Notice of Regular
Board of Trustees
December 20, 2005

A Regular of the Board of Trustees will be held on December 20, 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 -- Board President
II. Opening Ceremony --
III. Review and Approve Listing of Agenda Items -- Board President
IV. Public Participation -- Board President
V. Recognition Items -- Dr. Monte Geren
VI. Special Reports --
    A. Construction Report -- Mr. Gary W. Williams and Mr. Cliff Brown
    B. Legislative Report -- Dr. Tamra Walthall
    C. Superintendent's Report -- Dr. Monte Geren
VII. Departmental Reports --
    A. Update on Status of TAKS Testing for LVHS Seniors -- Dr. Sharon M. Shields
VIII. Consider Approval of Consent Agenda Items --
    A. Minutes for Meetings Held -- 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
        1. Consider Approval of Part Time Coach at La Vega High School --
    C. Textbook Update -- Ms. Maria Green
    D. Monthly Budget Analysis Report -- Mr. Gary W. Williams
    E. Tax Collection Report -- Mr. Gary W. Williams
    F. Budget Change Requests -- Mr. Gary W. Williams
    G. Quarterly Investment Report -- Mr. Gary W. Williams
    H. Consider Approval of Legal Services Contract with Schwartz & Eichelbaum, P.C. -- Dr. Monte Geren
IX. Action / Discussion Items --
    A. Consider Authorization for La Vega High School NJROTC Unit to Train and Maintain an Air Rifle Marksmanship Team -- Dr. Monte Geren and Commander Gene Haney
    B. Consider Approval of 2004-2005 Fiscal Year Financial Audit -- Mr. Gary W. Williams
    C. Consider Approval of Change Order for La Vega Primary Center Construction Project -- Mr. Gary W. Williams and Mr. Cliff Brown
    D. Consider Approval of Change Order for La Vega Elementary School Construction Project -- Mr. Gary W. Williams and Mr. Cliff Brown
    E. Consider Approval of Contract Award for Asbestos Abatement at La Vega Elementary School -- Mr. Gary W. Williams

F. Distribution of Documents for Appraisal of the Superintendent -- Dr. Monte Geren and Mr. Al Bishop

G. Consider Approval of Acceptance of Bid for Delinquent Tax Property Located at 4708 Iowa Street in Bellmead -- Mr. Gary W. Williams

H. First Reading of Texas Association of School Boards (TASB) Localized Policy Manual Update 77 Affecting (LOCAL) Policies -- Mr. Al Bishop

1. BBD (LOCAL) Board Members: Training and Orientation --
2. CPC (LOCAL) Office Management: Records Management --
3. DAB (LOCAL) Employment Objectives: Objective Criteria for Personnel Decisions --
4. DBA (LOCAL) Employment Requirements and Restrictions: Credentials and Records --
5. DBD (LOCAL) Employment Requirements and Restrictions: Conflict of Interest --
6. DFE (LOCAL) Termination of Contract: Resignation --
7. EEH (LOCAL) Instructional Arrangements: Homebound Instruction --
8. EFAA (LOCAL) Instructional Materials Selection and Adoption: Textbook Selection and Adoption --
9. FFA (LOCAL) Student Welfare: Wellness and Health Services --

X. Closed Meeting -- Board President

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

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 --

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

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

La Vega ISD
Primary School
Construction Status
December 16, 2005

Work Item	Status					
	7/19/05	8/15/05	9/16/05	10/13/05	11/14/05	12/16/05
• Sanitary Sewer:	60%	90%	95%	95%	95%	95%
• Storm Water:	60%	90%	90%	90%	90%	90%
• Site Work	40%	40%	40%	60%	70%	70%
• Bus Loop:	0%	0%	0%	0%	0%	40%
• U. G Electrical:	60%	80%	90%	90%	95%	95%
• U. G. Plumbing:	60%	80%	90%	90%	95%	95%
• Remodel Interior CPA	60%	60%	65%	80%	85%	86%
• Structural Steel			25%	75%	90%	95%
• Masonry				20%	50%	85%
• Curb & Gutter					10%	70%
• Metal Stud Framing					15%	50%
• Drywall						40%
• Tape and Bed						10%

Lost Time to Date:

- 11 Weather days, 3 Cement ration days, 1 additional day on Dec. 7, 2005 for freezing rain and sleet. = 15 days.

La Vega ISD
Elementary School
Construction Status
December 16, 2005

	7/19/05	8/15/05	9/15/05	10/13/05	11/14/05	12/16/05	
•	Fire Line Main:	60%	60%	60%	60%	60%	60%
•	Sanitary Sewer:	70%	70%	95%	95%	95%	95%
•	Storm Water:	70%	70%	70%	70%	70%	70%
•	Site Work	15 %	15%	15%	15%	15%	15%
•	Bus Loop:	15%	15%	15%	15%	15%	20%
•	U. G Electrical:	90%	90%	90%	90%	90%	90%
•	Electrical Rough-in				75%	85%	90%
•	U. G. Plumbing:	90%	90%	95%	95%	95%	95%
•	Plumbing Rough-in				85%	85%	90%
•	Masonry	1%	20%	30%	62%	75%	98%
•	Structural Steel			70%	90%	95%	99%
•	Metal Stud Framing			49%	70%	90%	99%
•	Drywall					15%	75%
•	Tape & Bed					15%	40%
•	Painting						* 15%
•	Roofing				70%	90%	90%
•	Fire Sprinkler					50%	60%
•	Ceiling Grid						* 20%

- **Lost time to date:**
- 9 Weather days, 2 Cement ration days, 1 additional weather day for Dec. 7, 05 freezing rain and sleet. = Total 12 days.
- * Indicates new items this month.

La Vega ISD
High School
Construction Status
December 16, 2005

Work Item	Status		
	10/15/05	11/14/05	12/16/05
• Site Work	90%	90%	90%
• Utility Relocation	20%	100%	100%
• Drilled Piers	0	90%	100%
• Storm Water:	0	90%	90%
• U. G Electrical:	0	90%	90%
• U. G. Plumbing:	0	90%	90%
• Concrete Grade Beams	0	100%	100%
• Concrete Floor Slab:	0	75%	100%
• Structural Steel			15%

Lost Time to Date:

1 day on Dec. 7, 05 for freezing rain and sleet.

La Vega High School Summary

December 14, 2005

Item #	RFP #	Description	Amount
1	2.1	Relocate 160 l.f. 12" water line	$ 26,419.00
2	3	Credit to use A-1 Fir e and Safety in lieu of Esquire	$ (22,446.00)
3	4	Relocate 160 l.f. of 4" gas line	$ 3,809.00
4	5	Credit from KMC for revised pricing for Energy Management	$ (12,780.00)
5	7	Delete spare fuses and cabinet as specified	$ (270.00)
6	8	Delete proposed lighting control panel	$ (1,000.00)
7	9	Delete clasroom motion detectors	$ (3,375.00)
8	10	Add 2-1.5" conduits from new electrical room for future technology to the Field House	$ 1,893.00
9	N/A	Fee adjustment for RFP 2.1HS,	$ (2,395.00)
		Total Change in Costs to Date	$ (10,145.00)

Note: $10,145.00 credit to be added to contingency pending final resolution at end of project

Project Guaranteed Maximum Price $1.904,508.00. Changes do not affect GMP at this time.

Lost time 5.5 days

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.

Update on Status of TAKS Testing for LVHS Seniors

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☐ Attached ☐ Provided Later ☒

Contact Person:
Dr. Sharon M. Shields

Background Information:
Will be provided at the board meeting.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

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
November 15, 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, Charles Langlotz, Cliff Brown, Chris Borland, Pat Harvey, Jana Miller, Linda Turnbough, Suzette Gill, Tom English, and Lori Mynarcik.

OTHERS PRESENT - Telly Walthall, Chelsi Gill, Rebecca Munozcano, Matthew Winget, Yesenia Hernandez, Kendra Herrera, Caitlin Lara, Demi Wood, Araceli Roman, Bailee Shelton, Jay Dixon, Holley Koon, Patrick Koon, Vivian Savage, Robert Johnson, Mike Brummett, Curtis Shelton, Nancy Shelton, Lawrence Dixon, Natasha Dixon, Kari Lara, Pam Goff, Jasmine Banks, and Paula Bryant.

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. Members of the newly elected Bellmead Junior City Council led the Pledge to the United States Flag and the Pledge to the Texas Flag.

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

PUBLIC PARTICIPATION - The following person(s) addressed the Board of Trustees during the Public Participation portion of the board meeting:

1. Mike Brummett on the subject of dropping La Vega Primary Center students off on Latimer Street.

RECOGNITION ITEMS

LVHS Student Telly Walthall and Dr. Tamra Walthall, Board Member for Hurricane Relief Efforts - The Board of Trustees recognized LVHS Student Telly

Walthall for volunteering for hurricane victims. Dr. Tamra Walthall, Board Member, was recognized by the Board for her assistance in rescuing stranded animals in the Baton Rouge and New Orleans area after Hurricane Katrina.

LVISHPMC Student Chelsi Gill - The Board of Trustees recognized LVISHPMC Student Chelsi Gill for winning first place in the region for fifth grade in the Heart of Texas Council of Governments Writing Contest.

Bellmead Junior City Council - The newly elected Bellmead Junior City Council was recognized by the Board: Precinct 1 - Matthew Winget, Precinct 2 - Yesenia Hernandez, Precinct 3 - Patrick Koon, Precinct 4 - Kendra Herrera, Precinct 5 - Caitlin Lara, Precinct 6 - Demi Wood, Police Chief - Robert Johnson, Fire Chief - Araceli Roman, City Manager - Bailee Shelton, and Financial Advisor - Jay Dixon.

TMEA All Region Band - The following LVJHSGDC band students were recognized for making the TMEA All Region Band: Stormie Parson and Cherie Scott, Symphonic Band; Michelle Kiss, Maggie Kiss, William Huneke, and Rebecca Nesbitt, Concert Band; and Ryan Lambert and Diana Hernandez, Alternates.

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.

Highly Qualified Teacher Report for 2004-2005 - Mr. Al Bishop, Executive Director for Personnel and Administrative Services, provided the Board Members with the Highly Qualified Teacher Reports for 2004-2005. The No Child Left Behind Act of 2001 (NCLB) requires that the district publicly report progress of the district and its campuses toward meeting the highly qualified teacher requirements. These reports are also available on the TEA NCLB website.

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

- The minutes for the October 18, 2005 regular board meeting;
- The resignations of Paul Brinkman, Donald Hanks, and George Kilgo;
- The LVISD Substitute Pay Program;
- The Monthly Budget Analysis Report as of October 31, 2005;
- The Tax Collection Report as of September 30, 2005;
- The Texas Association of School Boards (TASB) Policy Manual Update 76 Affecting (LOCAL) Policies;
- The following Budget Change Requests totaling $1,902.74 ($597 from the LVHS Club Fund for PSAT/NMOT; $805.74 from the LVHS Club Fund to Reimburse the District; and $500 to the Gifted and Talented Budget - gift from the Bellmead Lions Club); and
- Amendments to the Quarterly Investment Report that was presented at the October 18, 2005 board meeting.

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 Resolution of Votes Cast to Elect Directors for the McLennan County Appraisal District for the Years 2006-2007 - Motioned by Mrs. Watkins and seconded by Dr. Walthall, the Board unanimously approved the resolution of 165 votes cast to elect Mr. Billy Hubert as a Director for the McLennan County Appraisal District for the years 2006-2007.

Discussion and Update on Budgetary Matters Related to the Fiscal Year 2005-2006 Budget - Dr. Geren updated the Board Members on the administration's plans and efforts to reduce the current budget deficit and briefed them on plans to provide and adopt a balanced budget for 2006-2007.

Discussion of Liability Issues Surrounding the Incident at McLennan County Challenge Academy on January 11, 2005 - This item was discussed in closed session.

CLOSED MEETING - A closed session of the Board was declared at 8:10 p.m. on November 15, 2005 as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.075, to confer with employees of the District to receive information or ask questions and 551.071, for a private discussion with the board's attorney. The closed meeting ended at 8:35 p.m. on November 15, 2005.

ADJOURNMENT - On a motion by Mrs. Watkins and seconded by Mr. Jennings, the Board unanimously agreed to adjourn the meeting at 8:53 p.m. on November 15, 2005.

_____

Date of Board Approval

_____

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

_____

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

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 Called Meeting
December 8, 2005

BOARD MEMBERS PRESENT – Phil Bancale, Mildred Watkins, Rodney Outlaw, Dr. Tamra Walthall, Randy Devorsky, and Kevin P. Harris.

BOARD MEMBERS ABSENT – Henry C. Jennings.

SCHOOL PERSONNEL PRESENT – Dr. Monte Geren, Gary W. Williams, Dr. Sharon M. Shields, Al Bishop, and Lori Mynarcik.

OTHERS PRESENT – Lillian Bancale, Roy Walthall, Danny Mynarcik, Jesse Watkins, and Sherri Harris.

CALLED TO ORDER - Mr. Phil Bancale, Board President, established a quorum and brought the board meeting to order at 7:00 p.m. Dr. Monte Geren, Superintendent, led the Pledge of Allegiance to the American Flag and the Pledge to the Texas Flag.

ACTION/DISCUSSION ITEMS

Personnel Items - Resignation, Contract Recommendations/Renewals - None.

Conduct Workshop for Board Training Regarding New Financial Disclosure Requirements - Dr. Geren conducted a workshop on the new disclosure requirements. Effective January 1, if you (1) meet a new definition of "local government officer" and (2) have a employment or business relationship with a person or vendor who does business with your school district, you are required to complete a "Local Government Officer Conflicts Disclosure Statement" (Form CIS) and file the disclosure with the district's records administrator. (House Bill 914 added new provisions to the Local Government Code, Chapter 176.) The disclosure statement is designed to record any employment or business relationship a local government officer may have with a person or vendor.

CLOSED MEETING - A closed session of the Board was declared at 7:10 p.m. on December 8, 2005 as authorized by the Texas Open Meetings Act, Texas

Government Code Section 551.074, to discuss personnel or hear complaints against personnel. The closed meeting ended at 7:34 p.m. on December 8, 2005.

ADJOURNMENT - On a motion by Mr. Harris and seconded by Mr. Outlaw, the Board unanimously agreed to adjourn the called meeting at 7:34 p.m. on December 8, 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

PROBATIONARY CONTRACTS

The following individuals are recommended for a Probationary Contract during the period of July 1, 2005– June 30, 2006:

La Vega High School	**Tracy Stephens** Math Teacher – Step 0 Replacing: Jason Keys

RESIGNATIONS

The following resignations are presented for approval:

Name	Assignment	Reason for Resignation
Jason Keys	BCIS Teacher La Vega High School	Personal

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

COACH (PART-TIME)

Reports To: Director of Athletics

Dept / Campus: Assigned Campus & Level

Pay Grade: P-002

Board Approval: December 2005

PRIMARY PURPOSE:

Assist in providing instruction and coaching students to develop the skills and ability to excel in the sport assigned.

QUALIFICATIONS:

Education/Certification:
High School Diploma or GED
Enrolled in post-secondary institution
Retired with 20+ years of experience in education

Special Knowledge/Skills:
General knowledge of coaching techniques and procedures
Knowledge of University Interscholastic League (UIL) rules
Ability to assist in the instruction and supervision of student athletes
Excellent organizational, communication, and interpersonal skills

Experience:
Some experience as coach or participant in the sport assigned, preferred

MAJOR RESPONSIBILITIES AND DUTIES:

Instruction	1.	Use a variety of instructional techniques and media to meet the needs and improve the abilities of student athletes in the sport assigned.
	2.	Assist in the management and supervision of athletic activities, contests, and practice sessions to promote individual growth in athletic skills, teamwork, and good sportsmanship.
Program Management	3.	Take all necessary precautions to protect student athletes, equipment, materials and facilities both in the classroom and athletic facilities.

Coach (Part-time) cont.

4. Keep informed of and ensure compliance with all UIL rules.

5. Assist in monitoring and enforcing student eligibility criteria for extracurricular participation.

Student Management

6. Accompany and supervise student athletes during athletic competitions in assigned sports on out-of-town trips.

7. Apply and enforce student discipline during athletic contests, practice sessions, and while on trips off school property in accordance with Student Code of Conduct and student handbook.

8. Encourage, by example and through instruction, sportsmanlike conduct in all phases of athletic participation.

Administration

9. Assist in the selection of equipment and instructional materials.

10. Assist in the process of cleaning, repairing, and storing all campus athletic equipment.

SUPERVISORY RESPONSIBILITIES:

None

WORKING CONDITIONS:

Mental Demands:
Ability to communicate (verbal and written)
Ability to instruct
Ability to maintain emotional control under stress

Physical Demands/Environmental Factors:
Districtwide and statewide travel
Irregular hours
Outdoor exposure to sun and heat
Ability to lift and carry 50lb.

Coach (Part-time) cont.

The foregoing statements describe the general purpose and responsibilities assigned to this job and are not an exhaustive list of all responsibilities, duties, and skills that may be required.

Employee	Date
Supervisor	Date

LA VEGA I. S. D. 2005-2006 PROFESSIONAL PAYGRADES

	Job Code	MINIMUM	MID-POINT	MAXIMUM
PAYGRADE: P-0 (Salaries are represented by daily rates.)				
Instructor – MCCA	P-001	$91.54	$111.64	$131.73
Coach (Part-time) – STIPEND ONLY	P-002			
PAYGRADE: P-1 (Salaries are represented by annual rates.)				
Case Worker/Social Worker	P-101	$29,000 ($155.08 daily)	$37,000 ($197.86 daily)	$45,000 ($240.64 daily)
Librarian	P-102			
Registered Nurse	P-103			
Speech Pathologist (non-ASHA certified)	P-104			
Teacher	P-105			
Teacher/Coach	P-106			
Technology Specialist (Technician)	P-107			
Technology Specialist (Trainer)	P-108			
Parent Educator	P-109			
Speech Therapy Assistant	P-110			
Teacher/Intern	P-111			
Migrant/LEP Specialist	P-112			
Athletic Trainer	P-113			
Teacher - Local District Permit	P-114			
PAYGRADE: P-2 (Salaries are represented by annual rates.)				
Coordinator of Curriculum & Instruction	P-201	$38,406	$46,837	$55,267
Counselor (Elementary)	P-202			
Counselor (Secondary)	P-203			
Educational Diagnostician	P-204			
Instructional Facilitator	P-205			
Speech Pathologist (ASHA certified)	P-206			
Instructional Facilitator – Technology	P-207			
Licensed Specialist/School Psychology (LSSP)	P-208			
Reading Coach	P-209			
Math/Science Coach	P-210			
PAYGRADE: P-3 (Salaries are represented by annual rates.)				
Asst. Principal -Instruction/Elementary	P-301	$42,630	$51,988	$61,345
Asst. Principal - Instruction/Secondary	P-302			
Asst. Principal – Student Services	P-303			
Director of Athletics/Head Coach	P-304			
Director of Music/Head Band Director	P-305			
Director of Technology	P-306			
Director of Special Programs	P-307			
Director of Special Education	P-308			
Director of Family Resource Center	P-309			
PAYGRADE: P-4 (Salaries are represented by annual rates.)				
Director of Finance	P-401	$51,664	$63,005	$73,345
Director of Operations – MCCA	P-402			
Principal (Grades PK-8)	P-403			

Approved by the LVISD Board of Trustees ~ December 20, 2005

LA VEGA I. S. D. 2005-2006 PROFESSIONAL PAYGRADES

	Job Code	MINIMUM	MID-POINT	MAXIMUM
PAYGRADE: P-5 (Salaries are represented by annual rates.)				
Principal (Grades 9-12) Executive Director for Personnel & Administrative Services Director of Construction Services	P-501 P-502 P-503	$57,344	$69,932	$82,519
PAYGRADE: P-6 (Salaries are represented by annual rates.)				
Assistant Superintendent for Instructional Services	P-601	$63,650	$77,622	$91,593
PAYGRADE: P-7 (Salaries are represented by annual rates.)				
Deputy Superintendent for Support Services	P-701	$70,651	$86,160	$101,668
PAYGRADE: P-8 (Salaries are represented by annual rates.)				
Superintendent	P-801	$78,501	$95,733	$112,964

Approved by the LVISD Board of Trustees ~ December 20, 2005

LA VEGA I. S. D. 2005-2006 SUPPORT PAYGRADES

	Job Code	MINIMUM	MID-POINT	MAXIMUM
PAYGRADE: S-0 (Wages are represented by hourly rates.) Temporary Clerical Aide	S-001	$6.11	$7.46	$8.80
PAYGRADE: S-1 (Wages are represented by hourly rates.) Receptionist/Nursing & Clerical Aide Clerical Aide Instructional Aide (Regular/Resource Room) Mental Health Evaluation Clerk (MCCA) Instructional Aide (Family Resource Center) Technology Assistant Receptionist	S-101 S-102 S-103 S-104 S-105 S-106 S-107	$7.74	$9.44	$11.13
PAYGRADE: S-2 (Wages are represented by hourly rates.) Counseling Center Clerk Health Aide Special Assignment Aide (Computer Lab) Special Assignment Aide (MCCA) Special Assignment Aide (OCS/AEP) Special Assignment Aide (Special Education) Special Assignment Aide Special Assignment Aide (Family Resource Center) Clerical Aide (Library) CDA Teacher (Family Resource Center)	S-201 S-202 S-203 S-204 S-205 S-206 S-207 S-208 S-209 S-210	$8.52	$10.40	$12.27
PAYGRADE: S-3 (Wages are represented by hourly rates.) Receptionist/Support Services Clerk Secretary – Family Resource Center Warehouse/Accounting Clerk	S-301 S-302 S-303	$9.39	$11.45	$13.51
PAYGRADE: S-4 (Wages are represented by hourly rates.) Administrative Secretary I (Campus) Student Services/Accounting Clerk Administrative Secretary I (Food Service) Payroll Clerk Accounting Clerk Admin. Secretary I (Special Education) Administrative Secretary I – Technology Department Student Accounting Clerk – MCCA Campus Attendance Coordinator	S-401 S-402 S-403 S-404 S-405 S-406 S-407 S-408 S-409	$10.43	$12.72	$15.00

Approved by the LVISD Board of Trustees ~ December 20, 2005

LA VEGA I. S. D. 2005-2006 SUPPORT PAYGRADES

	Job Code	MINIMUM	MID-POINT	MAXIMUM
PAYGRADE: S-5 (Wages are represented by hourly rates.) Administrative Secretary II Administrative Assistant - MCCA Attendance Field Officer Employee Benefits/Personnel Clerk	S-501 S-502 S-503 S-504	$11.57	$14.11	$16.65
PAYGRADE: S-6 (Wages are represented by hourly rates.) Accounts Payable/Purchasing Clerk District PEIMS/Student Services Clerk PEIMS/Personnel Specialist Technology – Asst. Network Manager	S-601 S-602 S-603 S-604	$12.90	$15.74	$18.57
PAYGRADE: S-7 (Salaries are represented by daily rates based on 7.5-hour workdays.) Admin. Asst. to the Supt./Public Info. Officer Admin. Asst. for Personnel & Admin. Services Admin. Asst. for Business Services Technology Assistant/Network Manager Admin. Asst. for Instructional Services Technology Asst./Technician	S-701 S-702 S-703 S-704 S-705 S-706	$112.28	$136.93	$161.57

Approved by the LVISD Board of Trustees ~ December 20, 2005

LA VEGA I. S. D. 2005-2006 AUXILIARY PAYGRADES

	Job Code	MINIMUM	MID-POINT	MAXIMUM
PAYGRADE: A-1 (Wages are represented by hourly rates.) Cafeteria Worker Cafeteria Worker - FRC Security/Patrol Clerk Cafeteria Monitor Temporary Auxiliary	 A-101 A-102 A-103 A-104 A-105	$6.30	$7.68	$9.06
PAYGRADE: A-2 (Wages are represented by hourly rates.) Cook I Custodian Relief Custodian Custodian – LVFRC	 A-201 A-202 A-203 A-204	$6.87	$8.38	$9.89
PAYGRADE: A-3 (Wages are represented by hourly rates.) Cook II Cook III	 A-301 A-302	$7.57	$9.23	$10.89
PAYGRADE: A-4 (Wages are represented by hourly rates.) General Maintenance I Assistant Cafeteria Manager Cafeteria Manager-In-Training	 A-401 A-402 A-403	$8.40	$10.24	$12.03
PAYGRADE: A-5 (Wages are represented by hourly rates.) Cafeteria Manager Head Custodian General Maintenance II Food Service/Warehouse Manager	 A-501 A-502 A-503 A-504	$9.32	$11.37	$13.41
PAYGRADE: A-6 (Wages are represented by hourly rates.) Leadman - General Maintenance Maintenance/HVAC & Refrigeration Technician	 A-601 A-602	$10.34	$12.61	$14.88

Approved by the LVISD Board of Trustees ~ December 20, 2005

LA VEGA I. S. D. 2005-2006 AUXILIARY PAYGRADES

	Job Code	MINIMUM	MID-POINT	MAXIMUM
PAYGRADE: A-7 (Salaries are represented by daily rates based on 8 hour workdays.)				
Safety & Environmental Compliance Specialist	A-701	$105.46	$128.61	$151.76
Assistant Maintenance Director/Lead Technician	A-702			
Custodial Supervisor	A-703			
PAYGRADE: A-8 (Salaries are represented by daily rates based on 8 hour workdays.)				
Director of Maintenance	A-801	$138.21	$168.55	$198.89

Approved by the LVISD Board of Trustees ~ December 20, 2005

Consider Approval of Part Time Coach At La Vega High School

Presented for:
Board action ☒ Report/Review Only ☐ Consent Agenda Item ☐

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
AL Bishop

Background Information:
We have two teachers/coaches retiring in December. This will leave the coaching staff short handed for the spring sports. One of the coaches who is retiring has agreed to coach part time in the spring. Willie Williams, Athletic Director, has recommended we hire George Kilgo to coach powerlifting and softball this spring.

Fiscal Implication:
$4000.00 for spring sports.

Administrative Recommendation:
LVISD recommends approval of this recommendation.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Textbook Update

Presented for:
Board action ☐ Report/Review Only ☒

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
Statement of Unaudited Revenures and Expenditures - Budget vs. Actual
As of 11/30/05

CONTROL CODES		GENERAL FUND -199 ANNUAL BUDGET	PERIOD RECEIPTS/ EXPENDITURES	Y-T-D RECEIVED/ ENC + EXP	VARIANCE FAVORABLE (UNFAVORABLE)	PERCENT TO TOTAL	PERCENT OF YEAR ELAPSED
5700	LOCAL	$6,331,486	$223,493	$409,809	$5,921,677	6.47%	25.00%
5800	STATE	$10,576,619	$988,826	$4,810,579	$5,766,040	45.48%	25.00%
5900	FEDERAL	$65,000	$1,441	$7,864	$57,136	12.10%	25.00%
7900	OTHER	$0	$0	$0	$0		25.00%
TOTAL REVENUES		$16,973,105	$1,213,760	$5,228,252	$11,744,853	30.80%	25.00%
	EXPENDITURES						
0011	Instruction	$9,324,146	$869,621	$2,658,941	$6,665,205	28.52%	25.00%
0012	Library Services	$327,530	$27,540	$80,250	$247,280	24.50%	25.00%
0013	Staff Development	$186,053	$7,296	$31,775	$154,278	17.08%	25.00%
0021	Instructional Admin	$280,305	$19,027	$57,544	$222,761	20.53%	25.00%
0023	Campus Administration	$1,363,926	$118,966	$345,725	$1,018,201	25.35%	25.00%
0031	Guidance & Counseling	$776,702	$64,572	$186,393	$590,309	24.00%	25.00%
0032	Attendance & Social Services	$56,491	$2,192	$6,505	$49,986	11.52%	25.00%
0033	Health Services	$209,593	$16,344	$51,993	$157,600	24.81%	25.00%
0034	Student Transportation	$676,550	$84,370	$166,843	$509,707	24.66%	25.00%
0035	Food Services	$0	$1,872	$3,738	($3,738)	#DIV/0!	25.00%
0036	Co-curricular Activities	$647,613	$57,465	$151,704	$495,909	23.43%	25.00%
0041	General Administration	$1,004,837	$63,094	$216,109	$788,728	21.51%	25.00%
0051	Plant Maintenance	$2,082,534	$164,526	$394,225	$1,688,309	18.93%	25.00%
0052	Security	$22,174	$3,093	$9,517	$12,657	42.92%	25.00%
0053	Data Processing	$364,981	$38,077	$118,366	$246,615	32.43%	25.00%
0061	Community Service	$238,098	$14,308	$39,118	$198,980	16.43%	25.00%
0071	Debt Services	$0	$401,015	$401,015	($401,015)	#DIV/0!	25.00%
0081	Facility Acquisition	$618	$420	$840	($222)	135.92%	25.00%
0093	Pmt to Nac Co Alt Ed Co-op	$0	$0	$0	$0	#DIV/0!	25.00%
0095	Pmt to Juvenile Justice	$108,000	$4,838	$12,489	$95,511	11.56%	25.00%
0096	Pmt to Charter School	$0	$0	$0	$0	#DIV/0!	25.00%
0000	No Defined Project	$0	$0	$0	$0	#DIV/0!	25.00%
TOTAL EXPENDITURES		$17,670,151	$1,958,636	$4,933,090	$12,737,061	27.92%	25.00%
	OPERATING TRANSFERS						
7910	Other Resources				$0		
8910	Other Uses				$0		
TOTAL OPERATING TRANSFERS					$0		
0100	Fund Balance - Sept. 1	$1,980,884		$0			
3000	Year to Date Fund Bal. (unaudited)	$1,283,838		$295,162			

Prepared: 12/08/05

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.

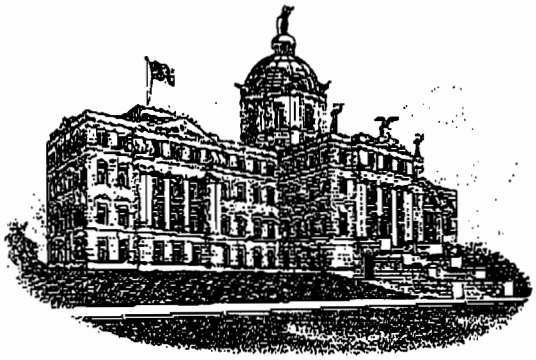
Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____



McLENNAN COUNTY

WACO, TEXAS

A.F. BUDDY SKEEN
TAX ASSESSOR / COLLECTOR
McLENNAN COUNTY
P.O. BOX 406
WACO, TEXAS 76703
(254) 757-5130

NOVEMBER 29, 2005

TO: Accounting Departments
FROM: McLennan County Accounting Dept
SUBJ: October Monthly TC 168

The McLennan County Tax Office would like to apologize for the delay of the October reports. We are sending you the monthly TC 298 and will send you the TC 168 as soon as the data processing completes the roll over of the current year.

Sincerely,

Debra Duckett

Debra Duckett
Supervisor of McLennan County
Accounting Department

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
1964	M & O	1.000000	.38	.00	1.50	.00	1.88	.28	.00	.00	2.16
	I & S	.000000	.00	.00	.00	.00	.00	.00	.00	.00	.00
	TOTAL	1.000000	.38	.00	1.50	.00	1.88	.28	.00	.00	2.16
1963	M & O	1.000000	.40	.00	1.61	.00	2.01	.30	.00	.00	2.31
	I & S	.000000	.00	.00	.00	.00	.00	.00	.00	.00	.00
	TOTAL	1.000000	.40	.00	1.61	.00	2.01	.30	.00	.00	2.31
1962	M & O	1.000000	.32	.00	1.29	.00	1.61	.24	.00	.00	1.85
	I & S	.000000	.00	.00	.00	.00	.00	.00	.00	.00	.00
	TOTAL	1.000000	.32	.00	1.29	.00	1.61	.24	.00	.00	1.85
1961	M & O	1.000000	.46	.00	1.90	.00	2.36	.35	.00	.00	2.71
	I & S	.000000	.00	.00	.00	.00	.00	.00	.00	.00	.00
	TOTAL	1.000000	.46	.00	1.90	.00	2.36	.35	.00	.00	2.71
1960	M & O	1.000000	.22	.00	.91	.00	1.13	.17	.00	.00	1.30
	I & S	.000000	.00	.00	.00	.00	.00	.00	.00	.00	.00
	TOTAL	1.000000	.22	.00	.91	.00	1.13	.17	.00	.00	1.30
1959	M & O	1.000000	.22	.00	.92	.00	1.14	.17	.00	.00	1.31
	I & S	.000000	.00	.00	.00	.00	.00	.00	.00	.00	.00
	TOTAL	1.000000	.22	.00	.92	.00	1.14	.17	.00	.00	1.31
1958	M & O	1.000000	.21	.00	.91	.00	1.12	.17	.00	.00	1.29
	I & S	.000000	.00	.00	.00	.00	.00	.00	.00	.00	.00
	TOTAL	1.000000	.21	.00	.91	.00	1.12	.17	.00	.00	1.29
1957	M & O	1.000000	.10	.00	.45	.00	.55	.08	.00	.00	.63
	I & S	.000000	.00	.00	.00	.00	.00	.00	.00	.00	.00
	TOTAL	1.000000	.10	.00	.45	.00	.55	.08	.00	.00	.63
ALL	M & O		2.31	.00	9.49	.00	11.80	1.76	.00	.00	13.56
ALL	I & S		.00	.00	.00	.00	.00	.00	.00	.00	.00
ALL	TOTAL		2.31	.00	9.49	.00	11.80	1.76	.00	.00	13.56
DLQ	M & O		2.31	.00	9.49	.00	11.80	1.76	.00	.00	13.56
DLQ	I & S		.00	.00	.00	.00	.00	.00	.00	.00	.00
DLQ	TOTAL		2.31	.00	9.49	.00	11.80	1.76	.00	.00	13.56
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

PAYMENTS DETAIL SCHEDULE
FROM: 10/01/2005 THRU 10/31/2005
JURISDICTION: 11 COUNTY EDUCATION DISTRICT

YEAR	DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY	CAUSE /REV	REFUND AMOUNT	PAYMENT AMOUNT
1991	05101302	28-054500-004200-6	200510	42.90	0.00	75.93	17.82		0.00	136.65
1991	RS051006	48-003100-007200-2	200508	0.00	0.00	0.00	0.00		0.00	0.00
1991	RS051006	48-008402-011700-3	200508	0.00	0.00	0.00	0.00		0.00	0.00
1991	05102804	48-014200-010400-7	200510	25.11	0.00	44.44	10.43		0.00	79.98
		1991 TOTAL		68.01	0.00	120.37	28.25		0.00	216.63
1992	05103104	28-027101-000600-0	200510	1.67	0.00	2.75	0.67	2004-3393	0.00	5.09
1992	05101302	28-054500-004200-6	200510	6.84	0.00	11.29	2.72		0.00	20.85
1992	05102804	48-014200-010400-7	200510	27.81	0.00	45.89	11.06		0.00	84.76
		1992 TOTAL		36.32	0.00	59.93	14.45		0.00	110.70
		TOTAL PAYMENTS		104.33	0.00	180.30	42.70		0.00	327.33

51.41 89.97

141.38

TC298-D SELECTION: DEPOSIT
RECEIPT DATE: ALL

TAX COLLECTION SYSTEM
DEPOSIT DISTRIBUTION
FROM: 10/01/2005 THRU 10/31/2005
JURISDICTION: 0028 LA VEGA ISD

INCLUDES AG ROLLBACK

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
2005	M & O	1.500000	53,528.81	.00	.00	.00	53,528.81	.00	.00	.00	53,528.81
	I & S	.192500	6,869.58	.00	.00	.00	6,869.58	.00	.00	.00	6,869.58
	TOTAL	1.692500	60,398.39	.00	.00	.00	60,398.39	.00	.00	.00	60,398.39
2004	M & O	1.482500	13,093.69	.00	2,729.84	.00	15,823.53	2,753.77	.00	.00	18,577.30
	I & S	.237500	2,097.60	.00	437.30	.00	2,534.90	.00	.00	.00	2,534.90
	TOTAL	1.720000	15,191.29	.00	3,167.14	.00	18,358.43	2,753.77	.00	.00	21,112.20
2003	M & O	1.482500	8,725.97	.00	2,842.42	.00	11,568.39	1,802.58	.00	.00	13,370.97
	I & S	.057500	338.45	.00	110.24	.00	448.69	.00	.00	.00	448.69
	TOTAL	1.540000	9,064.42	.00	2,952.66	.00	12,017.08	1,802.58	.00	.00	13,819.66
2002	M & O	1.448000	1,180.76	.00	530.29	.00	1,711.05	267.29	.00	.00	1,978.34
	I & S	.060000	48.92	.00	21.98	.00	70.90	.00	.00	.00	70.90
	TOTAL	1.508000	1,229.68	.00	552.27	.00	1,781.95	267.29	.00	.00	2,049.24
2001	M & O	1.466000	1,031.81	.00	587.85	.00	1,619.66	254.56	.00	.00	1,874.22
	I & S	.070000	49.28	.00	28.07	.00	77.35	.00	.00	.00	77.35
	TOTAL	1.536000	1,081.09	.00	615.92	.00	1,697.01	254.56	.00	.00	1,951.57
2000	M & O	1.466000	964.93	.00	665.81	.00	1,630.74	256.29	.00	.00	1,887.03
	I & S	.070000	46.08	.00	31.79	.00	77.87	.00	.00	.00	77.87
	TOTAL	1.536000	1,011.01	.00	697.60	.00	1,708.61	256.29	.00	.00	1,964.90
1999	M & O	1.436000	366.91	.00	313.39	.00	700.30	112.35	.00	.00	812.65
	I & S	.100000	26.93	.00	21.82	.00	48.75	.00	.00	.00	48.75
	TOTAL	1.536000	413.84	.00	335.21	.00	749.05	112.35	.00	.00	861.40
1998	M & O	1.200547	11.38	.00	10.57	.00	21.95	4.12	.00	.00	26.07
	I & S	.305453	2.89	.00	2.69	.00	5.58	.00	.00	.00	5.58
	TOTAL	1.506000	14.27	.00	13.26	.00	27.53	4.12	.00	.00	31.65
1992	M & O	.045900	.42	.00	.70	.00	1.12	1.69	.00	.00	2.81
	I & S	.416700	3.85	.00	6.32	.00	10.17	.00	.00	.00	10.17
	TOTAL	.462600	4.27	.00	7.02	.00	11.29	1.69	.00	.00	12.98
1991	M & O	.150400	7.74	.00	13.70	.00	21.44	10.70	.00	.00	32.14
	I & S	.350100	18.02	.00	31.90	.00	49.92	.00	.00	.00	49.92
	TOTAL	.500500	25.76	.00	45.60	.00	71.36	10.70	.00	.00	82.06
1970	M & O	1.500000	.40	.00	1.43	.00	1.83	.38	.00	.00	2.21
	I & S	.500000	.14	.00	.48	.00	.62	.00	.00	.00	.62
	TOTAL	2.000000	.54	.00	1.91	.00	2.45	.38	.00	.00	2.83
1969	M & O	1.500000	.40	.00	1.45	.00	1.85	.37	.00	.00	2.22
	I & S	.500000	.13	.00	.48	.00	.61	.00	.00	.00	.61
	TOTAL	2.000000	.53	.00	1.93	.00	2.46	.37	.00	.00	2.83

TC298-D SELECTION: DEPOSIT
RECEIPT DATE: ALL

TAX COLLECTION SYSTEM
DEPOSIT DISTRIBUTION
FROM: 10/01/2005 THRU 10/31/2005
JURISDICTION: 0028 LA VEGA ISD

INCLUDES AG ROLLBACK

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
1968	M & O	1.500000	.37	.00	1.34	.00	1.71	.34	.00	.00	2.05
	I & S	.500000	.12	.00	.45	.00	.57	.00	.00	.00	.57
	TOTAL	2.000000	.49	.00	1.79	.00	2.28	.34	.00	.00	2.62
1967	M & O	1.340000	.30	.00	1.12	.00	1.42	.29	.00	.00	1.71
	I & S	.460000	.10	.00	.39	.00	.49	.00	.00	.00	.49
	TOTAL	1.800000	.40	.00	1.51	.00	1.91	.29	.00	.00	2.20
1966	M & O	1.300000	.29	.00	1.11	.00	1.40	.29	.00	.00	1.69
	I & S	.500000	.11	.00	.42	.00	.53	.00	.00	.00	.53
	TOTAL	1.800000	.40	.00	1.53	.00	1.93	.29	.00	.00	2.22
1965	M & O	1.300000	.29	.00	1.13	.00	1.42	.29	.00	.00	1.71
	I & S	.500000	.11	.00	.43	.00	.54	.00	.00	.00	.54
	TOTAL	1.800000	.40	.00	1.56	.00	1.96	.29	.00	.00	2.25
ALL	M & O		78,934.47	.00	7,702.15	.00	86,636.62	5,465.31	.00	.00	92,101.93
ALL	I & S		9,502.31	.00	694.76	.00	10,197.07	.00	.00	.00	10,197.07
ALL	TOTAL		88,436.78	.00	8,396.91	.00	96,833.69	5,465.31	.00	.00	102,299.00
DLQ	M & O		25,405.66	.00	7,702.15	.00	33,107.81	5,465.31	.00	.00	38,573.12
DLQ	I & S		2,632.73	.00	694.76	.00	3,327.49	.00	.00	.00	3,327.49
DLQ	TOTAL		28,038.39	.00	8,396.91	.00	36,435.30	5,465.31	.00	.00	41,900.61
CURR	M & O		53,528.81	.00	.00	.00	53,528.81	.00	.00	.00	53,528.81
CURR	I & S		6,869.58	.00	.00	.00	6,869.58	.00	.00	.00	6,869.58
CURR	TOTAL		60,398.39	.00	.00	.00	60,398.39	.00	.00	.00	60,398.39

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	8

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
1984	1,645.27	109.32-	109.32-	2.31	2.31	1,533.64	.15	109.32-
****	1,645.27	109.32-	109.32-	2.31	2.31	1,533.64		0.00

OCT 2005

JURISDICTION: 0028 LA VEGA ISD

	CERT TAXABLE VALUE	ADJUSTMENTS	ADJ TAX VALUE	TAX RATE	TAX LEVY	PAID ACCTS
CURRENT YEAR	407,918,108	242,585-	407,675,523	1.692500	6,683,002.87	998

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
2005	6,688,442.29	5,439.42-	5,439.42-	60,398.39	60,398.39	6,622,604.48	.90	0.00
2004	213,617.14	.00	1,594.31-	15,191.29	42,689.53	169,333.30	20.13	0.00
2003	75,595.04	.00	0.00	9,064.42	13,108.35	62,486.69	17.34	0.00
2002	46,902.56	.00	0.00	1,229.68	1,739.54	45,163.02	3.71	0.00
2001	28,549.99	.00	0.00	1,081.09	1,292.47	27,257.52	4.53	0.00
2000	58,152.06	.00	0.00	1,011.01	1,121.30	57,030.76	1.93	0.00
1999	21,238.50	.00	0.00	413.84	662.16	20,576.34	3.12	0.00
1998	19,143.22	.00	0.00	14.27	20.91	19,122.31	.11	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	0.00	33.10	9,319.94	.35	0.00
1993	11,631.57	.00	0.00	0.00	36.93	11,594.64	.32	0.00
1992	2,685.00	.00	0.00	4.27	15.61	2,669.39	.58	0.00
1991	2,684.66	.00	0.00	25.76	40.61	2,644.05	1.51	0.00
1990	6,122.56	.00	0.00	0.00	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	130.16-	130.16-	2.76	2.76	14,233.20	.02	130.16-
****	7,269,245.23	5,569.58-	7,163.89-	88,436.78	121,213.33	7,140,868.01		0.00

OCT 2005

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
2005	M & O	1.500000	168,138.29	.00	.00	.00	168,138.29	.00	.00	.00	168,138.29
	I & S	.192500	21,577.93	.00	.00	.00	21,577.93	.00	.00	.00	21,577.93
	TOTAL	1.692500	189,716.22	.00	.00	.00	189,716.22	.00	.00	.00	189,716.22
2004	M & O	1.482500	16,474.50	.00	3,873.57	.00	20,348.07	3,751.47	.00	.00	24,099.54
	I & S	.237500	2,639.24	.00	620.59	.00	3,259.83	.00	.00	.00	3,259.83
	TOTAL	1.720000	19,113.74	.00	4,494.16	.00	23,607.90	3,751.47	.00	.00	27,359.37
2003	M & O	1.482500	5,151.35	.00	1,749.11	.00	6,900.46	1,075.24	.00	.00	7,975.70
	I & S	.057500	199.79	.00	67.86	.00	267.65	.00	.00	.00	267.65
	TOTAL	1.540000	5,351.14	.00	1,816.97	.00	7,168.11	1,075.24	.00	.00	8,243.35
2002	M & O	1.448000	1,503.54	.00	690.95	.00	2,194.49	342.82	.00	.00	2,537.31
	I & S	.060000	62.29	.00	28.63	.00	90.92	.00	.00	.00	90.92
	TOTAL	1.508000	1,565.83	.00	719.58	.00	2,285.41	342.82	.00	.00	2,628.23
2001	M & O	1.466000	231.12	.00	134.04	.00	365.16	57.39	.00	.00	422.55
	I & S	.070000	11.03	.00	6.39	.00	17.42	.00	.00	.00	17.42
	TOTAL	1.536000	242.15	.00	140.43	.00	382.58	57.39	.00	.00	439.97
2000	M & O	1.466000	363.89	.00	254.72	.00	618.61	97.22	.00	.00	715.83
	I & S	.070000	17.38	.00	12.16	.00	29.54	.00	.00	.00	29.54
	TOTAL	1.536000	381.27	.00	266.88	.00	648.15	97.22	.00	.00	745.37
1999	M & O	1.436000	71.21	.00	58.39	.00	129.60	20.79	.00	.00	150.39
	I & S	.100000	4.96	.00	4.07	.00	9.03	.00	.00	.00	9.03
	TOTAL	1.536000	76.17	.00	62.46	.00	138.63	20.79	.00	.00	159.42
1998	M & O	1.200547	66.17	.00	62.20	.00	128.37	24.15	.00	.00	152.52
	I & S	.305453	16.83	.00	15.82	.00	32.65	.00	.00	.00	32.65
	TOTAL	1.506000	83.00	.00	78.02	.00	161.02	24.15	.00	.00	185.17
1997	M & O	1.197531	66.00	.00	69.96	.00	135.96	25.65	.00	.00	161.61
	I & S	.308469	17.00	.00	18.02	.00	35.02	.00	.00	.00	35.02
	TOTAL	1.506000	83.00	.00	87.98	.00	170.98	25.65	.00	.00	196.63
1996	M & O	1.143031	5.83	.00	6.88	.00	12.71	2.51	.00	.00	15.22
	I & S	.362969	1.85	.00	2.18	.00	4.03	.00	.00	.00	4.03
	TOTAL	1.506000	7.68	.00	9.06	.00	16.74	2.51	.00	.00	19.25
1995	M & O	1.161126	11.47	.00	14.90	.00	26.37	5.13	.00	.00	31.50
	I & S	.344874	3.41	.00	4.43	.00	7.84	.00	.00	.00	7.84
	TOTAL	1.506000	14.88	.00	19.33	.00	34.21	5.13	.00	.00	39.34
1994	M & O	1.102800	2.80	.00	3.98	.00	6.78	1.39	.00	.00	8.17
	I & S	.403200	1.03	.00	1.46	.00	2.49	.00	.00	.00	2.49
	TOTAL	1.506000	3.83	.00	5.44	.00	9.27	1.39	.00	.00	10.66

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
1992	M & O	.045900	2.72	.00	4.48	.00	7.20	10.88	.00	.00	18.08
	I & S	.416700	24.66	.00	40.69	.00	65.35	.00	.00	.00	65.35
	TOTAL	.462600	27.38	.00	45.17	.00	72.55	10.88	.00	.00	83.43
ALL	M & O		192,088.89	.00	6,923.18	.00	199,012.07	5,414.64	.00	.00	204,426.71
ALL	I & S		24,577.40	.00	822.30	.00	25,399.70	.00	.00	.00	25,399.70
ALL	TOTAL		216,666.29	.00	7,745.48	.00	224,411.77	5,414.64	.00	.00	229,826.41
DLQ	M & O		23,950.60	.00	6,923.18	.00	30,873.78	5,414.64	.00	.00	36,288.42
DLQ	I & S		2,999.47	.00	822.30	.00	3,821.77	.00	.00	.00	3,821.77
DLQ	TOTAL		26,950.07	.00	7,745.48	.00	34,695.55	5,414.64	.00	.00	40,110.19
CURR	M & O		168,138.29	.00	.00	.00	168,138.29	.00	.00	.00	168,138.29
CURR	I & S		21,577.93	.00	.00	.00	21,577.93	.00	.00	.00	21,577.93
CURR	TOTAL		189,716.22	.00	.00	.00	189,716.22	.00	.00	.00	189,716.22

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	8

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
1984	1,645.27	.00	109.32-	0.00	2.31	1,533.64	.15	109.32-
****	1,645.27	.00	109.32-	0.00	2.31	1,533.64		0.00

PAYMENTS DETAIL SCHEDULE
FROM: 11/01/2005 THRU 11/30/2005
JURISDICTION: 11 COUNTY EDUCATION DISTRICT

YEAR	DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY	CAUSE /REV	REFUND AMOUNT	PAYMENT AMOUNT
1991	051103SS	30-003500-006600-8	200507	28.13	0.00	48.95	11.56		0.00	88.64
1991	05112903	44-001600-045908-3	200511	19.69	0.00	35.05	8.21		0.00	62.95
1991	051102SS	48-002900-015000-7	200511	98.32	0.00	175.01	41.00		0.00	314.33
1991	051102SS	48-002900-015000-7	200511	35.86	0.00	63.83	14.95		0.00	114.64
1991	051102SS	48-002900-015000-7	200511	98.32	0.00	175.01	41.00		0.00	314.33
1991	051130I1	48-002900-022800-7	200511	12.78	0.00	22.75	5.33		0.00	40.86
1991	051117RS	48-013600-002100-8	200510	0.63	0.00	1.11	0.26		0.00	2.00
1991	LF113005	48-017600-013701-0	200511	6.39	0.00	11.37	2.66		0.00	20.42
1991	051122LM	48-023000-000800-8	200511	75.85	0.00	135.01	31.63		0.00	242.49
1991	051130SS	48-036300-007300-1	200511	9.92	0.00	17.66	4.14		0.00	31.72
		1991 TOTAL		385.89	0.00	685.75	160.74		0.00	1,232.38
1992	05110212	28-054500-004200-6	200510	54.65	0.00	90.19	21.73		0.00	166.57
1992	051103SS	30-003500-006600-8	200507	31.16	0.00	50.48	12.25		0.00	93.89
1992	051102SS	48-002900-015000-7	200511	108.93	0.00	180.83	43.46		0.00	333.22
1992	051102SS	48-002900-015000-7	200511	39.73	0.00	65.96	15.85		0.00	121.54
1992	051102SS	48-002900-015000-7	200511	108.93	0.00	180.83	43.46		0.00	333.22
1992	051130I1	48-002900-022800-7	200511	14.16	0.00	23.51	5.65		0.00	43.32
1992	05111702	48-008402-013800-9	200511	8.71	0.00	14.46	3.48		0.00	26.65
1992	051117RS	48-013600-002100-8	200510	0.69	0.00	1.14	0.27		0.00	2.10
1992	LF113005	48-017600-013701-0	200511	7.08	0.00	11.75	2.82		0.00	21.65
1992	051122LM	48-023000-000800-8	200511	84.03	0.00	139.49	33.53		0.00	257.05
1992	05111404	48-032400-000600-3	200511	10.84	0.00	17.98	4.32		0.00	33.14
1992	051130SS	48-036300-007300-1	200511	11.00	0.00	18.26	4.38		0.00	33.64
		1992 TOTAL		479.91	0.00	794.88	191.20		0.00	1,465.99
		TOTAL PAYMENTS		865.80	0.00	1,480.63	351.94		0.00	2,698.37

54.65 90.19

144.84

JURISDICTION: 0028 LA VEGA ISD

	CERT TAXABLE VALUE	ADJUSTMENTS	ADJ TAX VALUE	TAX RATE	TAX LEVY	PAID ACCTS
CURRENT YEAR	407,918,108	362,943-	407,555,165	1.692500	6,674,215.61	1,484

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
2005	6,688,442.29	8,787.26-	14,226.68-	189,716.22	250,114.61	6,424,101.00	3.75	0.00
2004	213,617.14	1,409.96-	3,004.27-	19,113.74	61,803.27	148,809.60	29.34	8.28-
2003	75,595.04	7.56-	7.56-	5,351.14	18,459.49	57,127.99	24.42	7.56-
2002	46,902.56	7.41-	7.41-	1,565.83	3,305.37	43,589.78	7.05	7.41-
2001	28,549.99	.00	0.00	242.15	1,534.62	27,015.37	5.38	0.00
2000	58,152.06	.00	0.00	381.27	1,502.57	56,649.49	2.58	0.00
1999	21,238.50	.00	0.00	76.17	738.33	20,500.17	3.48	0.00
1998	19,143.22	.00	0.00	83.00	103.91	19,039.31	.54	0.00
1997	15,827.83	.00	0.00	83.00	83.00	15,744.83	.52	0.00
1996	19,958.27	.00	0.00	7.68	7.68	19,950.59	.04	0.00
1995	13,540.03	.00	0.00	14.88	14.88	13,525.15	.11	0.00
1994	9,353.04	.00	0.00	3.83	36.93	9,316.11	.39	0.00
1993	11,631.57	.00	0.00	0.00	36.93	11,594.64	.32	0.00
1992	2,685.00	.00	0.00	27.38	42.99	2,642.01	1.60	0.00
1991	2,684.66	.00	0.00	0.00	40.61	2,644.05	1.51	0.00
1990	6,122.56	.00	0.00	0.00	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	130.16-	0.00	2.76	14,233.20	.02	130.16-
****	7,269,245.23	10,212.19-	17,376.08-	216,666.29	337,879.62	6,913,989.53		0.00

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: _____

DECEMBER 20, 2005
BUDGET CHANGE REQUESTS

La Vega High School
(Reimbursement to district for Texbooks)
$930.00

La Vega High School
(Reimbursement to district for yearbooks)
$4559.00

La Vega High School
(Bus for Food For Families Food Drive)
$65.00

TOTAL $5554.00

Quarterly Investment Report

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Gary W. Williams

Background Information:
N/A

Fiscal Implication:
N/A

Administrative Recommendation:
Board approval of the Quarterly Investment Report.

Motion:

Second:

For:

Against:

Abstain:

LA VEGA INDEPENDENT SCHOOL DISTRICT
INVESTMENT REPORT-COMPLIANCE STATEMENT
QUARTER ENDED November 30, 2005

We, the approved Investment Officers of La Vega ISD, hereby certify that the following Investment Report represents the investment position of the district as of **November 30, 2005** in compliance with the Board- approved Investment Policy, the Public Funds Investment Act (Texas Government Code 2256), and Generally Accepted Accounting Principles (GAAP).

Monte Geren

Dr. Monte Geren, Superintendent

Gary W. Williams

Gary W. Williams, Deputy
Superintendent of Support Services

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

FUND	CHECKING	TEXPOOL	TEXAS TERM	LONE STAR POOL	MBIA INVESTORS	Am-BANK BOND ACCT	TOTAL BY FUND
OPERATING FUND	$ 282,032.85	$ 1,020,480.06	$ 927.70		$ 656,438.50		$ 1,959,879.11
PAYROLL FUND	674,793.18		1,060.62	$ 2,451.38			678,305.18
FOOD SERVICE	22,539.96		91,270.78	0.00			113,810.74
CHALLENGE ACADEMY	35,397.07	224,972.49					260,369.56
SCHOLARSHIP FUND	6,361.91						6,361.91
INTEREST & SINKING FUND	11,944.97	340,536.85			180,945.63		533,427.45
CAPITAL PROJECTS FUND				0.01	36,294.28		36,294.29
CONSTRUCTION FUND			6,240,112.23				6,240,112.23
BOND ACCOUNT						$ 2,263,084.86	2,263,084.86
TOTAL BY TYPE	**$ 1,033,069.94**	**$ 1,585,989.40**	**$ 6,333,371.33**	**$ 2,451.39**	**$ 873,678.41**	**$ 2,263,084.86**	**$ 12,091,645.33**

LA VEGA INDEPENDENT SCHOOL DISTRICT
DETAIL OF TRANSACTIONS FOR CHECKING ACCOUNTS
FOR QUARTER ENDED 11/30/05

NAME	AMERICAN BNK ACCT NUMBER	BALANCE 08/31/05*	SEPTEMBER CREDITS	SEPTEMBER DEBITS	BALANCE 09/30/05*	OCTOBER CREDITS	OCTOBER DEBITS	BALANCE 10/31/05*	NOVEMBER CREDITS	NOVEMBER DEBITS	BALANCE 11/30/05*
OPERATING FUND	190016097	**397,498.92**	3,743,214.44	(3,810,301.91)	**330,411.45**	2,372,943.79	(1,706,638.89)	**996,716.35**	2,951,200.38	(3,665,883.88)	**282,032.85**
PAYROLL FUND	190016105	**456,657.50**	1,299,015.66	(1,067,876.26)	**687,796.90**	1,311,449.37	(1,297,806.63)	**701,439.64**	1,317,570.05	(1,344,216.51)	**674,793.18**
FOOD SERVICE	190016089	**16,920.29**	98,732.48	(41,893.77)	**73,759.00**	133,362.04	(86,173.41)	**120,947.63**	157,039.88	(255,447.55)	**22,539.96**
CHALLENGE ACADEMY	191007756	**16,286.56**	175,025.46	(165,681.33)	**25,630.69**	164,758.01	(99,880.51)	**90,508.19**	187,616.46	(242,727.58)	**35,397.07**
SCHOLARSHIP FUND	191050871	**6,353.99**	2.61	0.00	**6,356.60**	2.70	0.00	**6,359.30**	2.61	0.00	**6,361.91**
INTEREST & SINKING FUND	190016063	**14,575.92**	5,755.35	(333.99)	**19,997.28**	8,493.71	0.00	**28,490.99**	323,457.98	(340,004.00)	**11,944.97**
TOTALS		**908,293.18**	5,321,746.00	(5,086,087.26)	**1,143,951.92**	3,991,009.62	(3,190,499.44)	**1,944,462.10**	4,936,887.36	(5,848,279.52)	**1,033,069.94**

* BALANCES PER BANK STATEMENT

LA VEGA INDEPENDENT SCHOOL DISTRICT
DETAIL OF TRANSACTIONS FOR TEXPOOL BY FUND
QUARTER ENDED 11/30/05

OPERATING FUND:

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL 08/31/05				$11,809.96	$11,809.96
09/27/05	1,700,000.00			1,711,809.96	
09/30/05		(175,000.00)		1,536,809.96	
09/30/05			719.34	1,537,529.30	
10/21/05		(175,000.00)		1,362,529.30	
10/31/05			4,737.51	1,367,266.81	
11/21/05		(1,350,000.00)		17,266.81	
11/29/05	1,000,000.00			1,017,266.81	
11/30/05			3,213.25	1,020,480.06	
BAL.11/30/05				**$1,020,480.06**	**$1,020,480.06**

INTEREST AND SINKING FUND:

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL. 08/31/05				$0.00	$0.00
09/30/05			0.00	0.00	
10/31/05			0.00	0.00	
11/03/05	28,000.00			28,000.00	
11/18/05	312,004.00			340,004.00	
11/30/05			532.85	340,536.85	
BAL. 11/30/05				**$340,536.85**	**$340,536.85**

CHALLENGE ACADEMY:

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL 08/31/05				$128,587.90	$128,587.90
09/26/05		(70,000.00)		58,587.90	
09/27/05	85,000.00			143,587.90	
09/30/05			379.88	143,967.78	
10/07/05		(20,000.00)		123,967.78	
10/31/05			410.63	124,378.41	
11/03/05	50,000.00			174,378.41	
11/21/05		(50,000.00)		124,378.41	
11/23/05	100,000.00			224,378.41	
11/30/05			594.08	224,972.49	
BAL 11/30/05				**$224,972.49**	**$224,972.49**

GRAND TOTAL AT 05/31/05				**$1,585,989.40**	**$1,585,989.40**

LA VEGA INDEPENDENT SCHOOL DISTRICT
DETAIL OF TRANSACTIONS FOR TEXAS TERM LOCAL GOVERNMENT INVESTMENT POOL
QUARTER ENDED 11/30/05

OPERATING FUND:

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL.08/31/05				$919.15	$919.15
09/30/05			2.66	921.81	
10/31/05			2.91	924.72	
11/30/05			2.98	927.70	
BAL. 11/30/05				**927.70**	**$927.70**

PAYROLL CLEARING INVESTMENT FUND

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL.08/31/05				$1,050.93	1,050.93
09/30/05			3.02	1,053.95	
10/31/05			3.30	1,057.25	
11/30/05			3.37	1,060.62	
BAL.11/30/05				**1,060.62**	**$1,060.62**

LUNCH FUND INVESTMENT

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL.08/31/05				$25,796.86	$25,796.86
09/30/05			74.72	25,871.58	
10/31/05			81.66	25,953.24	
11/04/05	90,000.00			115,953.24	
11/21/05		(25,000.00)		90,953.24	
11/30/05			317.54	91,270.78	
BAL. 11/30/05				**91,270.78**	**$91,270.78**

CONSTRUCTION FUND INVESTMENT

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL 08/31/05				$6,174,668.67	$6,174,668.67
09/30/05			26,794.92	6,201,463.59	
10/31/05			19,641.11	6,221,104.70	
11/30/05			19,007.53	6,240,112.23	
BAL 11/30/05				**6,240,112.23**	**$6,240,112.23**
GRAND TOTAL AT 11/30/05				**6,333,371.33**	**$6,333,371.33**

LA VEGA INDEPENDENT SCHOOL DISTRICT
DETAIL OF TRANSACTIONS FOR LONE STAR INVESTMENT POOL BY FUND
QUARTER ENDED 11/30/2005

PAYROLL CLEARING: (LSIP LIQUIDITY FUND)

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL.08/31/05				$2,429.92	$2,429.92
09/30/05			6.99	2,436.91	
10/31/05			7.58	2,444.49	
11/30/05			6.89	2,451.38	
BAL.11/30/05				**$2,451.38**	

FOOD SERVICE: (LSIP LIQUIDITY FUND)

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL. 08/31/05				$0.00	
BAL.11/30/05				$0.00	**$0.00**

CAPITAL PROJECTS FUND

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL.08/31/05				$ 0.01	$ 0.01
BAL.11/30/05				$ 0.01	**$ 0.01**
GRAND TOTAL AT 08/31/05				**$2,451.39**	**$2,451.39**

LA VEGA INDEPENDENT SCHOOL DISTRICT
DETAIL OF TRANSACTIONS FOR MBIA-INVESTMENT POOL
QUARTER ENDED11/30/05

CAPITAL PROJECTS

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL.08/31/05				$35,955.38	$35,955.38
09/30/05			106.20	36,061.58	
10/31/05			114.84	36,176.42	
11/30/05			117.86	36,294.28	
BAL. 11/30/05				**36,294.28**	**$36,294.28**

INTEREST & SINKING

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL 08/31/05				$179,255.93	179,255.93
09/30/05			529.33	179,785.26	
10/31/05			572.62	180,357.88	
11/30/05			587.75	180,945.63	
BAL. 11/30/05				**180,945.63**	**$180,945.63**

GENERAL FUND

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL 08/31/05				4,486.90	$4,486.90
09/30/05			13.50	4,500.40	
10/31/05			14.34	4,514.74	
11/04/05	650,000.00			654,514.74	
11/30/05			1,923.76	656,438.50	
BAL. 11/30/05				**656,438.50**	**656,438.50**

GRAND TOTAL AT11/30/05 **873,678.41**

LA VEGA INDEPENDENT SCHOOL DISTRICT
DETAIL OF TRANSACTIONS FOR AMERICAN BANK BOND ACCOUNT
QUARTER ENDED 11/30/05

BOND ACCOUNT

DATE	PURCHASES	REDEMPTIONS	INTEREST	BOOK VALUE	MARKET VALUE
BAL. 08/31/05				$5,722,875.57	$5,722,875.57
09/08/05		(1,395,649.00)		4,327,226.57	
09/26/05		(17,316.88)		4,309,909.69	
09/30/05			44,142.02	4,354,051.71	
10/06/05		(877,243.00)		3,476,808.71	
10/21/05		(11,888.95)		3,464,919.76	
11/10/05		(1,183,384.00)		2,281,535.76	
11/18/05		(18,450.90)		2,263,084.86	
BAL. 11/30/05				**$2,263,084.86**	
GRAND TOTAL AT 11/30/05				**$2,263,084.86**	**$2,263,084.86**

***Note: Interest is earned daily but posted quarterly.**

Consider Approval of Legal Services Contract with Schwartz & Eichelbaum, P.C.

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
See attached.

Fiscal Implication:
See attached.

Administrative Recommendation:
Board approval of the legal services contract with Schwartz & Eichelbaum, P.C.

Motion:

Second:

For:

Against:

Abstain:



RECEIVED
OCT 31 2005

SCHWARTZ & EICHELBAUM, P.C.

ATTORNEYS AT LAW

www.edlaw.com • 800.488.9045

Austin D/FW Metroplex Nacogdoches

October 28, 2005

Julie Eichelbaum
Director of Client Relations

7400 Gaylord Pkwy, Ste 200
Frisco, Texas 75034
(972) 377-7900
Fax: (972) 377-7277

Dr. Monte Geren
Superintendent
La Vega ISD
Waco, Texas 76705

Dear Dr. Geren:

We are pleased that La Vega ISD has renewed its membership with the Texas Association of Midsize Schools (TAMS). We take pride and pleasure in the fact that we are beginning our twelfth year of working with TAMS.

TAMS members receive **free** twenty-four hour telephone legal advice from Schwartz & Eichelbaum, P.C., provided the call does not require research, review of documents, not a subsequent call on a matter previously discussed or your call is not greater than fifteen minutes in length. You can call our toll free number (800) 488-9045 anytime, 24/7, for immediate assistance.

Joining TAMS also gives you access to Schwartz & Eichelbaum's trainings, Schwartz & Eichelbaum, P.C. *Client Alerts* via email, which notify school administrators of recent developments in school law. We also provide the Schwartz & Eichelbaum, P.C. *Board Minutes*, a one page bimonthly resource for trustees, which serves to educate or remind trustees of critical legal requirements and practical pointers pertaining to meeting management.

Should you need additional legal services, TAMS members receive a reduced hourly rate of $195/hour. If you were to purchase all these services directly from us, it would cost $750 for the school year, so it really pays to be a member of TAMS!

In April, 2005, your board likely adopted a new BDD (Local) policy as part of the Texas Association of School Boards Policy Service Update 75. This new language requires the board of trustees to directly hire any law firm that will serve as the District's legal counsel. It also requires a written contract between the Board and the law firm. The contract is to delineate the services to be performed and the reasonable compensation to

be paid by the Board for such services. In accordance, we are securing a written contract approved by the board of trustees from every school district that contacts us for legal advice.

If you choose to use us as your legal counsel, or just as a backup for a second opinion, we ask that you sign the bottom of this letter and return it to us.

We are happy to answer any questions you may have about our services. We look forward to continuing our relationship with La Vega ISD and TAMS.

Sincerely,

SCHWARTZ & EICHELBAUM, P.C.

By_____
Julie H. Eichelbaum
jeichelbaum@edlaw.com

P.S. Mark you calendar now to join us in San Antonio at the Menger Hotel on December 9-11 for the TAMS/TARS Joint Annual Legislative and Legal Conference. You don't want to miss it!

If this letter correctly reflects the terms and conditions of our representation of the District, please indicate the Board's approval by your signature below, and return it to us in our self-addressed, prepaid postage envelope.

Approval by the Board on this the _____ day of _____, 200__.

_____
Board President

SCHWARTZ & EICHELBAUM, P.C.
ATTORNEYS AT LAW

Schwartz & Eichelbaum, P.C.
Telephone Consultation Plan
At A Glance

Type of Service	
Phone Advice	First call on matter is free if the attorney can answer without doing research. Research and all subsequent calls on the same matter are billed at $195/hour.
Representation Including Litigation	Fee is $195/hour.
Board Meeting Attendance	Fee is $195/hour.
Training	Trainings are $195/hour capped at $2,000.
Travel Time	Travel is billed at $195/hour.
Cost	$750 for the school year; or Reduced fee for Equity Center member districts; or FREE if a member district of TAMS or Legal Co-ops of Regional ESCs 1, 7, 9, 14, 16 or 18.
Length of Service	September 1, 2005 through August 31, 2006

SCHWARTZ & EICHELBAUM, P.C.
ATTORNEYS AT LAW

Out of Pocket Costs

Copying	$.20 per page
Delivery charges	Actual cost
Electronic research	Actual cost
Fax (local)	$.50 per page
Fax (long distance)	$1.00 per page to send, no charge to receive
Long Distance	Actual Cost
Long Distance Cellular	Actual Cost
Mileage	IRS standard rate
Postage	Actual cost
Travel	Actual cost
Westlaw research	Actual cost
Court Reporters and Other Outside Vendor Fees	Actual cost *Invoices for such services will be sent to the district for direct payment by the District to the vendor involved.*

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 Authorization for La Vega High School NJROTC Unit to Train and Maintain an Air Rifle Marksmanship Team

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
See attached.

Fiscal Implication:
See attached.

Administrative Recommendation:
Board authorization for La Vega High School NJROTC Unit to train and maintain an air rifle marksmanship team.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

LA VEGA HIGH SCHOOL
La Vega Independent School District
555 N. Loop 340 • Waco, Texas 76705-2573 • 254 799-4951 • FAX 254 799-0720

15 November 2005

From: Superintendent, La Vega Independent School District

To: Commanding Officer, La Vega High NJROTC Unit

Subj: Authorization to Train and Maintain an Air Rifle Marksmanship Team

1. You are hereby authorized to establish and train an air rifle marksmanship team, and to conduct air rifle practices and competitions. You are also directed to ensure the safety of all persons on the range during said activities, by aggressively training team members in all aspects of firearm safety. You will be governed by the guidance set forth by the Naval Education and Training Command and utilize the safety guidelines established by the Civilian Marksmanship Program, the National Rifle Association and appropriate Naval Directives.

2. The Senior Naval Science Instructor or Naval Science Instructor will act as the Range Safety Officer (RSO) during all firing evolutions and will remain qualified in accordance with current directives.

3. The goal is to provide students with a sense of accomplishment in mastering marksmanship skills and a sense of responsibility in the use of those skills. Your attention to detail is critical in ensuring the effectiveness and safety of this training.

Dr. Monte Geren

Monte Geren

Superintendent,
La Vega Independent School District



AIR RIFLE MARKSMANSHIP FOR YOUTH

A resource for youth-program leaders, decision-makers, parents and youth.

The Civilian Marksmanship Program (CMP) compiled this document to provide comprehensive, factual information for youth organization leaders and school administrators to consider when deciding whether to establish or approve rifle marksmanship programs (JROTC units, club programs, club or varsity rifle teams, physical education courses). This document may also be used by youth, who are considering participation in air rifle marksmanship, and their parents to learn more about this sport. To obtain additional information about target shooting, contact the CMP at 419-635-2141 or via email at programs@odcmp.com.

AIR RIFLE MARKSMANSHIP—A SUMMARY. Air rifle marksmanship is a sport in which the primary items of sports equipment are 4.5 mm (.177 cal.) air rifles designed expressly for target shooting. All sports test athletes' or participants' skills. In air rifle target shooting, participants fire rifles in three different shooting positions at targets placed 10 meters away. All sports measure athlete performance by using times, scores or some similar means. In air rifle, scores are determined according to how close to the center of the target a series of shots are placed. Target shooting requires its athletes to develop fine motor control skills and mental discipline and it demands strict adherence to safety rules. Air rifle is a gold medal event for men and women in the Olympic Games. Air rifle shooting is practiced as a sport in more than 140 countries of the world. When you make decisions or choices about establishing or participating in an air rifle target shooting program, you are encouraged to give careful consideration to the information in this document.

Rifle marksmanship is one of the safest of all youth sports. The CMP currently tracks over 2,000 high school rifle teams (the majority are JROTC teams) and over 1,000 junior rifle clubs. In four years of collecting safety data, these 3,000 plus youth rifle teams and clubs have reported only one injury resulting from gun handling practices. That one injury, sustained while removing a compressed air cylinder for recharging, resulted from the misuse of maintenance equipment and was not a shooting accident. This outstanding safety record is the result of rigorous safety training provided for leaders and participants. Safety rules that are applied in target shooting have been effective in fulfilling a "zero accidents" goal within the sport. Rifle shooting is one sport where achieving a goal of no accidents or injuries is, in fact, attainable.



Effective safety instruction, supervision by trained range officers and strictly enforced safety rules make air rifle target shooting one of the safest of all youth sports.

Rifle target shooting is a sport where sex, size, speed or "natural ability" do not determine success. Shooting is a sport for everyone.

- In this sport, participants advance and succeed as a result of motivation and practice; hard work almost invariably pays off; and, the most important component of "talent" is motivation and interest.
- Girls and boys compete equally in rifle; over 40% of recent college All-American teams were women; seven of the top 20 competitors in the 2003 JROTC National Championship were girls.

- Target shooting is a skill sport that offers all of the general benefits of sports competition to a wide variety of youth, including many who do not have the physiological attributes to succeed in some popular sports.
- Target shooting is a lifetime sport where active participation can start as early as age 10 and continue until age 70, 80 or even beyond.



Shooting is one of the oldest and most popular Olympic sports. Nancy Napolski-Johnson, USA (center), won the women's air rifle gold medal in the 2000 Olympic Games in Sydney, Australia.

Target rifle training teaches valuable life skills. The discipline and practice of target rifle shooting is extremely effective in teaching life skills that enhance student performances in schoolwork as well as in home, family, social and job-related activities. Life skills that are effectively developed through marksmanship experiences include:

- Self control, self discipline and emotional control
- Responsibility (from being responsible for the safe handling of firearms)
- Concentration and attentive skills
- Goal-setting and understanding how to achieve goals
- Fair play, teamwork and leadership
- Rewards of hard work, practice and competition
- Self-image enhancement

Shooting is an Olympic sport. There are currently 38 different sports in the Summer and Winter Olympic Games. Four of the 38 Olympic sports, Shooting, Archery, Biathlon and Modern Pentathlon, involve target shooting.

- Shooting is one of 28 Summer Olympic Sports. Shooting has 17 different gold medal events for rifles, pistols or shotguns.
- Shooting was on the first Olympic Games program in 1896 in Athens and has been in every Olympic Games since 1896 except two, 1904 and 1928.
- Ten Olympic Shooting events are for men; seven are for women.
- There are six Olympic rifle events, five pistol events and six clay target events. Five of the 17 Olympic events are for air rifles or air pistols.
- 103 different countries qualified athletes to participate in Shooting in the 2000 Olympic Games. Only Athletics (track & field) and Swimming had more participating countries.

Riflery is a popular high school sport. CMP state junior directors have identified over 2,000 high schools in 45 states that have high school varsity or club rifle teams (the actual number is probably higher). For example, in Georgia, where the Georgia High School Association recognizes rifle as a varsity sport, 109 high schools have varsity rifle teams. High school teams in Georgia compete with each other during the season in district home and away matches that are followed by district play-offs and a state championship. North Carolina has 246 schools that have JROTC or club rifle teams. The Hawaii High School Athletic Association sponsors popular boys and girls state rifle championships for 40 schools with varsity teams. High school riflery is organized, in many other states, on a regional basis within the state by JROTC leaders or other organizations.



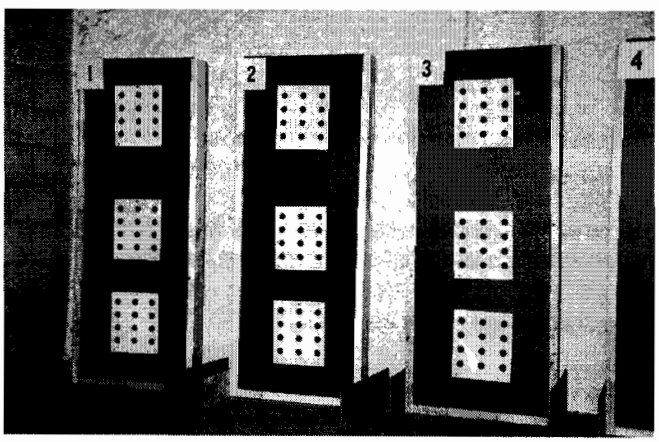
This Hawaii high school air rifle team won the Hawaii State High School Air Rifle Championship and then went on to win the National Junior Olympic Air Rifle Championship.

Rifle shooting is an NCAA collegiate championship sport. The NCAA reports that athletic departments in 56 universities and colleges sponsor varsity rifle teams (13 men's teams, 14 women's teams and 29 mixed teams). Each year several hundred student-athletes receive college scholarships that are awarded based on rifle shooting and academic qualifications. In addition, over 200 universities and colleges have organized club rifle teams or other shooting sports programs.

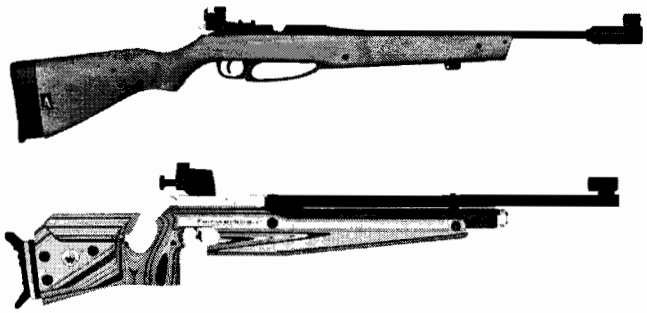
Training curriculum material and instructor/ coach training are readily available. A wide variety of marksmanship training and instructional curriculum materials are now available. The CMP cooperated with the Army JROTC Command to produce new marksmanship training curriculum for JROTC instructors to use in teaching safety and basic skills. This or similar material is available to all JROTC instructors (Army, Marine Corps, Navy). The CMP also makes similar curriculum material for basic marksmanship training available to other school and club programs. Coach and instructor training is readily available through cooperative programs provided by USA Shooting (Olympic shooting NGB), the NRA and CMP.



Air rifle ranges are simple and inexpensive--air gun ranges can be set up almost anywhere. Air rifles used for target shooting fire 8 grain pellets at velocities of 400-600 feet per second and that generate about five foot pounds of energy. This means a target backstop made of 1/8" sheet steel or even a box filled with several layers of cardboard or newspaper easily can capture a fired air rifle pellet. A room that is at least 40 feet long and 20 feet or more wide, that is covered with ordinary wallboard or wood, where there are no exposed windows, and that facilitates controlled access to the firing area, will serve as a range. The unique protective measures required for firearms ranges are not required for air rifle ranges.



Safe air rifle shooting ranges can easily be set up in any enclosed area that is at least 40 x 20 feet in size. The photo shows simple target holders and backstops that can be made in any workshop.



Two classes of air rifles are used in youth target shooting. Sporter air rifles (above) are inexpensive and require minimal additional equipment. Precision air rifles (below) are the same air rifles that are used in national and international competitions. Shooters in the precision air rifle class need special shooting jackets and some other equipment.

Equipment is readily available and affordable. Almost all entry-level training and competition is done with sporter class air rifles that range in cost from $175 to $350 each. Except for slings and gloves, no other special equipment is required. More than half of the air rifle competitions at high school and junior levels are sporter class competitions where additional special equipment is not even permitted. This means that for a relatively small expenditure, a school, team or club can obtain all of the equipment needed not only for initial instruction, but also to compete in youth competitions at the local, state and national levels. In addition, there are programs available through JROTC commands, the CMP and Daisy Outdoor Products (primary supplier of sporter class air rifles) that provide special purchasing terms to keep program start-up costs affordable. Low cost training grade equipment, including sporter class air rifles, training-grade pellets and targets, is available for purchase at subsidized costs through the CMP. The CMP also has a delayed payment program for air rifles that can be paid for over a period of two years at no interest.

Proper range management practices effectively eliminate lead exposure risks. Lead exposure risks are successfully eliminated or controlled by using properly constructed target backstops and following recommended hygiene practices. There now is ample scientific evidence to confirm that rifle shooters who fire on properly designed air gun ranges and who fol-

low recommended hygiene practices do not experience any problems from lead exposure that require medical intervention or that even cause concern.

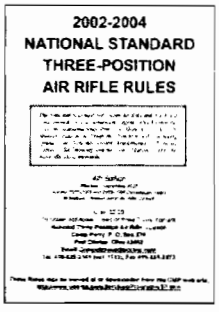
- Tests in Germany, the U. S. and other countries confirm that firing air rifle pellets does not generate airborne lead in the firing line area where participants are active.

- Properly designed target holders successfully contain the lead generated by the impacts of lead pellets.

- Shooters handle lead pellets while loading and firing, but keeping food or open beverage containers out of ranges and requiring participants to wash hands after firing effectively prevents lead absorption.

- U. S. Olympic Training Center resident athlete shooters, who daily spend six to eight hours per day on USOTC ranges have periodic blood tests to monitor lead. These shooters have potential exposures much greater than any school or club participants have. In 15 years of testing, no USOTC shooting resident athlete has ever registered blood lead levels requiring medical intervention. Most, in fact, consistently register blood lead levels that are below normal.

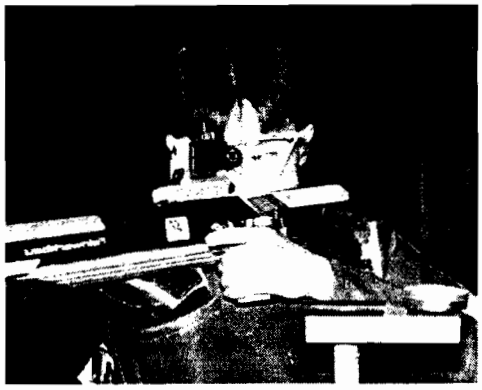
Target rifle training is a proven means of reducing firearm accidents. Students who are taught rifle safety through air rifle marksmanship programs and who have opportunities to handle air rifles in actual range firing, acquire safety knowledge and skills that significantly reduce the possibility they will ever be involved in a firearm accident. This training increases the probability that these young people can prevent accidents when they are exposed to firearms in any other situation.



Youth air rifle shooting in the U. S. has an active national governing body. National shooting sports and youth-serving organizations that foster air rifle shooting for youth established the National Three-Position Air Rifle Council to provide national coordination, competition rules based on the Olympic model, participant recognition programs and promotion of three-position air rifle training and competition opportunities. The Council provides ***National Standard Three-Position Air Rifle Rules*** that now govern almost all junior air rifle competitions in the U. S. Current Council members are:

- The American Legion
- Army Cadet Command
- BSA-Venturing
- Civilian Marksmanship Program
- Daisy/U. S. Jaycees Shooter Education Program
- Marine Corps Training and Education Command
- National 4-H Shooting Sports
- National Guard Marksmanship Training Center
- Naval Education and Training Command
- USA Shooting (National Governing Body for Olympic shooting in U. S.)

Other important considerations:



- Firearms are an integral part of American heritage, culture, sports and recreation. It is realistic to recognize that most youth will be exposed to firearms and that many will develop an active interest in guns and shooting. Marksmanship and target training assures that these interests are channeled through a positive, structured, disciplined, sports-oriented program. This counteracts unguided interests that might grow out of any negative images of guns conveyed by popular culture and the media. Target shooting effectively prevents such interests from becoming destructive or dangerous.

- Target shooting is a sport of discipline, control and non-violence. It creates attitudinal qualities in youth that make them extremely unlikely to commit acts of violence of any kind. Air rifles used in target shooting are low-powered, single-shot pellet guns that have no other purpose apart from target shooting. In the sport of target shooting, participants' competitive energies are directed towards targets placed downrange and not directly against opponents. In this environment, the air rifle is a piece of sports equipment that must be treated with respect, but which is never regarded as an instrument of violence.

To obtain additional information, check these web sites:

- Civilian Marksmanship Program and the National Three-Position Air Rifle Council (site has links to many other youth air rifle program web sites)
  http://www.odcmp.com/3P.htm
- USA Shooting (U. S. Olympic governing body)
  http://www.usashooting.com/aboutusa.cfm

Consider Approval Of 2004-2005 Fiscal Year Financial Audit

Presented for:
Board action ☒ Report/Review Only ☐ Consent Agenda Item ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Gary W. Williams

Background Information:
Section 44.008, Texas Education Code, requires that school districts have an annual financial audit prepared by an independent audit firm. Again this year, La Vega ISD has retained the firm of Jaynes, Reitmeier, Boyd & Therrell, P.C. to conduct the 2004-2005 annual financial audit for the District. They have issued their report for the 2004-2005 fiscal year dated October 28, 2005, a copy of which is attached. Ms. Diana Ward and Mr. Mike Abel with the firm of Jaynes, Reitmeier, Boyd & Therrell, P.C. will present the audit report to the Board and answer any questions which the Board or Administration may have. There is no requirement in the Texas Education Code or Financial Accountability System Resource Guide that a public hearing on the audit report be held. Once the 2004-2005 fiscal year audit is approved, the Board President and Board Secretary will need to sign the Certificate of Board found on page ii of the audit report. The District will then have 150 days to submit a signed copy to TEA in both paper format and electronic format. The Support Services office will file the required reports.

Fiscal Implication:
N/A

Administrative Recommendation:
The Administration recommends the Baord approve the 2004-2005 fiscal year audit as presented.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Consider Approval of Change Order #2 For La Vega Primary Center

Presented for:
Board action ☒ Report/Review Only ☐ Consent Agenda Item ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Gary W. Williams and Cliff Brown

Background Information:
During the course of construction projects, various changes are identified which modify the scope of work, and which may change the final contract price. The procedure for identifying and formalizing these changes is:

1. The change is requested, pricing is obtained, and the owner approves or disapproves the Request for Pricing (RFP).

2. A number of RFP's are consolidated into a Change Order, which is submitted for formal Board approval.

3. The contract price is modified to reflect the approved changes.

The attached spreadsheet summarizes Change Order #2 for La Vega Primary. The overall effect of the Change Order is a net reduction of $19,867 to the contract price. Mr. Cliff Brown and Mr. Gary Williams will be present describe the changes and to answer questions.

Fiscal Implication:
Change Order #2 will reduce the contract amount for La Vega Primary by $19,867.

Administrative Recommendation:
It is recommended that the Board approve Change Order #2 for La Vega Primary for a deduct of $19,867.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Change Order #2 Primary School Summary

December 14, 2005

Item #	RFP #	Description		Amount
1	9P	Delete Under Counter Lights, Rooms 5-11, 15, 20, 25, 28, 33, 38, 41	$	(775.00)
2	10P	Delete Copper cover at exterior lintels replace with Galvanized	$	(1,018.00)
3	11P	Add outdoor light interlock to Energy Management System	$	1,181.00
4	12P	Delete occupancy sensors in classrooms	$	(17,112.00)
5	13P	Delete Gym electronic equipment controls	$	(1,692.00)
6	14P	Extend existing wall hydrants to flush with face of brick veneer.	$	161.00
7	15P	Provide additional 25' sanitary sewer line Section 4	$	582.00
8	16P	Change exterior pendant mounted horns to flush mounted vandal proof horns	$	505.00
9	17P	Add full height mirror at Girls 5-17 and relocate existing mirror.	$	178.00
10	18P	Add four additional keypads at exterior doors	$	781.00
11	19P	Furnish broadloom carpet in lieu of carpet tiles	$	3,410.00
12	20P	Remove existing base cabinets in Rooms 5-11, 15, 38, 41	$	598.00
13	21P	Delete lights and switches in Mechanical Rooms 5-21, 24, 30. 31	$	(190.00)
14	22P	Add washer dryer connections at Clinic 2-18, water, drain, vent-thru-roof, electrical	$	3,229.00
15	23P	Specified spare light fixtures. Pending Reconciliation at the end of the project.	$	-
16	24P	Delete multiple ground rods for exterior light poles	$	(2,820.00)
17	25P	Change stage lighting and dimming system to basic system	$	(6,885.00)
Total	**Change Order #2**		**$**	**(19,867.00)**

Original Contract Amount	$	6,910,399.00
Change Order #1	$	11,630.05
Contract Amount Revised by C.O. #1	$	6,922,029.05
Change Order #2	$	(19,867.00)
Contract Amount Revised by C.O. #2	$	6,902,162.05

Lost Time 5.5 days

Consider Approval of Change Order #2 For La Vega Elementary School

Presented for:
Board action ☒ Report/Review Only ☐ Consent Agenda Item ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Gary W. Williams and Cliff Brown

Background Information:
During the course of construction projects, various changes are identified which modify the scope of work, and which may change the final contract price. The procedure for identifying and formalizing these changes is:

1. The change is requested, pricing is obtained, and the owner approves or disapproves the Request for Pricing (RFP).

2. A number of RFP's are consolidated into a Change Order, which is submitted for formal Board approval.

3. The contract price is modified to reflect the approved changes.

The attached spreadsheet summarizes Change Order #2 for La Vega Elementary. The overall effect of the Change Order is a net reduction of $24,021 to the contract price. Mr. Cliff Brown and Mr. Gary Williams will be present describe the changes and to answer questions.

Fiscal Implication:
Change Order #2 will reduce the contract amount for La Vega Elementary by $24,021.

Administrative Recommendation:
It is recommended that the Board approve Change Order #2 for La Vega Elementary for a deduct of $24,021.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Change Order #2 Elementary School Summary

December 14, 2005

Item	RFP	Description		Amount
Item 1	RFP #7E	Delete Under Counter Lights, Rooms 5-19, 24, 25 & 28	$	(432.00)
Item 2	RFP #8E	Delete Copper Exterior Lintels, replace with galvanized	$	(1,466.00)
Item 3	RFP #9E	Add Outdoor Light Interlock to Energy Management System	$	897.00
Item 4	RFP #10E	Delete Occupancy Sensors in Classrooms	$	(16,871.00)
Item 5	RFP #11E	Delete Gym Electronic Control System	$	(1,726.00)
Item 6	RFP #13E	Change Exterior Pendant Speaker Horns to Flush Mounted Horns	$	252.00
Item 7	RFP # 13E	Add 5 Additional Keypads	$	995.00
Item 8	RFP #14E	Furnish Broadloom Carpet in lieu of Carpet Tiles	$	3,411.00
Item 9	RFP # 15E	Delete Mechanical Room Lights and Switches	$	(336.00)
Item 10	RFP #16E	Delete Multiple Ground Rods at Exterior Light Poles	$	(1,860.00)
Item 11	RFP #17E	Change Dimmers and Fixtures at Stage to Basic System	$	(6,885.00)
Total Change Order #2			**$**	**(24,021.00)**

Original Contract Amount	$	7,544,421.00
Change Order #1	$	2,488.50
Revised Contract Amount with C.O #1	$	7,546,909.50
Change Order #2	$	(24,021.00)
Revised Contract Amount with C.O. #1 and #2	$	7,522,888.50

Lost Time 3.5 days

Consider Approval of Bid Award For Asbestos Abatement - La Vega Elementary

Presented for:
Board action ☒ Report/Review Only ☐ Consent Agenda Item ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Gary W. Williams and Cliff Brown

Background Information:
The district received bids for asbestos abatement at La Vega Elementary on December 6, 2005. Five qualified bids were received. Contractors were asked to bid on two options: a base bid of 27 calendar days to complete the work, and an alternate bid of 37 calendar days to complete the work. A tabulation is attached for your review.

Ron Hogan of Environmental Concerns, Inc. assisted in the preparation of the specifications and the review of the bids. After review by Mr. Hogan, Cliff Brown, and Gary Williams, it appears that the best bid is that of Sisk-Robb, Inc., of Leander, Texas. The company's credentials and qualifications are satisfactory, and they have done satisfactory work for the district in the past.

Fiscal Implication:
The base bid of $131,300 is considerably higher that the original estimate of $50,000. This price escalation is almost entirely due to the devastation of the Gulf Coast by Hurricanes Katrina and Rita. The widespread demolition and rebuilding efforts in the hurricane-affected areas have driven wages higher and made it more difficult for companies to adequately staff projects. We are attempting to offset this increase with other reductions within the project cost.

Administrative Recommendation:
It is recommended that the Board award the bid for Asbestos Abatement at La Vega Elementary School to Sisk-Robb, Inc. for a base bid of $131,300.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Bid Tabulation
Asbestos Abatement - La Vega Elementary

Contractor	Bid Bond	Base Bid	Alternate Bid (More Time)	Contractor Qualification	OSHA Qualification	"No Felony" Statement	TDSHS License
ARC Abatement	Yes	$ 180,500.00	$ 177,800.00	Yes	Yes	Yes	Yes
Basic Industries	Yes	$ 171,000.00	$ 163,000.00	Yes	Yes	Yes	Yes
Southwest Contractors	Yes	$ 138,000.00	$ 123,000.00	Yes	**No**	Yes	Yes
Sisk - Robb, Inc.	Yes	**$ 131,300.00**	$ 125,000.00	Yes	Yes	Yes	Yes
Intercon Environmental	Yes	$ 195,000.10	$ 195,000.10	Yes	Yes	Yes	Yes

Distribution of Superintendent's Appraisal Documents

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Dr. Monte Geren

Background Information:
See attached.

Fiscal Implication:
See attached.

Administrative Recommendation:
N/A

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

La Vega Independent School District

Superintendent Appraisal
for Dr. Monte Geren
January 2006

I. Instructional Management

The superintendent's performance in this area is guided by the expectations for student achievement established by the board and the policies and resources to support their attainment. The superintendent: provides the staff with a vision of what student performance can and should be; holds high expectations for student development; defines needs and develops plans through the analysis of test results and other objective data, such as student attendance, enrollment in advanced courses, and effectiveness measures for special programs; and ensures that decisions are made with student performance as the focus.

Based upon the objectives set for this appraisal period and the evaluative information made available, to what extent were the board's expectations met?

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments:_____

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II. School/Organizational Climate

In order to achieve the district's goals and objectives for student achievement, the overall social climate of the district must be conducive to student learning and development. The superintendent sets the tone for the school and organizational climate by: focusing attention on student growth and development; encouraging openness to new and more effective ways to meet student needs; involving others appropriately in planning and decision making; demonstrating sensitivity in dealing with the staff and student; dealing fairly with staff and organizational issues; and encouraging all administrators to be open and sensitive to the needs of staff members as they seek to achieve the student learning goals of the district.

Based upon the objectives set for this appraisal period and the evaluative information made available, to what extent were the board's expectations met?

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments:_____

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III. School/Organizational Improvement

Keeping the entire school district functioning as an effective unit is one of the major challenges of the superintendent. Even though site-based decision making tends to decentralize some aspects of school operations, there is still a need to coordinate the efforts of several different campuses so that districtwide goals are attained and there is unity of purpose among the schools. The superintendent must maintain a balance of priorities among elementary, middle, and high schools and among other programs. To do this, the superintendent evaluates both the effectiveness of the individual campuses and district's overall effectiveness in terms of results attained; recommends to the board policies, budgets, and staff and organizational arrangements that will improve the district's effectiveness in achieving desired outcomes; uses staff input in the process of maintaining efficient administrative, teaching, and support operations; and encourages the use of modern methods and technology to achieve greater efficiency while achieving desired results.

Based upon the objectives set for this appraisal period and the evaluative information made available, to what extent were the board's expectations met?

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments:_____

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IV. Personnel Management

The superintendent may delegate many of the personnel functions to others, but the overall effectiveness of the districtwide personnel process is the responsibility of the chief executive officer. The superintendent: strives to ensure that the recruitment, screening, selection, training, and assignment of personnel is effective in reaching district goals; ensures that the hiring, contract renewal, placement, discipline, promotion, and dismissal of personnel is done according to what is best for students and according to laws and board policy. Since schools operate in an ever-changing world, new skills and higher levels of skills are required of all staff members. Within the resources allocated, the superintendent helps provide appropriate staff development and training on a continuing basis to achieve the goals of the district; recommends salaries and benefits that are competitive, uniformly administered, and within the ability of the district to pay.

Based upon the objectives set for this appraisal period and the evaluative information made available, to what extent were the board's expectations met?

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments:_____

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V. Administration and Fiscal/Facilities Management

The superintendent is responsible for the overall management of the board-adopted budget and the district's facilities. The superintendent: involves the staff in estimating the fiscal needs of the district based upon the goals and objectives and the strategies for attaining them; makes annual budget recommendations to the board; reports to the board both the results achieved and their costs; periodically involves the staff in assessing the adequacy of the facilities with respect to desired student learning outcomes; makes plans and recommendations for design, construction, renovation, and repair of facilities; periodically involves the staff and outside experts in the assessment of the efficiency of fiscal operations (budgeting, accounting, purchasing, payroll, inventory, etc); and monitors and evaluates financial operations and facilities to ensure compliance with federal, state, and local laws and other established standards for efficient management of resources.

Based upon the objectives set for this appraisal period and the evaluative information made available, to what extent were the board's expectations met?

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments:_____

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VI. Student Management

This area of the superintendent's performance includes the design and management of all of the district's procedures and environment that help students accept responsibility for their own actions, learn to care for others, and exercise good citizenship. The superintendent: recommends to the board policies that provide the framework of support to the staff and helps to implement practices that are known to be effective in achieving the goals of self-responsibility, good citizenship, and appropriate conduct at school; involves others in the design, implementation, and evaluation of student management practices; ensures that training and staff development are provided to the staff with respect to the policies, procedures, and desired outcomes of student management; ensures that the consequences for inappropriate student behavior are applied uniformly and consistently across the district; ensures that due care and legal rights of both students and staff are protected; and monitors, evaluates, and periodically reports on the outcomes of the student management program.

Based upon the objectives set for this appraisal period and the evaluative information made available, to what extent were the board's expectations met?

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments:_____

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VII. School/Community Relations

The public's perception of the school district is shaped by the information it receives and by the way with which it is dealt by the school staff. The superintendent's role is to help create an environment at school that is open and friendly to the parents and the community and provides information about the district's goals, objectives, accomplishments, and needs. Some functions that are associated with this are: ensure that those assigned to key administrative positions are effective in human relations and communicate effectively with parents and community members; ensure that the districtwide process for dissemination of public information is effective; work with parents, civic, church, and business groups to explain the district's programs, services, accomplishments, and needs; and communicate the district's vision for the future and the goals for student learning.

Based upon the objectives set for this appraisal period and the evaluative information made available, to what extent were the board's expectations met?

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments:_____

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VIII. Professional Growth and Development

Given the rapid changes in factors that affect education, and the new skills and higher levels of skills required to lead and manage an entire school district, the more the superintendent and those to whom many responsibilities are delegated know about a subject or area of work, the better able they are to achieve the high expectations held for them. Not only is continuing education and training required by law for all Texas school administrators, it is essential to the attainment of district goals. To meet the requirements of law and the expectations held for the superintendent, each year he/she should: conduct a self-appraisal of professional development needs and seek comments and input from the board and others; participate in high-quality professional development activities and conferences both in and out of state; and actively participate in professional activities that offer programs for professional and personal growth.

Based upon the objectives set for this appraisal period and the evaluative information made available, to what extent were the board's expectations met?

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments:_____

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IX. Board/Superintendent Relations

The staff, students, and community benefit from a harmonious relationship between the district's policy-making body (the board) and the chief executive officer (the superintendent). Unity of purpose and good communications are two of the main ingredients of effective board/superintendent relations. While there is generally a clear distinction between the role of the board and the role of the superintendent, a good relationship ensures that any differences can be discussed and dealt with effectively. The superintendent can do his/her part by: providing opportunities for the board and the superintendent to establish cooperatively developed goals to define expectations and their respective roles in attaining desired outcomes; maintaining frequent communications with the board and encouraging open and honest dialogue; periodically conducting a self-assessment and soliciting an assessment from the board; and encouraging mutual respect.

Based upon the objectives set for this appraisal period and the evaluative information made available, to what extent were the board's expectations met?

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments: _____

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X. Student Performance

The Board has adopted the Commissioner-Recommended Student Performance Domain and authorized its use for this appraisal instrument for the Superintendent. The Academic Excellence Indicator System (AEIS) Data for the most recently completed school year has been provided to the Board of Trustees for review and consideration as the Superintendent Appraisal Student Performance Worksheet. As instructional leader for the District, the Superintendent is responsible for the academic performance of the students through his/her leadership of administrators, instructional, and support staff. Delegation of authority and accountability for central office administrators and campus principals in their more direct roles of instructional leadership is a most significant aspect of the Superintendent's performance. Goal setting, personnel recruitment, selection, retention assignments, and training of instructional personnel, appraisal of personnel, appraisal of programs, provision of appropriate financial and personnel resources, and provision of appropriate instructional facilities and materials are also important considerations that contribute to student performance.

☐ Below Expectation ☐ Meets Expectation ☐ Exceeds Expectation

Comments: _____

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OPTIONAL - Please add any additional information or comments: _____

Signatures indicate that the performance evaluation has been reviewed with the Superintendent.

_____

Phil Bancale
President, Board of Trustees

_____

Rodney Outlaw
Secretary, Board of Trustees

_____

Dr. Monte Geren
Superintendent

Commissioner-Recommended Student Performance Domain/Superintendent Appraisal
WORKSHEET (updated March 2005)

To be included as one component of the locally developed appraisal instrument

Texas statute requires that the board use the district performance report as a primary consideration in its appraisal of superintendent performance (TEC §39.054). This worksheet provides an analysis of district student performance based on the district AEIS and AYP reports.

To meet the statutory requirement for primary consideration, the board should consider the information on this worksheet in discussing and evaluating each area of superintendent responsibility on the local appraisal instrument. Such areas of responsibility often include: instructional management; personnel management; student management; management of fiscal, administrative, and facilities functions; organization morale; organization improvement; school-community relations; school board relations; and professional growth and development.

The information on this worksheet should be used as only one indicator of the success of the superintendent in managing specified areas of district operations for increased student achievement. In addition, the board should use locally determined and other indicators of success in discussing and evaluating the job performance of the superintendent in specified areas of responsibility.

Goals for the superintendent should ideally be developed by board consensus in collaboration with the superintendent.

Superintendent Dr. Monte Geren Date December 2005 District La Vega ISD

Directions: The superintendent should use the current district and campus AEIS and AYP reports to complete Steps 1-4.

Step 1. District AEIS Accountability Rating: Academically Acceptable

Step 2. District 2003-2004 AYP Status Label: Meets AYP - Participation Hold Harmless

Met AYP ☐ Missed AYP ☐

If missed AYP, give reason:

Performance _____

Participation _____

Other Measure _____

Superintendent Comments: _____

Commissioner-Recommended Student Performance Domain/Superintendent Appraisal
WORKSHEET (updated March 2005)

Step 3. Adequate Yearly Progress (AYP) campus status. Indicate types of campuses (i.e., elementary, secondary, etc.) and indicate number of campuses within each category. Indicate number of campuses within each type which "Met AYP" or "Missed AYP" for Reading/LA and Mathematics. When needed, use "NA" to indicate not applicable.

Campus AYP Information		Reading/LA		Mathematics	
Type	Number	# Met AYP	# Missed AYP	# Met AYP	# Missed AYP
Elementary	3	X		X	
Secondary	2	X		X	

Superintendent Comments:

Step 4. Summary of current year results.

A. Post district State Assessment results below. Refer to AEIS report; "Sum of All Grades Tested" (Accountability Indicator) for TAKS scores, and SDAA "Sum of All Tests Grades 3-8 (all students) Met ARD Expectations" as they are reported for accountability. In the space provided beside results for the indicated group, use "+", "–", or "=" to indicate change from the previous year. When needed, use "NA" to indicate not applicable.

TAKS "Sum of All Grades Tested"	District*		AA*		H*		W*		NAm		A/PI		Spec. Ed		Eco. Dis.*		LEP	
EXAMPLE	88%	+	84%	+	79%	=	93%	–							78%	+		
TAKS Reading/ELA	75%	+	70%	+	73%	+	79%	+	NA		94%	+	56%	+	73%	+	56%	+
TAKS Writing	84%	+	78%	+	87%	+	84%	+	NA		NA		63%	+	82%	+	85%	+
TAKS Math	58%	+	47%	+	58%	+	64%	+	NA		83%	+	37%	+	56%	+	46%	+
TAKS Social Studies	85%	+	83%	+	79%	+	89%	+	NA		>99%	=	71%	+	82%	+	38%	-
TAKS Science	58%	+	43%	+	48%	+	72%	+	NA		88%	*	39%	+	52%	+	7%	+

*State Accountability student group for TAKS (if group size meets minimum requirements)

SDAA	District**	
SDAA Sum of All Tests 3-8 (all students)	92%	+

**State Accountability all student group for SDAA (if group size meets minimum requirements)

Important note from page 29 of the TEA-produced AEIS Glossary: "For purposes of comparison, prior year (2003) performance on TAKS has been recomputed to 1 SEM below Panel Recommendation for grades 3-10 and 2 SEM below Panel Recommendation for grade 11."

Superintendent Comments:

Commissioner-Recommended Student Performance Domain/Superintendent Appraisal
WORKSHEET (updated March 2005)

B. Use the AEIS "Annual Dropout Rate" (Gr 7-8) (Accountability Indicator) to post district's most recent and previous year results. In the space provided, check (√) to indicate whether the recent year is an increase, decrease, or the same as the previous year. When needed, use "NA" to indicate not applicable.

Dropped Out Rate	EXAMPLE STATE	District*	AA*	H*	W*	NAm	A/PI	Spec. Ed	Eco. Dis.*	LEP
Most Recent Year	.2%	.9%	.0%	.8%	1.5%	NA	NA	.0%	1.0%	.0%
Previous Year	.2%	1.8%	.0%	2.8%	1.9%	NA	.0%	2.4%	1.7%	6.7%
Increased										
Decreased		X		X	X			X	X	X
Stayed Same	√		X							

*State Accountability student group for dropout rate (if group size meets minimum requirements)

Superintendent Comments:_____

_____

_____

C. Use the AEIS "Completion/Student Status" to post district's most recent and previous year "Completion Rate II (w/GED)" results (Accountability Indicator). In the space provided, check (√) to indicate whether the recent year is an increase, decrease, or the same as the previous year. When needed, use "NA" to indicate not applicable.

Completion Rate II (w/GED)	EXAMPLE STATE	District*	AA*	H*	W*	NAm	A/PI	Spec. Ed	Eco. Dis.*	LEP
Most Recent Year	95.5	94.1%	97.1%	93.1%	93.1%	NA	NA	90.5%	92.5%	NA
Previous Year	95.0	92.4%	97.7%	86.7%	91.3%	NA	NA	85.7%	83.8%	NA
Increased	√	X		X	X			X	X	
Decreased			X							
Stayed Same										

*State Accountability student group for Completion Rate II [w/GED] (if group size meets minimum requirements)

Superintendent Comments:_____

_____

_____

Commissioner-Recommended Student Performance Domain/Superintendent Appraisal
WORKSHEET (updated March 2005)

D. Indicate number of campuses receiving Gold Performance and other acknowledgments below (based on year evaluated).

Number of Campuses	Gold Performance Acknowledgments
	Advanced Course Completion (02/03)
	AP/IB Examination Results (02/03
	Attendance Rate (02/03)
	Commended Performance on TAKS: Spring 2004
	• Reading/English Language Arts
	• Writing
	• Mathematics
	• Science
	• Social Studies
X	Recommended High School Program/Distinguished Achievement Program (Class of 2003)
	SAT/ACT Results (College Admission Tests) (Class of 2003)
	TAAS/TASP Equivalency (Class of 2003)
	Other Acknowledgments

Superintendent Comments: _____

_____

Step 5. Using the student performance data summarized in Steps 1-4 above, the superintendent and board should identify strengths and areas that may need to be addressed.

A. Strengths in district student performance: _____

_____

B. Areas that may need to be addressed in district student performance. Indicate in spaces provided, approaches to improve student performance.

TAKS Reading/ELA	
TAKS Writing	
TAKS Math	
TAKS Social Studies	
TAKS Science	
Attendance	
Dropout/Completion	
Graduation	
SDAA	
Other	

Superintendent Comments: _____

_____

Commissioner-Recommended Student Performance Domain/Superintendent Appraisal
WORKSHEET (updated March 2005)

Step 6. The board should review the information on this worksheet as part of its local procedures for setting goals with the superintendent for the next evaluation cycle. District student performance identified on the worksheet as needing to be addressed should be reflected in appropriate locally developed goals. Goals for the superintendent should ideally be developed by board consensus in collaboration with the superintendent.

Legal Authority: The analysis of district student performance provided on this worksheet should be used by the board in the evaluation of the superintendent. The results of the analysis should be incorporated into the local appraisal instrument. TEC §39.054; TAC §150.1022(d)

The information in this domain should be incorporated into the locally adopted appraisal instrument in a manner consistent with locally adopted procedures for evaluating the superintendent. In addition, the information should be used to set priorities for ongoing improvement with the superintendent and as additional data to appraise other aspects of the superintendent's job performance.

Consider Approval of Acceptance of Bid for Delinquent Tax Property Located at 4708 Iowa Street in Bellmead

Presented for:
Board action ☒ Report/Review Only ☐ Consent Agenda Item ☐

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Gary W. Williams

Background Information:
The district has received a bid on a vacant lot at 4708 Iowa Street in Bellmead. The district is the trustee for this property, which was acquired because of unpaid delinquent taxes. Ordinarily, this type of transaction would handled as a consent agenda item. We are presenting it as a separate item because of some extraordinary circumstances described below.

The property originally consisted of a lot and a structure, most likely a mobile home. This was the condition when the district became the trustee, and all information (delinquent taxes, appraised value) was based on the land and improvements. Since that time, the improvement has been removed, changing the value significantly; however, the delinquent tax information has not been updated to reflect the removal of the structure. The bid of $1,950 is for the property only, which is its appraised value.

Fiscal Implication:
The district will receive its pro rata share of the funds received, and the property will begin to generate tax revenue.

Administrative Recommendation:
It is recommended that the Board accept the bid of Newton Harris for the delinquent tax property located at 4708 Iowa Street in Bellmead.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

First Reading of Texas Association of School Boards (TASB) Localized Policy Manual Update 77 Affecting (LOCAL) Policies

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Al Bishop

Background Information:
N/A

Fiscal Implication:
N/A

Administrative Recommendation:
Board review of the Texas Association of School Boards (TASB) Localized Policy Manual Update 77 Affecting (LOCAL) Policies.

Texas Association
of School Boards

Localized Policy Manual

Update 77

La Vega ISD

Your Localized Update 77 represents the second of two updates arising from the 79th regular legislative session as well as recent TEA rule changes. Key issues include conflict of interest, records management, DAEP teacher certification, local hearings rules, homebound instruction, and the optional flexible year program. The Update also reflects the Individuals with Disabilities Education Improvement Act (IDEA 2004), various state laws and regulations pertaining to "wellness," and the federal "wellness policy" requirement (addressed further in a ***Starting Points*** policy development tool kit released, via MyTASB, on November 15).

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 the 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 77 packet contains:

- ***Vantage Points—A Board Member's Guide to Update 77***, 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 77 materials can be identified by the DATE ISSUED—11/29/2005—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 77 . . .

- Board action on Localized Update 77 must occur within a properly posted, open meeting of the board and may be addressed on the agenda posting as "Policy Update 77, 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 77, 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 77 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 77 [with the following changes:]"

- The board's action on Localized Update 77 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 make up 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 77 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 77 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 77 packet and the Update 77 ***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 77

District La Vega ISD

Code		Action To Be Taken	Note
B	(LEGAL)	Replace table of contents	Revised table of contents
BBD	(LEGAL)	Replace policy	Revised policy
BBD	(LOCAL)	ADD policy	See explanatory note
BBFA	(LEGAL)	Replace policy	Revised policy
BBFA	(EXHIBIT)	Replace exhibit	Revised exhibit
BBFB	(LEGAL)	ADD policy	See explanatory note
BDAF	(LEGAL)	Replace policy	Revised policy
BDF	(LEGAL)	Replace policy	Revised policy
CHE	(LEGAL)	ADD policy	See explanatory note
CNA	(LEGAL)	Replace policy	Revised policy
CNB	(LEGAL)	Replace policy	Revised policy
CPC	(LOCAL)	Replace policy	Revised policy
CRD	(LEGAL)	Replace policy	Revised policy
DAB	(LOCAL)	Replace policy	Revised policy
DBA	(LEGAL)	Replace policy	Revised policy
DBA	(LOCAL)	Replace policy	Revised policy
DBD	(LEGAL)	Replace policy	Revised policy
DBD	(LOCAL)	Replace policy	Revised policy
DBD	(EXHIBIT)	ADD exhibit	See explanatory note
DFD	(LEGAL)	Replace policy	Revised policy
DFE	(LOCAL)	Replace policy	Revised policy
DGBA	(LEGAL)	Replace policy	Revised policy
DIA	(LEGAL)	Replace policy	Revised policy
E	(LEGAL)	Replace table of contents	Revised table of contents
EEH	(LOCAL)	ADD policy	See explanatory note
EFAA	(LOCAL)	Replace policy	Revised policy
EHAA	(LEGAL)	Replace policy	Revised policy
EHBA	(LEGAL)	Replace policy	Revised policy
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAB	(LEGAL)	Replace policy	Revised policy
EHBAC	(LEGAL)	Replace policy	Revised policy

Instruction Sheet

TASB Localized Policy Manual Update 77

Code		Action To Be Taken	Note
EHBAD	(LEGAL)	Replace policy	Revised policy
EHBAE	(LEGAL)	ADD policy	See explanatory note
EHBC	(LEGAL)	Replace policy	Revised policy
EI	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EL	(LEGAL)	Replace policy	Revised policy
F	(LEGAL)	Replace table of contents	Revised table of contents
FFA	(LEGAL)	Replace policy	Revised policy
FFA	(LOCAL)	DELETE policy	See explanatory note
FNAB	(LEGAL)	Replace policy	Revised policy
FNCF	(LEGAL)	Replace policy	Revised policy
FNG	(LEGAL)	Replace policy	Revised policy
FO	(LEGAL)	No policy enclosed	See explanatory note
FODA	(LEGAL)	Replace policy	Revised policy
FOF	(LEGAL)	Replace policy	Revised policy
GF	(LEGAL)	Replace policy	Revised policy

Explanatory Notes

TASB Localized Policy Manual Update 77

District: La Vega ISD

B (LEGAL) LOCAL DISTRICT GOVERNANCE

BBFA (ETHICS: CONFLICT OF INTEREST) has been split into two codes:

- BBFA: CONFLICT OF INTEREST DISCLOSURES
- BBFB: PROHIBITED PRACTICES

BBD (LEGAL) BOARD MEMBERS
TRAINING AND ORIENTATION

As reflected at SPECIFIC OPEN MEETINGS TRAINING and SPECIFIC OPEN RECORDS TRAINING on page 3, SB 286 from the 79th regular session now requires board members and certain other elected or appointed public officials to complete training on Government Code Chapters 551 and 552, commonly referred to as the Texas Open Meetings Act and the Texas Public Information Act. The attorney general is charged with the responsibility of ensuring that training is made available. The Office of the Attorney General will both provide this training and approve alternative providers. Board members must complete the required training within 90 days of taking the oath of office; however, those who took the oath of office prior to January 1, 2006, have until January 1, 2007, to complete the training.

Under terms of the legislation, these courses will accrue board member training credit as well. The attorney general's office is currently developing video training that will fulfill these requirements; the video training is expected to be released in December 2005. Further information on the requirement and the attorney general's response to various questions regarding the training may be found at http://www.oag.state.tx.us/agency/sb286info.shtml.

Please note: Board members may delegate to a public information coordinator the SB 286–required open records training; however, the open meetings training is not delegable.

BBD (LOCAL) BOARD MEMBERS
TRAINING AND ORIENTATION

SB 286, described above, also introduces into statute the term "public information coordinator." Because the responsibilities of the public information coordinator are administrative in nature and usually fall within the purview of the superintendent, either directly or by delegation, we have developed language identifying the superintendent as the coordinator. The statement goes on to delegate, as permitted by the statute, the Government Code 552 training requirement that would otherwise reside with individual board members.

BBFA (LEGAL) ETHICS
CONFLICT OF INTEREST DISCLOSURES

This policy has been revised structurally as well as substantively.

The increasing complexity of Texas's conflict of interest laws applicable to school districts has prompted the subdivision of this CONFLICT OF INTEREST policy into two separate codes:

- BBFA, focusing more narrowly on required disclosures
- BBFB, addressing specific prohibited practices

BBFA also reflects new provisions of HB 914 from the 79th regular session. That legislation expands the Local Government Code as follows:

- Under CONFLICTS DISCLOSURE STATEMENT, on page 3, are various circumstances that would require a local government officer to file with the district's records officer (generally the superintendent) on the form published by the Texas Ethics Commission a new "conflicts disclosure statement" required by the Local Government Code. This is separate and apart from the "substantial interest" affidavit required by Local Government Code Chapter 171 and the "interest in property" affidavit required by Government Code 553.003 (see page 4). Use of this disclosure statement is required as of January 1, 2006.
- A DEFINITION OF LOCAL GOVERNMENT OFFICER, encompassing the superintendent, also appears on page 3.
- At DEFINITION OF RECORDS ADMINISTRATOR is a list of persons who may perform that function: "the director, superintendent, or other person responsible for maintaining the records of the district." A cross-reference to CPC, where records management is addressed, has been added.
- INTERNET POSTING REQUIREMENT recites the obligation of the district to provide Internet access to the newly required conflicts disclosure statements and to vendor disclosure questionnaires that have been filed with the records administrator of the district.

BBFA (EXHIBIT) ETHICS
CONFLICT OF INTEREST DISCLOSURES

Both exhibits have been revised for clarity:

- Exhibit A

  AFFIDAVIT DISCLOSING SUBSTANTIAL INTEREST IN A BUSINESS ENTITY OR REAL PROPERTY

  "Local public officials" are required to file (with "the official board recordkeeper") such an affidavit under Local Government Code 171.002.

- Exhibit B

  AFFIDAVIT DISCLOSING INTEREST IN PROPERTY

  Government Code 553.002–.003 requires "public servants" to file (with the county clerk) such an affidavit.

Please note: We have added to the cover page a text note referring board members and the superintendent—who are required to file ("with the records administrator" of the district) the conflicts disclosure statement required by Local Government Code 176.003–.004—to the new form promulgated by the Texas Ethics Commission, published on the commission's Web site at http://www.ethics.state.tx.us.

BBFB (LEGAL) ETHICS
PROHIBITED PRACTICES

This policy presents material previously found in BBFA(LEGAL) dealing with specific violations of laws pertaining to ethics. These prohibitions were unaffected by the 79th regular session or other changes in the legal context.

BDAF (LEGAL) OFFICERS AND OFFICIALS
SELECTION AND DUTIES OF CHIEF TAX OFFICIALS

HB 898 from the 79th regular session and effective September 1, 2005, affects the tax assessor's duties. At item 2 under ASSESSOR, the text now reflects that the assessor shall "prepare and mail a tax bill to each person **and** [emphasis added] authorized agent, in whose name property is listed on the tax roll." Previously the tax assessor could send the bill to either party.

BDF (LEGAL) BOARD INTERNAL ORGANIZATION
CITIZEN ADVISORY COMMITTEES

SB 42, from the 79th regular session and effective for the 2006–07 school year, expanded the health-related information that the district was previously required to make available for public inspection and newly requires the district to publish this information in the student handbook and on the district's Web site.

Districts must now adopt and publish policies ensuring that elementary, middle, and junior high school students engage in at least 30 minutes per school day (or 135 minutes per school week) of physical activity. Previous requirements include reporting the number of times during the preceding year that the school health advisory council has met, adopting district policies restricting student access to vending machines, and prescribing penalties for use of tobacco products by students and others on school campuses or at school-related activities.

The post-legislative supplement to the ***TASB Model Student Handbook*** provides further guidance on fulfilling this requirement.

CHE (LEGAL) PURCHASING AND ACQUISITION
VENDOR RELATIONS

This new policy recites key HB 914 provisions regarding potential conflicts of interest between district officials and vendors. While policies BBFA and DBD speak to conflicts of interest involving officers and employees, respectively, CHE has been created to address newly required vendor disclosures. A vendor has seven business days (from the date it enters into contract discussions or negotiations with the district or submits an application, bid, or RFP response, etc.) to file with the district's records administrator the information on the questionnaire promulgated by the Texas Ethics Commission.

The legislation also allows the vendor to file the questionnaire electronically. District obligations include maintaining and making public a list of district officials who are subject to the filing requirement and publishing filed statements on the district's Web site.

CNA (LEGAL) TRANSPORTATION MANAGEMENT
STUDENT TRANSPORTATION

At WIRELESS COMMUNICATION DEVICES, on page 4, may be found the SB 1257 ban on a bus driver using a cell phone or like device while driving when minors are on the bus. Exceptions are allowed for emergency communication or when the bus is not in motion.

CNB (LEGAL) TRANSPORTATION MANAGEMENT
DISTRICT VEHICLES

On August 10, 2005, the federal highways reauthorization bill passed into law, and it has major implications for school district purchasing or leasing of 15-passenger vans.

Grandly styled the "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" or "SAFETEA," the law newly prohibits a district from purchasing or leasing a new 15-passenger van to be used primarily for the transportation of students to or from school or school-related events **unless** the van fulfills federal standards for school buses and multi-functional school activity buses. This requirement is found at NEW VAN PURCHASES OR LEASES and applies to purchases or leases initiated after August 10, 2005. The law does not apply to the purchase of used vehicles in the resale market.

Although not recited here, the law includes civil penalties for violations: a maximum of $10,000 per vehicle (accumulating to a maximum of $15 million for a series of violations by a single district).

CPC (LOCAL) OFFICE MANAGEMENT
RECORDS MANAGEMENT

Legislative action, beginning in 1989 and continuing through the last regular session, has expanded the vocabulary of records management to include four roles:

- Records Management Officer (a Local Government Code provision from the 1989 legislative session)
- Records Administrator (added to the Local Government Code by HB 914 in the 2005 legislative session)
- Officer for Public Information (a Government Code provision arising from the 1993 legislative session)
- Public Information Coordinator (added to the Government Code by SB 286 in the 2005 legislative session)

Each is essentially an administrative function under the supervision of the superintendent. We have developed this listing to assist users of the manual in connecting the "dots" to their statutory context. While the requirement to inform the Texas State Library of the name of the district's records management officer remains in effect, the need to address it in local policy was tied to the initial implementation of the 1989 legislation. Therefore, we have deleted it from this text.

These four statutory titles may present some confusion if the district has used these or similar titles—such as "Public Information Officer"—for administrative positions whose functions do not encompass those associated with these titles by the above statutes. As a practical matter, we suggest that the district retitle otherwise "name-alike" administrative positions.

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

An Insurance Code stipulation that districts not participating in TRS Active Care provide employees a "plan disclosure statement" has been deleted. TASB attorneys have determined that this provision does not apply to school districts meeting the "substantive coverage requirement" specified by the Insurance Code and mandated by Education Code 22.004(b), recited at GROUP HEALTH BENEFITS on page 1.

DAB (LOCAL) EMPLOYMENT OBJECTIVES
OBJECTIVE CRITERIA FOR PERSONNEL DECISIONS

Recently, in pursuing a complaint against a district, the U.S. Department of Justice objected to "suitability for the position" previously listed in this policy because, in the view of the department, it was subjective and could be misapplied to result in a discriminatory action prohibited by federal law (based on gender, age, etc.). Consequently, we have deleted this item entirely. In addition, item 5, previously "evaluations," has been broadened to read "appraisals and other performance evaluations."

These six criteria are intended to comport with Civil Order 5281, which has required since 1971 that each district have a list of objective criteria, not related to race or ethnicity, by which it will make decisions regarding employee assignment, demotion, reassignment, or dismissal and by which it will judge applicants. The full text of the order may be found at http://www.tea.state.tx.us/eeo/5281.html.

DBA (LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS

For a more complete representation of the legal context within which districts must operate, we have added at PROFESSIONAL PERSONNEL CREDENTIALS a long-standing Education Code requirement for valid certification before an educator can be compensated for work done.

DBA (LOCAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS

Guidance offered by TEA's Division of NCLB Program Coordination suggests that the home campus teacher of a student assigned to a disciplinary alternative education program (DAEP) can be considered the "teacher

of record" for purposes of determining if the student is being instructed by a "highly qualified" teacher under the NCLBA. For this to hold true, however, (LOCAL) policy must provide for the following:

- The home campus teacher assigns and evaluates all student coursework;
- The student will receive substantially the same coursework and be subject to the same grading standards as other students on the home campus who are enrolled in the course;
- The home campus teacher has final authority to assign a grade for completed coursework and the final grade for the course;
- The home campus teacher is available on a regular basis to the student and to the DAEP teacher for face-to-face consultation; and
- The DAEP teacher meets all applicable SBEC certification requirements.

The enclosed (LOCAL) policy has been revised to reflect these TEA-defined criteria. If these conditions are met and if the home campus teacher meets NCLB requirements as "highly qualified," parental notification is not required.

We have retained, at UPDATING CREDENTIALS, an existing policy provision previously applicable only to professional employees but now extended to all employees. This broadened language would, of course, include paraprofessionals required to maintain NCLB "highly qualified" status. We have deleted a previous statement addressing the timeline for teachers employed on emergency permits; this is more appropriately addressed in the employee's contract. TASB's Model Employee Contracts, published by TASB Human Resource Services, address this requirement in the "Certification Addendum" for educator contracts. The model contracts are available to HR Services subscribers via MyTASB at https://www.tasb.org/docs–mytasb/gov_svcs/human_rsc_svcs/memlib/memlibfiles/c_models.pdf.cfm.

Other changes are as follows:

- A new CONTRACT PERSONNEL section charges the superintendent with ensuring that a contract employee holds valid credentials before a contract is issued.
- We have deleted a RECORDS statement referencing maintenance of records "in accordance with law and local administrative requirements." Maintenance and retention of personnel records should be addressed within the district's records management plan, as required by the Local Government Code. [See CPC]

DBD (LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

This policy has been revised structurally as well as substantively to clarify the conflict-of-interest standards applicable to employees and to incorporate the enactment of HB 914 from the 79th regular session. Of note:

- Presented first in the policy are specific violations of Penal Code and Education Code provisions pertaining to ethics. These prohibitions were unaffected by the 79th regular session.
- On page 3 appears the long-standing Texas Constitutional prohibition against a person's holding more than one civil office of emolument, subject to noted exceptions.
- Also on page 3 appears provisions of Local Government Code 176.005—added by HB 914—that allow the board to extend to all or certain employees a CONFLICTS DISCLOSURE STATEMENT and to take disciplinary action against an employee who violates the requirement. As noted at BBFA(LEGAL), board members and superintendents are required to file such disclosures. At CHE(LEGAL), vendors are required to file questionnaires explaining their relationships with district officials. These disclosure requirements take effect on January 1, 2006.

Explanatory Notes

TASB Localized Policy Manual Update 77

DBD (LOCAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

Your current policy describes two kinds of conflict-of-interest disclosures:

- A broad, locally imposed standard that requires employees to disclose to their supervisors any potential conflict of interest with the proper discharge of responsibility or with the best interest of the district.
- A more narrowly defined "substantial interest" standard that obligates certain employees with such an interest—as defined by law—in real property or a business entity to file with the superintendent, the board president, or a designee an affidavit. This mirrors the Local Government Code requirement long in place for local public officials and applicable to board members.

HB 914 complicates this picture by introducing an additional disclosure—applicable to the superintendent and the board but which the board might require of other employees as well. As described at BBFA(LEGAL) and DBD(LEGAL), this new standard mandates filing with the district's records administrator a conflicts disclosure statement (on a form developed by the Texas Ethics Commission) if a vendor with whom the district is doing business or considering doing business:

- has an employment relationship—or other business relationship—with the district employee or a member of his or her family;
- has provided the district employee or family member taxable income; or
- has provided the district employee or family member one or more gifts—apart from food, lodging, transportation, or entertainment—having a 12-month aggregate value of more than $250.

This new disclosure standard prompts our revision of the SPECIFIC DISCLOSURES provision to clarify that your existing policy imposes the broad GENERAL STANDARD and the "substantial interest" standard that requires an affidavit of disclosure . . . but **not** the HB 914 standard that requires a conflicts disclosure statement [as described in BBFA and DBD(LEGAL)].

If your district desires to extend the HB 914 standard to employees other than the superintendent, it may do so for specific employees or for all employees. Please contact your Policy Consultant/Analyst for appropriate policy language.

For clarity, we have added a section pertaining to the AFFIDAVIT DISCLOSING INTEREST IN PROPERTY. According to Government Code 553.002, district "officers" and board candidates are subject to this requirement.

DBD (EXHIBIT) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

We recommend the addition of these conflict of interest affidavits to your localized policy manual so that they are readily accessible to employees who are obligated by DBD(LOCAL) to file such affidavits.

- Exhibit A

  AFFIDAVIT DISCLOSING SUBSTANTIAL INTEREST IN A BUSINESS ENTITY OR REAL PROPERTY

  Your district's DBD(LOCAL) extends to certain employees the Local Government Code 171.002 requirement that "local public officials" file such a disclosure statement. The completed form should be timely filed with the superintendent, board president, or designee. [The form for board member use is at BBFA(EXHIBIT).]

- Exhibit B

  AFFIDAVIT DISCLOSING INTEREST IN PROPERTY

  Government Code 553.002–.003 requires "public servants" to timely file—with the county clerk(s)—such a disclosure. This form is specifically for the superintendent's use. [The form for board member use is at BBFA(EXHIBIT).]

Explanatory Notes

TASB Localized Policy Manual Update 77

On the cover page to these exhibits, we have appended a note referring employees required to file the "conflicts disclosure statement" to the Texas Ethics Commission's Web site: http://www.ethics.state.tx.us. As explained at DBD(LEGAL), Local Government Code 176.003–.004 requires the superintendent and board members to file such disclosures and permits the board, by local policy, to extend this particular requirement to other employees as well.

DFD (LEGAL) TERMINATION OF CONTRACT
HEARINGS BEFORE HEARING EXAMINER

At RECORD OF PROCEEDINGS, on page 4, appears an excerpt from TEA rules adopted in July 2004 and addressing what constitutes a "record" for a Chapter 21 appeal before an independent hearing examiner (IHE), a subcommittee of the board, or the board.

The record upon which the commissioner of education shall decide an appeal must include:

- transcripts of local proceedings
- all evidence admitted
- all offers of proof
- all written pleadings, motions, and intermediate rulings
- a description of matters officially noticed
- the recommendation of the IHE, if applicable
- the transcript of the oral argument before the board or board subcommittee
- the decision rendered by the board or board subcommittee
- the board or board subcommittee's written reasons for changing the IHE's recommendation, if applicable

These rules replaced previous hearing rules, adopted in 1993, when hearings were *de novo*. The rules were updated in July 2004 to reflect the fact that appeals are now conducted on the basis of a review of the substantial evidence as presented by the record.

DFE (LOCAL) TERMINATION OF CONTRACT
RESIGNATION

We have extensively revised this policy to clarify who has authority to accept resignations and in what circumstances.

At AT–WILL EMPLOYEES we have added text clarifying that the superintendent or designee has authority to accept such resignations at any time.

At CONTRACT EMPLOYEES, new text establishes that:

- Before the school year starts, the superintendent or designee may accept a contract employee's resignation, but if the resignation is submitted after the penalty-free resignation date established by Education Code 21.105(a) and 21.210(a), the acceptance is contingent on finding a suitable replacement.
- After the school year starts, the superintendent or designee may accept the resignation or refer it to the board to pursue SBEC sanctions. If the superintendent accepts the resignation, the board loses the option to pursue sanctions. If the board wishes to require all mid-year resignations to be brought before the board, please contact your Policy Consultant/Analyst.
- Effective at the end of the school year, the superintendent or designee is authorized to accept the resignation.

- The resignation of a contract employee may not be withdrawn without the consent of the board.

DGBA (LEGAL) PERSONNEL–MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

RECORD OF PROCEEDINGS, on page 3, has been amended to include an excerpt from TEA rules adopted in July 2004 and addressing what constitutes a "record" for appeals brought under Education Code 7.057.

The record upon which the commissioner of education decides an appeal must include:

- acceptable tape recordings or transcripts of the local hearing
- all evidence admitted
- all offers of proof
- all written pleadings, motions, and intermediate rulings
- a description of matters officially noticed
- the recommendation of the independent hearing examiner, if applicable
- the tape or transcript of the oral argument before the board
- the decision rendered by the board

These rules replaced previous hearing rules, adopted in 1993, when hearings were *de novo*. The rules were updated in July 2004 to reflect the fact that appeals are now conducted on the basis of a review of the substantial evidence as presented by the record.

DIA (LEGAL) EMPLOYEE WELFARE
FREEDOM FROM HARASSMENT

The section HARASSMENT OF EMPLOYEES newly includes two standards of current law. The first is drawn from federal regulations and states, "Harassment on the basis of a protected characteristic is a violation of the federal anti-discrimination laws"; the second is drawn from case law and states, "Harassment violates Title VII if it is sufficiently severe and pervasive to alter the conditions of employment."

E (LEGAL) INSTRUCTION

We have revised the E Section table of contents as follows:

- EEH—a new policy code for HOMEBOUND INSTRUCTION.
- EHBAD—redesignated to address SPECIAL EDUCATION: TRANSITION SERVICES.
- EHBAE—a new policy code for SPECIAL EDUCATION: PROCEDURAL REQUIREMENTS (previously addressed at EHBAD).

EEH (LOCAL) INSTRUCTIONAL ARRANGEMENTS
HOMEBOUND INSTRUCTION

TEA's 2005–2006 Student Attendance Accounting Handbook states that to qualify for funding for homebound instruction, "the school district must have a policy and procedures approved by the local school board for implementation of general education homebound instruction." Further information about homebound instruction requirements may be found on pages 26–34 of the handbook, which is available at http://www.tea.state.tx.us/peims/handbook/0506hand.doc.

We have drafted the enclosed language to fulfill that policy requirement.

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

This policy—required by the Texas Administrative Code [19 TAC 66.104(a)]—has been lightly edited to remove an unnecessarily limiting provision regarding the number of professional staff members serving on the local textbook review/selection committee and to remove the redundant April 1 deadline. This deadline (for the district to transmit to TEA a listing of instructional materials selected for use in the district) is prescribed by 19 TAC 66.104(g) and is recited in EFAA(LEGAL).

EHAA (LEGAL) BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (ALL LEVELS)

Under ENRICHMENT CURRICULUM, on page 1, item 2b has been adjusted to reflect the language of SB 42 from the 79th regular session: the health component of the enrichment curriculum has been restated to include "emphasis on the importance of proper nutrition and exercise."

At STEROID NOTICE AND EDUCATION, on page 4, provisions of Education Code 38.008 (enacted in 1995) and Education Code 38.0081(b) (from the 79th regular legislative session) are added to this policy. The former provision requires posting of notices in gyms and classes where secondary physical education is conducted; the specific language of the notice is found at FNCF(EXHIBIT) in localized policy manuals. The latter provision is the result of HB 3563, which ordered the State Board of Education to identify grade levels where students participating in extracurricular activities are to be provided TEA-developed information regarding steroid use and health risks.

Please note: The State Board has not yet specified which grade levels are implicated. TEA and the Texas Department of State Health Services have developed the required information, available at http://www.tea.state.tx.us/taa/comm042605.pdf; in the transmittal letter for the information, Commissioner of Education Shirley Neeley and Commissioner of Health Eduardo Sanchez encouraged districts to share this information with students, parents, and staff.

Not reflected in EHAA(LEGAL) is a further HB 3563 requirement: the University Interscholastic League is ordered 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 the FNCF(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).

EHBA (LEGAL) SPECIAL PROGRAMS
SPECIAL EDUCATION

On December 3, 2004, President Bush signed into law the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004). These changes became effective July 1, 2005, with compliance staged or dependent on state action and final regulations still in progress. Key provisions of the new federal legislation are as follows:

- Teacher qualifications [addressed at DBD(LEGAL) in Update 75]
  - A special education teacher who teaches any of the core academic subjects—English, reading, language arts, mathematics, science, foreign language, civics and government, economics, arts, history, or geography—at the elementary level is "highly qualified" if he or she has special education certification in addition to meeting the general requirements for being "highly qualified."
  - Additional requirements apply to special education teachers who teach "alternative achievement standards" or who teach two or more core academic subjects exclusively to special education students. New special education teachers must be "highly qualified" in at least one of the following core academic subjects when hired—math, language arts, or science—and will be permitted two years to become "highly qualified" in any other core academic subjects taught.
- Due process [addressed at EHBAE in this update]
  - Complainants must now give notice of all issues prior to a hearing or the complainant risks not having the issues addressed during the hearing.
  - Parents must bring complaints to the district's attention and attempt resolution before a due process hearing is conducted. A meeting to attempt to resolve the complaint must occur with the complainant within 15 days before a due process hearing.
  - State-funded mediation by a qualified and impartial mediator is permitted.
  - Due process decisions are now to be based on provisions of FAPE (Free Appropriate Public Education), not procedure.
  - A two-year statute of limitations is imposed for complaints.
- Individualized education programs (IEPs) and paperwork reduction [addressed at EHBAB in this update]
  - Fifteen (as yet unnamed) states will pilot a demonstration program identifying ways to reduce paperwork and other administrative duties (including the option to develop multi-year IEPs up to three years).
  - Any IEP team member may be excused from attending a team meeting if agreed upon by both the parent and a district official.
  - Changes to an IEP after the annual IEP meeting may be made without reconvening the team, provided the parent and district official agree and develop a written document to amend or modify the IEP.
- Student discipline [addressed at FOF in this update]
  - A district may now, on a case-by-case basis, determine if the student should be removed from class for misconduct and placed in an alternative setting, pending the manifestation determination.
  - During an appeal, a student may remain in the alternative placement pending an expedited hearing. The burden of proof no longer rests solely with the district.

These significant changes prompted TASB attorneys to re-evaluate the scope and level of detail of the (LEGAL) policies in the EHBA series—where programmatic aspects are presented—and at FOF—where dis-

cipline of students with disabilities is addressed. The result of that initiative is a substantial redevelopment of each of these policies.

EHBA(LEGAL) remains the gateway policy and addresses the rights of students with disabilities to a Free Appropriate Public Education. The controlling concept of this policy is to provide an overview of the essential foundations of special education: nondiscrimination, provision of special education, least restrictive environment, and the concept of and entitlement to a Free Appropriate Public Education. While much material previously at this policy has been recoded elsewhere in the EHBA series, PLACEMENT OPTIONS, found on page 2, is newly included from state regulations last revised in September 2000.

Please note: The U.S. Department of Education is currently reviewing new and old statute, regulations, and policy letters as well as public input, to identify areas of IDEA 2004 that need to be addressed by new regulations. Until those regulations are enacted, regulations implementing IDEA 1997 remain in force (to the extent that they are consistent with IDEA 2004). Further information on IDEA 2004 is available at http://www.ed.gov/policy/speced/guid/idea/idea2004.html.

EHBAA (LEGAL) SPECIAL EDUCATION
IDENTIFICATION, EVALUATION, AND ELIGIBILITY

EHBAA(LEGAL) has been reorganized to present a more logical flow of information, and additional provisions have been incorporated from federal statute and regulations where appropriate. In addition, the language has been refined to more closely track statute, and detail unnecessary for local governance and management purposes has been deleted.

Of note:

- At CHILD FIND, “children who are wards of the state” has been added from the law.
- The section regarding PRIVATE SCHOOL STUDENTS is also new statutory text.
- Changes in the federal law are reflected in the second and third paragraphs at INITIAL EVALUATION, on page 2.
- New statutory language has also been incorporated at CONSENT FOR INITIAL EVALUATION (page 2), DETERMINATION (on page 3), and REEVALUATIONS (on page 4).
- Provisions at PRESCRIPTION MEDICATION, on page 5, were enacted by the IDEA reauthorization.

EHBAB (LEGAL) SPECIAL EDUCATION
INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND ARDS

As with EHBAA(LEGAL), this policy has been reorganized and redeveloped for readability, appropriate level of detail, inclusion of new statutory material, and consistency with statutory language.

Key changes include:

- The multi-page initial section, titled ADMISSION, REVIEW, AND DISMISSAL COMMITTEE, has been extensively revised to include from State Board rules provisions relating to the structure, responsibilities, and processes of the ARD committee.
- TRANSFER STUDENTS, on page 4, incorporates new statutory text that supersedes commissioner’s rules last revised in 2003.
- At INDIVIDUALIZED EDUCATION PROGRAM is a prescription for the written statement that is drawn from current law and the IDEA reauthorization.

EHBAC (LEGAL) SPECIAL EDUCATION
STUDENTS IN NONDISTRICT PLACEMENT

Redevelopment continues with EHBAC(LEGAL): the policy has been revamped to clarify its focus around “related services” (transporation, assistive technology devices, and extended school year services) and nondistrict placement (private schools, dual enrollment, charter schools, residential facilities, etc.).

Key changes include:

- The federal law's definition of ASSISTIVE TECHNOLOGY DEVICES now specifically excludes surgically implanted medical devices.
- DUAL ENROLLMENT specifications, beginning on page 3, were to expire on June 30, 2004. Commissioner's rules, effective on June 7, 2004, deleted the expiration language and extended the provisions to students who were not yet eligible to attend kindergarten in a public school.

EHBAD (LEGAL) SPECIAL EDUCATION
TRANSITION SERVICES

The scope—and title—of EHBAD has been revamped to address transition services.

Key changes regarding such services include the following:

- At TRANSITION SERVICES DEFINED is the revised definition found within IDEA 2004.
- At GRADUATION is new statutory language specifying that a district is not required to conduct an evaluation conference before terminating the service eligibility of a graduating student or of a student who ages out of eligibility.

  Also in this section is a new statutory requirement that the district provide a student whose eligibility has expired a summary of the student's "academic achievement and functional performance" and recommendations on how the student may be assisted in meeting his or her postsecondary goals.

EHBAE (LEGAL) SPECIAL EDUCATION
PROCEDURAL REQUIREMENTS

The redirection of policy code EHBAD prompts the creation of a new code—EHBAE—to address special education procedural requirements (previously found at EHBAD).

As with other codes in this series, the provisions of the policy have been redeveloped for clarity, to more closely track statutory language, for appropriate level of detail, and to include new statutory provisions.

Of note:

- At CONTENTS OF NOTICE, on page 2, a new item 5—requiring an opportunity to present and resolve complaints—has been added from IDEA 2004.
- At TIME LIMIT, on page 3, commissioner's rules regarding timely hearing requests have been added.

EHBC (LEGAL) SPECIAL PROGRAMS
COMPENSATORY/ACCELERATED SERVICES

TEA's recently adopted rules implementing the optional flexible year program—styled by TEA as "OFYP"—have been excerpted beginning on page 7. Effective October 18, 2005, the rules address four key aspects:

- Eligibility: the student did not or is not likely to pass a state assessment and/or is not eligible for promotion to the next grade level.
- Program criteria:
  - The instructional days during the regular school year for ineligible students may not drop below 170 days.
  - Eligible students must be provided at least 180 days of instruction.

  - No more than five days of instruction may be waived for staff development or teacher preparation.
  - District transportation as well as free and reduced-price meals—if provided during the regular year—must also be provided during the OFYP.
  - The district may require educational support personnel to provide necessary services.
  - Educators on 10-month contracts must fulfill the minimum days of service required by the Education Code.
- Approval process:
  - The district must submit to TEA a letter describing the proposed modification to the instructional calendar (approved by the board) and the OFYP to be provided.
  - TEA approval of any modification to the instructional calendar is limited to one year but extensions may be granted upon reapplication.
  - The commissioner may require, as a condition of approval, a district to document the success of its approach.
- Funding: the calculation of ADA is modified to reflect the actual number of instructional days within the approved calendar. The divisor for students on a reduced calendar may not be less than 170 days; for eligible students served through OFYP, not less than 180 days.

The text of the rules may be found at http://www.tea.state.tx.us/rules/commissioner/adopted/0905/61–1017n–ltradopt.html.

EI (LEGAL) ACADEMIC ACHIEVEMENT

Changes, nonlegislative in nature, are as follows:

- ACADEMIC ACHIEVEMENT RECORD: a new second paragraph, drawn from State Board of Education rule, has been added to address transfer of the record. The rule, adopted in 1996 and last revised in 2001, provides that copies of the record must be made available to transferees and may also be provided to the receiving district. The rule further instructs districts to "respond promptly to all requests for student records from receiving districts."
- EARLY HIGH SCHOOL GRADUATION SCHOLARSHIP PROGRAM: Education Code 28.025(g), previously recited under this heading, expired on January 1, 2004. In its place appears a parallel provision, found in the Higher Education Section of the Education Code. This provision contains no expiration date.

EKB (LEGAL) TESTING PROGRAMS
STATE ASSESSMENT

The policy has undergone some restructuring and text changes for clarification.

Substantive changes are as follows:

- At SPECIAL EDUCATION STUDENTS, on page 3, the implementation during the 2004–05 school year of an alternative assessment for grades 9–10 is reflected. The transitional language has been deleted.
- EXIT–LEVEL TEST: STUDENTS FROM OTHER STATES, on page 9, tracks HB 25 from the 79th legislative session. Effective May 27, 2005, the legislation requires the commissioner to adopt a norm-referenced, exit-level test for students who enroll in a Texas public school after January 1 of their senior year. This testing requirement applies to first-time enrollees as well as students who have been out of a Texas public school for four or more years.

Explanatory Notes

TASB Localized Policy Manual Update 77

EL (LEGAL) CHARTER CAMPUS OR PROGRAM

TEACHER RETIREMENT SYSTEM, on page 4, has been revised to reflect SB 1691 from the 79th regular session. Effective September 1, 2005, the legislation clarified that a district employee's TRS eligibility is unaffected by the fact that the employee works within a district charter campus or program.

F (LEGAL) STUDENTS

We have extended the scope of FFA to include not only policies specific to health services and requirements but also to encompass "wellness." (See the explanatory note at FFA, below.)

Note as well that we have created a new policy code—FLA—to accommodate policies pertaining to confidentiality of student health information.

FFA (LEGAL) STUDENT WELFARE
WELLNESS AND HEALTH SERVICES

The new federal "wellness policy" mandate has been added to this policy. The mandate, contained within Public Law 108–265 signed into law on June 30, 2004, requires each school district participating in a meal program under the National School Lunch Act or Child Nutrition Act to establish a "local wellness policy" prior to the beginning of the 2006–07 school year.

This policy must:

- express goals for nutrition education, physical activity, and other school-based activities designed to promote student wellness
- include local nutrition guidelines to promote student health and reduce childhood obesity
- ensure that guidelines for reimbursable school meals are no less restrictive than USDA regulations and guidance
- plan for measuring implementation of the policy—including designation of at least one person at each school responsible for ensuring fulfillment of the policy

The legislation further requires that development of the policy be broad-based, involving not only the board but parents, students, school food service personnel, school administrators, and the public. More information on the federal requirement may be found at USDA's "Team Nutrition" site: http://www.fns.usda.gov/TN/healthy-schools.html. As the site shows, there are a wide range of resources from which districts may draw when implementing a local wellness program.

In Texas, the growing body of state law and regulation—from the Texas Public School Nutrition Policy promulgated by the Texas Commissioner of Agriculture to the various health and wellness requirements found elsewhere within this update—form a policy context that is more specific than in many other states. The particular challenge for Texas districts is weaving these statutory and regulatory threads into programs and activities that promote student health generally.

To assist districts with that task, Policy Service recently published a ***Starting Points*** policy development toolkit on the subject. Available via MyTASB to superintendents and policy administrators, the ***Starting Points*** can be found at https://www.tasb.org/docs–mytasb/gov_svcs/policy_svc/wellness_sp/index.shtml.cfm.

FFA (LOCAL) STUDENT WELFARE
WELLNESS AND HEALTH SERVICES

The new federal "wellness policy" (described above) renders your current (LOCAL) policy no longer adequate and we therefore recommend its deletion. The mandated wellness policy must explicitly encompass nutrition

education, physical activity, and school-based activities designed to promote student wellness. We recommend that you establish the collaborative framework required by federal law and use the new ***Starting Points*** policy development tool kit to recreate a (LOCAL) policy at this code.

FNAB (LEGAL) STUDENT EXPRESSION
USE OF SCHOOL FACILITIES FOR NONSCHOOL PURPOSES

To assist districts in addressing the requirements of the Equal Access Act, TASB attorneys have added from federal statute three definitions under LIMITED OPEN FORUM IN SECONDARY SCHOOLS: "secondary school," "meeting," and, on page 2, "sponsorship."

The 1984 Equal Access Act provides that a public secondary school establishes a "limited open forum" whenever it grants a noncurriculum-related student group access to meet on school premises during noninstructional time. In doing so, the school limits its ability to deny access to student groups based solely on their viewpoint or the content of their speech. The absence or presence of a limited open forum has been central to legal challenges brought against an increasing number of school districts.

The choice of whether or not to permit a limited open forum and the implications of that choice for distribution of nonschool literature by students and for nonschool use of school facilities by students are complex. To assist districts in developing or refining FNAA(LOCAL) and FNAB(LOCAL) policies that tease out these knots, Policy Service has issued a ***Starting Points*** policy development tool kit. Available via MyTASB to superintendents and policy administrators, the ***Starting Points*** can be found at http://www.tasb.org/docs–mytasb/gov_svcs/policy_svc/amendment_sp/overview.shtml.cfm.

FNCF (LEGAL) STUDENT CONDUCT
ALCOHOL AND DRUG USE

Recitations of Education Code 37.006 and 37.007—specifying disciplinary consequences for possession or use of alcohol, marijuana or a "controlled substance," or a dangerous drug—have been deleted. These provisions are found at FOC (PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM) and FOD (EXPULSION).

In its place are direct statements regarding the alcohol and drug criminal offenses:

- At CRIMINAL OFFENSE, language from Education Code 37.122 has been added, defining as a Class C misdemeanor possession or use of an intoxicating beverage on school grounds or at an athletic event involving a school.
- At DRUG–FREE ZONES appears text from Health and Safety Code 481.134 enhancing the criminal penalties for a person who knowingly or intentionally possesses a controlled substance on a school bus or within 1,000 feet of a district property.

FNG (LEGAL) STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

As at DGBA(LEGAL), RECORD OF PROCEEDINGS, on page 4, has been amended to include an excerpt from TEA rules adopted in July 2004 and addressing what constitutes a "record" for appeals brought under Education Code 7.057.

The record upon which the commissioner of education decides an appeal must include:

- acceptable tape recordings or transcripts of the local hearing
- all evidence admitted
- all offers of proof

- all written pleadings, motions, and intermediate rulings
- a description of matters officially noticed
- the recommendation of the independent hearing examiner, if applicable
- a tape or transcript of the oral argument before the board
- the decision rendered by the board

These rules replaced previous hearing rules, adopted in 1993, when hearings were *de novo*. The rules were updated in July 2004 to reflect the fact that appeals are now conducted on the basis of a review of the substantial evidence as presented by the record.

FO (LEGAL) STUDENT DISCIPLINE

On November 7, 2005, Attorney General Greg Abbott ruled that HB 383—a Family Code amendment from the 79th regular session—did NOT impair the ability of a professional employee of a school district to administer corporal punishment.

The ruling (published at http://www.oag.state.tx.us/opinions/ga/ga0374.pdf) responds to a July 27 request from Commissioner of Education Shirley Neeley after the passage of HB 383 that stated, in part:

> "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."

The commissioner queried whether the legislation applied to corporal punishment administered within a school setting and went on to inquire whether corporal punishment may be administered without parental consent. The attorney general concluded that the new law:

> "does not prohibit the use of corporal punishment by school districts. Therefore a professional school district employee may utilize corporal punishment to the extent permitted by other state law and school district policies. Additionally, a school district may adopt a policy authorizing corporal punishment without the permission of persons [listed in the cited passage]."

The attorney general's analysis is consistent with that of TASB attorneys this summer: 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. Believing that sufficient legal authority existed for school personnel to administer corporal punishment, TASB Legal Services did not include the HB 383 provisions in FO(LEGAL) policy at Update 76, the first of the post-legislative updates, nor is it included at Update 77.

FODA (LEGAL) EXPULSION
JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM

At FEES, on page 4, has been added a provision from HB 1687 prohibiting a juvenile justice alternative education program from charging fees "except as otherwise provided by law." This legislation, from the 79th regular session, became effective June 18, 2005.

FOF (LEGAL) STUDENT DISCIPLINE
STUDENTS WITH DISABILITIES

As indicated in notes accompanying the EHBA series policies in this update, the incorporation of changes arising from the IDEA reauthorization and recent commissioner's rules prompted TASB attorneys to closely

reevaluate policies pertaining to disabled students. This policy, pertaining to the discipline of students with disabilities, was similarly redeveloped and incorporates legislative changes as well.

Changes of note:

- On page 1, SPECIAL EDUCATION STUDENTS now includes language from HB 283 from the 79th regular session. Effective June 18, 2005, the legislation requires the Student Code of Conduct to withhold discipline of a special education student for "bullying, harassment, or making hit lists" until the ARD committee has reviewed the conduct.
- At INTERIM ALTERNATIVE EDUCATIONAL SETTING, on page 4, is a new statutory provision that permits a district to remove a student to an interim alternative placement (such as a DAEP) for up to 45 days if the student has inflicted serious bodily injury upon another person on school premises or at a school function under the jurisdiction of the state or a district, regardless of whether the conduct was a manifestation of the student's disability. A definition of SERIOUS BODILY INJURY, on page 5, has been added from the federal law as well.
- PLACEMENT DURING APPEALS, on page 6, has been revised to reflect the fact that a district may now require a student to remain in a DAEP pending an appeal, but the district must arrange an expedited hearing.

GF (LEGAL) PUBLIC COMPLAINTS

As with DGBA(LEGAL) and FNG(LEGAL), RECORD OF PROCEEDINGS has been amended to include an excerpt from TEA rules adopted in July 2004 and addressing what constitutes a "record" for appeals brought under Education Code 7.057.

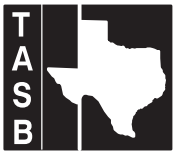
The record upon which the commissioner of education decides an appeal must include:

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- all evidence admitted
- all offers of proof
- all written pleadings, motions, and intermediate rulings
- a description of matters officially noticed
- the recommendation of the independent hearing examiner, if applicable
- a tape or transcript of the oral argument before the board
- the decision rendered by the board

These rules replaced previous hearing rules, adopted in 1993, when hearings were *de novo*. The rules were updated in July 2004 to reflect the fact that appeals are now conducted on the basis of a review of the substantial evidence as presented by the record.

Vantage Points

A Board Member's Guide to Update 77



Policy Service

Your Viewpoint?

Vantage Points is an executive summary, prepared for board members, of the TASB Localized Update. The topic-by-topic outline and the thumbnail descriptions survey the update landscape, focusing attention on key issues to assist local officials in studying specific changes found in the policies. The description of policy changes in ***Vantage Points*** is a highly summarized overview and should not substitute for careful attention to the significantly more detailed Explanatory Notes and the policies within the Localized Update Packet.

PLEASE NOTE: This Update 77 ***Vantage Points*** and the Localized Update 77 packet may not be considered as legal advice and are not intended as a substitute for the advice of a board's own attorney.

We welcome your comments or suggestions for improving ***Vantage Points***. Please write to us at TASB Policy Service, P.O. Box 400, Austin, TX 78767-0400, or call us at 800-580-7529 or 512-467-0222.

For further information about Policy Service, check out our Web site at **http://www.tasb.org/services/policy.**

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The Big Picture

The Big Picture of Update 77 is a mix of issues forming the second half of the post-legislative updating task. Update topics include conflict of interest disclosures, records management, DAEP teacher certification, hearings rules, homebound instruction, and state and federal "wellness" policy issues.

Conflict of Interest

Board Members and Vendors

In the Legislature's 79th Regular Session, the legislature added another layer to conflict of interest disclosures for board members and the superintendent, and added vendors as well. **BBFA(LEGAL)** has been redeveloped to more clearly address such disclosures and to include the new provisions of the Local Government Code from HB 914 that:

- Define the "local government officer"—including an employee designated as the executive officer of the board. In the context of school districts, this definition includes board members and the superintendent.
- Require disclosure by a "district official" of the following circumstances involving a vendor who is doing business with the district or with whom the district is considering doing business:
  - Employment or other business relationships that result in taxable income.
  - Gifts from the vendor other than food, lodging, transportation, or entertainment accepted as a guest that aggregate to $250 or more during the preceding 12 months.
- Require posting on the district Web site the disclosures and questionnaires filed with the records administrator.
- Make the failure of a district official to file the required disclosure a Class A misdemeanor.

Vendors, as noted at CHE(LEGAL), are likewise required to complete a questionnaire developed by the Texas Ethics Commission. The district officer "conflict disclosure statement" recently promulgated by the Texas Ethics Commission and the vendor questionnaire must be filed by the officer and the vendor respectively:

- With the district's records administrator (the superintendent or other person responsible for maintaining the records of the district).
- Within seven days. For district officers, the clock begins ticking when the officer becomes aware of the facts that require the disclosure. For the vendor, the time frame begins with the initiation of contract discussions or negotiations or with the application, response to a bid request, etc.

Such disclosures are in addition to those already in the Government Code and BBFA(LEGAL) for (1) substantial interest in a business entity or in real property or (2) any interest in any property being considered for purchase by the district.

Finally, the scope of BBFA has been limited to conflict of interest disclosures, and a new code has been created at BBFB for Prohibited Practices. The text at **BBFB(LEGAL)**, previously found at BBFA, was unaffected by recent legislation.

Employees

DBD(LEGAL) has also been redeveloped to clarify conflict of interest standards applicable to employees, beginning with the Penal Code and Education Code provisions regarding ethics violations. From HB 914, we have added the board's authority to extend to all or certain employees the "conflicts disclosure statement" requirement of vendor relationships noted above for district officials. An employee who subsequently does not make a required disclosure statement to the district's records administrator within the seven-day period commits a Class C misdemeanor. The board is also authorized to levy district sanctions on the employee.

(LOCAL) POLICY CONSIDERATIONS: DBD

Your current policy has been reorganized to better address the circumstances requiring disclosure of conflict of interest and includes:

- The locally imposed general standard for disclosure of conflict, or potential conflict, with the "proper discharge of assigned duties and responsibilities" or with the "best interest of the district."
- The more explicit standard to which employees and board members are held regarding substantial interest in a business entity or in real property.

The superintendent, as the CEO and district official, must disclose a conflict of interest for any interest in any type of property and is the only employee who must file disclosure statements related to vendor relationships.

The text suggested for this policy does not impose on employees the "conflicts disclosure statement" requirement found in HB 914. If your district would like to extend the requirement to employees, it may do so for all employees or for employees in certain positions.

We recommend adding DBD(EXHIBIT) to your manual to facilitate the filing of employee conflict of interest disclosures. The exhibit consists of two forms—one form for the use of all employees to disclose substantial interest in a business entity or in real property and another form, for the superintendent only, for disclosing interest in any property.

Other Board Issues

Training

New training requirements related to the Open Meetings Act—for board members—and to the Texas Public Information Act—for board members and the public information coordinator—have been added to **BBD(LEGAL)**:

- The attorney general's office may provide the training or may approve other providers. The attorney general's office is expected to release a training video in December 2005.
- The training must occur within 90 days after taking the oath of office, except that trustees sworn in prior to January 1, 2006, have until January 1, 2007, to complete the training.

(LOCAL) POLICY CONSIDERATIONS: BBD

The statute that added the training requirement noted above also introduced the term "public information coordinator." The duties of the coordinator are primarily administrative and are typically assumed by the superintendent. Consequently, we have added this policy to designate the superintendent as the public information coordinator and to delegate to him or her the training requirement regarding the Texas Public Information Act.

Hearing Rules

Excerpts from TEA's updated rules for appeals to the Commissioner have been added to the complaint policies—**DFD(LEGAL)**, **DGBA(LEGAL)**, **FNG(LEGAL)**, and **GF(LEGAL)**. The old rules, developed when most hearings were *de novo*, were replaced to accommodate "substantial evidence" reviews. Common to all the revised policies are:

- A tape recording or transcript of the hearing at the local level. A tape recording is not acceptable, however, for an appeal of a board's decision following a hearing by an independent hearing examiner.
- All evidence admitted.
- All written pleadings, motions, and intermediate rulings.
- A description of matters officially noticed.
- If applicable, the recommendation of the independent hearing examiner.
- The transcript of the oral argument before the board.
- The decision of the board.

An appeal following a hearing by an independent hearing examiner must also include, as applicable, the board or board subcommittee's transcript of the oral arguments, the board or subcommittee's decision, and written reasons for changing the recommendation of the independent hearing examiner.

Other Employee Issues

Certification

(LOCAL) POLICY CONSIDERATIONS: DBA

TEA's Division of NCLB Program Coordination has determined that the home campus teacher of a secondary student assigned to a DAEP can be considered the teacher of record. The student can be considered to be receiving instruction from a "highly qualified" teacher, eliminating the need to notify parents that the teacher lacks such qualification, if the following policy requirements are met:

- The home campus teacher:
  - Is "highly qualified" and assigns and evaluates the DAEP-assigned student's coursework, providing substantially the same coursework; and
  - Has final authority on grades and is regularly available to the student and DAEP teacher.
- The DAEP teacher meets applicable SBEC certification requirements.

The particulars regarding valid credentials have been deleted in favor of language commonly found in employee contracts; instead, the superintendent has been charged with ensuring that contract personnel have valid credentials before contracts are issued.

The statement regarding maintenance of personnel records has been deleted in favor of the district's records management plan required by the Local Government Code.

Discrimination

Two measures of harassment have been added to **DIA(LEGAL)**:

- From federal law—"Harassment on the basis of a protected characteristic is a violation of the federal anti-discrimination laws."
- From case law—"Harassment violates Title VII if it is sufficiently severe and pervasive to alter the conditions of employment."

(LOCAL) POLICY CONSIDERATIONS: DAB

This policy currently provides a list that was developed to meet the requirements of Civil Order 5281 for objective, non-racial and non-ethnic criteria for making employment decisions. In the opinion of the U.S. Department of Justice, however, one item in the list—"suitability for the position"—is subjective and could easily be misapplied in a discriminatory manner prohibited by federal law. Consequently, this criterion has been deleted from the list. Another item in the list—"evaluations"—has been expanded to encompass "appraisals and other performance evaluations."

Resignations

(LOCAL) POLICY CONSIDERATIONS: DFE

The policy language recommended for this code is now more specific regarding the acceptance of resignations. The superintendent or designee is authorized to accept the resignation of an at-will employee at any time. In the case of contract employees, the superintendent may accept resignations:

- From the end of the school year up to the penalty-free resignation date preceding the next school year.
- From the penalty-free resignation date until the beginning of the school year, contingent upon finding a suitable replacement.
- During the school year unless the resignation is referred to the board to pursue SBEC sanctions. Acceptance by the superintendent precludes the board's option to pursue sanctions.

Instruction

Special Education

On July 1, 2005, the Individuals with Disabilities Education Improvement Act (IDEA 2004) became effective, with implementation dependent on state action and final federal regulations that are still in progress. The Act's significant changes prompted restructuring and extensive redevelopment of the text in the EHBA series of policies (elements of the program), as well as in FOF (discipline). The revised policies more closely track federal statute and regulations without details previously included that are unnecessary for local governance and management. Special education teacher qualifications from the Act were introduced in Updated 75 at DBD(LEGAL). Provisions that are new to the policies include:

- **EHBA(LEGAL)** Special Education
  - Placement options

- **EHBAA(LEGAL)** Identification, Evaluation, and Eligibility
  - Children who are wards of the state and private school students
  - Initial evaluation, consent, and determination
  - Reevaluations
  - Prescription medication
- **EHBAB(LEGAL)** IEP and ARDs
  - Transfer students
  - Required content and modification of an IEP
  - Translation into the parent's native language
- **EHBAC(LEGAL)** Students in Nondistrict Placement
  - Surgically implanted medical devices (exclusion)
  - Deletion of expiration date for dual enrollment
- **EHBAD(LEGAL)** Transition Services
  - Definition of transition services
  - Graduation conference
  - Recommendation upon expiration of eligibility
- **EHBAE(LEGAL)** Procedural Requirements
  - Redeveloped provisions previously at EHBAD
- **FOF(LEGAL)** Student Discipline: Students with Disabilities
  - Discipline following bullying, harassment, making hit lists, or inflicting serious bodily injury
  - Placement during appeals

Homebound Instruction

(LOCAL) POLICY CONSIDERATIONS: EEH

We have created policy text regarding homebound instruction to comply with TEA's 2005–2006 Student Attendance Accounting Handbook requirement. If your district already had such text at EHBC(LOCAL), it was moved to EEH.

Textbooks

(LOCAL) POLICY CONSIDERATIONS: EFAA

The minimum and maximum number of members of the local textbook selection committee has been deleted to allow districts more flexibility, and the April 1 deadline, redundant of TEA's required timeline, has been deleted.

Assessments

OFYP

At **EHBC(LEGAL)** we have added excerpts from TEA's recently adopted rules implementing the optional flexible year program (OFYP), effective October 18, 2005. The areas addressed include:

- Eligibility: students who did not or are not likely to pass a state assessment and/or are not eligible for promotion.
- Program criteria:
  - Students must be provided at least 180 days of instruction, 170 of which must be during the regular school year—the minimum number of instructional days for ineligible students. A maximum of five days may be waived for staff development or teacher preparation.
  - Any transportation or meals normally provided must be continued during the OFYP.
  - Educational support staff may be required to provide services.
  - Educators on 10-month contracts must provide the minimum number of days' service required by the Education Code whether or not the number of instructional days or the number of staff development days is reduced.
- Approval process:
  - The modified instructional calendar must be approved by the board and then submitted to TEA for approval. If the modification includes a reduction in the number of staff development days, it must first be approved by the campus site-based decision-making committee.
  - TEA approval is limited to one year, but districts may apply for extensions.
  - As a condition of approval, the commissioner may require a district to document the success of the program.
- Funding: ADA is modified according to the actual number of instructional days on the approved calendar.

Exit Level

At **EKB(LEGAL)**, the commissioner is charged with adopting one or more alternate assessments that are nationally recognized, norm-referenced instruments to be administered to an out-of-state transfer student who:

- Is otherwise eligible to graduate, and

- Is enrolling for the first time in a pubic school in Texas or is enrolling after an absence of at least four years from any public school in Texas.

Students

Wellness

The Public Law 108–265 requirement that each school district participating in a meal program under the National School Lunch Act or the Child Nutrition Act adopt a "wellness policy" has been added to **FFA(LEGAL)**. The development must include input from board members, parents, students, school food service personnel, administrators, and the public. The policy itself must include:

- Goals for nutrition education, physical activity, and other school-based activities to promote wellness.
- Guidelines that address:
  - Availability of foods on each campus to promote student health and reduce childhood obesity.
  - Restrictions that are at least as stringent as federal guidelines for the Child Nutrition and National School Lunch Acts.
- A designated person to:
  - Oversee operations and ensure compliance with the policy.
  - Develop a plan to measure implementation of the policy.

We have added to **BDF(LEGAL)** recent state legislation requiring districts to publish policies ensuring that elementary, middle, and junior high school students engage in physical activity for at least 30 minutes per school day or 135 minutes per school week. This is an addition to previous health information reporting and must now be published in student handbooks and on district Web sites.

(LOCAL) POLICY CONSIDERATIONS: FFA

Last issued in 1994, this text has been deleted because it fell short of the new federal and state requirements for a "wellness" policy that districts must adopt by the first day of the 2006–07 school year.

Prior to the federal mandate for a wellness policy, Texas law and regulation—including the Commissioner of Agriculture's Texas Public School Nutrition Policy and the requirement for school health advisory councils and coordinated health programs—already required districts to meet many of the standards that are now federally required for all states.

To assist districts in developing a policy that blends the state and federal requirements, TASB Policy Service, in consultation with the Texas Department of Agriculture, has developed a ***Wellness Policy Starting Points***. It is available on our Web site through MyTASB and is currently being used by the child nutrition specialists in their training sessions at the Regional Education Service Centers. When your Policy Consultant/Analyst receives the worksheet for your district, a new policy for this code will be created.

Steroids

We have added at **EHAA(LEGAL)** the district responsibility to provide information regarding the use and the health risks involved with the use of anabolic steroids. TEA has developed the information that districts must use, but the State Board has not yet determined the appropriate grade levels.

Also new to the policy is the long-standing requirement to post the Notice Regarding Steroids—see FNCF(EXHIBIT) for the text of the notice—in gyms and classrooms where secondary physical education is conducted.

Although not included in policy, the University Interscholastic League was charged by the Legislature with adopting 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 in FNCF(EXHIBIT). UIL must also:

- Develop and make available to districts an education program for UIL athletic participants, as well as their parents and coaches.
- Work with public or private entities to study the effectiveness of the program.
- Measure the extent of illegal steroid use by high school students.
- Determine the number of districts that test students for illegal steroids.
- Develop a plan for testing students.
- File a report with the Legislature by December 1, 2006.

If the Legislature decides that student use of illegal steroids has not been effectively reduced by the educational program, it may require UIL to imple-

ment the testing plan with the cost of testing covered by an increase in membership fees.

Limited Open Forum

Federal definitions for "secondary school," "meeting," and "sponsorship" as related to a limited open forum for students have been added to **FNAB(LEGAL)**.

A district creates a limited open forum when it allows a noncurriculum-related student group to meet on school premises during noninstructional time, and it restricts its ability to deny access to student groups based solely on the viewpoint or the content of the group's speech.

Miscellaneous Issues

Tax bills

Previously a tax bill had to be sent to either the persons in whose name a property is listed on the tax roll or to the authorized agent. **BDAF(LEGAL)** has been revised to reflect the statutory change requiring that both the persons on the tax roll and the agent be billed.

Records

(LOCAL) POLICY CONSIDERATIONS: CPC

The policy text tied to implementation of 1989 Records Management Plan legislation has become common district practice and is no longer essential as board policy. In its place is a list of four titles of records officials with cross-references to the applicable policies.

When a student transfers to another district, the sending district is required to make a copy of the academic achievement record available to the student. Newly added to **EI(LEGAL)** is the choice to provide the record to the receiving district as well and the requirement to provide it "promptly."

We have also deleted an expired provision related to the Early High School Graduation Program and a student's inability to complete the Recommended or the Advanced Program. In its place we have added a similar provision from the Higher Education section of the Education Code that does not expire.

Transportation

CNA(LEGAL) now includes the ban on cell phone use by a bus driver except for an emergency or when the bus in not in motion.

The federal highways reauthorization bill has placed new restrictions on the purchase or lease of new vans initiated after August 10, 2005. If the use is primarily for transporting students to and from school or school-related events, a 15-passenger van may not be purchased by a school system unless the van meets federal standards for a school bus or multi-function school activity bus. See **CNB(LEGAL)**. Not included in the policy is the

civil penalty of $10,000 for a single violation up to a maximum of $15 million for multiple violations by a single district.

(LOCAL) POLICY CONSIDERATIONS: PLEASE NOTE

The ***Vantage Points*** provides identical text to all districts as an executive summary of the update. The Explanatory Notes in your district's Update packet provide a more detailed analysis and recommendation that is specifically tailored to your district's policies. The Explanatory Notes and the policies should also be read carefully before board action is taken.

CLOSED MEETING

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

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: _____