Notice of Regular
Board of Trustees
November 15, 2005

A Regular of the Board of Trustees will be held on November 15, 2005, beginning at 7:00 PM, in the Administration Building, 400 East Loop 340, Waco, TX 76705.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. For more information about public comment, see Policy BED. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

I. Roll Call, Establishment of Quorum, and Call to Order --
II. Opening Ceremony --
III. Review and Approve Listing of Agenda Items --
IV. Public Participation --
V. Recognition Items -- Dr. Monte Geren
    A. Business Office Staff - FIRST Rating --
    B. LVHS Student Telly Walthall and Dr. Tamra Walthall, Board Member, for Hurricane Relief Efforts --
    C. LVISHPMC Student Chelsi Gill - HOTCOG Writing Contest Winner --
    D. Bellmead Junior City Council --
    E. LVHS Marching Band - UIL Division I Rating --
    F. TMEA All Region Band --
    G. LVHS DCP Student Rebecca Munozcano - Winner of the Holiday Card Design Contest --
VI. Special Reports --
    A. Construction Report -- Mr. Cliff Brown
    B. Legislative Report -- Dr. Tamra Walthall
    C. Superintendent's Report -- Dr. Monte Geren
VII. Departmental Reports --
    A. Highly Qualified Teacher Reports for 2004-2005 -- Mr. Al Bishop
VIII. Consider Approval of Consent Agenda Items --
    A. Minutes for Meetings Held -- Dr. Monte Geren and Ms. Lori Mynarcik
    B. Personnel Items - Resignations, Contract Recommendations / Renewals, Job Descriptions(s) or Revisions to Job Description(s), and Revisions to Paygrade Chart -- Mr. Al Bishop
    C. Textbook Update -- Ms. Maria Green
    D. Monthly Budget Analysis Report -- Mr. Gary W. Williams
    E. Tax Collection Report --
    F. Texas Association of School Board (TASB) Policy Update 76 Affecting (LOCAL) Policies -- Mr. Al Bishop
        1. CAA (LOCAL) Fiscal Management Goals and Objectives: Financial Ethics --
        2. DC (LOCAL) Employment Practices --
        3. EHBD (LOCAL) Special Programs: Federal Title I --
        4. FD (LOCAL) Admissions --
        5. FDB (LOCAL) Admissions: Intradistrict Transfers --
        6. FDD (LOCAL) Admissions: School Safety Transfers --

7. FL (LOCAL) Student Records --
8. FNAA (LOCAL) Student Expression: Distribution of Nonschool Literature --
9. FOD (LOCAL) Student Discipline: Expulsion --

G. Budget Change Requests --

H. Amended Quarterly Investment Report -- Mr. Gary W. Williams

IX. Action / Discussion Items --

A. Consider Approval of Resolution of Votes Cast to Elect Directors for the McLennan County Appraisal District for the Years 2006-2007 -- Dr. Monte Geren

B. Discussion of Budgetary Matters Related to the 2005-2006 Budget -- Dr. Monte Geren

C. Discussion of Liability Issues Surrounding the Incident at McLennan County Challenge Academy on January 11, 2005 -- Dr. Monte Geren

X. Closed Meeting --

A. Discussion Regarding Personnel Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, Dismissal, Complaint, or Charges --

1. Discussion of Liability Issues Surrounding the Incident at McLennan County Challenge Academy on January 11, 2005 --

B. Confer With Employees of the District to Receive Information or Ask Questions (If Needed) --

C. Discussion Regarding Student Discipline (If Needed) --

D. Consultation with the District's Attorney (If Needed) --

XI. Adjournment --

XII. Supplemental Reading Materials -- Dr. Monte Geren

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 Government Code, Chapter 551, Subchapters D and E or Texas Government Code section 418.183(f). 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. [See TASB Policy BEC(LEGAL)]

_____

For the Board of Trustees

ROLL CALL, ESTABLISHMENT OF QUORUM, AND CALL TO ORDER

The meeting was called to order at _____ m.

Board of Trustees Members Present: _____

_____

Board of Trustees Members Absent: _____

_____

School Personnel Present: _____

_____

_____

_____

Others Present: _____

_____

_____

BOARD PRESIDENT:

THE OPENING CEREMONY CONSISTING OF THE PLEDGE OF ALLEGIANCE

TO THE AMERICAN FLAG AND TO THE TEXAS FLAG WILL BE PROVIDED BY:

_____

(NAME, TITLE, POSITION, LVISD CAMPUS/DEPT.)



PLEDGE TO UNITED STATES FLAG. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.



PLEDGE TO TEXAS FLAG: Honor the Texas Flag, I pledge allegiance to thee, Texas, one and indivisible.

APPROVE LISTING OF AGENDA ITEMS

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Monte Geren and Board President

Background Information:
Board Members are asked to review the listing of agenda items.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

Motion:

Second:

For:

Against

Abstain:

PUBLIC PARTICIPATION

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person(s):
Board President and Dr. Monte Geren

Background Information:
LVISD POLICY BED (LOCAL) -- Public Participation: At regular meetings the Board shall allot 30 minutes to hear persons who desire to make comments to the Board. Persons who wish to participate in this portion of the meeting shall sign up with the presiding officer or designee before the meeting begins and shall indicate the topic about which they wish to speak.

Limit on Participation: Audience participation is limited to the portion of the meeting designated for that purpose. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless recognized by the presiding officer. No presentation shall exceed five (5) minutes. Delegations of more than five persons shall appoint one person to present their views before the Board.

Board's Response—Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

Complaints and Concerns—Complaints and concerns for which other resolution channels are provided shall be directed through those channels. The presiding officer or designee shall determine whether a person who wishes to address the Board has attempted to solve a matter administratively. If not, the person shall be directed to the appropriate policy to seek resolution before bringing the matter to the Board at a subsequent meeting.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

RECOGNITION ITEMS

A. Business Office Staff - FIRST Rating
B. LVHS Student Telly Walthall and Dr. Tamra Walthall, Board Member, for Hurricane Relief Efforts
C. LVISHPMC Student Chelsi Gill - HOTCOG Writing Contest Winner
D. Bellmead Junior City Council
E. LVHS Marching Band - UIL Division I Rating
F. TMEA All Region Band
G. LVHS DCP Student Rebecca Munozcano - Winner of Holiday Card Design Contest

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
This portion of the board meeting is reserved to recognize students and staff for exemplary accomplishments beyond the District level.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

SPECIAL REPORTS

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
N/A

Background Information:
This portion of the meeting is to provide special reports to the Board of Trustees.

Fiscal Implication:
N/A

Administrative Recommendation:
This report is being provided for informational purposes.

1. Construction Report

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Mr. Gary W. Williams and Mr. Cliff Brown

Background Information:
This portion of the board meeting is reserved to update the Board of Trustees on construction projects.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

2. Legislative Report

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Tamra Walthall

Background Information:
This portion of the board meeting is reserved to update the Board of Trustees on legislative issues pertaining to public education.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

3. Superintendent's Report

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Tamra Walthall

Background Information:
This portion of the board meeting is reserved to update the Board of Trustees on calendar and miscellaneous items.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

DEPARTMENTAL REPORTS

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
N/A

Background Information:
This portion of the meeting is to allow district personnel to provide reports to the Board of Trustees.

Fiscal Implication:
N/A

Administrative Recommendation:
This report is being provided for informational purposes.

Highly Qualified Teacher Report for 2004-2005

Presented for:
Board action ☐ Report/Review Only ☒ Date: November 15, 2005

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Al Bishop

Background Information:
See attached.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

TEXAS EDUCATION AGEN

1701 North Congress Ave.★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ http://www.tea.

irley J. Neeley, Ed.D.
Commissioner

RECEIVED
OCT - 4 2005

Copies to Al + Dr. Shilks

September 28, 2005

TO THE ADMINISTRATOR ADDRESSED:

SUBJECT: Highly Qualified Teacher Reports for 2004-2005

The No Child Left Behind Act of 2001 (NCLB) requires each local education agency (LEA) to publicly report progress of the LEA and its campuses toward meeting the highly qualified (HQ) teacher requirements. The 2004-05 Highly Qualified Teacher Reports for LEAs and individual campuses are available on the TEA NCLB web site at **http://www.tea.state.tx.us/nclb/hqreport.html**. Please note that there are three applicable reports for each LEA and one report per campus.

- Highly Qualified Teachers Compliance Report (by District and Campus)
- Highly Qualified Teachers Compliance Report by District—High Poverty Quartile Campuses
- Highly Qualified Teachers Compliance Report by District—Low Poverty Quartile Campuses

NCLB requires that the LEA publicly report the annual progress of the LEA and each campus served by the LEA in meeting the State's measurable highly qualified teacher objectives. The annual targets of these objectives are as follows:

Baseline Data and Targets	Percentage of Classes Taught by HQ Teachers (State Aggregate)	Percentage of Classes Taught by HQ Teachers (High-Poverty Schools)	Percentage of HQ Teachers (State Aggregate)	Percentage of Teachers receiving high-quality professional development (State Aggregate)
2002-2003 Baseline	75.8%	69.3%	76.2%	90.5%
2003-2004 Target	80.0%	80.0%	80.0%	94.0%
2004-2005 Target	**90.0%**	**90.0%**	**90.0%**	**97.0%**
2005-2006 Target	100.0%	100.0%	100.0%	100.0%

The LEA should compare the data reported by the LEA to these state annual targets to determine the LEA's progress in these areas. The data for calculating the percentage of teachers receiving high-quality professional development are found in Part B of the LEA's 2004-05 Title I, Part A Compliance Report. If the LEA fails to meet one or more of the targets for two consecutive years, the Agency is required by statute to provide technical assistance in the development of an improvement plan that will enable the LEA to meet these objectives and that specifically addresses the issues that prevented the LEA from meeting the objectives.

Please submit questions or concerns related to the highly qualified reports via e-mail to: nclb@tea.state.tx.us

Sincerely,

Susan Barnes
Associate Commissioner for Standards and Programs

eGrants

School Year: 2004-2005 **ESC Region:** 12

Organization: La Vega ISD **County-District:** 161906

Compliance Report

Highly Qualified (HQ) Teachers as of the last day of School Year 2004-2005

Campus Name:	LA VEGA H S	#:	161906002

1. Total number of teachers in core academic subject areas:	22
2. Total number of teachers in core academic subject areas who meet the HQ requirements in their primary teaching assignment:	21
3. Total number of teachers in core academic subject areas who do not meet the HQ requirements in their primary teaching assignment:	1
4. Percentage of teachers who are HQ on all core subjects they teach:	95.45

Note: These are teachers who have at least a Bachelor's degree, have full state certification (except that charter school teachers must meet state law concerning certification requirements for charter schools), and have demonstrated competency as required under NCLB.

5. Of the teachers in #2 above, the number of teachers using each method for demonstrating competency:

A. Passed ExCET or TExES in subject taught (elementary and secondary teachers).	17.00
B. Has college major or coursework equivalent to major in subject (secondary teachers only).	0.00
C. HOUSE A for elementary teachers.	0.00
D. HOUSE B for elementary teachers.	0.00
E. HOUSE for secondary teachers.	4.00

Core Academic Subject Classes Taught by HQ Teachers

Elementary (Grades PK-6): 1 teacher = 1 class	A. Total number of classes	B. Total number of classes taught by HQ Teachers
6. All subjects	0	0
Secondary (Grades 7-12): Each section taught counts as 1 class		
7. English	0	0
8. Reading/Language Arts	24	24
9. Mathematics	0	0
10. Science	21	6
11. Foreign Languages	28	28
12. Civics and government	17	17
13. Economics	6	6
14. Arts	5	5
15. History	20	20
16. Geography	6	6

Teachers on Permits

17. Of the teachers in #1 above, the number who are teaching on the following permits:

A. Emergency (for certified personnel)	0	D. Temporary Classroom Assignment	0
B. Emergency (for uncertified personnel)	1	E. District Teaching	0
C. Non-renewable	0	F. Temporary	0

eGrants

School Year: 2004-2005 | ESC Region: 12

Organization: La Vega ISD | County-District: 161906

Compliance Report

Highly Qualified (HQ) Teachers as of the last day of School Year 2004-2005

Campus Name:	LA VEGA JUNIOR HIGH SCHOOL GEORGE DIXON CAMPUS	#:	161906042

1. Total number of teachers in core academic subject areas:	15
2. Total number of teachers in core academic subject areas who meet the HQ requirements in their primary teaching assignment:	15
3. Total number of teachers in core academic subject areas who do not meet the HQ requirements in their primary teaching assignment:	0
4. Percentage of teachers who are HQ on all core subjects they teach:	100.00

Note: These are teachers who have at least a Bachelor's degree, have full state certification (except that charter school teachers must meet state law concerning certification requirements for charter schools), and have demonstrated competency as required under NCLB.

5. Of the teachers in #2 above, the number of teachers using each method for demonstrating competency:

A. Passed ExCET or TExES in subject taught (elementary and secondary teachers).	12.00
B. Has college major or coursework equivalent to major in subject (secondary teachers only).	0.00
C. HOUSE A for elementary teachers.	0.00
D. HOUSE B for elementary teachers.	0.00
E. HOUSE for secondary teachers.	3.00

Core Academic Subject Classes Taught by HQ Teachers

Elementary (Grades PK-6): 1 teacher = 1 class	A. Total number of classes	B. Total number of classes taught by HQ Teachers
6. All subjects	0	0
Secondary (Grades 7-12): Each section taught counts as 1 class		
7. English	0	0
8. Reading/Language Arts	24	24
9. Mathematics	10	10
10. Science	30	30
11. Foreign Languages	17	17
12. Civics and government	0	0
13. Economics	0	0
14. Arts	6	6
15. History	16	16
16. Geography	0	0

Teachers on Permits

17. Of the teachers in #1 above, the number who are teaching on the following permits:

A. Emergency (for certified personnel)	0	D. Temporary Classroom Assignment	0
B. Emergency (for uncertified personnel)	0	E. District Teaching	0
C. Non-renewable	0	F. Temporary	0

eGrants

School Year: 2004-2005 ESC Region: 12

Organization: La Vega ISD County-District: 161906

Compliance Report

Highly Qualified (HQ) Teachers as of the last day of School Year 2004-2005

Campus Name:	LA VEGA INTERMEDIATE SCHOOL H P MILES CAMPUS	#:	161906103

1. Total number of teachers in core academic subject areas:	29
2. Total number of teachers in core academic subject areas who meet the HQ requirements in their primary teaching assignment:	29
3. Total number of teachers in core academic subject areas who do not meet the HQ requirements in their primary teaching assignment:	0
4. Percentage of teachers who are HQ on all core subjects they teach:	100.00

Note: These are teachers who have at least a Bachelor's degree, have full state certification (except that charter school teachers must meet state law concerning certification requirements for charter schools), and have demonstrated competency as required under NCLB.

5. Of the teachers in #2 above, the number of teachers using each method for demonstrating competency:

A. Passed ExCET or TExES in subject taught (elementary and secondary teachers).	22.00
B. Has college major or coursework equivalent to major in subject (secondary teachers only).	0.00
C. HOUSE A for elementary teachers.	7.00
D. HOUSE B for elementary teachers.	0.00
E. HOUSE for secondary teachers.	0.00

Core Academic Subject Classes Taught by HQ Teachers

Elementary (Grades PK-6): 1 teacher = 1 class	A. Total number of classes	B. Total number of classes taught by HQ Teachers
6. All subjects	29	29
Secondary (Grades 7-12): Each section taught counts as 1 class		
7. English	0	0
8. Reading/Language Arts	0	0
9. Mathematics	0	0
10. Science	0	0
11. Foreign Languages	0	0
12. Civics and government	0	0
13. Economics	0	0
14. Arts	0	0
15. History	0	0
16. Geography	0	0

Teachers on Permits

17. Of the teachers in #1 above, the number who are teaching on the following permits:

A. Emergency (for certified personnel)	0	D. Temporary Classroom Assignment	0
B. Emergency (for uncertified personnel)	0	E. District Teaching	0
C. Non-renewable	0	F. Temporary	0

eGrants

School Year: 2004-2005 **ESC Region:** 12

Organization: La Vega ISD **County-District:** 161906

Compliance Report

Highly Qualified (HQ) Teachers as of the last day of School Year 2004-2005

Campus Name: LA VEGA EL **#:** 161906105

1. Total number of teachers in core academic subject areas:	20
2. Total number of teachers in core academic subject areas who meet the HQ requirements in their primary teaching assignment:	20
3. Total number of teachers in core academic subject areas who do not meet the HQ requirements in their primary teaching assignment:	0
4. Percentage of teachers who are HQ on all core subjects they teach:	100.00

Note: These are teachers who have at least a Bachelor's degree, have full state certification (except that charter school teachers must meet state law concerning certification requirements for charter schools), and have demonstrated competency as required under NCLB.

5. Of the teachers in #2 above, the number of teachers using each method for demonstrating competency:

A. Passed ExCET or TExES in subject taught (elementary and secondary teachers).	18.00
B. Has college major or coursework equivalent to major in subject (secondary teachers only).	0.00
C. HOUSE A for elementary teachers.	2.00
D. HOUSE B for elementary teachers.	0.00
E. HOUSE for secondary teachers.	0.00

Core Academic Subject Classes Taught by HQ Teachers

Elementary (Grades PK-6): 1 teacher = 1 class	A. Total number of classes	B. Total number of classes taught by HQ Teachers
6. All subjects	20	20
Secondary (Grades 7-12): Each section taught counts as 1 class		
7. English	0	0
8. Reading/Language Arts	0	0
9. Mathematics	0	0
10. Science	0	0
11. Foreign Languages	0	0
12. Civics and government	0	0
13. Economics	0	0
14. Arts	0	0
15. History	0	0
16. Geography	0	0

Teachers on Permits

17. Of the teachers in #1 above, the number who are teaching on the following permits:

A. Emergency (for certified personnel)	0	D. Temporary Classroom Assignment	0
B. Emergency (for uncertified personnel)	0	E. District Teaching	0
C. Non-renewable	0	F. Temporary	0

eGrants

School Year: 2004-2005 **ESC Region:** 12

Organization: La Vega ISD **County-District:** 161906

Compliance Report

Highly Qualified (HQ) Teachers as of the last day of School Year 2004-2005

Campus Name:	LA VEGA PRI	#:	161906106

1. Total number of teachers in core academic subject areas:	22
2. Total number of teachers in core academic subject areas who meet the HQ requirements in their primary teaching assignment:	22
3. Total number of teachers in core academic subject areas who do not meet the HQ requirements in their primary teaching assignment:	0
4. Percentage of teachers who are HQ on all core subjects they teach:	100.00

Note: These are teachers who have at least a Bachelor's degree, have full state certification (except that charter school teachers must meet state law concerning certification requirements for charter schools), and have demonstrated competency as required under NCLB.

5. Of the teachers in #2 above, the number of teachers using each method for demonstrating competency:

A. Passed ExCET or TExES in subject taught (elementary and secondary teachers).	17.00
B. Has college major or coursework equivalent to major in subject (secondary teachers only).	0.00
C. HOUSE A for elementary teachers.	4.00
D. HOUSE B for elementary teachers.	1.00
E. HOUSE for secondary teachers.	0.00

Core Academic Subject Classes Taught by HQ Teachers

Elementary (Grades PK-6): 1 teacher = 1 class	A. Total number of classes	B. Total number of classes taught by HQ Teachers
6. All subjects	22	22
Secondary (Grades 7-12): Each section taught counts as 1 class		
7. English	0	0
8. Reading/Language Arts	0	0
9. Mathematics	0	0
10. Science	0	0
11. Foreign Languages	0	0
12. Civics and government	0	0
13. Economics	0	0
14. Arts	0	0
15. History	0	0
16. Geography	0	0

Teachers on Permits

17. Of the teachers in #1 above, the number who are teaching on the following permits:

A. Emergency (for certified personnel)	0	D. Temporary Classroom Assignment	0
B. Emergency (for uncertified personnel)	0	E. District Teaching	0
C. Non-renewable	0	F. Temporary	0

CONSENT AGENDA ITEMS

Presented for:
Board action ☒ Report/Review Only ☒

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
N/A

Background Information:
The consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

Motion:

Second:

For:

Against

Abstain:

Approve Minutes for Meeting(s) Held

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Dr. Monte Geren or Lori Mynarcik

Background Information:
The Board shall prepare and retain minutes or make a tape recording of each of its open meetings. The minutes shall state the subject matter of each deliberation and shall indicate each vote, order, decision, or other action taken by the Board. The minutes or tapes are public records and shall be made available for public inspection and copying on request to the Superintendent or designee.

Fiscal Implication:
None.

Administrative Recommendation:
Board review and approval.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

La Vega Independent School District
3100 Bellmead Drive, Waco, Texas 76705-3096
254-799-4963 ♦ 254-799-8642 FAX

Office of the Superintendent

La Vega I.S.D. Board of Trustees
Minutes of the Regular Meeting
October 18, 2005

BOARD MEMBERS PRESENT - Phil Bancale, Mildred Watkins, Rodney Outlaw, Dr. Tamra Walthall, Randy Devorsky, Kevin Harris, and Henry C. Jennings.

BOARD MEMBERS ABSENT – None.

SCHOOL PERSONNEL PRESENT - Dr. Monte Geren, Gary W. Williams, Dr. Sharon M. Shields, Al Bishop, Cliff Brown, Charles Langlotz, Jerry Brem, Bryant Adams, Bonnie McRae, Peggy Johnson, Tammy Brinkman, Patricia Harvey, Kristi Rizo, Nancy Muhammad, Chris Borland, Gordon C. Heath, Connie Hill, Dana McAdams, Debbie Grellhesl, Maria Salazar, Sue Hurst, and Lori Mynarcik.

OTHERS PRESENT - Steve Harvey, Paula Bryant, Shanisha Bryant, Phyllis and Bullard Batts, Megan Batts, Pamula Goff, Lonzo Goff, Jasmine Banks, Mike Brummett, Dennisa Poling, Jeffery L. Bucher, Ruth U. Bucher, Yolanda Gongora, Sonya Durst, Linda Pack, Aericka Ridge, Myron Ridge, and Jody McAdams.

CALLED TO ORDER AND OPENING CEREMONY - Board President Phil Bancale established a quorum and brought the board meeting to order at 7:00 p.m. Mr. Gary W. Williams, Deputy Superintendent for Support Services, led the Pledge to the United States Flag and the Pledge to the Texas Flag.

APPROVED LISTING OF AGENDA ITEMS - Motioned by Mr. Harris and seconded by Mr. Devorsky, the Board unanimously approved the listing of agenda items.

PUBLIC HEARING ON AND ACCEPTANCE OF THE LIVISD FINANCIAL INTEGRITY RATING SYSTEM OF TEXAS (FIRST) REPORT - Mr. Gary W. Williams, Deputy Superintendent for Support Services, and Mr. Charles Langlotz, Director of Finance, conducted a public hearing on the Schools Financial Integrity Rating System of Texas (FIRST) Report. The District received a Superior Achievement Rating on the FIRST Report. There were no questions or comments from the audience. Mr. Bancale and Dr. Geren expressed their appreciation to Mr. Williams and his staff for their diligence in ensuring that the taxpayer's dollars are well cared for and used in an efficient manner to support student instruction.

PUBLIC PARTICIPATION - The following persons addressed the Board of Trustees during the Public Participation portion of the board meeting:

1. Yolanda Gongora, 1225 Crow Drive, Waco, Texas on the subject of dress code and uniforms
2. Dennisa Poling, 1104 Somerset, Waco, Texas on the subject of dress code
3. Myron Ridge, 4001 Colina, Waco, Texas on the subject of dress code
4. Aaericka Ridge, 4001 Colina, Waco, Texas on the subject of dress code
5. Linda Pack, 4523 Michigan, #C, Bellmead, Texas on the subject of dress code
6. Paula Bryant, 3600 Scroggins Drive, Bellmead, Texas on the subject of unresolved cheerleading issues

RECOGNITION ITEMS

LVHS Student Jewelisha Jefferson - The Board of Trustees recognized LVHS Freshman Student Jewelisha Jefferson for the Teen Trib article she wrote titled "These Fashion Trends Have to Go."

LVHS Student Martin Rodriguez - The Board of Trustees recognized LVHS Student Martin Rodriguez for his recent volunteer efforts and assistance to hurricane victims.

PEIMS Staff - The District's PEIMS Staff was recognized for achieving zero errors on the 2004-2005 PEIMS Summer/Submission 3. Those recognized were: Debbie Grellhesl - District PEIMS Specialist; Brenda Sulak - La Vega Primary Center; Connie Hill - La Vega Primary Center; Patricia Williams - La Vega Elementary School; Debbie Ray - La Vega Intermediate School H. P. Miles Campus; Gayle Richter, La Vega Intermediate School H. P. Miles Campus; Deahn Kroll - La Vega Junior High School George Dixon Campus; Maria Salazar, La Vega High School, and Sue Hurst - La Vega High School.

SPECIAL REPORTS - Board Members were given the following special reports.

Construction Report - Mr. Cliff Brown, Director of Construction, provided a report on current construction projects.

Superintendent's Information to the Board - Dr. Geren, Superintendent, updated the Board on calendar and other miscellaneous items.

Legislative Report - Dr. Tamra Walthall, the Board's Legislative Liaison, provided a report on legislative issues.

DEPARTMENTAL REPORTS - Board Members were given the following departmental reports.

Fall Report on 2005-2006 Class Sizes/Enrollment - Dr. Sharon M. Shields, Assistant Superintendent for Instructional Services, provided a report to inform the Board of class sizes and enrollment data for the fall semester.

Update on Testing - Dr. Shields provided the Board with information on TAKS Retesters and on the activities planned for increased TAKS scores.

Advanced Academic Opportunities - Dr. Shields provided Board Members with information about advanced course offerings and opportunities at La Vega High School.

McLennan Community College (MCC) Performance Report on May 2004 High School Graduates Attending MCC - Dr. Shields provided the Board with a report prepared by McLennan Community College (MCC) on the performance of the 2004 graduating seniors who enrolled at MCC.

APPROVED CONSENT AGENDA ITEMS - On a motion by Mr. Harris and seconded by Mr. Outlaw, the Board unanimously approved the following Consent Agenda items:

- The minutes for the September 20, 2005 regular board meeting;
- The minutes September 29, 2005 called board meeting;
- The resignation of LeAnn Folden;
- The Quarterly Investment Report as of August 31, 2005;
- The Monthly Budget Analysis Report as of September 30, 2005; and
- The District's certified PDAS appraisers as follows: Dr. Monte Geren, Dr. Sharon Shields, Al Bishop, Jerry Brem, David Fuller, Jocelyn Peirce, Marsha Moore, Bryant Adams, Elicia Krumnow, Steve Hanks, Bonita McRae, Chris Borland, Kristi Rizo, Peggy Johnson, David Edison, Kelly Bray, Tammy Brinkman, Karla Davis, Laura Shank, Judy Spring, Bob Balshaw, and Chris Rankin.

The following Consent Agenda Item(s) were discussed further and/or presented for information and review:

Textbook Update - All textbooks for the 2005-2006 school year have been ordered. Campus textbook coordinators are submitting supplemental textbook requests.

Textbook requests are being ordered within 3 school days. Teacher textbook needs that are not funded through the state are being ordered by the campus.

ACTION / DISCUSSION ITEMS - The following items were considered and/or approved by the Board of Trustees.

Approved District and Campus Improvement Plans - Motioned by Mr. Outlaw and seconded by Mr. Jennings, the Board unanimously approved the 2005-2006 District Improvement Plan and Campus Improvement Plans as presented. Each principal provided a brief overview of their plan and answered questions.

First Reading of Texas Association of School Baord (TASB) Policy Manual Update 76 Affecting (LOCAL) Policies - Board Members reviewed TASB Policy Manual Update 76 affecting (LOCAL) policies.

CLOSED MEETING - A closed session of the Board was declared at 8:50 p.m. on October 18, 2005 as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.074, to discuss personnel or to hear complaints against personnel. The closed meeting ended at 9:10 p.m. on October 18, 2005.

ADJOURNMENT - On a motion by Mrs. Watkins and seconded by Mr. Jennings, the Board unanimously agreed to adjourn the meeting at 9:10 p.m. on October 18, 2005.

_____

Date of Board Approval

_____

President, La Vega I.S.D. Board of Trustees

_____

Secretary, La Vega I.S.D. Board of Trustees

Personnel Items

1. **Personnel Resignations, Contract Renewals, and Contract Recommendations**
2. **Job Description(s) or Revisions to Job Description(s)**
3. **Paygrade Chart or Revisions to Paygrade Chart**

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Note: Additional personnel items finalized after board agendas have been printed will be submitted at the board meeting.

Contact Person:
Mr. Al Bishop

Background Information:
Board Members approve the resignations of all professional personnel.

The Board of Trustees of any independent school district may employ by contract a superintendent, a principal or principals, teachers, or other executive officers for a term not to exceed the maximum specified in this section. In those independent school districts with a scholastic population of fewer than 5,000, the term of such contracts shall not exceed three years.

The personnel department, campus principals, and management teams interview and check references on each applicant who makes application to become a member of the staff of the La Vega Independent School District.

The Board of Trustees must approve revisions to the LVISD Job Description Manual.

Fiscal Implication:
Personnel salaries are a budgeted item.

Administrative Recommendation:
Board approval of the resignations, contract renewals, contract recommendations, job descriptions or revisions to job descriptions, and revisions to the Paygrade Chart as presented.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Personnel Contracts/Resignations

RESIGNATIONS

The following resignations are presented for approval:

Name	Assignment	Reason for Resignation
Paul Brinkman	Math Teacher LVHS	Personal
Donald Hanks	Math Teacher LVHS	Retiring
George Kilgo	History Teacher LVHS	Health

I hereby authorize the administration to utilize my signature stamp to issue contracts to personnel and approve resignations as recommended herein.

_____

President, La Vega ISD Board of Trustees

November 15, 2005

LVISD SUBSTITUTE PAY PROGRAM

Effective for the 2005-06 School Year

SUBSTITUTES FOR TEACHERS AND PARAPROFESSIONALS

REGULAR	CERTIFIED	LONG-TERM	MINIMUM REQUIREMENTS
$60 daily		N/A	High school diploma or GED Region 12 training session
	$65 daily	$100.00 after 20 consecutive days	Texas certified teacher Region 12 training session

* Consecutive days in the same assignment unless otherwise approved by the Superintendent

AUXILIARY SUBSTITUTES FOR CUSTODIANS AND FOOD SERVICE WORKERS

From	To	MINIMUM REQUIREMENTS
$6.15 hourly	$8.00 hourly	High school diploma or GED preferred but not required

MCCA TUTORS

		MINIMUM REQUIREMENTS
$8.00 hourly	N/A	High school diploma or GED

Approved by the LVISD Board of Trustees on November 15, 2005

Textbook Update

Presented for:
Board action ☐ Report/Review Only ☒ Date: November 15, 2005

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Maria Green

Background Information:
All textbooks for the 2005 - 2006 school year have been ordered. Campus textbook coordinators are submitting supplemental textbook requests. Textbook requests are being ordered within 3 school days. Teacher textbook needs that are not funded through the state are being ordered by the campus.

Fiscal Implication:
None. Textbooks selected will be provided by the state.

Administrative Recommendation:
N/A

Monthly Budget Analysis Report

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Gary W. Williams

Background Information:
The District compiles and reports budget and expenditure data to the Board on a monthly basis. The report is organized by major fund category (General, Special Revenue, Debt Service, and Capital Projects) and function category within fund category.

Fiscal Implication:
The budget report reflects all transactions through the end of the month preceding the Regular Board meeting. Reports are cumulative throughout the fiscal year, which begins September 1.

Administrative Recommendation:
It is recommended that the Board approve the Monthly Budget Analysis Report as submitted.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

La Vega Independent School District
Comparison of Revenue, Expenditures and Fund Balance
as of 10/31/2005

Description	General Fund		
	Approved Budget	Year-to-Date Expenditures	Percent Expended
Revenue:			
Local & Intermediate Sources	$ 6,331,486	$ 181,310	2.86%
State Sources	$ 10,576,619	$ 3,821,753	36.13%
Federal Sources	$ 65,000	$ 6,423	9.88%
TOTAL REVENUE	$ 16,973,105	$ 4,009,486	23.62%
Expenditures:			
Instruction Services	$ 9,341,984	$ 1,791,516	19.18%
Instructional Media	$ 324,375	$ 52,710	16.25%
Staff Development	$ 258,090	$ 24,478	9.48%
Instructional Administration	$ 275,575	$ 38,516	13.98%
School Leadership	$ 1,365,739	$ 226,759	16.60%
Guidance & Counseling Services	$ 721,190	$ 121,820	16.89%
Attendance & Social Work	$ 67,839	$ 4,312	6.36%
Health Services	$ 141,564	$ 35,648	25.18%
Pupil Transportation	$ 682,800	$ 82,473	12.08%
Child Nutrition Services		$ 1,866	
Co-Curricular Activities	$ 676,922	$ 94,239	13.92%
General Administration	$ 998,186	$ 153,015	15.33%
Maintenance and Operations	$ 2,209,166	$ 229,719	10.40%
Security Services	$ 23,523	$ 6,425	27.31%
Technology Services	$ 371,697	$ 80,289	21.60%
Community Services	$ 103,501	$ 24,810	23.97%
Debt Services			
Capital Outlay		$ 420	
Intergovernmental Charges	$ 108,000	$ 7,651	7.08%
TOTAL EXPENDITURES	$ 17,670,151	$ 2,976,667	16.85%
Other Resources			
Other Uses	$ 2,242,594		
TOTAL OTHER SOURCES (USES)	$ 2,242,594		

La Vega Independent School District
Comparison of Revenue, Expenditures and Fund Balance
as of 10/31/2005

Description	Special Revenue Funds		
	Approved Budget	Year-to-Date Expenditures	Percent Expended
Revenue:			
Local & Intermediate Sources	$ 1,331,275	$ 287,970	21.63%
State Sources	$ 407,851	$ 113,527	27.84%
Federal Sources	$ 4,246,034	$ 387,173	9.12%
TOTAL REVENUE	$ 5,985,160	$ 788,671	13.18%
Expenditures:			
Instruction Services	$ 1,803,340	$ 499,536	27.70%
Instructional Media	$ 6,500	$ 339	5.21%
Staff Development	$ 206,566	$ 116,055	56.18%
Instructional Administration		$ 127	
School Leadership	$ 184,178	$ 31,280	16.98%
Guidance & Counseling Services	$ 238,705	$ 35,557	14.90%
Attendance & Social Work	$ 26,901	$ 6,174	22.95%
Health Services	$ 1,100	$ 340	30.88%
Pupil Transportation	$ 4,100		0.00%
Child Nutrition Services	$ 1,275,100	$ 91,749	7.20%
Co-Curricular Activities		$ 85	
General Administration		$ 720	
Maintenance and Operations	$ 47,900	$ 12,290	25.66%
Security Services	$ 42,300	$ 7,751	18.32%
Technology Services	$ 1,851,821	$ 508	0.03%
Community Services	$ 6,000	$ 1,010	16.84%
Debt Services			
Capital Outlay			
Intergovernmental Charges		$ 7,122	
TOTAL EXPENDITURES	$ 5,694,511	$ 810,643	14.24%
Other Resources	$ 242,594		0.00%
Other Uses			
TOTAL OTHER SOURCES (USES)	$ 242,594		0.00%

La Vega Independent School District
Comparison of Revenue, Expenditures and Fund Balance
as of 10/31/2005

Description	Debt Services Funds		
	Approved Budget	Year-to-Date Expenditures	Percent Expended
Revenue:			
Local & Intermediate Sources	$ 1,106,228	$ 16,353	1.48%
State Sources	$ 300,254		0.00%
Federal Sources			
TOTAL REVENUE	$ 1,406,482	$ 16,353	1.16%
Expenditures:			
Instruction Services			
Instructional Media			
Staff Development			
Instructional Administration			
School Leadership			
Guidance & Counseling Services			
Attendance & Social Work			
Health Services			
Pupil Transportation			
Child Nutrition Services			
Co-Curricular Activities			
General Administration			
Maintenance and Operations			
Security Services			
Technology Services			
Community Services			
Debt Services	$ 1,536,370	$ 323	0.02%
Capital Outlay			
Intergovernmental Charges			
TOTAL EXPENDITURES	$ 1,536,370	$ 323	0.02%
Other Resources			
Other Uses			
TOTAL OTHER SOURCES (USES)			
	$ 496,774		
	$ 366,886		

La Vega Independent School District
Comparison of Revenue, Expenditures and Fund Balance
as of 10/31/2005

Description	Capital Projects Funds		
	Approved Budget	Year-to-Date Expenditures	Percent Expended
Revenue:			
Local & Intermediate Sources	$ 150,000	$ 90,799	60.53%
State Sources			
Federal Sources			
TOTAL REVENUE	$ 150,000	$ 90,799	60.53%
Expenditures:			
Instruction Services			
Instructional Media			
Staff Development			
Instructional Administration			
School Leadership			
Guidance & Counseling Services			
Attendance & Social Work			
Health Services			
Pupil Transportation			
Child Nutrition Services			
Co-Curricular Activities			
General Administration			
Maintenance and Operations			
Security Services			
Technology Services			
Community Services			
Debt Services			
Capital Outlay	$ 14,700,000	$ 2,447,898	16.65%
Intergovernmental Charges			
TOTAL EXPENDITURES	$ 14,700,000	$ 2,447,898	16.65%
Other Resources	$ 2,000,000	$ -	0.00%
Other Uses			
TOTAL OTHER SOURCES (USES)	$ 2,000,000	$ -	0.00%
	$ 16,106,817		
	$ 3,556,817		

Tax Collection Report

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Gary W. Williams

Background Information:
The District contracts with the McLennan County Tax Office for the collection of taxes. As a part of this service, the County Tax Office supplies us with a monthly cumulative summary of taxes collected. This report is submitted as a part of each month's Consent Agenda.

Fiscal Implication:
The "Tax Collector Monthly Report" shows cumulative payments and percent collected for both current and delinquent taxes.

Administrative Recommendation:
It is recommended that the Board approve the Tax Collection Monthly Report as submitted.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
ALL	M & O		28,721.12	.00	6,659.38	.00	35,380.50	6,156.96	.00	.00	41,537.46
ALL	I & S		4,055.43	.00	922.10	.00	4,977.53	.00	.00	.00	4,977.53
ALL	TOTAL		32,776.55	.00	7,581.48	.00	40,358.03	6,156.96	.00	.00	46,514.99
DLQ	M & O		28,721.12	.00	6,659.38	.00	35,380.50	6,156.96	.00	.00	41,537.46
DLQ	I & S		4,055.43	.00	922.10	.00	4,977.53	.00	.00	.00	4,977.53
DLQ	TOTAL		32,776.55	.00	7,581.48	.00	40,358.03	6,156.96	.00	.00	46,514.99
CURR	M & O		.00	.00	.00	.00	.00	.00	.00	.00	.00
CURR	I & S		.00	.00	.00	.00	.00	.00	.00	.00	.00
CURR	TOTAL		.00	.00	.00	.00	.00	.00	.00	.00	.00

ILENOITION-

YEAR	FUND	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
2004	M & O	8.52	.00	.00	.00	8.52	.00	.00	.00	8.52
	I & S	1.36	.00	.00	.00	1.36	.00	.00	.00	1.36
	TOTAL	9.88	.00	.00	.00	9.88	.00	.00	.00	9.88
ALL	M & O	8.52	.00	.00	.00	8.52	.00	.00	.00	8.52
ALL	I & S	1.36	.00	.00	.00	1.36	.00	.00	.00	1.36
ALL	TOTAL	9.88	.00	.00	.00	9.88	.00	.00	.00	9.88
DLQ	M & O	8.52	.00	.00	.00	8.52	.00	.00	.00	8.52
DLQ	I & S	1.36	.00	.00	.00	1.36	.00	.00	.00	1.36
DLQ	TOTAL	9.88	.00	.00	.00	9.88	.00	.00	.00	9.88
CURR	M & O	.00	.00	.00	.00	.00	.00	.00	.00	.00
CURR	I & S	.00	.00	.00	.00	.00	.00	.00	.00	.00
CURR	TOTAL	.00	.00	.00	.00	.00	.00	.00	.00	.00

JURISDICTION: 0006 LA VEGA ISD

	CERT TAXABLE VALUE	ADJUSTMENTS	ADJ TAX VALUE	TAX RATE	TAX LEVY	PAID ACCTS
CURRENT YEAR	0	0	0	1.000000	1,645.27	0

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
1984	1,645.27	.00	0.00	0.00	0.00	1,645.27		0.00
****	1,645.27	.00	0.00	0.00	0.00	1,645.27		0.00

JURISDICTION: 0028 LA VEGA ISD

	CERT TAXABLE VALUE	ADJUSTMENTS	ADJ TAX VALUE	TAX RATE	TAX LEVY	PAID ACCTS
CURRENT YEAR	402,288,179	90,552-	402,197,627	1.720000	212,022.83	6,356

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
2004	213,617.14	1,594.31-	1,594.31-	27,498.24	27,498.24	184,524.59	12.97	0.00
2003	75,595.04	.00	0.00	4,043.93	4,043.93	71,551.11	5.35	0.00
2002	46,902.56	.00	0.00	509.86	509.86	46,392.70	1.09	0.00
2001	28,549.99	.00	0.00	211.38	211.38	28,338.61	.74	0.00
2000	58,152.06	.00	0.00	110.29	110.29	58,041.77	.19	0.00
1999	21,238.50	.00	0.00	248.32	248.32	20,990.18	1.17	0.00
1998	19,143.22	.00	0.00	6.64	6.64	19,136.58	.03	0.00
1997	15,827.83	.00	0.00	0.00	0.00	15,827.83		0.00
1996	19,958.27	.00	0.00	0.00	0.00	19,958.27		0.00
1995	13,540.03	.00	0.00	0.00	0.00	13,540.03		0.00
1994	9,353.04	.00	0.00	33.10	33.10	9,319.94	.35	0.00
1993	11,631.57	.00	0.00	36.93	36.93	11,594.64	.32	0.00
1992	2,685.00	.00	0.00	11.34	11.34	2,673.66	.42	0.00
1991	2,684.66	.00	0.00	14.85	14.85	2,669.81	.55	0.00
1990	6,122.56	.00	0.00	51.67	51.67	6,070.89	.84	0.00
1989	5,231.57	.00	0.00	0.00	0.00	5,231.57		0.00
1988	4,972.68	.00	0.00	0.00	0.00	4,972.68		0.00
1987	4,484.92	.00	0.00	0.00	0.00	4,484.92		0.00
1986	3,635.50	.00	0.00	0.00	0.00	3,635.50		0.00
1985	3,110.68	.00	0.00	0.00	0.00	3,110.68		0.00
1984	14,366.12	.00	0.00	0.00	0.00	14,366.12		0.00
****	580,802.94	1,594.31-	1,594.31-	32,776.55	32,776.55	546,432.08		0.00

TC298-D SELECTION: DEPOSIT DEPOSIT DISTRIBUTION INCLUDES AG ROLLBACK

RECEIPT DATE: ALL FROM: 09/01/2005 THRU 09/30/2005

JURISDICTION: 0028 LA VEGA ISD

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
2004	M & O	1.482500	23,701.24	.00	4,688.89	.00	28,390.13	5,044.02	.00	.00	33,434.15
	I & S	.237500	3,797.00	.00	751.17	.00	4,548.17	.00	.00	.00	4,548.17
	TOTAL	1.720000	27,498.24	.00	5,440.06	.00	32,938.30	5,044.02	.00	.00	37,982.32
2003	M & O	1.482500	3,892.92	.00	1,233.44	.00	5,126.36	798.79	.00	.00	5,925.15
	I & S	.057500	151.01	.00	47.87	.00	198.88	.00	.00	.00	198.88
	TOTAL	1.540000	4,043.93	.00	1,281.31	.00	5,325.24	798.79	.00	.00	6,124.03
2002	M & O	1.448000	489.58	.00	211.38	.00	700.96	109.50	.00	.00	810.46
	I & S	.060000	20.28	.00	8.77	.00	29.05	.00	.00	.00	29.05
	TOTAL	1.508000	509.86	.00	220.15	.00	730.01	109.50	.00	.00	839.51
2001	M & O	1.466000	201.75	.00	111.15	.00	312.90	49.18	.00	.00	362.08
	I & S	.070000	9.63	.00	5.31	.00	14.94	.00	.00	.00	14.94
	TOTAL	1.536000	211.38	.00	116.46	.00	327.84	49.18	.00	.00	377.02
2000	M & O	1.466000	105.26	.00	71.59	.00	176.85	27.79	.00	.00	204.64
	I & S	.070000	5.03	.00	3.41	.00	8.44	.00	.00	.00	8.44
	TOTAL	1.536000	110.29	.00	75.00	.00	185.29	27.79	.00	.00	213.08
1999	M & O	1.436000	232.15	.00	185.73	.00	417.88	67.04	.00	.00	484.92
	I & S	.100000	16.17	.00	12.93	.00	29.10	.00	.00	.00	29.10
	TOTAL	1.536000	248.32	.00	198.66	.00	446.98	67.04	.00	.00	514.02
1998	M & O	1.200547	5.29	.00	4.87	.00	10.16	1.91	.00	.00	12.07
	I & S	.305453	1.35	.00	1.24	.00	2.59	.00	.00	.00	2.59
	TOTAL	1.506000	6.64	.00	6.11	.00	12.75	1.91	.00	.00	14.66
1994	M & O	1.102800	24.24	.00	33.93	.00	58.17	11.91	.00	.00	70.08
	I & S	.403200	8.86	.00	12.41	.00	21.27	.00	.00	.00	21.27
	TOTAL	1.506000	33.10	.00	46.34	.00	79.44	11.91	.00	.00	91.35
1993	M & O	1.082500	26.54	.00	40.35	.00	66.89	13.96	.00	.00	80.85
	I & S	.423500	10.39	.00	15.78	.00	26.17	.00	.00	.00	26.17
	TOTAL	1.506000	36.93	.00	56.13	.00	93.06	13.96	.00	.00	107.02
1992	M & O	.045900	1.13	.00	1.85	.00	2.98	4.49	.00	.00	7.47
	I & S	.416700	10.21	.00	16.75	.00	26.96	.00	.00	.00	26.96
	TOTAL	.462600	11.34	.00	18.60	.00	29.94	4.49	.00	.00	34.43
1991	M & O	.150400	4.46	.00	7.83	.00	12.29	6.13	.00	.00	18.42
	I & S	.350100	10.39	.00	18.21	.00	28.60	.00	.00	.00	28.60
	TOTAL	.500500	14.85	.00	26.04	.00	40.89	6.13	.00	.00	47.02
1990	M & O	.944000	36.56	.00	68.37	.00	104.93	22.24	.00	.00	127.17
	I & S	.390000	15.11	.00	28.25	.00	43.36	.00	.00	.00	43.36
	TOTAL	1.334000	51.67	.00	96.62	.00	148.29	22.24	.00	.00	170.53

MCLENNAN COUNTY

Run Date: 10/24/2005 **DETAIL COLLECTIONS REPORT BY JURISDICTION AND YEAR** detail_collections.rdf v1.2

Run Time: 02:06:20 PM **From: 09/01/2005 Through: 09/30/2005 By Deposit Date** **Request Seq:** 164985

Tax Unit 28 *COUNTY EDUCATION DISTI*

Account No.	Remit Seq No.	Receipt Date	Levy	Levy Paid	Penalty Paid	Interest Paid	Attorney Paid	Discount Applied	Payment Amount	Refund Due
Year *1992*										
18-003300-025602-5	5135793	09/28/2005	33.79	33.79	4.05	51.37	13.38	.00	102.59	.00
36-003200-027301-1	5130758	09/19/2005	8.58	8.58	1.03	13.04	3.40	.00	26.05	.00
48-002900-019200-8	5138904	09/30/2005	18.20	18.20	2.18	27.67	7.21	.00	55.26	.00
48-014200-004100-3	5138132	08/31/2005	29.04	29.04	3.48	43.85	11.46	.00	87.83	.00
48-035500-002200-6	5129616	09/16/2005	308.54	28.54	2.65	43.39	11.30	.00	85.88	.00
	Year 1992 Totals Count:5		398.15	118.15	118.15	179.32	46.75	.00	357.61	.00
Year *1991*										
18-003300-025602-5	5135793	09/28/2005	30.50	30.50	3.66	50.02	12.63	.00	96.81	.00
24-105400-003300-7	5121748	08/31/2005	78.47	30.27	3.63	49.34	12.49	.00	95.73	.00
28-054500-004200-6	5118453	08/31/2005	58.60	15.70 ✓	1.88 ✓	25.59 ✓	6.48	.00	49.65	.00
36-003200-027301-1	5130758	09/19/2005	7.74	7.74	.93	12.69	3.20	.00	24.56	.00
48-014200-004100-3	5138132	08/31/2005	26.22	26.22	3.15	42.73	10.81	.00	82.91	.00
	Year 1991 Totals Count:5		201.53	110.43	110.43	180.37	45.61	.00	349.66	.00
	Jurisdiction 11 Totals Count: 10		599.68	228.58	26.64	359.69	92.36	.00	707.27	.00

TOTAL COLLECTIONS FOR CED
$43.17

Consider Approval of Texas Association of School Boards (TASB) Policy Manual Update 76 Affecting (LOCAL) Policies

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Al Bishop

Background Information:
Attached.

Fiscal Implication:
N/A

Administrative Recommendation:
Board approval of TASB Policy Manual Update 76 affecting (LOCAL) policies.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Texas Association
of School Boards

Localized Policy Manual Update 76

La Vega ISD

Your Localized Update 76 represents the first of two post-legislative updates and encompasses changes in law from the 79th regular legislative session that have an immediate effect on the governance and management of the district. Update 77 will be issued in early November and will address the remaining legislative changes from that session and, to the extent possible, any changes that may arise from a special session.

Please bear in mind that the (LEGAL) policies reflect the ever-changing legal context for governance and management of the district. They should NOT be adopted but, rather, should inform local decision making. The (LOCAL) policy recommendations in this update will need close attention by both administration and the board to ensure that they reflect the practices of the district and the intentions of the board. Board action is needed to adopt, revise, or repeal (LOCAL) policy.

To better focus board attention and expedite its review, your Localized Update 76 packet contains:

- ***Vantage Points—A Board Member's Guide to Update 76***, copies of which may be found in the separately wrapped package accompanying this packet. ***Vantage Points*** offers a highly summarized overview of the update and is intended to provide local officials a first glance at the scope of the update—as a prelude to studying the detailed Explanatory Notes and policy text within the packet. **Please distribute *Vantage Points* to your board members** at the earliest possible opportunity, preferably with their review copies of this update.
- Your Localized Update, which includes:

  INSTRUCTIONS . . . providing specific, policy-by-policy directions on how this update, if accepted as prepared, should be incorporated into your Localized Policy Manuals.

  EXPLANATORY NOTES . . . summarizing changes in the policies in each code and how those changes affect your policy manual. Please note that, where appropriate, the Explanatory Notes ask you to **verify that a particular policy continues to reflect your current practice and to advise us of changes needed** so that our records and your manual accurately track the district's actual practice.

Update 76 materials can be identified by the DATE ISSUED—08/16/2005—located in the lower left corner of each page. If you have any questions concerning this Update, please call your Policy Consultant/Analyst, Kaye Teaff, at 800-580-7529 or 512-467-0222.

Regarding board action on Update 76 . . .

- Board action on Localized Update 76 must occur within a properly posted, open meeting of the board and may be addressed on the agenda posting as "Policy Update 76, affecting (LOCAL) policies (see attached list)." Using the Instruction Sheet as a guide, create and attach to the posting a list of the (LOCAL) policy codes **and the titles/subtitles of those policies.** BoardBook compilers should use "Policy Update 76, affecting (LOCAL) policies" as the agenda item and, as agenda sub-items, the code and name of each of the (LOCAL) policies affected by the update.

- An appropriate motion for board action on Localized Update 76 is as follows:

  "I move that the board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 76 [with the following changes:]"

- The board's action on Localized Update 76 must be reflected in board minutes. The Instruction Sheet—annotated to reflect any changes made by the board—and the Explanatory Notes for the update should be filed with the board minutes where they comprise the authoritative historical record of your district's manual. Also include in the historical record a copy of the replaced or rescinded (LOCAL) policies.

- **Notify your Policy Consultant/Analyst of any changes made by the board so that Policy Service records—forming the basis for these and subsequent updating recommendations—exactly mirror your manual.**

Regarding manual maintenance and administrative regulations . . .

- The update should be incorporated into each of the district's Localized Policy Manuals as soon as practicable. If the district uses *Policy On Line*, please notify us of the board's action on Update 76 so this action may be reflected in your district's Localized Policy Manual as it appears on TASB's Web server. *Policy On Line* staff may be reached by phone (800–580–7529 or 512–467–0222), fax (512–467–3618; see the pink form enclosed), e-mail (pol-support@tasb.org), or Internet feedback form (http://www.tasb.org/policy/pol/private/polfdbk.html).

- Administrative procedures and documents—including formal (REGULATIONS), handbooks, and guides—that may be affected by Update 76 policy changes should be inspected and revised as needed. If the district routinely submits (REGULATIONS) to Policy Service for processing or desires that the updated (REGULATION) be included in the district's *Policy On Line* manual, please submit these changes to your Policy Consultant/Analyst at your earliest convenience.

PLEASE NOTE: This Localized Update 76 packet and the Update 76 ***Vantage Points*** may not be considered as legal advice and are not intended as a substitute for the advice of the board's own legal counsel.

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Instruction Sheet

TASB Localized Policy Manual Update 76

District La Vega ISD

Code		Action To Be Taken	Note
AC	(LEGAL)	Replace policy	Revised policy
BBB	(LEGAL)	Replace policy	Revised policy
BBBA	(LEGAL)	ADD policy	See explanatory note
BE	(LEGAL)	Replace policy	Revised policy
BQ	(LEGAL)	Replace policy	Revised policy
BR	(LEGAL)	Replace policy	Revised policy
CAA	(LOCAL)	Replace policy	Revised policy
CCA	(LEGAL)	Replace policy	Revised policy
CCG	(LEGAL)	Replace policy	Revised policy
CDA	(LEGAL)	Replace policy	Revised policy
CE	(LEGAL)	Replace policy	Revised policy
CH	(LEGAL)	Replace policy	Revised policy
CKC	(LEGAL)	ADD policy	See explanatory note
CRD	(LEGAL)	Replace policy	Revised policy
CRE	(LEGAL)	Replace policy	Revised policy
CS	(LEGAL)	Replace policy	Revised policy
DC	(LEGAL)	Replace policy	Revised policy
DC	(LOCAL)	No policy enclosed	See explanatory note
DEA	(LEGAL)	Replace policy	Revised policy
DHE	(LEGAL)	Replace policy	Revised policy
DK	(LEGAL)	Replace policy	Revised policy
DLB	(LEGAL)	Replace policy	Revised policy
E	(LEGAL)	Replace table of contents	Revised table of contents
EHAC	(LEGAL)	Replace policy	Revised policy
EHBD	(LOCAL)	ADD policy	See explanatory note
EHBG	(LEGAL)	ADD policy	See explanatory note
EHBK	(LEGAL)	Replace policy	Revised policy
EIA	(LEGAL)	Replace policy	Revised policy
F	(LEGAL)	Replace table of contents	Revised table of contents
FD	(LEGAL)	Replace policy	Revised policy
FD	(LOCAL)	Replace policy	Revised policy

Instruction Sheet

TASB Localized Policy Manual Update 76

Code		Action To Be Taken	Note
FDB	(LEGAL)	Replace policy	Revised policy
FDB	(LOCAL)	ADD policy	See explanatory note
FDD	(LEGAL)	Replace policy	Revised policy
FDD	(LOCAL)	Replace policy	Revised policy
FEA	(LEGAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy
FFAF	(LEGAL)	ADD policy	See explanatory note
FFG	(LEGAL)	Replace policy	Revised policy
FFG	(EXHIBIT)	Replace exhibit	Revised exhibit
FL	(LEGAL)	Replace policy	Revised policy
FL	(LOCAL)	Replace policy	Revised policy
FL	(EXHIBIT)	DELETE exhibit	See explanatory note
FMF	(EXHIBIT)	DELETE exhibit	See explanatory note
FNAA	(LOCAL)	No policy enclosed	See explanatory note
FNC	(LEGAL)	Replace policy	Revised policy
FNCF	(EXHIBIT)	ADD exhibit	See explanatory note
FO	(LEGAL)	Replace policy	Revised policy
FOA	(LEGAL)	Replace policy	Revised policy
FOC	(LEGAL)	Replace policy	Revised policy
FOC	(EXHIBIT)	Replace exhibit	Revised exhibit
FOD	(LEGAL)	Replace policy	Revised policy
FOD	(LOCAL)	DELETE policy	See explanatory note
GBA	(LEGAL)	Replace policy	Revised policy
GBAA	(LEGAL)	Replace policy	Revised policy
GND	(LEGAL)	Replace policy	Revised policy

Explanatory Notes

TASB Localized Policy Manual Update 76

District: La Vega ISD

AC (LEGAL) GEOGRAPHIC BOUNDARIES

SB 427, enacted during the 79th regular session, requires districts that alter their boundaries—or the boundaries of single-member districts—to promptly notify the county voter registrar of the change. Notification must occur within 30 days of the board's action and must be accompanied by a map (in a format compatible with that used by the registrar's office) marking the change. This requirement becomes effective for elections ordered after September 1, 2005.

BBB (LEGAL) BOARD MEMBERS
ELECTIONS

While the November uniform election date remains unchanged, the May uniform election date—long pegged to the first Saturday in May and moved last year to the third Saturday to accommodate redistricting time lines—has moved again, to the second Saturday in May, as a result of HB 2339 from the 79th regular session.

Other legislative changes affecting this policy are as follows:

- SB 427 requires that changes in district boundaries—and single-member district boundaries—be promptly communicated to the county voter registrar. (See NOTICE TO VOTER REGISTRAR on page 2.)
- HB 2339 adjusts the filing and write-in deadlines for elections held on the general election day (November of even years). Filing for a place on the ballot must occur no later than the 70th day prior to election day and declaration of a write-in candidacy must occur no later than the 67th day prior to election day. For other elections, the usual time lines—62nd day and 57th day, respectively—apply. (See FILING INFORMATION.)
- HB 2339 also adjusts the deadline for ordering an election on the general election day: the call must occur no later than the 70th day beforehand. For other elections, the usual deadline—the 62nd day—remains. (See NOTICE on page 3.)

  In this same section appears the HB 1580 requirement that the district retain—for at least 22 months—a copy of the newspaper notice of the election. Previously state law required that the copy be retained for 60 days.

  Also added is the HB 2309 requirement that the board deliver—no later than the 60th day preceding the election—notice of the election to the county clerk of each county in which the district is located.
- HB 1209 requires districts holding elections on the November uniform election date of any year to use regular county polling places. Excluded from this requirement are Harris County and the seven contiguous counties: Galveston, Chambers, Liberty, Montgomery, Waller, Fort Bend, and Brazoria. (See BALLOT, ELECTION OFFICIALS, AND POLLING PLACES on page 4.)
- HB 719 provides the Texas secretary of state more detailed direction regarding his authority to promulgate rules pertaining to form and posting of the long-required NOTICE OF VOTING RIGHTS HOTLINE.
- HB 57 (effective for elections ordered after October 1, 2005) clarifies the timeframe for canvassing May election returns. While November-electing districts still must canvass returns between the 8th day and 11th day after elections, May-electing districts may start canvassing sooner. May-electing districts may begin on whichever of the following dates is latest:
  - the third day after election day,

- the date on which all early voting ballots and provisional ballots have been counted, or
- the date when all timely received ballots cast outside the country have been counted.

(See CANVASS RETURNS on page 6.)

- HB 2309 requires—for all elections called after January 1, 2006—the person presiding over the canvassing to prepare a report of the precinct results and to deliver that report to the secretary of state—in an electronic form to be specified by the secretary. (See CERTIFICATE OF ELECTION on page 7.)

Unless otherwise indicated above, these provisions apply to elections ordered after September 1, 2005.

Please note: This (LEGAL) version is for districts whose boards are composed of seven trustees, elected at-large and from single-member trustee districts. If there has been a change in your district's method of election and this description no longer reflects your practice, please contact your Policy Consultant/Analyst so we can update our files and issue the correct (LEGAL) version for your manual.

BBBA (LEGAL) BOARD MEMBERS
REPORTING CAMPAIGN FUNDS

We are adding to your manual the enclosed policy on REPORTING CAMPAIGN FUNDS addressing directives from the Texas Ethics Commission applicable to candidates for the board.

TERMINATION OF CAMPAIGN TREASURER APPOINTMENT is new material drawn from HB 1863 and effective June 17, 2005. The legislation empowers a board to adopt a process by which its secretary may terminate the appointment of a campaign treasurer for an inactive candidate or political committee.

BE (LEGAL) BOARD MEETINGS

Legislation resulting from the 79th regular session affects board meeting notices as follows:

- At CONTINUED MEETING, on page 2, is new text—from SB 690, effective June 17, 2005—allowing the board to recess a meeting and resume the meeting the following business day without posting further notice. The board cannot continue that meeting, however, to yet another day without the required notice. The legislation effectively embraces as law a 1998 attorney general's opinion (DM–482) to that effect and specifies that any such continuation must be in good faith and not for the purpose of circumventing the notice requirements of the Texas Open Meetings Act.
- HB 2381 requires a district to post meeting notices on its Internet Web site, if the district maintains a Web site. Previously districts have posted a hard copy of the meeting notice in a continuously accessible place at the central administration office or another continuously accessible location. After September 1, 2005, districts may satisfy the posting requirement by (1) making "a good-faith attempt to continuously post the notice on the Internet" during the 72 hours preceding a meeting AND (2) posting a hard copy notice in the central administration office, where it must be readily accessible to the public during normal business hours. (See TIME OF NOTICE AND ACCESSIBILITY on page 3.) Posting on the Internet, though, is no longer discretionary for a district that maintains an Internet Web site: provisions of SB 1133, reflected at INTERNET POSTING on page 3, require such districts to post meeting notices on the site and—for districts containing a municipality with a population of 48,000 or more—to post also the meeting agenda, if it differs from the posted notice. HB 2381 is effective September 1, 2005; SB 1133, on January 1, 2006.
- At CATASTROPHE, on page 4, is reflected—also from SB 690—language that allows a board prevented by a catastrophe from convening a properly posted meeting to convene the meeting at a convenient location within 72 hours. Whether further notice is needed within the 72-hour period is not clearly stated. TASB attorneys note that the embedded cross-reference to Government Code Section 551.045 (the section providing for emergency meetings or emergency-driven additions to the agenda) might suggest that

the district would still be bound to provide a two-hour notice but that the catastrophic delay might in itself constitute a "reasonably unforeseen situation" creating an "urgent public necessity." Because of this ambiguity, districts are urged to confer with local counsel should a catastrophe prevent the board from meeting as initially scheduled.

BQ (LEGAL) PLANNING AND DECISION–MAKING PROCESS

HB 283 (from the 79th regular session and effective June 18, 2005) requires that—within the framework of the District Improvement Plan—each district implement a discipline management program that provides "for the prevention of and education concerning unwanted physical or verbal aggression, sexual harassment, and other forms of bullying in schools, on school grounds, and in school vehicles." The new requirement may be found at item 9 on page 2.

BR (LEGAL) REPORTS

Beginning this fall and **within the first ten days of classes**, districts with Internet Web sites must publish on the Web their most recently received AEIS report and School Report Cards (SRCs). Such publication is mandated by HB 3297, from the 79th regular session and effective June 18, 2005, and does not affect existing publishing requirements, keyed to TEA's release of the reports:

- The AEIS report still must also be published **within two weeks** after the local hearing (convened **within 90 days** after receipt from TEA) and posted in various public places (e.g., school offices, local businesses, and public libraries). (See page 2 for requirements regarding AEIS INTERNET DISSEMINATION.)
- SRCs still must also be distributed to parents **within six weeks** after receipt from TEA, by mail, parent/teacher conferences, or other means identified by the campus. (See page 3 for requirements regarding SRC INTERNET DISSEMINATION.)

CAA (LOCAL) FISCAL MANAGEMENT GOALS AND OBJECTIVES
FINANCIAL ETHICS

Three items within the definition of FRAUD AND FINANCIAL IMPROPRIETY have been refined for clarity:

- At item 8—a reference to policy DBD has been added. A reference to "law or District policy" has also been added to clarify when items of material value may be accepted.
- At item 9—"inappropriately" has been moved to the beginning of the phrase so that it modifies all actions described.
- At item 11—"law or District policy" has been added to embrace both legally defined conflicts of interest as well as those established by policy, such as at DBD(LOCAL).

CCA (LEGAL) LOCAL REVENUE SOURCES
BOND ISSUES

Various bills from the 79th regular session affect this policy:

- At EXISTING DEBT ALLOTMENT (page 1): SB 1863, effective July 1, 2005, updated the year-eligibility for state funding for servicing of existing bonded indebtedness.
- At ELECTIONEERING (page 1): HB 2339, effective September 1, 2005, clarifies that the board cannot use "state or local funds or other resources of the district to electioneer for or against any candidate, measure, or political party."

- At ELECTIONS (page 1): HB 57, effective for elections called after October 1, 2005, now prohibits school districts from holding bond elections (or any other election, for that matter) other than on the May or November general election dates.
- At CALL FOR ELECTION (page 2): HB 2339 also adjusts the deadline for ordering a bond election on the general election day: the call must occur no later than the 70th day beforehand. For other elections, the usual 62-day requirement remains in place.
- At NOTICE OF ELECTION (page 2): a HB 2309 provision requires that the board deliver—no later than the 60th day preceding the election—notice of the election to the county clerk of each county in which the district is located.

CCG (LEGAL) LOCAL REVENUE SOURCES
AD VALOREM TAXES

Changes arising from the 79th regular session are as follows:

- TAX RATE (page 2) reflects both SB 1652, effective September 1, 2005, and SB 18, effective June 18, 2005. The former clarifies that the tax rate has separate maintenance/operations and debt service components and requires the actual debt service rate to match the rate posted under Education Code 44.004(c)(2)(A)(ii)(b).

  The latter legislation represents a substantial addition to the requirements for adopting a tax rate. Beginning with the current tax rate adoption, the motion to adopt a tax rate that exceeds the effective tax rate must be phrased as an increase in property taxes. Furthermore, the ordinance setting a tax rate that will cause maintenance and operations taxes overall to exceed those levied the previous year must include, in type larger than in any other portion of the document, tax increase language and the amount of the tax increase for a home valued at $100,000. The legislation also provides specific language that the district must post on its Internet Web site to announce the increase.
- As found at REINVESTMENT ZONES/TAX INCREMENT FINANCING (page 8), counties have been newly authorized by HB 2120 to form reinvestment zones, after September 1, 2005.
- In addition and as with trustee elections at BBB(LEGAL) and bond elections at CCA(LEGAL):
  - At CALL FOR ELECTION (page 3), HB 2339 also adjusts the deadline for ordering an election to ratify school taxes on the general election day: the call must occur no later than the 70th day beforehand. For other elections, the usual 62-day requirement remains in place. (Effective September 1, 2005.)
  - At NOTICE TO COUNTY CLERK (page 4): a HB 2309 provision requires that the board deliver—no later than the 60th day preceding the election—notice of the election to the county clerk of each county in which the district is located. (Effective June 18, 2005.)

CDA (LEGAL) OTHER REVENUES
INVESTMENTS

SB 256—from the 79th regular session and effective September 1, 2005—amends the Public Funds Investment Act to clearly allow local governments to invest in certificates of deposit or share certificates issued by a depository institution's branch office. Previously such investments could occur only with a state or national bank, savings bank, or state or federal credit union domiciled in Texas.

The new language may be found in the first paragraph at item 2 on page 6. A new second paragraph under that item lists five additional circumstances allowing investment in certificates of deposit.

CE (LEGAL) ANNUAL OPERATING BUDGET

A new section titled USE OF DISTRICT RESOURCES has been added (on page 1) to reflect the HB 1826 prohibition against the use of district employees, property, or resources in the design, construction, or renova-

tion of improvements to real property that is not owned or leased by the district. This legislation, from the 79th regular session, was effective June 18, 2005.

Also added within this section is the HB 2339 ban on using state or local funds or other resources for electioneering of any sort. [See also CCA(LEGAL).]

CH (LEGAL) PURCHASING AND ACQUISITION

HB 664 from the 79th regular session allows many districts to favor local bidders in awarding purchasing contracts. The legislation, effective September 1 and reflected under FACTORS on page 2 and LOCATION OF BIDDER on page 3, allows the district to award the purchase contract to a local bidder if that bid is within five percent of the lowest bid and under the following conditions:

- The district's administrative office is located in a municipality with a population under 250,000,
- The bidder's principal place of business is within the district, and
- The purchase is not for telecommunications or information services.

CKC (LEGAL) SAFETY PROGRAM/RISK MANAGEMENT
EMERGENCY PLANS

SB 11 from the 79th regular session newly requires districts to put in place "a multihazard emergency operations plan" no later than March 1, 2006, and to conduct a security audit of district facilities at least once every three years.

The plan requirement is specific to security and must address:

- employee emergency response training,
- student and staff emergency drills, and
- coordination with local emergency management agencies, law enforcement, and fire departments.

The Texas School Safety Center, created in 2001 by the Legislature, is charged with the responsibility of providing districts a safety training program that now includes assistance in developing a multihazard emergency operations plan. The center is currently creating a model plan that will form the basis for this training; the training will be delivered through education service centers. Additionally, districts may request on-site technical assistance on school safety issues.

Further information as it becomes available will be posted on the Safety Center Web site at http://www.txssc.txstate.edu/txssc.htm.

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

Legislation from the 79th regular session prompts the following additions:

- At PLAN DISCLOSURE STATEMENT on page 1 is a HB 765 requirement that districts not participating in TRS Active Care provide both employees and prospective employees a copy of any plan disclosure statement prepared by the provider. The district must also retain a copy of the notice that has been signed by the recipient. This requirement applies to all policies issued or renewed after January 1, 2006.
- At COMPENSATION SUPPLEMENT on page 3 is found the SB 1691 "clean-up" of the supplemental compensation–Healthcare Reimbursement Account tangle that arose from actions of the 78th Legislature (2003). The amount of the supplement is now clearly pegged to an amount specified in the General

Appropriations Act. The legislation does not extend the supplement to retirees eligible for TRS Care (or other coverage through the state, the University of Texas, or Texas A&M University). The supplement will be distributed monthly, rather than annually as before, and administration of the fund transfers will now be handled by TEA rather than TRS.

SB 1691 also includes a provision that effectively eliminates the 90-day waiting period, imposed during the 78th regular session, for new employees to become TRS members. Because this provision is not effective until September 1, 2005, the old law will apply for those who have not completed the 90-day waiting period by that date. As a consequence—and only until September—those employees are not eligible for TRS and must be covered by whatever stop-gap measure the district has in place. As of September 1, coverage by TRS begins, but the district must pay the state's share for the remainder of the employee's 90-day period. (See TRS CONTRIBUTIONS FOR NEW HIRES on page 4.)

SB 1691's scope also includes a requirement that—beginning September 1, 2005—a district that hires a retiree must fund:

- both the state's and employee's shares (currently 12.4 percent of the employee's salary) that would be payable if the employee were not a retiree; and
- the state contribution rate for the retiree's health insurance coverage, if the retiree is enrolled in TRS Care. The district does not have to make the TRS Care contribution, however, if the retiree is enrolled in TRS Active Care or if the retiree was reported to TRS by a school district as a retiree in January 2005. (See TRS CONTRIBUTIONS FOR REHIRED RETIREES on page 5.)

- At TERMINATION OF COVERAGE, on page 8, is reflected a SB 1448 provision that makes any district that does not participate in TRS Care subject to the limits on exclusions for preexisting conditions found in the Insurance Code. This requirement becomes effective with the 2005–06 school year.
- At EMPLOYEE ELECTION on page 11 appears HB 407 language that allows an employee married to another employee to declare himself or herself as dependent so that both are covered by the same policy, conceivably at a lower combined premium rate. This provision is effective with the start of the 2005–06 school year and applies to coverage provided under either a large or small employer health benefit plan.

CRE (LEGAL) INSURANCE AND ANNUITIES MANAGEMENT
WORKERS' COMPENSATION

As a result of HB 7 from the 79th regular session, the Texas Workers' Compensation Commission has been merged into the Texas Department of Insurance. The many references to "TWCC" in this policy have been replaced by "TDI" and citations have been updated.

CS (LEGAL) FACILITY STANDARDS

At SECURITY CRITERIA, on page 3, a provision of SB 11 from the 79th regular session has been added and is effective with the development of Texas School Safety Center criteria this fall: a district using Instructional Facilities Allotment funds must consider in the design of the facility TSSC security criteria.

DC (LEGAL) EMPLOYMENT PRACTICES

This policy has been redeveloped to present topics and subtopics in a more logical manner and to more closely track statutory language. Substantive changes attributable to the 79th regular session are as follows:

- Under EMPLOYMENT POLICIES on page 1, SB 387 newly defines posting of vacancies as an "employment policy" essential. Further requirements in this regard are found at POSTING OF VACANCIES.

These provisions become effective with the 2005–06 school year and require the district to post vacancies for positions requiring certification or licenses in specified locations for at least ten school days and to allow current employees "a reasonable opportunity" to apply. The notice requirement is waived for filling vacancies in positions affecting "the safety and security of students as determined by the board." The ten-day requirement, waived for filling a vacancy that occurs during the school year, embraces the broad definition of "teacher" found at Education Code 21.201 that includes such positions as classroom teachers, counselors, and administrative personnel required to have SBEC certification.

- At EMPLOYMENT OF RETIREES on page 2, SB 1691 provisions, effective September 1, 2005, have been added. These reporting requirements replace previous TRS rules regarding the monthly reporting statement.

DC (LOCAL) EMPLOYMENT PRACTICES

Policy Service records indicate that your district has not yet completed and returned the worksheet found in the ***Contractual/Noncontractual Employment Starting Points*** policy development tool kit. As a consequence your current policies may not adequately reflect district practice in light of changes in law and in the certification structure enacted by the State Board for Educator Certification.

For further information, refer to this ***Starting Points***, found at http://www.tasb.org/services/policy/starting/contract.aspx, or contact your district's Policy Consultant/Analyst.

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

In addition to being reorganized for clarity and to more closely track statutory language, the policy has been revised to include SB 1691 provisions pertaining to COMPENSATION SUPPLEMENT (on page 2), TRS CONTRIBUTIONS FOR NEW HIRES (on page 3), and TRS CONTRIBUTIONS FOR REHIRED RETIREES. Further information on each of these additions may be found in the explanatory note at CRD(LEGAL) in this update packet.

At RETIREMENT INCENTIVES, found on page 4, is an additional SB 1691 provision that prohibits districts from offering incentives for employees to retire from TRS.

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

Beginning September 1, 2005, districts will be required to report to the Department of Public Safety anomalous results of driver drug tests required by the U.S. Department of Transportation. The provisions of SB 217 from the 79th regular session require these reports when:

- a test indicates an alcohol concentration of 0.04 or greater or a result above the level set by DOT regulations for drug concentration;
- the employee refuses to provide a specimen for testing; or
- the specimen is found to be adulterated, diluted, or switched.

In addition to these revisions, found at REPORTS on pages 2 and 3, the policy has been reorganized and lightly edited to more closely track statutory language. A lengthy listing, drawn from DOT regulations, of materials that must be made available to those subject to DOT-required testing has been deleted as excessively detailed for policy.

DK (LEGAL) ASSIGNMENT AND SCHEDULES

While the addition to the policy—the TRANSFERS provision on page 2—is modest, the policy itself has been refined to more closely track the language of statute. The new TRANSFERS provision is language drawn

from SB 387—effective with the 2005–06 school year—that permits a district to include in its employment policies provisions for employee transfers within the district.

DLB (LEGAL) WORK LOAD
REQUIRED PLANS AND REPORTS

SB 493 from the 79th regular session permits the commissioner of education to authorize an accreditation investigation of a district in response to "repeated complaints of excessive paperwork requirements on classroom teachers." This provision becomes effective with the 2005–06 school year.

While not added to this policy, the legislation also requires the commissioner to limit written reports and other paperwork TEA requires of principals or classroom teachers and, at least once every even-numbered year, to review and reduce paperwork requirements imposed by TEA on districts.

E (LEGAL) INSTRUCTION

We have revised the E–Section Table of Contents to accommodate policy EHBG: Prekindergarten.

EHAC (LEGAL) BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (SECONDARY)

At COORDINATED HEALTH PROGRAM on page 1 has been added new law extending to middle and junior high students a health initiative that has previously been focused only on elementary students. From the program mandate in the 77th regular session, amended during the 78th regular session, to SB 42 in the 79th regular session, differing effective dates emerge: districts must receive training in the implementation of the elementary program by September 1, 2007, while training for the middle and junior high program must begin in the 2006–07 school year.

At item 5, on page 2, of the list of required course offerings in grades 9–12, language from HB 492 from the 79th regular session has been added. Beginning with the 2006–07 school year, districts must include instruction in personal financial literacy in any course meeting the economics course credit requirement. The State Board of Education must adopt—by March 1, 2006—rules that include a transition period for 2006–07 juniors and seniors and must adopt TEKS on personal financial literacy by the 2008–2009 school year.

EHBD (LOCAL) SPECIAL PROGRAMS
FEDERAL TITLE I

As we reviewed your files in preparation for this update, we noticed that you did not have a local policy addressing COMPARABILITY OF SERVICES, which is a requirement for districts that receive Title I federal funds and have more than one campus at the same grade level. If your district meets these criteria, we recommend that you consider adopting this policy; otherwise, please contact your Policy Consultant/Analyst so we can adjust our files accordingly.

EHBG (LEGAL) SPECIAL PROGRAMS
PREKINDERGARTEN

We have created this new code to specifically focus on prekindergarten programs and moved provisions, previously found at FD(LEGAL) and elsewhere, to this new policy. This material has been supplemented with Education Code provisions on grants, specifically the PREKINDERGARTEN EXPANSION GRANT and the READY TO READ GRANT, found on page 2.

Also new is a requirement—from HB 2048 from the 79th regular session and effective June 18, 2005—that the district participate in the Texas Information and Referral Network (TIRN), an initiative of the Health and Human Services Commission. Participation will take two forms:

- Information collection: Each district, each local workforce development board, and the Texas Head Start State Collaboration Office will provide TIRN information regarding available child-care and education services and eligibility information. This information will be published on the Internet (in a manner prescribed by the legislation) and will provide—in the language of the bill—"a point of access through which a person may be directed on how or where to apply for all child-care and education services available in the person's community."
- Contact management: TIRN staff will provide the person's contact information to the local Head Start or Early Head Start center, local workforce development center, and school district. Each entity is then required to contact the person regarding eligibility and to match the person's need with child-care and education services it provides or that are available through other providers in the community.

EHBK (LEGAL) SPECIAL PROGRAMS
OTHER INSTRUCTIONAL INITIATIVES

Revisions are as follows:

- At CONSTITUTION DAY, on page 1, a requirement embedded in the Federal Appropriations Act of 2004 has been added: districts that receive federal funds from any source must observe U.S. Constitution Day each September 17. That observance marks the date in 1787 that delegates to the Constitutional Convention convened to sign the document. [Further information is available on the National Archives Web site at http://www.archives.gov/education/lessons/constitution–day/.]
- At WOMEN'S INDEPENDENCE DAY, on page 3, provisions of HB 67 from the 79th regular session and effective May 9, 2005, have been added. The day commemorates the ratification of the 19th Amendment (women's suffrage) of the U.S. Constitution on August 26, 1920.

EIA (LEGAL) ACADEMIC ACHIEVEMENT
GRADING/PROGRESS REPORTS TO PARENTS

NOTICE OF PERFORMANCE RATINGS has been added to reflect HB 3297 from the 79th regular session and effective June 18, 2005: districts are now required to provide campus rating information with the first report card of the year.

F (LEGAL) STUDENTS

To better accommodate increasingly detailed law and regulations pertaining to chronic health conditions, we have created—at FFAF—a new code for INDIVIDUALIZED HEALTH PLANS.

FD (LEGAL) ADMISSIONS

Legislation from the 79th regular session is incorporated as follows:

- At RESIDENT GRANDPARENT, on page 3, appears the HB 25 language (effective May 27, 2005, and replicated in HB 283 with a June 18, 2005, effective date) that requires a district to admit any nonresident student for whom a grandparent, residing in the district, provides a "substantial amount of after-school care." The determination of what constitutes a "substantial amount" is left to the board.
- AT REQUIRED DOCUMENTATION, on page 5, is found language, also from HB 25, that significantly shortens the time lines within which records of transfers must occur. Previously law required the sending district to provide records to the receiving district within 30 days of the request; new law requires that this

occur within ten working days of the request. Moreover, the law now requires the sending district to notify the parent that he or she may request an unofficial copy to take to the new district.

Please note also that the prekindergarten provisions previously in this policy have been moved to EHBG(LEGAL) and provisions regarding the U.S. Immigration's Student and Exchange Visitor Information System (SEVIS) have been deleted since they do not apply to public school districts in Texas.

FD (LOCAL) ADMISSIONS

Revisions to this local policy are as follows:

- At RESIDENCY REVIEW, we have deleted a statement specifically addressing the appeal of a superintendent's decision. Since all decisions may be appealed under the appropriate complaint policy, the statement was unnecessary and potentially confusing.
- At NONRESIDENT STUDENT IN GRANDPARENT'S AFTER–SCHOOL CARE, there is new language resulting from HB 25 on admission of nonresident students for whom grandparents, residing in the district, provide a "substantial amount of after-school care." The local policy text:
  - obligates the parent and grandparent to provide residency information and **to complete a form** to document the extent of after-school care provided, and
  - delegates to the superintendent authority to approve these admission requests.

Admission of the student is based on whether the care provided by the grandparent is determined by the board to be "substantial." Because of differing needs and circumstances of children at different ages and stages of development, formulating objective criteria to be used to measure "substantial amount" will likely yield a range of decisions governed by exception rather than rule. We suggest that the superintendent propose administrative regulations setting forth guidelines. Such guidelines might establish a threshold for approval—e.g., a minimum number of hours per day, of days per school week, of months per school year—and provide for consideration of age and special needs or circumstances.

To assist districts in making this determination, Policy Service has prepared a "boilerplate" administrative procedure and a sample form that the parent and grandparent would be required to complete. These documents may be found at FD(REGULATION) and FD(EXHIBIT), respectively, in the ***TASB Regulations Resource Manual***, available via MyTASB to policy administrators.

We have retained unaltered the district's locally developed text at PERSON HAVING LAWFUL CONTROL OVER A STUDENT and at EXCEPTIONS.

FDB (LEGAL) ADMISSIONS
INTRADISTRICT TRANSFERS

This policy has been revised to more closely track statutory language and reorganized for clarity. In addition, HB 283 provisions relating to transfers prompted by bullying are reflected on page 2. That legislation from the 79th regular session and effective June 18, 2005, defines bullying and allows victims of bullying to be assigned to another classroom or transferred to another campus. The transfer is not automatic—the board or its designee must determine that the bullying occurred—nor is the district required to provide transportation to another campus.

FDB (LOCAL) ADMISSIONS
INTRADISTRICT TRANSFERS

We recommend adoption of this local policy addressing the need for the board to formally delegate authority to investigate and approve requests for class changes or transfers pursuant to an allegation of bullying. The

language of delegation is generalized to all intradistrict transfers whether from classroom to classroom or campus to campus. If this language is not consistent with district practice, please contact your Policy Consultant/Analyst for appropriate text.

FDD (LEGAL) ADMISSIONS
SCHOOL SAFETY TRANSFERS

A new section titled SEXUAL ASSAULT TRANSFER reflects HB 308 from the 79th regular session. Effective June 18, 2005, the new law requires a district to permit a student who is the victim of a sexual assault by another student to transfer to another campus in the district. If no other campus exists, the victim's parent may request a transfer to another district. If, however, the victim does not want a transfer, the district must transfer the assailant to another campus or—if only a single campus exists at that grade level—to the district's alternative education program or juvenile justice alternative education program. The law requires the district to notify, to the extent permitted by federal privacy laws, the victim's parent of where the assailant has been transferred or placed. The district is not required to provide transportation to either student.

This new law echoes to some extent the No Child Left Behind Act's Unsafe School Choice Option (renamed School Safety Choice Option in Texas), found on page 1 of this policy. This NCLBA transfer provision is triggered when the sexual assault occurred on the grounds of the school the victim attends; the HB 308 transfer provision applies regardless of where the sexual assault occurred but only if both students were attending the same school at the time of the assault.

In addition to the significant change described above, the policy has been revised throughout to more closely track statutory language.

FDD (LOCAL) ADMISSIONS
SCHOOL SAFETY TRANSFERS

The No Child Left Behind Act requires districts receiving ESEA funds to notify students of their right to transfer within the district from a school identified as "persistently dangerous" or when the student becomes a victim of violent crime at school. Recent guidance from TEA strongly encourages districts in which an intradistrict transfer is not possible to work with another district to arrange an interdistrict transfer. In this light, we have reorganized your current (LOCAL) policy to avoid redundancy and have added a provision that the district "explore transfer options with another school district." With the generalization of the transfer statement, we have deleted a provision—not required by law or TEA guidance—that the district would transport these students to their new school. New to the policy is language:

- delegating to the superintendent (or the superintendent's designee) authority to receive and expedite school safety transfer requests.
- establishing time lines—as specified by TEA—for notification of transfer rights and for approval of transfer requests.
- requiring retention of relevant records for five years, as specified by TEA.

ADDITIONAL TRANSFER OPTIONS, on page 2, has been added to acknowledge the right of a parent whose student has been the victim of a sexual assault—within circumstances added to the Education Code by HB 308—to transfer to another classroom or school OR to request that the assailant, if on the same campus as the student, be transferred to another school. [See FDD(LEGAL) explanatory note and text for additional information.]

TEA's July 22, 2005, "To the Administrator Addressed" communique on NCLBA transfer requirements may be found at http://www.tea.state.tx.us/nclb/PDF/SSCONotice0705.pdf.

Explanatory Notes

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FEA (LEGAL) ATTENDANCE
COMPULSORY ATTENDANCE

HB 1575 from the 79th regular session prompts two changes to this policy. Both changes became effective on June 18, 2005:

- At AFFIRMATIVE DEFENSE—STUDENT, on page 5: the affirmative defense to prosecution of a student for nonattendance may now be used only if—after deducting involuntary absences and excused absences—the number of remaining unexcused or voluntary absences is insufficient to constitute an offense.
- At DISTRICT COMPLAINT OR REFERRAL, the district now has only seven school days—from the student's last absence—to file a complaint for nonattendance or refer the student to a juvenile court for conduct indicating a need for supervision.

In addition to these changes, the policy has been refined throughout to more closely track statutory language and, with new margin notes, to improve the mapping of the material.

For more information, see TEA's August 2, 2005, "To the Administrator Addressed" correspondence regarding attendance, admission, enrollment records, and tuition at http://www.tea.state.tx.us/taa/legal080205.html.

FFAC (LEGAL) HEALTH REQUIREMENTS AND SERVICES
MEDICAL TREATMENT

At PRESCRIPTION MEDICATION AND SPECIAL EDUCATION STUDENTS, on page 4, appears a new section drawn from the December 2004 reauthorization of the Individuals with Disabilities Education Act. The Act now prohibits an employee of the district from requiring a student to obtain—as a condition of attending school or being evaluated for or receiving special education services—a prescription for a controlled substance.

FFAF (LEGAL) HEALTH REQUIREMENTS AND SERVICES
INDIVIDUALIZED HEALTH PLAN

FFAF is a new policy code established to house provisions applicable to INDIVIDUALIZED HEALTH PLANS, such as those called for by HB 984 (from the 79th regular session) for students with diabetes.

The legislation, effective June 18, 2005, requires a three-pronged approach by parents and schools:

- Development of a diabetes management and treatment plan (DMTP) by the parent and the physician responsible for treating the student's diabetes.

  This plan, signed by the parent and physician, must identify the health-care services the student may receive at school and assess the student's ability to manage his or her diabetes. The plan must be submitted to the school by the beginning of the school year or upon the later enrollment of the student, or as soon as practicable after diagnosis.

- Development of an individualized health plan (IHP) for the student by the principal or designee and the school nurse (if one is assigned to the school).

  This plan must be developed in collaboration with the parent, the physician (to the extent practicable) and at least one of the student's teachers.

- Development of campus procedures and resources to provide the required care to diabetic students.

  The campus will attempt to ensure the availability of a school nurse or unlicensed diabetes care assistant (UDCA), under the supervision of the principal. A UDCA may be a school employee who volunteers to

perform this duty or an employee of the local health department or other entity with which the district has contracted for this service. Each UDCA must be appropriately trained by the school nurse or a health-care professional having expertise in the care of diabetics. Training must be in accordance with guidelines promulgated by the Texas Diabetes Council of the Texas Department of State Health Services.

Additionally, the principal must make efforts to have at least one UDCA if a school nurse is assigned full-time to the campus and at least three UDCAs if there is no full-time nurse. School employees who transport or supervise students during off-campus activities must be given specific information regarding diabetic students in their charge: the identification of the diabetic student, potential emergencies and appropriate responses to emergencies that may arise as a consequence of the diabetes, and an emergency contact number.

The law provides UDCAs liability protection under the general immunity applicable to school district professional employees. They are also sheltered from claims regarding unlicensed practice of medicine, while school nurses are held harmless for the actions of a UDCA.

The Texas Diabetes Council released its "Guidelines for Training Unlicensed Diabetes Care Assistants" in July. This and many other resources relating to diabetes in a school setting may be found at http://www.tdh.state.tx.us/diabetes/default.htm.

FFG (LEGAL) STUDENT WELFARE
CHILD ABUSE AND NEGLECT

HB 1970, from the 79th regular session and effective September 1, 2005, prompts the following changes:

- At TO WHOM REPORTED on page 2: new language in the introductory paragraph clarifies that a report of alleged or suspected abuse or neglect must always be made to the Texas Department of Family and Protective Services:
  - **if** the abuse or neglect involves a person who is responsible for the care, custody, or welfare of the child, and
  - **unless** the report is made to the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred OR the report involves a juvenile justice program or facilities (e.g., a juvenile justice alternative education program).

  Otherwise the report should be made to any of the four agencies that continue to be specified by law.
- At REPORTS TO DISTRICT on page 3: DFPS is newly required to provide the superintendent a written report if its investigation of abuse or neglect involves a student and a district employee. Previously DFPS was obligated only to orally notify the superintendent that an investigation had been initiated.

FFG (EXHIBIT) STUDENT WELFARE
CHILD ABUSE AND NEGLECT

This exhibit has been revised to reflect HB 1970 changes described at FFG(LEGAL): reports of alleged or suspected abuse or neglect must always be made to the Texas Department of Family and Protective Services (Child Protective Services) in the circumstances described in the explanatory note at FFG(LEGAL).

Please note: Blanks are provided in the first paragraph and at "To whom do I make a report?" for contact information related to reporting child abuse and neglect of a student. Please supply your Policy Consultant/ Analyst with the appropriate information so that a completed exhibit can be returned to you for inclusion in your Localized Policy Manual.

FL (LEGAL) STUDENT RECORDS

At DESIGNATION OF DIRECTORY INFORMATION, beginning on page 7, are key provisions of SB 256 from the 79th regular session that became effective on June 17, 2005. The text attempts to reconcile "public infor-

mation" under the Texas Public Information Act with "directory information" under the federal Family Educational Rights and Privacy Act (FERPA). In short, FERPA now controls what is subject to public disclosure for purposes of student records.

The legislation also addresses the content and form of the ANNUAL NOTICE that FERPA requires to be given to parents regarding their right to withhold some or all directory information on their children:

- specific language that the district must use to fulfil the FERPA requirement;
- a requirement that this language appear in 14 point (or larger) boldface type; and
- the inclusion of a form—on that page or the next—that allows the parent to check off or list directory information he or she does not wish disclosed, to object to the required release of directory information to a military recruiter or institution of higher education, and to consent to release certain directory information for limited school-sponsored purposes.

On page 4, a federal provision regarding release of visa information—previously found in FD(LEGAL)—has been moved to this policy. That provision, from the Enhanced Border Security and Visa Entry Reform Act of 2002, requires the release—to any of the federal and state agencies listed at item 3 on page 3—of personally identifiable information otherwise protected from disclosure when the student is holding an F, J, or M visa.

FL (LOCAL) STUDENT RECORDS

DIRECTORY INFORMATION, on page 4, includes the full list of categories so defined by the Family Educational Rights and Privacy Act (FERPA). To fulfill SB 256 requirements, each district must designate, in policy, the categories of information it will treat as "directory information" and make accessible to third parties without parental consent. FERPA also requires districts to allow parents to object to the release of one or more categories of this information.

If you wish to delete any of the items listed as directory information on page 4, please contact your Policy Consultant/Analyst.

Please note: This (LOCAL) policy version is for districts in which the principal is custodian of all records for currently enrolled students at the assigned school and for students who have withdrawn or graduated. If this information does not reflect your current practice, please contact your Policy Consultant/Analyst so we can update our records and issue you the correct policy text.

FL (EXHIBIT) STUDENT RECORDS

The information contained in this exhibit—addressing the confidentiality of personally identifiable information for students, the limitations on directory information, and the rights of parents under the Family Educational Rights and Privacy Act—is more appropriately published in student handbooks or, if the district prefers, distributed separately at the beginning of each year or when a student later enrolls. In that light and because of the specific requirements of SB 256 governing the directory information notice and parental consent form, we recommend deletion of this exhibit from the district's policy manual.

This exhibit has long been incorporated in the TASB Model Student Handbook issued each spring. The 2005–06 version was rereleased on July 7 to address SB 256 requirements—as well as other legislative changes—and to provide districts with a directory information consent form compatible with SB 256.

Both this exhibit and the new parental consent form may also be found in the FL(EXHIBIT) in the ***TASB Regulations Resource Manual***, available via MyTASB to policy administrators.

Explanatory Notes

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FMF (EXHIBIT) STUDENT ACTIVITIES
CONTESTS AND COMPETITION

This notice regarding anabolic steroids has been more appropriately moved to FNCF (Student Conduct: Alcohol and Drug Use). Please delete FMF(EXHIBIT) in favor of FNCF(EXHIBIT), included in this update packet.

FNAA (LOCAL) STUDENT EXPRESSION
DISTRIBUTION OF NONSCHOOL LITERATURE

In June 2005, Policy Service issued the second of a two-part response to two issues—distribution of non-school literature on school premises and use of district facilities for nonschool purposes—that have given rise to First Amendment challenges against district policies and practices in Texas and around the nation. Four policy codes are implicated:

- regarding students: FNAA and FNAB.
- regarding the community: GKD and GKDA

The ***Starting Points*** policy development tool kits on these issues guide the district in reviewing and refining these policies in light of these challenges and to ensure that local policy provisions for these four policies are coordinated. The tool kits are available to policy administrators via MyTASB at https://www.tasb.org/docs–mytasb/gov_svcs/policy_svc/amendment_sp/index.shtml.cfm.

FNC (LEGAL) STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT

HB 283 from the 79th regular session further specified the scope of each district's discipline management program. The legislation, effective June 18, 2005, requires the program to address education regarding and prevention of unwanted physical or verbal aggression, sexual harassment, and other forms of bullying on school grounds and in school vehicles.

FNCF (EXHIBIT) STUDENT CONDUCT
ALCOHOL AND DRUG USE

This exhibit, recoded from FMF, addresses the long-standing requirement that districts post cautionary notices regarding use of anabolic steroids in school gyms and other places where physical education classes are conducted.

Please note: The 79th Legislature—in the form of HB 3563—ordered the University Interscholastic League to adopt rules prohibiting a student from participating in an athletic competition sponsored or sanctioned by the League unless the student agrees not to use steroids and the parent acknowledges in writing the statements that are found in this exhibit.

UIL is also required to:

- develop an education program—before September 1, 2005—for students participating in UIL athletic activities and for their parents and coaches regarding the health effects of steroid use.
- make the program available to districts.
- work with public or private entities to study the effectiveness of the program.

During the 2005–06 school year, UIL must measure the extent of illegal steroid use by high school students and the number of districts that test high school students for illegal steroids. UIL is further charged with the responsibility of developing a plan for testing students engaged in UIL athletic activities for illegal steroids.

Finally, UIL must file a written report with the Legislature—not later than December 1, 2006—regarding the use survey, the effectiveness study of educational programs, and the testing plan. The bill directly states that, if the Legislature is not satisfied that the educational program has significantly reduced student use of illegal steroids, it may require UIL to implement the testing plan (and authorizes UIL to raise membership fees to pay for the testing).

Concurrently, TEA, working with the Department of State Health Services, must develop information about the use of anabolic steroids and associated health risks and distribute the information to school districts. (This was apparently accomplished more than a month before passage of the legislation by a joint communication from the commissioner of education and the commissioner of health: http://www.tea.state.tx.us/taa/comm042605.pdf.) The State Board of Education has not yet determined at which grade levels this information is to be distributed.

FO (LEGAL) STUDENT DISCIPLINE

Legislation enacted in the 2003 regular session required a district to specify in its student code of conduct whether self-defense might be considered a mitigating factor for offenses that would ordinarily prompt suspension, placement in a disciplinary alternative education program, or expulsion. In the 2005 regular session, by means of HB 603 (effective June 17, 2005), the Legislature added three further considerations:

- Intent or lack of intent at the time the student engaged in the conduct,
- A student's disciplinary history, or
- A disability that "substantially impairs the student's capacity to appreciate the wrongfulness of [his or her] conduct."

A district is not required to take these factors into consideration but, if it does, the decision to do so must be expressed in the student code of conduct. (See STUDENT CODE OF CONDUCT, item 4, on page 1)

At item 5, on page 1, text—also from HB 603—has been added to clarify that districts are not required to specify minimum terms of DAEP placement or expulsion (except as otherwise provided by statute).

HB 283, also from the 79th regular session, expands the scope of the student code of conduct to include two new items:

- A prohibition of bullying, harassment, and making hit lists and ensuring that district employees enforce these prohibitions. (See item 7 on pages 1 and 2 for the specific language and the definitions of "bullying," "harassment," and "hit list.")
- Providing grade level–appropriate methods for managing and disciplining students and preventing and intervening in student discipline problems, including bullying, harassment, and making hit lists. (See item 8 on page 2 for the specific language.)

These new student code of conduct requirements are addressed in the ***TASB Model Student Code of Conduct***, released on June 21, 2005.

Please note: HB 383 from the 79th regular session amends Family Code 151.001 to include the following language (effective September 1, 2005):

> "Only the following persons may use corporal punishment for the reasonable discipline of a child:
>
> - the parent or grandparent of the child;
> - a stepparent of the child who has the duty of control and reasonable discipline of the child; and
> - an individual who is a guardian of the child and who has the duty of control and reasonable discipline of the child."

Close review by TASB attorneys has found that the intent of the language was to clearly empower grandparents, stepparents, and guardians to use corporal punishment without fear of a *de facto* claim of child abuse. Moreover, the legislature left intact existing authority permitting districts to administer corporal punishment (see page 4 for cites to federal cases in that regard and DH(LEGAL) regarding professional immunity relating to student discipline). Believing that sufficient legal authority exists for school personnel to administer corporal punishment, TASB Legal Services has not included those provisions of HB 383 in this (LEGAL) policy but urges districts to confer with local legal counsel regarding that reading.

Be aware also that, on July 27, 2005, the commissioner requested an attorney general's opinion on the applicability of Family Code 151.001 to corporal punishment administered within a school setting. The request went on to pose related questions: whether corporal punishment may be administered with the consent of or over the objection of the parent (or other person named in the new provision). Full text of the request may be found at http://www.oag.state.tx.us/opinions/requests_ga/RQ0369GA.pdf.

Please also note: This (LEGAL) version, which includes provisions on corporal punishment, is for districts that allow that method as one of their discipline management techniques. If your district does not allow the use of corporal punishment, please contact your Policy Consultant/Analyst so we can update our files and issue the correct (LEGAL) version for your manual.

FOA (LEGAL) STUDENT DISCIPLINE
REMOVAL BY TEACHER

HB 603 from the 79th regular session newly requires that a student removed from class by a teacher for assault or sexual assault on the teacher or attempted murder against the teacher cannot be returned to the class without the teacher's consent. Effective on June 17, 2005, this addition to Chapter 37 prevents a placement review committee from returning the student to the teacher's class—over the teacher's objection—as it might for other removals by the teacher and further provides that consent cannot be coerced. (See RETURN TO CLASS on page 1.)

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

Changes from the 79th regular session are as follows:

- At SEXUAL ASSAULT OF ANOTHER STUDENT, on page 2, are provisions of HB 308 that provide for the transfer of a student convicted or otherwise adjudicated for sexually assaulting another student assigned to the campus. If the district does not have another campus serving the grade level of the assailant and upon request of the parent of the victim, the assailant must be placed in a disciplinary alternative education program or a juvenile justice alternative education program. Time limits ordinarily associated with DAEP or JJAEP placements do not apply. This provision is reflected in the ***TASB Model Student Code of Conduct*** released June 21, 2005.
- At ACTIVITIES, on pages 5 and 6, is new language from HB 603 from the 79th regular session that adds to the tangle of notification requirements. Previously, the superintendent was required to notify all instructional and support personnel:
  - responsible for supervising a student arrested or taken into custody by a law enforcement agent, or
  - who have regular contact with a student convicted (or otherwise adjudicated) of a reportable offense.

  The law in the first circumstance above includes a specific confidentiality requirement; in the second circumstance, it does not.

  Effective June 17, 2005, the law also now requires:

  - the principal or designee to notify "each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, the instruction of [the] student."

- notification for ANY offense for which the student must or may be placed in a DAEP or expelled—independent of any action taken by the criminal justice system. [FOC(LEGAL) addresses the DAEP component of this requirement; FOD(LEGAL), the expulsion component.]
- the information be kept confidential from any person not entitled to the information. Intentional failure to keep the information confidential may prompt suspension or revocation of an educator's certificate.

- At ENROLLMENT IN ANOTHER DISTRICT, on page 6 and also from SB 603, is new language requiring notification of staff when a student in a DAEP in one district attempts to enroll in another district before the expiration of the term of placement. The provision mirrors that at ACTIVITIES regarding who must be notified and confidentiality.

ADDITIONAL PROCEEDINGS, on page 9, has been added to reflect legislation enacted in the 78th regular session: a student in a DAEP who engages in further misconduct (for which DAEP placement is appropriate) may be assessed an additional term of placement.

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

HB 1095 from the 79th regular session expands Section 22.11, found on page 2, to include intentional harassment of a public servant (a term encompassing district employees). The language expands the existing bodily fluids statute to protect any public servant performing an official duty. The effective date of this language is September 1, 2005.

FOD (LEGAL) STUDENT DISCIPLINE
EXPULSION

The SB 603 notice requirement added to FOC(LEGAL) applies to expulsions as well. This revised requirement appears at NOTICE OF EXPULSION ORDER: TO STAFF, on page 6. [See the explanatory note at FOC(LEGAL) for further information.]

FOD (LOCAL) STUDENT DISCIPLINE
EXPULSION

Your current (LOCAL) policy at this code—addressing the expulsion hearing process—includes time-sensitive information most relevant to students and parents. Because the board-adopted Student Code of Conduct is the primary vehicle of information for students and parents on issues of discipline, these provisions are more appropriately placed in that document than in the board policy manual. To eliminate redundancy and prevent confusion, we recommend that this policy be deleted.

GBA (LEGAL) PUBLIC INFORMATION PROGRAM
ACCESS TO PUBLIC INFORMATION

Changes arising from the 79th regular session are as follows:

- A new INVESTMENT INFORMATION section has been added to page 2 to reflect SB 121 (effective immediately). This section is essentially a highly summarized reference pointing to a lengthy list of disclosable information that will soon be codified in Government Code 552.0225. In the interim, this information is accessible at the Texas Legislature Online: http://www.capitol.state.tx.us. [79th regular session, SB 121 text, enrolled version]
- A companion piece—regarding investment information that is not disclosable—is found at item 28, on page 8.

- At item 27 appears a new SOCIAL SECURITY NUMBERS section. In accordance with SB 1485, effective immediately, districts are now authorized to withhold Social Security numbers of living persons.

GBAA (LEGAL) INFORMATION ACCESS
REQUESTS FOR INFORMATION

Changes arising from the 79th regular session and effective September 1, 2005, are as follows:

- SB 727 transfers the Texas Building and Procurement Division's responsibility regarding public records to the attorney general's office. This shift is reflected at SIGN, on page 1, and throughout this policy. In addition:
  - The law newly considers as withdrawn any public information request for which the requestor does not complete examination of the records within ten business days after the records are made available, if a request for additional time is not filed. (See EXAMINATION, on page 2).
  - Previous law specified that, for requests that require programming or manipulation of data, the officer for public information has 20 days (plus an additional ten if an extension is needed) in which to provide the requestor a statement of estimated cost and time required to fulfill the request. The legislation newly requires that the requestor has 30 days to respond after this information is received. If the requestor does not respond within this time frame, the request is to be considered withdrawn. (See FURTHER ACTION on page 4).
  - Finally, the legislation requires that when a district sends to the attorney general written comments stating why an exception to the Opens Records Law applies the district also send a copy to the person who requested the information. The district must redact from the copy any comments disclosing the substance of the information in question. (See ADDITIONAL INFORMATION, on pages 6 and 7.)
- SB 623 specifies that the district has ten days—from the day that the requestor pays the deposit or posts bond for payment of the anticipated cost of preparing a copy of public information—to provide the information or request an attorney general's opinion. Also, if the requestor fails to make the deposit or post bond in a timely manner, the request must be considered withdrawn. (See DEPOSIT OR BOND, on page 10.)

GND (LEGAL) RELATIONS WITH EDUCATIONAL ENTITIES
STATE EDUCATION AGENCY

Changes arising from the 79th regular session are as follows:

- At INTERNET DISSEMINATION, on page 4, is added the SB 3297 requirement—also found at BR (LEGAL) in this update—regarding Internet posting of the most recent performance ratings of the district.
- At PAPERWORK REQUIREMENTS, on page 5, is found the SB 493 provision—also appearing at DLB(LEGAL) in this update—authorizing the commissioner to undertake a special accreditation investigation of a district for repeated complaints regarding excessive paperwork imposed on teachers.

See the explanatory notes for these referenced codes for further information.

Budget Change Requests

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Gary W. Williams

Background Information:
After adoption of the official budget each year, there are requests to change appropriations that arise for several reasons:

The PTO, booster club or some other similar organization desires to purchase some items for the school. According to regulation, these gifts must be reflected in the accounting records of the District and thus require a budget change request.

At each school, the principal maintains a "club" fund of which part is derived from the sale of soft drinks and school supplies. Traditionally, the principals have been allowed to use such funds at the campus at which they are generated. To use these funds, the principal must make a budget change request.

During the course of the fiscal year, most of the organization heads realize a need to transfer appropriations from account to account due to changing needs. Due to unforeseen circumstances, additional appropriations are occasionally required. Such an instance might be emergency repairs to a roof. The budget is a flexible document. Budget change requests are the way that accountability for that flexibility is maintained.

Fiscal Implication:
The fiscal implications of the budget change requests are noted in the attached document.

Administrative Recommendation
The administration recommends approval of the budget requests as presented.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

NOVEMBER 2005
BUDGET CHANGE REQUESTS

La Vega High Club Fund
(Club Fund for PSAT/NMOT)
$597.00

La Vega High Club Fund
(Club Fund reimburse the District)
$805.74

Gift from Bellmead Lions Club
(General Supplies District Gifted & Talented)
$500.00

TOTAL $1,902.74

Quarterly Investment Report Amendments

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Gary W. Williams

Background Information:
Attached are amendments to the Quarterly Investment Report which was presented to the Board on October 18, 2005.

Fiscal Implication:
N/A

Administrative Recommendation:
Board approval of the amendments to the Quarterly Investment Report.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

LA VEGA INDEPENDENT SCHOOL DISTRICT
STATEMENT OF INVESTMENT POSITION-BY FUND
AS OF AUGUST 2005

FUND	CHECKING	TEXPOOL	TEXAS TERM	LONE STAR POOL	MBIA INVESTORS	Am-BANK BOND ACCT	TOTAL BY FUND
OPERATING FUND	$ 397,498.92	$ 11,809.96	$ 919.15		$ 4,486.90		$ 414,714.93
PAYROLL FUND	456,657.50		1,041.24	$ 2,429.92			460,128.66
FOOD SERVICE	16,920.29		25,796.86	0.00			42,717.15
CHALLENGE ACADEMY	16,286.56	128,587.90					144,874.46
SCHOLARSHIP FUND	6,353.99						6,353.99
INTEREST & SINKING FUND	14,575.92	0.00			179,255.93		193,831.85
CAPITAL PROJECTS FUND				0.01	35,955.38		35,955.39
CONSTRUCTION FUND			6,174,668.67				6,174,668.67
BOND ACCOUNT						$ 5,722,875.57	5,722,875.57
TOTAL BY TYPE	**$ 908,293.18**	**$ 140,397.86**	**$ 6,202,425.92**	**$ 2,429.93**	**$ 219,698.21**	**$ 5,722,875.57**	**$ 13,196,120.67**

LA VEGA INDEPENDENT SCHOOL DISTRICT
DETAIL OF TRANSACTIONS FOR MBIA-INVESTMENT POOL
QUARTER ENDED 08/31/05

CAPITAL PROJECTS

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL.05/31/05				$35,664.59	$35,664.59
06/30/05			88.53	35,753.12	
07/31/05			97.60	35,850.72	
08/31/05			104.66	35,955.38	
BAL. 08/31/05				**35,955.38**	**$35,955.38**

INTEREST & SINKING

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL 05/31/05				$177,806.37	177,806.37
06/30/05			441.32	178,247.69	
07/31/05			486.52	178,734.21	
08/31/05			521.72	179,255.93	
BAL. 08/31/05				**179,255.93**	**$179,255.93**

GENERAL FUND

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL 05/31/05				708,088.38	$708,088.38
06/24/05		(555,350.00)		152,738.38	
06/30/05			1,381.43	154,119.81	
07/27/05		(150,000.00)		4,119.81	
07/30/05			354.02	4,473.83	
08/31/05			13.07	4,486.90	
BAL. 08/31/05				**4,486.90**	**4,486.90**
GRAND TOTAL AT 08/31/05				**219,698.21**	

ACTION / DISCUSSION ITEMS

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
N/A

Background Information:
The following items are included for board discussion and possible action.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

Consider Approval of Resolution of Votes Cast to Elect Directors for the McLennan County Appraisal District for the Years 2006-2007

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
See attached.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

Motion: _____

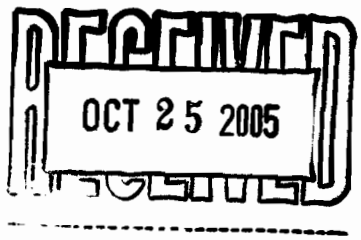
Second: _____

For: _____

Against: _____

Abstain: _____

McLENNAN COUNTY APPRAISAL DISTRICT



October 24, 2005

LaVega Independent School District
Mr. Phil Bancale, President
3100 Bellmead Dr.
Waco, TX 76705

Dear Mr. Bancale:

Enclosed with this letter is the official ballot for selection of the five (5) member Board of Directors of the McLennan County Appraisal District (2006-2007 term). You may cast all of your votes for one candidate or distribute them among any number of candidates. After casting your unit's votes by written resolution, you must return the ballot and resolution to Robert L. Waldrop, Chief Appraiser before December 15, 2005. Ballots received or post marked after December 14, 2005 cannot be counted.

I will notify you of the election results by December 31, 2005. If you have any further questions concerning this matter, please do not hesitate to contact me.

Respectfully submitted,

Robert L. Waldrop, RPA
Chief Appraiser

Enclosure (1)

P.O. Box 2297 216 North 6th Street Waco, Texas 76703 (254) 752-9864 (254) 752-8225 fax
www.mclennancad.org

STATE OF TEXAS §
COUNTY OF McLENNAN §

TAXING UNIT NO. 28

OFFICIAL BALLOT

SELECTION OF FIVE (5) MEMBER BOARD OF DIRECTORS
FOR McLENNAN COUNTY APPRAISAL DISTRICT

LaVega Independent School District

IS ENTITLED TO CAST A TOTAL OF **165** VOTES.

ENTER THE NUMBER OF VOTES IN THE SQUARE OPPOSITE THE NAME OF THE CANDIDATE INDICATING THE NUMBER OF VOTES YOU WISH TO CAST FOR THAT CANDIDATE. YOU MAY CAST ALL OF YOUR VOTES FOR ONE CANDIDATE OR DIVIDE THEM AMONG ANY NUMBER OF CANDIDATES. PLEASE VERIFY THAT THE TOTAL VOTES CAST MATCH THE ENTITLED VOTES SHOWN ABOVE. BALLOTS SUBMITTED WHERE THE NUMBER OF VOTES CAST EXCEED THE NUMBER OF ENTITLED VOTES CANNOT BE COUNTED.

NUMBER OF VOTES	NOMINEE	NUMBER OF VOTES	NOMINEE
	TERRY ARP		**JOE FRANK HOLDER**
	ARTIE BUTLER		**BILLY HUBERT**
	DONALD CERNOSEK		**WILLIAM (BILL) MAHON**
	BRAD DAVIS		**PASCAL OUELLETTE**
	JOHN EMBRY		**RANDY RIGGS**
	IVAN GREEN		**ALLEN SYKES**
	RUTH HAINES-FIELDS		

BALLOT AND RESOLUTION MUST BE RETURNED TO ROBERT L. WALDROP, CHIEF APPRAISER, BEFORE DECEMBER 15, 2005. BALLOTS RECEIVED OR POSTMARKED AFTER DECEMBER 14, 2005 CANNOT BE COUNTED.

TAXING UNIT: La Vega Independent School District

RESOLUTION OF VOTES CAST TO ELECT DIRECTORS FOR THE McLENNAN COUNTY APPRAISAL DISTRICT FOR THE YEARS 2006-2007

WHEREAS, Section 6.03 (k) of the Texas Property Tax Code, requires that each taxing unit entitled to vote cast their vote by Resolution and submit results of that vote to the Chief Appraiser of the McLennan County Appraisal District before December 15, 2005.

THEREFORE, the La Vega Independent School District submits the attached Official Ballot, as issued by the Chief Appraiser, stating the vote for candidates for the election of the Board of Directors for the McLennan County Appraisal District for 2006-2007.

ACTION TAKEN this 15th day of November, 2005, in Open Session of the governing body of the above mentioned taxing unit; as authorized under Section 6.03 of the Texas Property Tax Code, for the purpose of casting votes to elect the Board of Directors of the McLennan County Appraisal District.

_____

_____

_____

_____

ATTEST:

_____

Discussion of Budgetary Matters Related to the FY 2005-06 Budget

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
Will be provided at the board meeting.

Fiscal Implication:
Will be provided at the board meeting.

Administrative Recommendation:
Will be provided at the board meeting.

Motion:

Second:

For:

Against:

Abstain:

Discussion of Liability Issues Surrounding the Incident at McLennan County Challenge Academy on January 11, 2005

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
Will be provided at the board meeting.

Fiscal Implication:
Will be provided at the board meeting.

Administrative Recommendation:
Will be provided at the board meeting.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

CLOSED MEETING

A. Discussion Regarding Personnel Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, Dismissal, Complaint, or Charges

1. Discussion of Liability Issues Surrounding the Incident at McLennan County Challenge Academy on January 11, 2005

B. Confer with Employees of the School District to Receive Information or to Ask Questions (If Needed)

C. Discussion Regarding Student Discipline (If Needed)

D. Consultation with District's Attorney (If Needed)

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
The Board may enter into a closed meeting after the following requirements have been met:

1. A quorum of the Board has first been convened in open meeting for which notice has been given.
2. The presiding officer has publicly announced in open meeting that a closed meeting will be held.
3. The presiding officer has identified the section or sections of the Open Meetings Act or other applicable statutes that authorize the holding of such closed meeting.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

A closed meeting was declared at _____.m. on _____, 2005 to

discuss: _____

_____

The closed meeting ended at _____.m. on _____, 2005.

ADJOURNMENT

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Date and Time: _____

SCHWARTZ & EICHELBAUM, P.C.

November 1, 2005

As a benefit of our relationship with you and your trustees, it is our pleasure to present you with Schwartz & Eichelbaum, P.C.'s first edition of ***"The Board Minutes."***

"The Board Minutes" serves to educate or remind trustees and administrators of critical legal requirements and practical pointers pertaining to meeting management and other governance concerns. This one page, bimonthly resource was designed to be an easy addition to your board packets.

We are convinced ***"The Board Minutes"*** will quickly become a helpful and relied upon tool to assist you in keeping your trustees armed with timely information and sound legal perspective. ***"The Board Minutes"*** will be provided to you at no charge as a function of our emphasis on preventive law and our client association with your district.

Of course, we would appreciate feedback from you or your board members on this publication and any areas of concern you would like us to address in upcoming editions. Please address your comments or questions to information@edlaw.com.

Enjoy!

SCHWARTZ & EICHELBAUM, P.C.

Schwartz & Eichelbaum, P.C.

November 1, 2005

The Board Minutes

Contractor / Vendor Grievances

In the 2005 legislative session, the Texas Legislature explicitly waived school districts' immunity for breach of written contract claims. As a result, we have recommended that districts develop policies requiring contractors and vendors to file any grievances that they may have with the school district before filing suit in court. By adopting such a policy and incorporating the policy into contracts, contractors and vendors are put on notice that filing a grievance with the district will be a prerequisite to filing suit against the district.

Requiring contractors and vendors to file their grievances with the district before filing suit allows a school district to have notice of any potential breach of contract claims and the chance to take care of claims before they reach the expensive process of litigation. Districts that have adopted such policies have incorporated them either into their existing policy at GF(LOCAL) on Public Complaints or into their C policies covering Businesses and Support Services. Please feel free to contact our office if interested in sample policy language.

The Board Minutes is a one page resource distributed twice every month by Schwartz & Eichelbaum, P.C. to educate or remind trustees of critical legal requirements and practical pointers pertaining to school district management. If you have questions or would like more information, please contact our office at 800.488.9045.

Austin **D/FW Metroplex** **East Texas**

information@edlaw.com • 800.488.9045

www.edlaw.com