or
 - (B) during different criminal transactions but the murders are committed pursuant to the same scheme or course of conduct; or
- (8) the person murders an individual under six years of age.

Penal Code 19.03

ONLINE HARASSMENT

(a) A person commits an offense if the person uses the name or persona of another person to create a web page on or to post one or more messages on a commercial social networking site:

- (1) without obtaining the other’s consent; and
- (2) with the intent to harm, defraud, intimidate, or threaten any person.

(b) A person commits an offense if the person sends an electronic mail, instant message, text message, or similar communication that references a name, domain address, phone number, or other item of identifying information belonging to any person:

- (1) without obtaining the other person’s consent;
- (2) with the intent to cause a recipient of the communication to reasonably believe that the other person authorized or transmitted the communication; and
- (3) with the intent to harm or defraud any person.

Penal Code 33.07

“Identifying information” means (A) name, social security number, date of birth, and government-issued identification number; (B) unique biometric data, including the individual’s fingerprint, voice print, and retina or iris image; (C) unique

electronic identification number, address, and routing code, financial institution account number; and (D) telecommunication identifying information or access device.

Penal Code 32.51

PAGING DEVICE OR CELLULAR TELEPHONE

A “paging device or cellular telephone” is a telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor.

Education Code 37.082

PERSISTENT MISBEHAVIOR

“Persistent misbehavior” consists of two or more separate violations of the Student Code of Conduct in general or repeated violations of the same offense during the school year.

POSSESSION

“Possession” means having actual or constructive control of an item either on the student’s person or in a car, locker, bag, or other article under the actual or constructive control of the student, regardless of the student’s knowledge or intent to possess the item.

PROHIBITED WEAPONS

“Prohibited weapons” are defined as follows:

1. A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use; any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer). Penal Code 46.03(a), 46.01(3); 18 U.S.C. § 921(a)(3)
2. A destructive device (any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or device similar to any of these devices. The term does not include an antique firearm). 18 U.S.C. § 921(a)(4)
3. An illegal knife as defined by law (knife with a blade over 5 ½ inches, hand instrument designed to cut or stab another by being thrown, dagger, bowie knife, sword, spear). Penal Code 46.01(6), 46.03(a)
4. An explosive weapon (any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or

terror, and includes a device designed, made or adapted for delivery or shooting an explosive weapon). Penal Code 46.01(2)

5. A machine gun (any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger). Penal Code 46.01(9)
6. A short-barrel firearm (rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches). Penal Code 46.01(10)
7. A switchblade knife (any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force, but not a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife). Penal Code 46.01(11)
8. Knuckles (any instrument consisting of finger rings or guards made of a hard substance that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles). Penal Code 46.01(8)
9. Armor-piercing ammunition (handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers). Penal Code 46.01(12)
10. A chemical dispensing device (device other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being). Penal Code 46.01(14)
11. A zip gun (a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance). Penal Code 46.01(16)
12. A club (an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace and tomahawk). Penal Code 46.01(1), 46.03(a)

A student shall not interfere with normal activities, occupancy, or use of any building or portion of the campus or of any school bus engaged in the transportation of students to and from school-sponsored activities by exhibiting, using, or threatening to exhibit or use a firearm.

Education Code 37.125

PUBLIC LEWDNESS

A person commits an offense if he knowingly engages in any acts [as defined by statute] in a public place or, if not in a public place, he is reckless about whether another is present who will be offended or alarmed.

Penal Code 21.07

RETALIATION

A person commits an offense if he intentionally or knowingly harms or threatens to harm another by an unlawful act:

(1) in retaliation for or on account of the service or status of another as a:

(A) public servant

(B) person who has reported or who the actor knows intends to report the occurrence of a crime; or

(2) to prevent or delay the service of another as a:

(A) public servant, witness, prospective witness, or informant; or

(B) person who has reported or who the actor knows intends to report the occurrence of a crime.

“Informant” means a person who has communicated information to the government in connection with any governmental function.

“Harm” means anything reasonably regarded as loss, disadvantage, or injury, including harm to another person in whose welfare the person affected is interested.

Penal Code 1.07 (25), 36.06

SELF-DEFENSE

(a) Except as provided in Subsection (b), a person is justified in using force against another when and to the degree he reasonably believes the force is immediately necessary to protect himself against the other's use or attempted use of unlawful force.

(b) The use of force against another is not justified:

(1) in response to verbal provocation alone;

(2) to resist an arrest or search that the actor knows is being made by a peace officer, or by a person acting in a peace officer's presence and at his direction, even though the arrest or search is unlawful, unless the resistance is justified under Subsection (c);

(3) if the actor consented to the exact force used or attempted by the other;

(4) if the actor provoked the other's use or attempted use of unlawful force, unless:

- (A) the actor abandons the encounter, or clearly communicates to the other his intent to do so reasonably believing he cannot safely abandon the encounter; and
 - (B) the other nevertheless continues or attempts to use unlawful force against the actor; or
- (5) if the actor sought an explanation from or discussion with the other person concerning the actor's differences with the other person while the actor was:
- (A) carrying a weapon in violation of Section 46.02; or
 - (B) possessing or transporting a weapon in violation of Section 46.05.

Penal Code 9.31 (a)-(b)

SERIOUS OFFENSE

“Serious offense” includes, but is not limited to, the following offenses:

- Conduct punishable as a felony, which includes without limitation:
 - distribution of any substance represented to be an illegal drug, a dangerous drug, a controlled substance, or alcohol
 - placing graffiti on any tangible property owned by the district
 - harassment of a public servant, i.e., causing an employee to be in contact with the bodily fluid [as defined by statute] with the intent to assault, harass, or alarm
 - “online harassment”
- Assault resulting in bodily injury
- Making a false report of bombing, fire, or other emergency involving a public school, which includes the following offenses:
 - pulling a fire alarm or discharging a fire extinguisher in a building owned or operated by the district when there is no smoke, fire, or danger that requires evacuation
 - calling 9-1-1 when no emergency exists
- Terroristic threat involving a public school
- Offenses relating to marijuana, controlled substances and dangerous drugs
- Offenses relating to alcohol
- Offenses relating to abusable glue, volatile chemicals and aerosol paint
- Indecent exposure
- Public lewdness
- Retaliation against a school employee, regardless of where the conduct takes place

- Using profanity, lewd or vulgar language, or obscene gestures directed at a school employee
- Lying about the conduct of other students or making false accusations about district employees
- Failing to comply with campus or district policies
- Bullying, harassment, and making hit lists, which include the following offenses:
 - Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person), or forcing an individual to act through the use of force or threat of force
 - Making ethnic, racial, or religious slurs or any other harassment based on race, color, national origin, religion, or disability against students, employees, or volunteers
 - Verbal abuse or derogatory or offensive remarks addressed to others
 - Damaging or vandalizing property of other students
 - Conduct that constitutes sexual harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including without limit, requests for sexual favors
- Committing or assisting in a robbery, theft, or burglary
- Damaging or vandalizing district property other than graffiti, when the value of the damage is less than \$1,500
- Using or possessing a pellet gun, air-powered rifle, toy gun, or any other instrument that may be perceived by a third party as a firearm
- Using or possessing a taser, stun-gun, or similar device
- Possessing or using martial arts objects, unless the conduct amounts to an assault resulting in bodily injury
- Inappropriate physical or sexual contact, whether or not it is consensual
- Inappropriate or indecent exposure of a student's body parts, including exposure of any portions of the body that are ordinarily covered by clothing or required to be covered by the dress code
- Possessing or using any substance represented to be an illegal drug, a dangerous drug, a controlled substance, or alcohol
- Gambling of any kind
- Hazing
- Repeatedly violating other previously communicated campus or classroom standards of behavior
- Committing an assault of any kind

SEXUAL ASSAULT

“Sexual assault” is defined as intentionally or knowingly causing physical sexual contact [as defined by statute] of a child at any time or of another person without that person’s consent. Sexual assault is without the consent of the other person if the actor compels the other person to submit or participate by use of physical force or violence, or threat of force or violence, and the other person believes the actor has the present ability to execute the threat; or the other person cannot consent.

Penal Code 22.011

TERRORISTIC THREAT

A “terroristic threat” is a threat to commit any offense involving violence to any person or property with the intent to:

- (1) cause a reaction of any type to his threat by an official or volunteer agency organized to deal with emergencies; or
- (2) place any person in fear of imminent serious bodily injury; or
- (3) prevent or interrupt the occupation or use of a building; room; place of assembly; place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place; or
- (4) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service.

Penal Code 22.07

TITLE 5 FELONY OFFENSE

Chapter	§ and Offense	A felony when:
19	19.02 Murder	always
	19.03 Capital Murder	always
	19.04 Manslaughter	always
	19.05 Criminally Negligent Homicide	state jail felony
20	20.02 Unlawful Restraint	the actor recklessly exposes the victim to substantial risk of serious bodily injury
	20.03 Kidnapping	always
	20.04 Aggravated Kidnapping	always
21	21.02 Continuous Sexual Abuse of a Young Child or Children	always
	21.06 Homosexual Conduct	never
	21.07 Public Lewdness	never
	21.08 Indecent Exposure	never
	21.11 Indecency with a Child	always
	21.15 Improper Photography or Visual Recording	state jail felony

22	22.01 Assault	against a person the actor knows is a public servant while servant lawfully discharging an official duty or in retaliation or on account of an exercise of official power
	22.011 Sexual Assault	always
	22.015 Coercing Gang Membership	always
	22.02 Aggravated Assault	always
	22.021 Aggravated Sexual Assault	always
	22.04 Injury to a Child, Elderly Individual, or Disabled Individual	always
	22.041 Abandoning or Endangering Child	always
	22.05 Deadly Conduct	knowingly discharge a firearm at or in direction one or more individuals or a habitation, building, or vehicle and is reckless as to whether it is occupied
	22.07 Terroristic Threat	cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service
	22.08 Aiding Suicide	causes suicide or attempted suicide that results in serious bodily injury
	22.09 Tampering with Consumer Product	always
22.10 Leaving a Child in a Vehicle	never	
22.11 Harassment of Public Servant	state jail felony	

UNDER THE INFLUENCE

“Under the influence” means not having the normal use of mental or physical faculties; however the student need not be legally intoxicated.

District officials may determine that a student is under the influence based on information from other students, employees, or patrons or the student’s admission that student used a prohibited substance (alcohol, dangerous drug, controlled substance, or any other intoxicant) at school or recently enough prior to being at school or a school activity that the student would experience the effects of using the substance while at school or the school activity.

USE

“Use” means a student has voluntarily introduced into his or her body by any means a prohibited substance recently enough that it is detectable by the student’s physical appearance, actions, breath, or speech.

LEASE AGREEMENT

STATE OF TEXAS §
 §
COUNTY OF BURNET §

This Lease Agreement is made this ____ day of June, 2010, at Marble Falls, Texas, by and between the MARBLE FALLS INDEPENDENT SCHOOL DISTRICT, a governmental organization, hereinafter called “Lessor”, (sometimes called School District), the MARBLE FALLS DAYBREAK ROTARY CLUB, a civic organization, hereinafter called “Agent”, the MARBLE FALLS YOUTH BASEBALL SOFTBALL ASSOCIATION, hereinafter called “Pony League”, and the GRANITE COUNTRY YOUTH SOCCER ASSOCIATION, hereinafter called “Soccer League”, both organizations being associations designed to promote the athletic development of youth within the Lessor’s geographic boundaries, said Associations being herein sometimes referred to collectively as “Lessees”.

DEMISE AND DESCRIPTION OF PROPERTY

Lessor hereby leases to Lessees and Lessees hereby lease from Lessor, that certain real property, hereinafter called “Rotary Park”, situated in Marble Falls, Burnet County, Texas, and described as follows:

BEING 16.801 acres out of the Phillip Dean Survey No. 204, Abstract No. 249, in Burnet County, Texas, and being a portion of that certain 35.00 acres conveyed by Regina Shifflett, et al, to Marble Falls Independent School District of Burnet County, Texas, and being described in two tracts in Survey Plat and Field Notes dated July 3, 1984, prepared and certified to by DONALD SHERMAN, Registered Public Surveyor No. 1877, being attached hereto and made a part hereof for a more complete description of said property.

Included in this lease is the on-exclusive right to use that certain existing roadway designated on the said Survey Plat as “Existing Roadway” for ingress and egress to U.S. Highway 281, subject, HOWEVER, to grantor’s exclusive right to use that certain Tract II as an emergency easement across Tract II for ingress and egress to Sunset Drive all in accordance with certain agreements by and between Lessor and the City of Marble Falls, Texas. Nothing herein shall be construed to require opening said easement to Sunset Drive.

TERM

The term of this lease shall be fore a period of thirty-four (34) years, hereinafter called the "Lease Term", commencing on July 17, 2010, and ending on July 16, 2044, subject, however, to earlier termination as hereinafter more particularly provided.

RENT

For and during the term of this Lease, Lessees shall pay to Lessor as rent for the lease premises the total rental of \$30.00, receipt and sufficiency of which is hereby acknowledged by Lessor.

USE OF PREMISES, GENERALLY

The 11.561 acres designated TRACT ONE area delineates three baseball fields and parking (hereinafter called "Baseball Fields") and the 5.240 acres shown as TRACT TWO delineates soccer field(s) and parking (hereinafter called "Soccer Fields"). Notwithstanding any other provision to the contrary, Lessees may agree between themselves the specific use of TRACT ONE and TRACT TWO of and between the two named Lessees.

Said Baseball Fields shall by improved by the Pony League in its sole discretion for use in the games of baseball and softball. No other association or organization, other than one of the two named Lessees, shall use said Baseball Fields without the prior written consent of both the President of the Pony League and the Superintendent of the School District.

Said Soccer Fields shall be improved by the Soccer League in its sole discretion for use in the game of soccer. Except for three weeks immediately prior to and during a soccer season of Soccer League, said Soccer Fields may be used by the School District as play grounds for recess and such other purposes not inconsistent with the use of said grounds as fields for the game of soccer. No other association or organization, other than one of the two named Lessees, shall use said Soccer Fields without the prior written consent of both the President of the Soccer League and the Superintendent of the School District.

Both the said Pony league and Soccer League must propose to School District and obtain prior written permission to install permanent restroom, concession and/or storage facilities on the Baseball Fields and Soccer Fields. All permanent improvements shall be

removed at the termination of the lease at the option of Lessor. All temporary, movable improvements shall remain the property of Lessees and shall be removed at termination of this Lease.

If the School District elects to change the use of any or all of Rotary Park, School District shall give Lessees twelve (12) months prior written notice of such change to allow relocation of Lessee's activities within Rotary Park. This Lease Agreement shall continue in force and effect until the expiration of such 12 month period.

NO WASTE, NUISANCE, OR UNLAWFUL USE

Lessees shall not commit, or allow to be committed, any waste on the premises, create or allow any nuisance to exist on the premises, or use or allow the premises to be used for an unlawful purpose.

PAYMENT AND INSTALLATION OF UTILITIES

Said Lessees shall equally share the costs of extending water, sewer and electric lines to the demised premises. Each Lessee shall bear its own expense of extending utilities to its own fields. If common concession and restroom facilities are constructed, the costs of such facilities and extension of utilities to same shall be shared equally between said Lessees.

REPAIR AND MAINTENANCE

Said Pony League shall at all times keep its fields and amenities in good order and repair in a neat, clean condition. Said Soccer League shall for three weeks prior to and during particular soccer seasons of the Soccer League keep its premises in good order and repair and in a neat, clean condition. If joint restroom, concession and storage facilities are constructed, the Lessees shall be jointly and severally responsible for maintenance of same and shall keep same in a good state of repair.

EARLY TERMINATION

Non-use of either demised premises (Tract One or Tract Two described above) for two full seasons by the Pony League, Soccer League, or their assigns, respectively, shall constitute abandonment and shall terminate the abandoning party's lease. Such non-use and abandonment by one Lessee shall not terminate or affect the lease of the non-abandoning Lessee in any manner.

Jointly owned restroom, concession or storage facilities located on the abandoning party's demised premises shall be relocated to the non-abandoning Lessee's demised premises within six (6) months of termination of said Lessee's lease. If such jointly owned restroom, concession, or storage facilities are permanent structures, then such structures, at the sole option of School District, shall either: (a) be relocated upon the non-abandoning Lessee's demised premises; or (b) so much of the land where the jointly owned permanent structure(s) is located shall be added to the non-abandoning Lessee's demised premises.

ROLE AND LIABILITY OF THE MARBLE FALLS

DAYBREAK ROTARY CLUB

The Marble Falls Daybreak Rotary Club is serving merely as agent for the Pony League and Soccer League in securing this lease in their behalf. Said Rotary Club has and intends to continue donating time, talents and funds to attempt to improve the fields and facilities of the demised premises for the benefit of the Pony League and Soccer League, but is not making any legally binding commitment or contract to do so.

Likewise, Marble Falls Daybreak Rotary Club assumes no responsibility to see that Lessees fulfill their duties assumed herein and shall bear no responsibility nor liability in tort or otherwise for any acts or omissions of the Pony League and/or the Soccer League. Each Lessee, by their execution of this Lease Agreement, agree to and do indemnify and hold harmless the Marble Falls Daybreak Rotary Club from any and all liability incurred by reason of the acts or omissions of the Pony League and/or the Soccer League as it relates to this Lease Agreement and the use of the demised premises by either league.

ASSIGNMENT AND SUBLEASE

Each Lessee agrees not to assign nor sublet the demised premises, or any part thereof, without first obtaining Lessor's written consent.

EFFECT OF LESSOR'S WAIVER

Lessor's waiver of breach of one covenant or condition of this Lease Agreement is not a waiver of breach of others, or of subsequent breach of the one waived.

MISCELLANEOUS PROVISIONS

Texas Law To Apply

This Lease Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Burnet County, Texas.

Parties Bound

This Lease Agreement shall be binding on and inure to the benefit of the parties hereto, except as otherwise expressly provided herein.

Legal Construction

In case of any one or more of this provisions contained in this agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Prior Agreements Superseded

This Lease Agreement constitutes the sole and only agreement of the parties hereto and supersedes any prior understandings or written or oral agreements between the parties respecting the within subject matter, including without limitation that one certain Lease Agreement between Lessor and Lessees dated on or about July 16, 1984.

Attorney's Fees

If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Lease Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees from the other party, which fees may be set by the court in the trial of such action or may be enforced in a separate action brought for that purpose, and which fees shall be in addition to any other relief which may be awarded by a court of competent jurisdiction.

Specific Performance

The parties hereby declare that it is impossible to measure in money the damages that will accrue to a party hereto by reason of a failure to perform any of the obligations under this Lease Agreement. Therefore, if a party hereto shall institute any action or proceeding to enforce the provisions hereof, any person against whom such action or

proceeding is brought hereby agree that specific performance may be sought and obtained for any breach of this Lease Agreement.

Counterparts, One Agreement

This Lease Agreement and all other copies of this Lease Agreement, insofar as they relate to the rights, duties, and remedies of the parties, shall be deemed to be one agreement. This Lease Agreement may be executed concurrently in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Notice

Unless otherwise provided herein, any notice, tender, or delivery to be given hereunder by any party to the other may be effected by personal delivery in writing, or by registered or certified mail, postage prepaid, return receipt requested, and shall be deemed received as of the date of actual receipt.

Time of Essence

Time is of the essence in this Lease Agreement.

EXECUTED TO BE EFFECTIVE ON JULY 17, 2010.

LESSOR:

MARBLE FALLS INDEPENDENT SCHOOL DISTRICT

By: _____
Board President

Attest:

By: _____
Board Secretary

LESSEE:

MARBLE FALLS YOUTH BASEBALL SOFTBALL ASSOCIATION

By: _____
President

GRANITE COUNTRY YOUTH SOCCER ASSOCIATION

By: _____
President

AGENT:

MARBLE FALLS DAYBREAK ROTARY CLUB

By: _____
President

**Marble Falls ISD
Cash Balances and Interest Earned
For The Quarter Ended May 2010**

IBC Bank

Bank	Account	Month	Interest Earned	Month Ending Bank Balances
IBC	Finance Acct	Mar-10	\$ 84.88	\$ 107,788.62
		Apr-10	\$ 127.23	\$ 450,242.45
		May-10	\$ 134.24	\$ 283,005.80
		Total	\$ 346.35	
IBC	Money Market	Mar-10	\$ 7,558.39	\$ 13,023,721.26
		Apr-10	\$ 5,925.92	\$ 10,100,668.73
		May-10	\$ 4,829.07	\$ 8,398,177.88
		Total	\$ 18,313.38	
IBC	Debt Service	Mar-10	\$ 391.31	\$ 760,690.05
		Apr-10	\$ 378.89	\$ 761,068.94
		May-10	\$ 391.71	\$ 761,460.65
		Total	\$ 1,161.91	
IBC	Capitol Projects	Mar-10	\$ 86.35	\$ 164,572.79
		Apr-10	\$ 81.88	\$ 162,951.30
		May-10	\$ 52.35	\$ 16,429.74
		Total	\$ 220.58	
IBC	Payroll Clearing	Mar-10	\$ 839.92	\$ 1,725,066.59
		Apr-10	\$ 817.74	\$ 1,760,420.97
		May-10	\$ 933.28	\$ 1,802,149.66
		Total	\$ 2,590.94	

Lone Star Investment Pool

	Liquidity Corporate Fund
Beginning Balance @ 3/1/2010	\$ 12,762,593.93
Transfers In	\$ 2,456,528.88
Transfers Out	\$ (3,530,520.85)
Interest Earned	\$ 6,914.01
Ending Balance @ 5/31/2010	<u>\$ 11,695,515.97</u>

Total Interest Earned For Reported Quarter \$ 29,547.17
Total Cash Balance - Quarter Ending \$ 22,956,739.70

Average Rates of Return:	March	April	May
IBC (Greater of T-Bill - .20% or .75%)	0.75%	0.75%	0.75%
Liquidity Corporate Plus Fund	0.22%	0.23%	0.24%

TO: Board of Trustees
Dr. Ryder Warren, Superintendent

FROM: Vicki Crouse, Human Resources Manager

DATE: June 21, 2010

RE: PERSONNEL

Recommendations

High School

Robert Beverly	Math/Asst. Soccer	replacing Gayle Voit
David McDonald	Chemistry/Asst. Golf	replacing Howland Reich

EPIC

Hallie Behrens	Counselor	replacing Anita Worrall
Michael Saenz	Social Studies	replacing Alice Burghart

Marble Falls Elementary

Tina Van Gundy	Life Teacher	new position
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(All personnel approvals are pending completion of the fingerprint process; and the results approved by the Superintendent.)

FOR YOUR INFORMATION ONLY

RESIGNATIONS

PROFESSIONAL

High School

Rebecca Gigliotti-Barton	ESL/English	resigned effective 05.28.10
Jill Warren	English	moving effective 05.28.10

Middle School

Erin Montoya	Spanish	moving out of state effective 06.08.10
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Colt Elementary

Jennifer McCutchen	Music	moving effective 06.10.10
Holly Whittle	Counselor	stay home mom effective 06.10.10

Highland Lakes Elementary

Barbara Dube	Counselor	resigned effective 06.09.10
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PARAPROFESSIONAL

Joyce Everett	Instructional Aide	resigned effective 05.31.10
Lauren Martich	PPCD Aide	family reasons 05.28.10
Belinda Whitworth	Life Aide	retired effective 06.30.10

NEW HIRES

PARAPROFESSIONAL

Jacqueline Gatton	Asst. to Athletic Director	replacing Penny Brydson
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TRANSFERS

High School

Ashley Payne will move from Day Care Aide to HLE as a Life Aide replacing Jan Hamilton.

Middle School

Susan Beck will move from Registrar to Principal Administrative Assistant replacing Karen Morris.
Vanessa Spurlock will move from Computer Lab Assistant to Registrar's position replacing Susan Beck.

FALLS/EPIC

Ann Jackson will move from Reading Specialist to MFES as the Reading Specialist/Dyslexia Teacher/Coordinator replacing Tracey Powell.

Highland Lakes Elementary

Josan France will move from Life Aide to MFE as an Instructional Aide replacing Hope Brooks.
Jan Hamilton will move from Life Aide to Life Aide at MS replacing Natasha Sauer.

Marble Falls Elementary

Hope Brooks will move from an Instructional Aide to a Life Aide which is a new position.
Lindsay Christopher will move from 4th grade to 2nd grade replacing Denise Cofer.
Tracey Powell will move from Reading Specialist to MS, HS, Falls/EPIC as the Dyslexia Teacher/Coordinator.

Spicewood Elementary

Andrea Riley Saccomanno will move for Best Aide to Best Aide at MS replacing Jay McCoy.

**RECOMMENDATION FORM
TEACHER AND PROFESSIONAL EMPLOYEES**

Name: **Robert Beverly** Grade/Subject area assignments: Math

Coaching or other assignments: Assistant Soccer

New position OR replacement for: Gayle Voit

Background information to the board:

Degree held: BS Computer Science College/University: Texas State University

Years of experience: 3 Is this person fully certified in Texas (yes or no): YES

If no, please justify

Does this person meet NCLB highly qualified for this position (yes or no): Yes

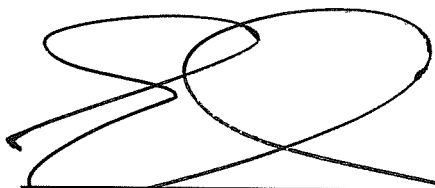
How does this person meet highly qualified?

References and their comments:


Name: Hank Curter Title: Athletic Director Lake Travis HS- Extremely bright, personable and goal oriented. Will by far exceed your expectations

Name: Steve Skrla Title: Principal, Brenham HS- Hates to lose him but knows he wants to get back to this area. Great with kids.

Name: Bruce King Title: Teacher-Brenham HS- Good person, great teacher. Loves the interaction with kids. Motivated.



Principal/Administrator's signature



Date

**RECOMMENDATION FORM
TEACHER AND PROFESSIONAL EMPLOYEES**

Name: **David McDonald** Grade/Subject area assignments: Science

Coaching or other assignments: Assistant Golf

New position OR replacement for: Howland Reich

Background information to the board:

Degree held: BA/BS Mathematics & Science College/University: Lamar University

Years of experience: 25 Is this person fully certified in Texas (yes or no): YES

If no, please justify

Does this person meet NCLB highly qualified for this position (yes or no): Yes

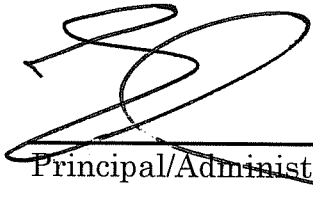
How does this person meet highly qualified?

References and their comments:

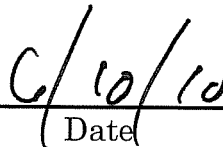
Name: Charlie Little Title: Principal, Vandergrift HS- Mr. Little is a great person.
He is a quality teacher that loves kids.

Name: Chris Trotter Title: Principal, Tomball HS- Very qualified teacher and
coach. Would hire him today if he had a spot open.

Name: Larry Hill Title: Athletic Director-Smithson Valley HS- Highly
recommended. He is a quality teacher and person.



Principal/Administrator's signature



Date

**RECOMMENDATION FORM
TEACHER AND PROFESSIONAL EMPLOYEES**

Name: Grade/Subject area assignments:
Hallie Behrens EPIC Counselor
Coaching or other assignments:

New position _____ OR replacement for:
Mary Worrall

Background information to the board:

Degree held: College/University:
MA/MS Counseling/Psychology Tarleton State University

Years of experience: Is this person fully certified in Texas (yes or no):
8 Not as a Teacher

If no, please justify

She is a Licensed Professional Counselor

Does this person meet NCLB highly qualified for this position (yes or no):

How does this person meet highly qualified?

Brief background on candidate: Hallie has worked for the 33rd&424th Judicial District Juvenile Probation Department for the past 8 years. She has worked specifically with students in need of anger management, those needing sex offender counseling, and those in need of treatment for drug related issues. She has conducted mental health assessments of the department using a range of tests.

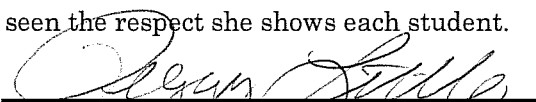
References and their comments:

Name: Title:
Marc Bittner Supervisor

Hallie was an asset to their office, always professional and organized. Files were kept confidential and reports were always on time. She will be hard to replace.

Name: Title:
Peggy Little Principal

Hallie has worked with our students over the past 8 years as a Probation Officer and Counselor. I have seen the rapport that she is able to continue with students while she is guiding and counseling them through their difficulties. She is always professional in her contacts with students and I have seen the respect she shows each student.


Principal/Administrator's signature


Date

RECOMMENDATION FORM TEACHER AND PROFESSIONAL EMPLOYEES

Name: Michael Saenz
Grade/Subject area assignments: High School EPIC
Coaching or other assignments:

New position _____ OR replacement for: Alice Burghart

Background information to the board:

Degree held: BA Philosophy
College/University: University of Texas - Austin
Years of experience: 0
Is this person fully certified in Texas (yes or no):
Completed T.E.A.C.H program

If no, please justify

Waiting for a position to complete certification process.

Does this person meet NCLB highly qualified for this position (yes or no):

How does this person meet highly qualified?

Brief background on candidate: American Bank of Texas –
Teller Supervisor; Teaching Piano at the Harmony Music School;
Currently Middle School Aide at EPIC

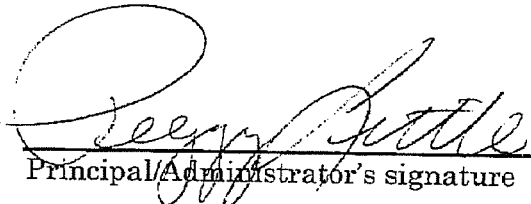
References and their comments:

Name: Peggy Little
Title: Principal FCHS/EPIC

Mike has excelled in his position as Aide in EPIC and with the certification program he has the credentials to be a lead teacher. He has new ideas and systems to bring to the High School EPIC room and I am excited to have his input o procedures.

Name: _____ Title: _____

Name: _____ Title: _____


Principal/Administrator's signature

4/20/2010
Date

**RECOMMENDATION FORM
TEACHER AND PROFESSIONAL EMPLOYEES**

Name: Tina Van Gundy Grade/Subject area assignments: MFE LIFE
Teacher

Coaching and other assignments: N/A

New position OR replacement for

Background information to the board:

Degree held: B.S. College/University: Angelo State University
Interdisciplinary Special Learning and Development
Graduated magna Cum Laude

Years of Experience: 10 years

Is this person fully certified in Texas (yes or no)

Does this person meet NCLB highly qualified for this position (yes or no)

How does this person meet highly qualified?

Current Certifications: Generic Special Education PK - 12

Physical Education Grades 1 - 8

Elementary Self-contained Grades 1 - 8

Science Grades 4-8

Brief background on candidate: Mrs. Van Gundy has 5 years of experience as a Special Education teacher and 5 years as a General Education teacher. She taught 4th grade math, 6th grade science, and special education as both a resource and an inclusion teacher. She is currently working at Hanna Springs Elementary School in Lampasas ISD as a 2nd and 3rd grade special education inclusion teacher. She has also worked in Sonora ISD and Fort Stockton ISD. Tina emphasized that outstanding teachers have positive relationships with their students and aware of their individual needs. She stated that an outstanding teacher is flexible, enthusiastic, creative and stimulating.

References:

Name: Kelly Adams Title: Director of Special Education for Lampasas ISD
Mrs. Van Gundy is very professional and works well with everyone. She is able to “think outside the box” and implement different techniques for different students. She demonstrates strong behavior management in the classroom and can deal with difficult behavior well. She has high expectations for all students. She is caring and concerned while being all about the business of learning.

Name: Nancy Yeary Title: Principal

Ms. Yeary indicated that Tina scores all 5’s on a scale of 1-5 with 5 being the highest. She indicates that she has effective relationships with students, parents, and staff members. She bases her instructional strategies on IEPs and is data driven. She is very effective in her approach with students. She has worked with a high needs student and has met that child’s needs as well as establishing a good relationship with the parent to facilitate present and future planning for the child.

Name: Louise Dermody Title: Administrator

Ms. Dermody also scored Tina significantly high in all areas. She was her supervisor for three years. She stated that she was an outstanding teacher and employee. She indicated that she doesn’t give the highest ratings often, but Tina is truly an all-around strong teacher. She stated she was well organized and student centered. She differentiates well and works hard to make every student successful. Her classroom is well structured, but warm and student friendly. She stated they had a student with an advocate and at times the meetings were difficult. She indicated Tina always maintained her professionalism and had every base well covered and documented.

Susan Maughan, Ed.D.

5-26-10

Administrator’s signature
Susan Maughan, Ed.D.
Executive Director of Special Services
Marble Falls ISD

Date

May 26, 2010

TO: Allen Roberts
FROM: Rebecca Gigliotti-Barton
RE: Resignation

Mr. Roberts:

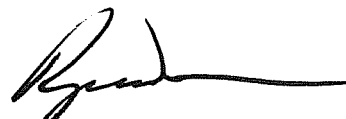
This letter is to inform you of my intent to leave Marble Falls ISD. My last day will be May 28, 2010 when the 2009-10 calendar year is completed.

My thanks to you and everyone here in Marble Falls who have supported my professional growth along the way. I appreciate your understanding in my decision to move on.

Most sincerely,



Rebecca Gigliotti-Barton

This is accepted - 
6/2/10

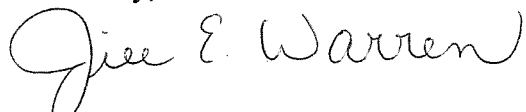
Jill Warren
409 Spyglass
Marble Falls, TX 78654

Marble Falls I.S.D.
2101 Mustang Drive
Marble Falls, TX 78654

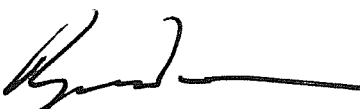
Mr. Roberts,

Please accept this letter as an official resignation from my position as English teacher at Marble Falls High School. Thank you so much for the opportunity to work at Marble Falls High School. I have enjoyed teaching the students here at MFHS and will miss the faculty and staff. I appreciate your support during the last two years in both cheerleading and the English classroom. I will always feel blessed to have been a part of such an outstanding campus and school district.

Sincerely,



Jill Warren

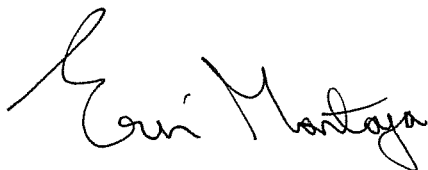
This is accepted - 
6/2/10

June 8, 2010

To Whom It May Concern:

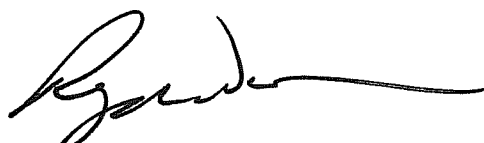
Please accept this letter as my resignation from my position at Marble Falls Middle School. I have decided to resign for family reasons and to relocate to California.

Sincerely,



Erin Montoya

This is accepted -


6-10-10

*Rec'd 6-8-10
VC*

Dear Ms. Romano,

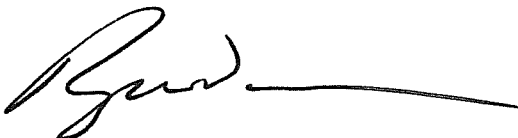
It has been a great pleasure to serve Colt Elementary and Marble Falls ISD the past two years. I have enjoyed working with everyone on staff and most of all, with the wonderful Colt kids. They are truly the best!

It is with mixed emotions that I resign my position as music teacher for the upcoming school year. I am getting married on Saturday and will continue to seek employment in the Waco area.

Thank you once again for the opportunity to get to work here. I have loved every moment!

Sincerely,

Jennifer L. McCutchen
Jennifer McCutchen

This is accepted - 
6-10-10

May 26, 2010

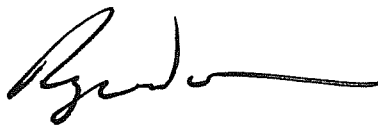
To Whom It May Concern:

I, Holly Whittle, resign my position as Counselor at Colt Elementary, effective at the end of the 2009-2010 school year. I have thoroughly enjoyed working with the staff and children of Marble Falls ISD the last nine years. I will greatly miss being a part of the MFISD family, but look forward to being at home with my children.

Sincerely,

Holly Whittle
Holly Whittle

*Received and accepted
L. Romano
5-26-10*

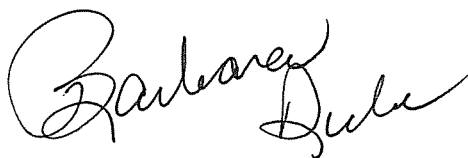
This is accepted - 
6/2/10

Barbara Dube
270 Turkey Run
Marble Falls, Texas 78654
512-755-6264

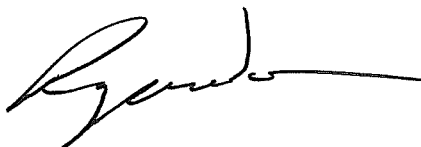
June 9, 2010

Dear Mr. Powell,
Please accept my resignation from my position as
Counselor at Highland Lakes Elementary School on the
last day of my contract period.

Thank you very much.



Barbara Dube

This is accepted - 
6-10-10

*Rec'd 6-10-10
RC*

May 19, 2010

Dear Ms. Romano,

I am writing to inform you that I will be retiring from my position as aide at Colt Elementary. My last date of employment will be May 31, 2010.

I will miss working with everyone. I'm thankful that I've had the chance to work with such a caring group.

I appreciate all the help you have given me.

Sincerely,



Joyce A. Everett

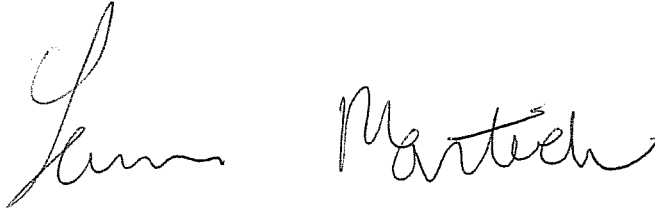
This is accepted - [Signature]
6/2/10

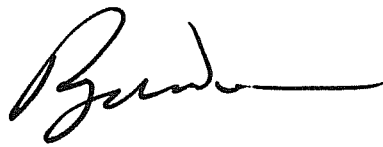
To Whom It May Concern,

I will not be returning to work for the 2010-2011 school. I have enjoyed my years of service to Marble Falls ISD, however other opportunities have come along that I must endure to the benefit of my family.

Thank you,

Lauren Martich

A handwritten signature in cursive script that reads "Lauren Martich".

This is accepted - 
6/2/10

rec'd
5/20/10
MR

Belinda K. Whitworth
922 CR 200 D
Burnet, TX 78611
erwbkw@yahoo.com
512-756-7265

May 27, 2010

Dear Mr. Schumacher,


Please accept this letter as notice of my retirement, effective June 30, 2010, as I have now decided not to return to Marble Falls Middle School for the 2010-2011 school year.

I do thank you for the opportunity to join the staff at Marble Falls Middle School. It has definitely been a learning experience for me, and overall, a positive one. I've worked with some wonderful people here, and have made several good friends.

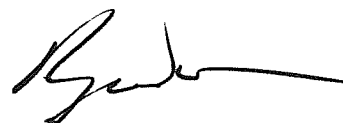
Should anyone need any information regarding the handling of Academic UIL, I have included my email address and phone number. Please feel free to contact me with any questions that might arise. In addition, I will be sending a wrap-up to Ms. Fields so that she can pass it on to the next campus coordinator.

Also, if a mentoring program becomes available at the Middle School in the future, please let me know, as I would be very interested in volunteering!

Respectfully Yours,



Belinda Whitworth

This is accepted - 
6/2/10

**RECOMMENDATION FORM
PARAPROFESSIONAL/AUXILIARY EMPLOYEES**

TRANSFER

Name: Ashley Payne

Grade/Subject area assignments:

LIFE Paraprofessional at HLE

Coaching or other assignments: N/A

New position _____

OR replacement for: Jan Hamilton (Moved to MS
LIFE unit)

Background information to the board: Ashley grew up in Marble Falls and graduated from the high school. She had a sister who had special needs and enjoys working with children.

Degree held: HS diploma

Marble Falls High School

Years of experience: 6 years with Marble Falls ISD

Is this person fully certified in Texas: (yes or no)

If no, please justify –

Does this person meet NCLB highly qualified for this position (yes or no)?

How does this person meet highly qualified?

She has completed the training available in the district to qualify as highly qualified and received her certificate from the State Board of Education.

Brief background on candidate: Ashley graduated from Marble Falls ISD. She completed 9 hrs. of credit through Central Texas College. Over the past six years, Ashley has worked as a paraprofessional in the high school day care. She is certified in CPR and First Aide. She also completed 20 hrs. of CCMS training annually. She completed Circle Training through T.E.A.M. Program. She has been reliable and interacted well with other staff members, children, and parents. She is literate in American Sign

Language.

References and their comments:

Name: Trish Walker Title: HS Counseling Secretary

Trish indicated that Ashley has worked at the high school day care for many years. She stated that she had a granddaughter in her class two years ago. She was an excellent teacher. She is a hard worker and has always loved children. She faces challenges every day working with two year olds, but she doesn't let it phase her or her love for the child.

Susan Maughan, Ed.D.

6-7-10

Administrator's signature
Director of Special Services

Date

**RECOMMENDATION TRANSFER FORM
PARAPROFESSIONAL/AUXILIARY EMPLOYEES**

Name: Vanessa Spurlock Area Assignment: MS Registrar

Coaching or other assignments: NA

Replacement for: Susan Beck (Susan reassigned to the Principal Administrative Assistant Position)

Background information to the board:

Degree held: College/University:

Years of experience: Is this person fully certified in Texas: (yes or no)

If no, please justify

Brief background on candidate:

References and their comments:

Name: Title:

Name: Title:

Name: Title:

Principal/Administrator's signature
John Schumacher

Date
June 17, 2010

**RECOMMENDATION TRANSFER FORM
TEACHER AND PROFESSIONAL EMPLOYEES**

Name: Ann Jackson Grade/Subject area assignments: Reading
Specialist/Dyslexia Teacher/Coordinator

Coaching or other assignments:

New position _____ OR replacement for: Tracey Powell

Campus moved from: Falls, EPIC, MFHS New campus: MFES

Background information to the board:

Degree held: Bachelors College/University:

Years of experience: 12 Is this person fully certified in Texas (yes or no): yes

If no, please justify

Does this person meet NCLB highly qualified for this position (yes or no): yes

How does this person meet highly qualified? EC-12 Master Reading Teacher

Leslie Baty

5-27-10

Principal/Administrator's signature

Date

**RECOMMENDATION FORM
PARAPROFESSIONAL/AUXILIARY EMPLOYEES**

TRANSFER

Name: **Josanne France** Grade/Subject area assignments:
Paraprofessional at MFE

Coaching or other assignments: **N/A**

New position _____ OR replacement for: **Hope Brooks** (She is being placed as the paraprofessional for the LIFE unit)

Background information to the board:

Degree held: **HS diploma** **Ellison High School Killeen, TX**

Years of experience: **Started work as a substitute teacher in MFISD on Feb. 17, 2009. She was hired in the fall of 2009 as a LIFE paraprofessional.**

Is this person fully certified in Texas: (yes or no)

If no, please justify –

Does this person meet NCLB highly qualified for this position (yes or no)?

How does this person meet highly qualified?

She has completed the training available in the district to qualify as highly qualified and received her certificate from the State Board of Education.

Brief background on candidate: Over the past year and a half, Josanne has worked as a substitute and then as a LIFE paraprofessional at HLE. She has been reliable and interacted well with other staff members. She was very successful as a substitute in the general education classroom. Josanne worked in the LIFE unit with students with special needs. She had high expectations for their progress. Prior to working in the schools she worked in several businesses within the community.

References and their comments:

Name: Keith Powell Title: Principal of HLE

Keith indicated that Josanne has worked on his campus a lot during the spring. She was dependable and interacted well with students and staff. She graded papers, put together newsletters, and kept parents informed on student's progress. When needed she prepared lesson plans and student activities. She is friendly, hardworking, and creative. She was a local person with roots in the community and felt she would be committed to remaining with the school district.

Susan Maughan, Ed.D.

6-5-10

Administrator's signature
Director of Special Services

Date

**RECOMMENDATION FORM
TEACHER AND PROFESSIONAL EMPLOYEES**

TRANSFER

Name: Jan Hamilton Grade/Subject area assignments: **Middle School LIFE
paraprofessional**

Coaching and other assignments: **N/A**

New position _____ OR replacement for **Natasha Sauer**

Background information to the board:

Jan worked with special needs students for several years in the Albuquerque Public Schools from 1989 to 1992. She then worked at a variety of businesses. She started working at MFISD in 2002. Jan graduate from Odessa High School and has maintained her Educational Aide I & II through the State Board of Education.

Years of Experience: **11 years as a paraprofessional**

Is this person fully certified in Texas (**yes or no**)

Does this person meet NCLB highly qualified for this position (**yes or no**)

How does this person meet highly qualified?

Certified paraprofessional

Brief background on candidate: Jan has worked in the district for years as a special education LIFE paraprofessional at HLE. She demonstrated strong skills in assisting with instruction. She shows compassion for the students and has them to her home for the end of the school year party. She has worked with students with severe challenges and has assisted in inclusion classes. She is described by the classroom teacher as a hard worker, arrives to work on time, creative, lots of energy, and a good relationship with general education inclusion teachers. She is self motivated and takes on responsibility when needed. She will be a great addition to the LIFE staff at the MS.

Susan Maughan, Ed.D.

6-4-10

Administrator's signature
Executive Director of Special Services
Marble Falls ISD

Date

**RECOMMENDATION TRANSFER FORM
PARAPROFESSIONAL/AUXILIARY EMPLOYEES**

Name: Hope Brooks

Grade/Subject area assignments: Life Skills Para

Coaching or other assignments:

New position OR replacement for:

Background information to the board:

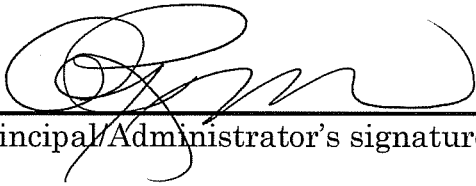
Degree held: College/University:

Years of experience: 3 yrs Is this person fully certified in Texas: (yes or no) Yes

If no, please justify

Brief background on candidate:

Has served as Inclusion Para at MFES and I would like her to serve a in the life skills room due to her dependability.



Principal/Administrator's signature

6/14/10
Date

**RECOMMENDATION TRANSFER FORM
TEACHER AND PROFESSIONAL EMPLOYEES**

Name: **Lindsay Christopher** Grade/Subject area assignments: 2nd grade

Coaching or other assignments: n/a

New position _____ OR replacement for: Denise Cofer

Background information to the board:

Degree held: BA College/University:

Years of experience: 3 Is this person fully certified in Texas (yes or no): yes

If no, please justify

Does this person meet NCLB highly qualified for this position (yes or no): yes

How does this person meet highly qualified? Passed the TeXes exam EC-4

Brief background on candidate:

Taught 4th grade at MFES in 09-10

Andy Reddock

06/14/10

Principal/Administrator's signature

Date

**RECOMMENDATION TRANSFER FORM
TEACHER AND PROFESSIONAL EMPLOYEES**

Name: Tracey Powell Grade/Subject area assignments: Dyslexia
Teacher/Coordinator – grades 6-12

Coaching or other assignments: Secondary Dyslexia Assessments

New position _____ OR replacement for: Ann Jackson

Campus moved from: MFES New campus: MFMS, MFHS, Falls, EPIC

Background information to the board:

Degree held: Masters College/University:

Years of experience: 21 Is this person fully certified in Texas (yes or no): yes

If no, please justify

Does this person meet NCLB highly qualified for this position (yes or no): yes

How does this person meet highly qualified? EC-12 Master Reading Teacher

Leslie Baty

5-27-10

Principal/Administrator's signature

Date

**RECOMMENDATION FORM
PARAPROFESSIONAL/AUXILIARY EMPLOYEES**

TRANSFER

Name: Andrea Riley Saccomanno Grade/Subject area assignments:
Paraprofessional at Marble Falls Middle
School in the BEST program

Coaching or other assignments: N/A

New position _____ OR replacement for: Jay McCoy (Who was moved to
the HS BEST program)

Background information to the board: It was decided to implement a BEST (Behavior Expectation Support Team) similar to HLE with a paraprofessional to work with students who are exhibiting significant behavioral concerns. Andrea was hired to assist them in being successful in school and support others' learning. Students she has worked with have shown noticeable improvement. At this time the numbers of identified special education students has decreased significantly. She is a valuable employee and I am recommending that we move her to another campus.

Degree held: HS diploma Marble Falls High School
Completed some college requirements in San Antonio College in the area
of nursing

Years of experience: 2 years at Rainbow Station in San Antonio and 2 years
with MFISD

Is this person fully certified in Texas: (yes or no)

If no, please justify –

Does this person meet NCLB highly qualified for this position (yes or no)?

How does this person meet highly qualified?

She has completed the training available in the district to qualify as highly
qualified and received her certificate from the State Board of Education.

Brief background on candidate:

Andrea grew up in Marble Falls and truly loves all children. She stated that she knows some sign language. She has worked as a preschool teacher for Rainbow Station in San Antonio. She also provided after school care, made lesson plans, and conducted camp activities. She has training in CPR and as a CNA (Certified Nursing Assistant). She has served as a CASA representative, speaking on behalf of abused children in court.

References and their comments:

Name: Audrey Beltran Title: Teacher

Audrey indicated that she has known Andrea for 6 years. She stated that she is energetic and outgoing. She indicated that she gets along with everybody. She is reliable and kind. She believes she would be a good candidate to assist teachers and students in the classroom.

Susan Maughan, Ed.D.

6-7-10

Administrator's signature
Director of Special Services

Date



**MARBLE FALLS
INDEPENDENT
SCHOOL DISTRICT**

Ryder F. Warren, Ed.D. – Superintendent
1800 Colt Circle Marble Falls, Texas 78654 Phone 830-693-4357 Fax 830-693-5685

TO: MFISD Board of Trustees
FROM: Ryder Warren, Superintendent
SUBJECT: Letter of Resignation
DATE: Monday, June 21, 2010

Board,

Please accept this as my letter of resignation from the position of superintendent of schools for the Marble Falls Independent School District as of July 1, 2010. I cannot appropriately express my gratitude to you for allowing me to be a part of this team, a part of this school district, and a part of the communities we serve for the last seven years. Much of my gratitude comes as a parent of three MFISD students. This school district has helped us raise our children, and Jill and I will never forget those who did so much for our kids.

As I've said many times before, you are the most child-centered school board for which I've ever worked. The success we have attained truly came from the team effort, and I know you will find the next superintendent to take this district even further. If there is anything I can ever do for you, either as a board or individually, all you have to do is call.

Thank you for your support for me and your total dedication to the children of Marble Falls ISD. We will never forget this experience.

Sincerely,

Ryder Warren, Superintendent of Schools
Marble Falls Independent School District



"IN PURSUIT OF EXCELLENCE"