Notice of Regular Meeting
Board of Trustees
July 20, 2021

A Regular Meeting of the Board of Trustees will be held on July 20, 2021, beginning at 6:00 PM, in the Virtual Meeting.

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.

Please join my meeting from your computer, tablet or smartphone. https://global.gotomeeting.com/join/529438485
You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)
United States: +1 (872) 240-3212
- One-touch: tel:+18722403212,,529438485#
Access Code: 529-438-485

I. Roll Call, Establishment of Quorum, and Call to Order -- Board President
II. Opening Ceremony -- Board President
III. Oath of Office to New Board Member -- Ms. Lori Mynarcik
IV. Consider Listing of Agenda Items -- Board President
V. Recognition Items -- Board President and Dr. Sharon M. Shields
VI. Public Participation -- Board President
VII. Special Reports -- Board President
    A. Superintendent's Report -- Dr. Sharon M. Shields
        1. Student Enrollment Update -- Dr. Sharon M. Shields
        2. Calendar of Events -- Dr. Sharon M. Shields
    B. HB3 Goals for Reading, Mathematics, and College, Career, and Military Readiness (CCMR) -- Dr. Charla Rudd
VIII. Consider Consent Agenda Items -- Board President
    A. Minutes for Meetings Held -- Ms. Lori Mynarcik
    B. Monthly Tax Collection Recap and Report -- Mr. James Garrett
    C. Quarterly Investment Report -- Mr. James Garrett
    D. Personnel Items -- Mr. Todd Gooden
        1. Personnel Job Description(s) or Revisions to Job Description(s), and Paygrade Chart or Revisions to Paygrade Chart -- Mr. Todd Gooden
        2. Stipend List for 2021-2022 -- Mr. Todd Gooden
    E. LVISD Employee Handbook for 2021-2022 -- Mr. Todd Gooden
    F. Student Code of Conduct for 2021-2022 -- Dr. Charla Rudd
    G. Localized Policy Manual Update 117 -- Mr. Todd Gooden
        1. CH (LOCAL) Purchasing and Acquisition -- Mr. Todd Gooden
        2. CV(LOCAL) - Facilities Construction -- Mr. Todd Gooden
        3. DEC(LOCAL) - Compensation and Benefits: Leaves and Absences -- Mr. Todd Gooden

H. Proposed Amendment to District of Innovation (DOI) Plan Regarding Health Care Coverage -- Mr. Todd Gooden

IX. Action and Discussion Items -- Board President

A. Consider Monthly Budget Analysis Report -- Mr. James Garrett

B. Discussion of Preliminary 2021-2022 Budget -- Mr. James Garrett

C. Consider Teacher and Professional Employee Contract Recommendations -- Mr. Todd Gooden

X. Closed Meeting -- Board President

XI. Adjournment -- Board President

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

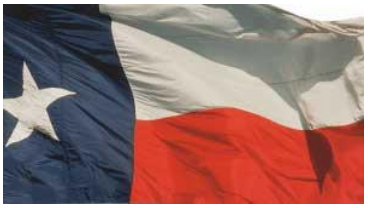
TO THE AMERICAN FLAG AND TO THE TEXAS FLAG WILL BE PROVIDED BY:

_____

(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 state under God, one and indivisible."

OATH OF OFFICE TO NEW BOARD MEMBER

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Ms. Lori Mynarcik

Background Information:
Mr. Larry Carpenter has been appointed to fill the vacancy on the La Vega ISD Board of Trustees created by the resignation of Mr. Myron Ridge. The Oath of Office will be administered to swear him into office.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

APPROVE LISTING OF AGENDA ITEMS

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Sharon M. Shields 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:

RECOGNITION ITEMS

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

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Board President

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

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

PUBLIC PARTICIPATION

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person(s):
Board President and Dr. Sharon M. Shields

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

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.

Superintendent's Report

1. **Student Enrollment Report**
2. **Calendar Events**
3. **Other Miscellaneous Items**

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Sharon M. Shields

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

House Bill 3 (HB3) Literacy, Math, and College, Career, and Military Readiness (CCMR) End-of-Year Summary

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Dr. Charla Rudd

Background Information:
The EC-Literacy and EC-Math goals are 5-year goals for aggregate student growth on 3rd-grade reading and math STAAR. The CCMR goal is a 5-year goal for aggregate student growth on CCMR readiness indicators evaluated under the student achievement domain. College readiness includes Texas Success Initiative (TSI) score SAT/ACT/TSI Assessments (TSIA) and earned an associate degree prior to graduation or enrolled in college by the fall immediately after high school graduation. Career readiness includes TSI score on SAT/ACT/TSIA and received an industry-based certification/Level I/Level II certificate. Military readiness includes Armed Services Vocational Aptitude Battery (ASVAB) passing score and enlisted in U.S. Armed Forces after graduation. The Board adopted the goals in January of 2021. The report provides a measure of progress for the first quarterly period.

Fiscal Implication:
N/A

Administrative Recommendation:
Review only.

LVISD HB-3 End-of-Year Report

Pre-Kindergarten Reading Goal

Pre-Kindergarten students scoring on grade level or above grade level in Reading as assessed on the CIRCLE Assessment will increase from 88% to 92% from August 2020 to June 2024

For 2021, 89% is the goal for students scoring on grade level or above grade level in **Reading**.

Progress from August 2020 to March 2021 –

Af.Am. 54.5% His 85.5% W 48% 2 + 67% Eco Dis 64% ELs 74%

Progress from March to May 2021 – Overall 72%

Af.Am – 71% His 74% W 72% 2+ 71% Eco Dis 72% ELs 73%

The campus DID NOT meet the 89% Reading goal.

Intervention: Professional Development and intervention strategies for deleting initial and final sounds in words.

Pre-Kindergarten Mathematics Goal

Pre-Kindergarten students scoring on grade level or above grade level in **Mathematics** as assessed on the CIRCLE Assessment will increase from 86% to 90% from August 2020 to June 2024

For 2021, 87% is the goal for students scoring on grade level or above grade level in **Math**.

Progress from August 2020 to March 2021 –

Af.Am. 68.5% His 61% W 69.5% 2 + 69% Eco Dis 61.5% ELs 63%

Progress from March to May 2021-

Overall Measure – 91% - On Track
9% - Needs Support.
0% - Require Monitoring.
0% - Out of Range

The campus EXCEEDED the 87% goal.

Seeking professional development and tutoring for students in number naming, operations, and rote counting.

Kindergarten Reading Goal

Kindergarten students scoring on grade level or above grade level in Reading as assessed on the TPRI Assessment will increase from 85% to 89% from August 2020 to June 2024

For 2021, 86% is the goal for students scoring on grade level or above grade level in **Reading**.

Progress from August 2020 to March 2021 –

Af.Am. 47% His 51% W 60% 2 + 43% Eco Dis 52.5% ELs 54%

Progress from March to May 2021 – Overall 90%

Af. Am – 90% His 93% W 92% 2+ 88% Eco Dis 92% Els 93%

The campus is EXCEEDED the 86% reading goal.

Seeking additional strategies and support materials in deleting the final sounds in words.

Kindergarten Mathematics Goal

Pre-Kindergarten students scoring on grade level or above grade level in **Mathematics** as assessed on the ESGI Assessment will increase from 76% to 86% from August 2020 to June 2024

For 2021, 78.5% is the goal for students scoring on grade level or above grade level in **Math**.

Progress from August 2020 to March 2021 – Overall 79%

Af.Am. 78% His 79% W 70% 2 + 81% Eco Dis 78.5% ELs 80%

Progress from March to May 2021 – Overall 94%

Af.Am. 94% His 97% W 93% 2 + 92% Eco Dis 96% ELs 96%

The campus EXCEEDED the 78.5% goal.

Seeking additional activities and interventions for counting to 100 by ones.

1st Grade Reading Goal

1st Grade students scoring Approaches or above grade level in Reading as assessed on the TPRI Assessment will increase from 19% to 25% from August 2020 to June 2024

For 2021, 86% is the goal for students scoring on grade level or above grade level in **Reading**.

Progress from August 2020 to March 2021 –

- 27.6% of students scored Masters/Meets on TPRI assessment at BOY.
- At MOY, students scored 63.9% Masters/Meets on TPRI assessment.
- This is an increase of 36.3% in performance.

Progress from March to May 2021 –

- 42.8% of students scored Masters/Meets on TPRI story reading at EOY.
- 32.5% of Spanish readers Masters/Meets on Tejas LEE story reading at EOY.
- At MOY, students scored 28.6% Masters/Meets on TPRI story reading.
- At MOY, 31.9% Spanish readers scored Masters/Meets on Tejas LEE story reading.
- This is an increase of 14.2% for English readers and 0.6% for Spanish readers in performance.

The campus DID NOT make the 86% goal.

57% of first grade English readers and 60.9% Spanish readers were unable to read and comprehend grade level stories.

Campus will review and revamp the curriculum maps during Elementary Curriculum Camp July 19-23, 2021.

1st Grade Mathematics Goal

1st Grade students scoring on grade level or above grade level in **Mathematics** as assessed on the STAR Renaissance Math Assessment will increase from 482 to 522 (scale score) from August 2020 to June 2024

For 2021, 492 scale score is the goal for students scoring on grade level or above grade level in **Math**.

Progress from August 2020 to March 2021 –

*53% of tested students had a scale score of 299 or above at the MOY on STAR Math.

*This number does not reflect all enrolled students.

Progress from March to May 2021 – Overall 71.6% are on or above grade level.

55.5% of students were at or above grade level at EOY.
16.1% of students were Approaching grade level at EOY.
17.4% of students were in Tutoring/Interventions.
11% of students were in Tier 3 Interventions.

The campus DID NOT meet the 86% goal.
Intervention: Multi-classroom support teacher for mathematics, tight alignment with essential standards for math, lesson planning and rigorous activities.

2nd Grade Reading Goal

2nd Grade students scoring Approaches or above grade level in Reading as assessed on the TPRI Assessment will increase from 7% to 15% from August 2020 to June 2024
For 2021, 9% increase is the goal for students scoring on grade level or above grade level in **Reading**.

Progress from August 2020 to March 2021 –

- 47% of students scored Master/Meets on TPRI assessment at BOY.
- At MOY, students scored 61.6%.
- This is an increase of 14.6% in performance.

Progress from March to May 2021 –

- 71.7% of students scored Master/Meets on TPRI assessment at EOY.
- 71.7% of Spanish reading students scored Master/Meets on Tejas LEE at EOY.
- This is an increase of 10.1% in performance for English readers and 9.8% increase for Spanish readers.

The campus MET the 9% increase goal.
Curriculum review and revisions will reinforce weak concepts plus the campus will implement a phonic program in instruction during the 90-minute ELAR block.

2nd Grade Mathematics Goal

2nd Grade students scoring on grade level or above grade level in **Mathematics** as assessed on the STAR Renaissance Math Assessment will increase from 442 to 482 (scale score) from August 2020 to June 2024
For 2021, 452 scale score is the goal for students scoring on grade level or above grade level in **Math**.

Progress from August 2020 to March 2021 –
*48% of tested students had a scale score of 435 or above at the MOY on STAR Math.
*This number does not reflect all enrolled students.

Progress from March to May 2021 – Overall 71.6% are on or above grade level.
46.8% of students were at or above grade level at EOY.
9.7% of students were Approaching grade level at EOY.
17.7% of students were in Tutoring/Interventions.
25.8% of students were in Tier 3 Interventions.

The campus DID NOT meet the on-grade level goal.
Intervention: Multi-classroom support teacher for mathematics, tight alignment with essential standards for math, lesson planning and rigorous activities.

3rd Grade Reading Goal

3rd Grade students scoring Approaches or above grade level in Reading as assessed on the STAAR Assessment will increase from 86% to 90% from August 2020 to June 2024

For 2021, 87% is the goal for students scoring on grade level or above grade level in **Reading**.

Progress from August 2020 to March 2021 –

- 54% of students scored at Approaches or above on Practice STAAR Math in January 2021.

STAAR Results 2021 –

- 66% of students scored at Approaches or above.
  - **36% Met Standard**
  - **10% Mastered**

The campus DID NOT meet the 87% goal.

Reading academy use of strategies and professional development, review TEKS Resource System Curriculum and incorporate Essential Standards and Interim Assessment to review progress.

3rd Grade Mathematics Goal

3rd Grade students scoring on grade level or above grade level in **Mathematics** as assessed on the STAAR Assessment will increase from 79% to 83% from August 2020 to June 2024

For 2021, 81% is the goal for students scoring on grade level or above grade level in **Math**.

Progress from August 2020 to March 2021 –

24% of students scored at Approaches or above on Practice STAAR Math in January 2021.

STAAR Results 2021 –

- 51% of students scored at Approaches or above.
  - **13% Met Standard**
  - **5% Mastered**

The campus DID NOT meet the 81% goal.

Coaching support has been added, teacher teaming and 90-minute math blocks have been added. Essential standards are reviewed and TEKS Resource System Curriculum scope and sequence will be followed for 2021-22.

Teacher Professional Development

All Kindergarten – 3rd grade teachers will complete the Texas Reading Academy by 2023

16 Bilingual PK-3rd Grade Teachers have completed 75% of the Reading Academy.
16 Bilingual PK-3rd Grade Teachers **COMPLETED** the Biliteracy Reading Academy
39 1st – 3rd Grade Teachers have completed 75% of the Reading Academy.
39 1st – 3rd Grade Teachers have **COMPLETED** the Reading Academy.
23 PreK - K Teachers have completed 75% of the Reading Academy.
22 Pre-K Teachers **COMPLETED** the Reading Academy.

The district MET the 100% of all K-3 teachers completing the Reading Academy by 2023. 100%

High School College, Career, and Military Readiness

The percent of graduates that meet the criteria for CCMR will increase from 40% to 70% by August 2024.

The percent of students that meet the threshold for college ready status will increase from 40% to 70% by August 2024.

Progress from August 2020 to March 2021 –
For 2021, 55% is the goal for students meeting college ready status.

ECHS 2020 Cohort – 51 graduates – all with 9+ college hours (7 with 30+ hrs.; 11 Associate of Arts)
ECHS 2021 Cohort – 59 graduates – all with 9+ college hours (23 with 30+ hrs.; 17 Associate of Arts)
Comprehensive High School
Cohort 2021 - Passed TSI –Reading - 88 - Mathematics – 44
Cohort 2022 – Passed TSI - Reading 76 - Mathematics – 14
Cohort 2023 – Passed TSI - Reading 58 - Mathematics – 1
Cohort 2024 - Passed TSI - Reading 36 - Mathematics – 0

46% of the 2021 Cohort completed college credit (80/173)
3-9 hours= 16
12-24 hours= 16
25-38 hours= 14
40-56 hours= 16
60-67 hours= 18
17 graduates graduated with an Associates of Arts Degree {3 with Highest Honors}
4 graduates were "Core Complete" (college courses)

The campus DID NOT meet the 81% goal.

The percent of graduates that earn an Industry-based certification will increase from 16% to 40% by August 2024.

For 2021, 26% of students earning an Industry-based certification is the goal.

Progress from August 2020 to March 2021 –

- *42 students who were in the CNA program last year and did not test are scheduled to test.*
- *50 students that are currently enrolled in the CNA program will be completed with coursework by the end of April and will then test.*
- *1 student has received OSHA-30 certification.*
- *46 of the business students are halfway through coursework.*

Progress from March to May 2021 –
119 students earned Industry Certifications.

A TOTAL of 152 student have earned an Industry Certificate = 16%

The campus DID NOT to meet the 26% goal.

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. Sharon M. Shields or Ms. 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
400 East Loop 340, Waco, Texas 76705
254-299-6700 ♦ 254-799-8642 FAX

Office of the Superintendent

La Vega I.S.D. Board of Trustees
Minutes of the Regular Meeting Held
June 15, 2021

SPECIAL NOTE: This meeting was held virtually due to restrictions caused by the COVID-19 virus.

https://global.gotomeeting.com/join/898842541
You can also dial in using your phone.
United States: +1 (646) 749-3122
Access Code: 898-842-541

BOARD MEMBERS PRESENT – Mildred Watkins, Myron Ridge, Henry C. Jennings, Raymond Koon, Phil Bancale, and Brenda Rocha

BOARD MEMBERS ABSENT – Randy Devorsky

SCHOOL PERSONNEL PRESENT – Dr. Sharon M. Shields, Todd Gooden, Dr. Charla Rudd, James Garrett, and Lori Mynarcik

OTHERS PRESENT – None

CALLED TO ORDER – Board Vice President Mildred Watkins established a quorum and brought the board meeting to order at 6:00 p.m.

OPENING CEREMONY – The Pledges of Allegiance to the United States Flag and the Texas Flag were led by Mr. Todd Gooden, Assistant Superintendent for Personnel and Administration.

APPROVED LISTING OF AGENDA ITEMS - On a motion by Mr. Koon and seconded by Mr. Ridge, the Board unanimously approved the listing of agenda items.

RECOGNITION ITEMS – None

PUBLIC PARTICIPATION – None

SPECIAL REPORTS – Board Members received the following special report(s).

Superintendent's Information to the Board – Dr. Sharon M. Shields, Superintendent, updated the Board Members on upcoming calendar items and other miscellaneous information.

APPROVED CONSENT AGENDA ITEMS - Motioned by Mrs. Rocha and seconded by Mr. Bancale, the Board unanimously approved the following consent agenda items:

- the minutes for the May 18, 2021 regular board meeting
- the monthly tax collection recap and report
- the job description for Athletic Trainer, Head Athletic Trainer, Students Services Liaison, and Student Services/SEL Liaison
- revisions to the 2020-2021 Professional Paygrades
- the 2021-2022 Optional Flexible School Day Program (OFSDP) Application

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

Approved the Monthly Budget Analysis Report – On a motion by Mrs. Rocha and seconded by Mr. Bancale, the Board unanimously approved the monthly budget analysis report.

Teacher and Professional Employee Contract Recommendations – Motioned by Mr. Koon and seconded by Mrs. Rocha, the Board Members unanimously approved the contract recommendations for Dikran Bullajian, Tamara Carter Smith, Trever Freeman, Angelica Gillaspy, Robert Glynn, Luis Ferro, Mayra Gonzalez, Sage Gonzalez, Maria Grmela, Caleb Lowry, Jonathan McHaney, Franco Navas, Rebekkah Navas, Sophany Thack, James Villa, Brianna Williams, and Nicholas Tamarkin.

CLOSED MEETING – There was no closed meeting.

ADJOURNMENT - On a motion by Mr. Bancale and seconded by Mrs. Rocha, the Board of Trustees unanimously agreed to adjourn the meeting at 6:21 p.m. on June 15, 2021.

_____
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
400 East Loop 340, Waco, Texas 76705
254-299-6700 ♦ 254-799-8642 FAX

Office of the Superintendent

La Vega I.S.D. Board of Trustees
Minutes of the Special Meeting
June 29, 2021

SPECIAL NOTE: This meeting was held virtually due to restrictions caused by the COVID-19 virus.

https://global.gotomeeting.com/join/752463485
You can also dial in using your phone.
(United States: +1 (872) 240-3412 - One-touch: tel:+18722403412,,752463485#
Access Code: 752-463-485

BOARD MEMBERS PRESENT – Mildred Watkins, Myron Ridge, Henry C. Jennings, and Phil Bancale

BOARD MEMBERS ABSENT – Randy Devorsky, Raymond Koon, and Brenda Rocha

SCHOOL PERSONNEL PRESENT – Dr. Sharon M. Shields, Todd Gooden, James Garrett, and Lori Mynarcik

OTHERS PRESENT – None

CALLED TO ORDER – Board President Mildred Watkins established a quorum and brought the board meeting to order at 6:03 p.m.

OPENING CEREMONY – The Pledges of Allegiance to the United States Flag and the Texas Flag were led by Mr. Todd Gooden, Assistant Superintendent for Personnel and Administration.

APPROVED THE LISTING OF AGENDA ITEMS – Motioned by Mr. Bancale and seconded by Mr. Ridge, the Board Members unanimously approved the listing of agenda items.

PUBLIC PARTICIPATION – None

SUPERINTENDENT'S REPORT – The Superintendent updated the Board of Trustees on calendar events and other miscellaneous items.

APPROVED THE EMPLOYMENT CONTRACT RECOMMENDATION FOR DIRECTOR OF MUSIC/HEAD BAND DIRECTOR - Motioned by Mr. Bancale and seconded by Mr. Jennings, the Board unanimously approved the employment contract with Mr. Nathaniel Tubbs for the position of Director of Music/Head Band Director.

APPROVED TEACHER AND PROFESSIONAL EMPLOYEE CONTRACT RECOMMENDATIONS - Motioned by Mr. Jennings and seconded by Mr. Ridge, the Board Members unanimously approved the employee contract recommendations for Vene' Baggett, Kayla Elam, Ricardo Forester, Josh Hollingsworth, Jaree Loper, and Michael Mitchell.

ACKNOWLEDGEMENT OF LETTER OF RESIGNATION FROM BOARD MEMBER MR. MYRON RIDGE – Board President Mildred Watkins read the letter of resignation from Mr. Myron Ridge, Board Vice President, effective immediately. Board Members acknowledged the letter of resignation and thanked Mr. Ridge for his service to La Vega ISD. Mr. Ridge thanked the Board Members and the Administration for the opportunity to serve.

CLOSED MEETING – None

ADJOURNMENT - On a motion by Mr. Ridge and seconded by Mr. Jennings, the Board of Trustees unanimously agreed to adjourn the meeting at 6:13 p.m. on June 29, 2021.

_____
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
400 East Loop 340, Waco, Texas 76705
254-299-6700 ♦ 254-799-8642 FAX

Office of the Superintendent

La Vega I.S.D. Board of Trustees
Minutes of the Special Meeting
July 14, 2021

SPECIAL NOTE: This meeting was held virtually due to restrictions caused by the COVID-19 virus.

https://global.gotomeeting.com/join/916723229
United States: +1 (312) 757-3121
Access Code: 916-723-229

BOARD MEMBERS PRESENT – Mildred Watkins, Myron Ridge, Henry C. Jennings, Raymond Koon, Randy Devorsky, and Brenda Rocha

BOARD MEMBERS ABSENT – Phil Bancale

SCHOOL PERSONNEL PRESENT – Dr. Sharon M. Shields, Todd Gooden, Dr. Charla Rudd, James Garrett, and Lori Mynarcik

OTHERS PRESENT – None

CALLED TO ORDER – Board President Mildred Watkins established a quorum and brought the board meeting to order at 6:00 p.m.

OPENING CEREMONY – The Pledges of Allegiance to the United States Flag and the Texas Flag were led by Mr. Todd Gooden, Assistant Superintendent for Personnel and Administration.

APPROVED THE LISTING OF AGENDA ITEMS – Motioned by Mr. Jennings and seconded by Mr. Ridge, the Board Members unanimously approved the listing of agenda items.

PUBLIC PARTICIPATION – None

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

Approved the Method of Filling Board Vacancy – Motioned by Mr. Ridge and seconded by Mrs. Rocha, the Board Members unanimously approved the method of filling the board vacancy created by the resignation of Mr. Ridge. The method that the Board Members approved was to fill the vacancy by appointing a person to fill the vacated position until the next school board election.

Approved Replacement of Board Member for At-Large Position – On a motion by Mr. Ridge and seconded by Mr. Jennings, the Board of Trustees unanimously approved the appointment of Mr. Larry Carpenter to fill the vacated board member at-large position.

CLOSED MEETING – A closed session of the Board of Trustees was declared at 6:07 p.m. on July 14, 2021 as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.074 to discuss possible candidates to fill the board vacancy. The closed meeting ended at 6:29 p.m. on July 14, 2021.

ADJOURNMENT - On a motion by Mr. Jennings and seconded by Mr. Ridge, the Board of Trustees unanimously agreed to adjourn the meeting at 6:33 p.m. on July 14, 2021.

_____
Date of Board Approval

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

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

Monthly Tax Collection Recap and Report

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached X Provided Later

Contact Person:
Mr. James Garrett

Background Information:
The District contracts with the McLennan County Tax Office for the collection of the current and delinquent taxes and penalty and interest on those taxes. As part of this service, the Tax Office supplies the District with a monthly cumulative summary of taxes and penalty and interest collected. Attached the Board will find the monthly tax collection recap and report prepared by the Business Office. This report has been reconciled with the summary report received from the tax office.

Fiscal Implication:
N/A

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

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

La Vega ISD
Tax Collection Report

Current Year M&O Taxes		For Month of		Year to Date
5		June 2021		June 2021
Original Current Roll			$	9,812,867.87
Adjustments		($5,204.89)		$3,360,806.65
Total Adjusted Roll			$	13,173,674.52
Current M&O Taxes Collected	$	830,550.17	$	10,398,362.22
Current P & I Collected	$	107,558.35	$	136,080.39
Current Taxes Collected Adjustments			$	-
Total Current Taxes Collected	$	938,108.52	$	10,534,442.61
% of Current Taxes Collected				79.9659%
Current Year I&S Taxes		**For Month of**		**Year to Date**
Current I&S Taxes Collected	$	193,132.25	$	2,421,443.70
Current P & I Collected	$	25,011.15	$	36,107.94
Current Taxes Collected Adjustments	$	-	$	-
Total Current Taxes Collected	$	218,143.40	$	2,457,551.64
% of Current Taxes Collected				18.6550%
Total Collections Current	**$**	**1,156,251.92**	**$**	**12,991,994.25**
				98.62%
Delinquent M&O Taxes		**This Month**		**Year to Date**
Delinquent Taxes Outstanding			$	707,144.39
Adjustments	$	(1,445.69)		($28,435.39)
Total Adjusted Delinquent Roll			$	678,709.00
Delinquent M&O Taxes Collected	$	11,713.92	$	128,123.54
Delinquent P & I Collected	$	4,119.03	$	40,966.12
Attorney Fees Collected			$	-
Delinquent Taxes Collected Adjustment				
Total Delinquent Balance Collected	$	15,832.95	$	169,089.66
% of of Delinquents Collected				24.9134%
Delinquent I&S Taxes		**This Month**		**Year to Date**
Delinquent I&S Taxes Collected	$	2,405.33	$	26,890.34
Delinquent P & I Collected	$	843.03	$	9,025.67
Attorney Fees Collected	$	-	$	-
Delinquent Taxes Collected Adjustment	$	-	$	-
Total Delinquent Balance Collected	$	3,248.36	$	35,916.01
% of of Delinquents Collected				5.2918%
Total Collections Delinquent	**$**	**19,081.31**	**$**	**205,005.67**
Grand Total Collections	**$**	**1,175,333.23**	**$**	**13,196,999.92**
Paid YTD			**$**	**12,974,819.80**
Balance Remaining			**$**	**877,563.72**
				6.34%

Quarterly Investment Report

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

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. James D. Garrett

Background Information:
The Business Office prepares an investment report on a quarterly basis for the Board's review and approval. Attached is the report for the current quarter's investments.

Fiscal Implication:
None

Administrative Recommendation:
It is recommended that the Board approve the Quarterly Investment Report.

Motion:

Second:

For:

Against:

Abstain:

LA VEGA INDEPENDENT SCHOOL DISTRICT
INVESTMENT REPORT
JUNE 30, 2021

The District's cash and temporary investment balances and transactions for the quarter ended June 30, 2021 reflect the investment objectives and guidelines expressed in the District's Investment Policy.

The following is a summary of the district's cash and temporary investment position by fund group on June 30, 2021. These funds are liquid and available immediately, subject to outstanding obligations.

	American Bank	TexasTERM	Texas Class	Total
General Fund	$ 230,034	$ -0-	$ 6,674,332	$ 6,904,366
Interest & Sinking	755,014	-0-	294,229	1,049,243
Food Service	624,363	43,571	-0-	667,934
Total	$ 1,609,411	$ 43,571	$ 6,968,561	$ 8,621,543

Cash

The District's funds are required to be deposited and invested under the terms of a depository contract pursuant to the School Depository Act and under the guidelines of the Public Funds Investment Act. American Bank of Waco deposits for safekeeping and trust with the District's agent, bank-approved pledged securities in an amount sufficient to protect District funds on a day-to-day basis during the period of the contract.

On June 30, 2021, the balance of the district's bank deposits were $526,748 and $486,107 for the Maintenance and Operations and Interest and Sinking funds, respectively. These balances were covered by FDIC insurance and by collateral held by the District's agent in the District's name. The District's cash balances were properly collateralized or insured at all times during the quarter.

Temporary Investment Earnings

Cash balances are held by American Bank, TexasTERM and Texas Class. The following is a summary of each pooled fund group's interest earnings for the first ten-months of the fiscal year, as well as the budgetary comparison:

	As of 06/30/2021	Annual Budget	Over/(Under)
General Fund	$ 10,629	$ 150,000	$ (139,371)
Interest & Sinking	569	-0-	569
Food Service	27	500	(473)
	$ 11,225	$ 150,500	$ (139,275)

Interest Earnings & Rates

The table depicts the interest earned by each investment category. The District's total earnings from investments were **$11,225** for the ten-months ended June 30, 2021.

	American Bank	TexasTERM	Texas Class
Average Monthly Yield	0.05%	0.05%	0.1051%

Unfortunately, in the current financial environment, these rates are in line with market conditions, resulting in the earnings reported.

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 June 30, 2021 in compliance with the Board approved Investment Policy, the Public Funds Investment Act (Texas Government Code 2256), and, Generally Accepted Accounting Principles (GAAP).

Dr. Sharon M. Shields, Superintendent of Schools

James D. Garrett, Asst. Superintendent for Finance

American Bank
MEMBER FDIC

P.O. Box 154068
Waco, Texas 76715-4068

RETURN SERVICE REQUESTED

LAVEGA ISD INTEREST & SINKING
400 E LOOP 340
WACO TX 76705-3420

Statement Ending 06/30/2021

LAVEGA ISD INTEREST & SINKING

Account Number: XXXXX6063

Managing Your Accounts

Bank Name	American Bank, N.A,
Bank Number	254-412-2000
Mailing Address	P.O. Box 154068 Waco, TX 76715-4068
Website	www.ambankwaco.com



Summary of Accounts

Account Type	Account Number	Ending Balance
PUBLIC FUNDS SCHOOLS	XXXXX6063	$754,129.61

PUBLIC FUNDS SCHOOLS-XXXXX6063

Account Summary

Date	Description	Amount
05/29/2021	**Beginning Balance**	**$742,987.34**
	19 Credit(s) This Period	$12,324.77
	1 Debit(s) This Period	$1,182.50
06/30/2021	**Ending Balance**	**$754,129.61**

Account Activity

Post Date	Description	Debits	Credits	Balance
05/29/2021	**Beginning Balance**			**$742,987.34**
06/02/2021	MCLENNAN COUNTY DISBURSMNT ACH64947 352189		$843.41	$743,830.75
06/02/2021	MCLENNAN COUNTY DISBURSMNT ACH64889 352115		$1,295.12	$745,125.87

EQUAL HOUSING LENDER Member FDIC

American Bank
MEMBER FDIC

P.O. Box 154068
Waco, Texas 76715-4068

RETURN SERVICE REQUESTED

LA VEGA ISD GENERAL
OPERATING FUND
400 E LOOP 340
WACO TX 76705-3420

Statement Ending 06/30/2021

LA VEGA ISD GENERAL **Page 1 of 46**

Account Number: XXXXX6097

Managing Your Accounts

Bank Name	American Bank, N.A,
Bank Number	254-412-2000
Mailing Address	P.O. Box 154068 Waco, TX 76715-4068
Website	www.ambankwaco.com



Summary of Accounts

Account Type	Account Number	Ending Balance
PUBLIC FUNDS SCHOOLS	XXXXX6097	$2,222,207.94

PUBLIC FUNDS SCHOOLS-XXXXX6097

Account Summary

Date	Description	Amount
05/29/2021	**Beginning Balance**	**$1,461,228.66**
	61 Credit(s) This Period	$4,181,099.55
	307 Debit(s) This Period	$3,420,120.27
06/30/2021	**Ending Balance**	**$2,222,207.94**

Account Activity

Post Date	Description	Debits	Credits	Balance
05/29/2021	**Beginning Balance**			**$1,461,228.66**
06/01/2021	MOBILE/RDC DEPOSIT		$9.00	$1,461,237.66
06/01/2021	MOBILE/RDC DEPOSIT		$53.39	$1,461,291.05

EQUAL HOUSING LENDER Member FDIC

Texas CLASS®

Summary Statement

June 30, 2021

Investor ID: TX-01-0316

0000228-0001419 PDFT 315964

La Vega ISD
400 E Loop 340
Waco, TX 76705

Texas CLASS

Texas CLASS

Average Monthly Yield: 0.0611%

		Beginning Balance	Contributions	Withdrawals	Income Earned	Income Earned YTD	Average Daily Balance	Month End Balance
TX-01-0316-0001	CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TX-01-0316-0002	INTEREST & SINKING	294,214.32	0.00	0.00	14.77	227.91	294,222.24	294,229.09
TX-01-0316-0003	GENERAL FUND	8,473,927.52	0.00	1,800,000.00	404.75	4,829.99	7,994,152.84	6,674,332.27
TOTAL		**8,768,141.84**	**0.00**	**1,800,000.00**	**419.52**	**5,057.90**	**8,288,375.08**	**6,968,561.36**

Account Number: TX-01-0316-0002

INTEREST & SINKING

Account Summary

Average Monthly Yield: 0.0611%

	Beginning Balance	Contributions	Withdrawals	Income Earned	Income Earned YTD	Average Daily Balance	Month End Balance
Texas CLASS	294,214.32	0.00	0.00	14.77	227.91	294,222.24	294,229.09

Transaction Activity

Transaction Date	Transaction Description	Contributions & Income Earned	Withdrawals	Balance	Transaction Number
06/01/2021	Beginning Balance			294,214.32	
06/30/2021	Income Dividend Reinvestment	14.77			
06/30/2021	Ending Balance			294,229.09	

Account Number: TX-01-0316-0003

GENERAL FUND

Account Summary

Average Monthly Yield: 0.0611%

	Beginning Balance	Contributions	Withdrawals	Income Earned	Income Earned YTD	Average Daily Balance	Month End Balance
Texas CLASS	8,473,927.52	0.00	1,800,000.00	404.75	4,829.99	7,994,152.84	6,674,332.27

Transaction Activity

Transaction Date	Transaction Description	Contributions & Income Earned	Withdrawals	Balance	Transaction Number
06/01/2021	Beginning Balance			8,473,927.52	
06/23/2021	Withdrawal		1,800,000.00		5048065
06/30/2021	Income Dividend Reinvestment	404.75			
06/30/2021	Ending Balance			6,674,332.27	

Texas CLASS

	Texas CLASS	
Date	Dividend Rate	Daily Yield
06/01/2021	0.000001909	0.0697%
06/02/2021	0.000001789	0.0653%
06/03/2021	0.000001846	0.0674%
06/04/2021	0.000005352	0.0651%
06/05/2021	0.000000000	0.0651%
06/06/2021	0.000000000	0.0651%
06/07/2021	0.000001694	0.0619%
06/08/2021	0.000001596	0.0583%
06/09/2021	0.000001732	0.0633%
06/10/2021	0.000001627	0.0594%
06/11/2021	0.000004617	0.0562%
06/12/2021	0.000000000	0.0562%
06/13/2021	0.000000000	0.0562%
06/14/2021	0.000001511	0.0551%
06/15/2021	0.000001637	0.0597%
06/16/2021	0.000001603	0.0585%
06/17/2021	0.000001630	0.0595%
06/18/2021	0.000005061	0.0616%
06/19/2021	0.000000000	0.0616%
06/20/2021	0.000000000	0.0616%
06/21/2021	0.000001666	0.0608%
06/22/2021	0.000001706	0.0623%
06/23/2021	0.000001680	0.0613%
06/24/2021	0.000001661	0.0607%
06/25/2021	0.000004980	0.0606%
06/26/2021	0.000000000	0.0606%
06/27/2021	0.000000000	0.0606%
06/28/2021	0.000001633	0.0597%
06/29/2021	0.000001599	0.0584%
06/30/2021	0.000001692	0.0618%

Performance results are shown net of all fees and expenses and reflect the reinvestment of dividends and other earnings. Many factors affect performance including changes in market conditions and interest rates and in response to other economic, political, or financial developments. Investment involves risk including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. **Past performance is no guarantee of future results. Any financial and/or investment decision may incur losses.**

Account Statement

For the Month Ending **June 30, 2021**

La Vega Independent School District - LUNCH FUND - 1058-02

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Total Shares Owned
TexasDAILY					
Opening Balance					**43,570.28**
06/30/21	07/01/21	Accrual Income Div Reinvestment - Distributions	1.00	1.06	43,571.34
Closing Balance					**43,571.34**

	Month of June	Fiscal YTD January-June
Opening Balance	43,570.28	43,560.66
Purchases	1.06	10.68
Redemptions (Excl. Checks)	0.00	0.00
Check Disbursements	0.00	0.00
Closing Balance	**43,571.34**	**43,571.34**
Cash Dividends and Income	1.06	10.68

Closing Balance	43,571.34
Average Monthly Balance	43,570.32
Monthly Distribution Yield	0.03%

Personnel Items

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Todd Gooden

Background Information:
The following personnel items are submitted for board approval.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

Job Description(s) or Revisions to Job Description(s), and Paygrade Chart or Revisions to Paygrade Chart

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☐ Provided Later ☐

Note: There were no job descriptions, revisions to job descriptions, or paygrade chart revisions pending board approval at the time board agendas were finalized.

Contact Person:
Mr. Todd Gooden

Background Information:
Board Members approve revisions to the LVISD Job Description Manual and revisions to the paygrade charts.

Fiscal Implication:
Personnel items are a budgeted item.

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

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

District-Wide Stipend List

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Todd Gooden

Background Information:
New stipend additions/changes are highlighted on the attached list. All other stipends remain unchanged from previous years.

Fiscal Implication:
Stipends are included in campus/department budgets

Administrative Recommendation:
It is recommended that the board approve these stipends as presented.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

DISTRICT STIPEND LIST
2021/2022

DESCRPTION	AMOUNT	
Opportunity Culture		
Multi-Classroom Teacher	13000	(7)
Master-Team Reach Teacher (Elem.)	5000	
Master-Team Reach Teacher (Sec.)	5000+2000 for add. Duties	(9)
Team Reach Teacher (Elem.)	2500	
Team Reach Teacher (Sec.)	1000+1000 per section	(14)
Reach Associate	2000	(10)
Teacher Resident	18000	(13)
COORDINATOR (Offseason)	1500	
ST-BASEBALL	1500	
ST-COACHES BASE	4500	
ST-FOOTBALL	1500	
Math	3600	
COMPOSITE SCIENC	4200	
HS Math Stipend	4200	
ST-B-TRACK	1500	
ST-COACHES BASE	7500	
ST-COACHES BASE	7500	
ST-FOOTBALL	1500	
ST-G-BASKETBALL	1500	
ST-VOLLEYBALL	1500	
TWO WAY BILINGUAL	5000	
TWO WAY BILINGUAL	5000	
TWO WAY BILINGUAL	5000	
TWO WAY BILINGUAL	5000	
TWO WAY BILINGUAL	5000	
BILINGUAL ADMINISTRATIVE SUPPORT	5000	
COUNSELOR-LVE	5000	
COUNSELOR-LVE	5000	
INTERPRETER/TRAN	1000	
UIL COORDINATOR	1000	
WEBMASTER	1000	
AVID Campus Coordinator	500	
Reading Academy	500	
ASST FOOTBALL	1500	
ASST FOOTBALL	1500	
ASST FOOTBALL	1500	
ASST FOOTBALL	1500	
ASST FOOTBALL	1500	
ASST FOOTBALL	1500	
ASST FOOTBALL	1500	
ASST FOOTBALL	1500	

ASST ATH. DIR	14500
FILMING/SCOUTING	1500
CLOCK OPERATOR	500
CLOCK OPERATOR	500
COMPOSITE SCIENC	4200
COMPOSITE SCIENC	4200
COMPOSITE SCIENC	4200
COMPOSITE SCIENC	4200
COMPOSITE SCIENC	3000
COMPOSITE SCIENC	3000
DEF COORDINATOR	1500
AT COORDINATOR	2125
GIRLS COORD	1500
OFF COORDINATOR	1000
CREDIT RECOVERY	4350
UIL COORDINATOR	3000
DISTRICT DATA SUPPORT	3000
HIGH IMPACT TUTORING COORD	10000
CROSS COUNTRY	2000
AVID COORD	1000
DEPT. CHAIR	250
DEPT. CHAIR	250
DEPT. CHAIR	250
DEPT. CHAIR	250
DEPT. CHAIR	250
DEPT. CHAIR	250
HEAD FOOTBALL	14500
HS COUNSELOR	5000
HS COUNSELOR	6500
HS COUNSELOR	6500
HS Math Stipend	3600
HS Math Stipend	3600
HS Math Stipend	2400
HS Math Stipend	4200
HS Math Stipend	4200
HS Math Stipend	4200
HS Math Signing Bonus	2500
STUDENT COUNCIL	1000
INTERPRETER/TRAN	1000
INTERPRETER/TRAN	1000
LAUNDRY SPECIAL	1500
MS BASE	6500
NHS SPONSOR	1350
NJROTC SPONSOR	6000
NJROTC SPONSOR	6000
OAP Director	2000
RECRUITING COOR	4000
VIDEO SPECIALIST	2000

SPANISH	2500
SPANISH	2500
SPANISH	2500
ST-B-BASKETBALL	1500
ST-B-BASKETBALL	1500
ST-BSKTBL-MS-G	1000
ST-B-SOCCER	1500
ST-B-TRACK	2000
ST-B-TRACK	1500
ST-B-TRACK	1500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	5000
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-G-BASKETBALL	2000
ST-G-BASKETBALL	1500
ST-G-BASKETBALL	1500
ST-G-SOCCER	1000
ST-G-SOCCER	750
ST-G-TRACK	2000
ST-MS VOLLEYBALL	1000
ST-OFF SEASON	1200
ST-OFF SEASON	1200
ST-POWERLIFTING	2000
ST-POWERLIFTING	1500
ST-SOCCER-MS	1000
ST-SOFTBALL	1500
ST-TRACK-MS-G	500
ST-TRAINING	11500
ST-TRAINING	10000
ST-VOLLEYBALL	2000
ST-VOLLEYBALL	500
ST-VOLLEYBALL	1500
TICKET COORDINAT	1500
WEBMASTER	1000
YEARBOOK	1500
ASST BAND DIRECTOR	7500
DISTRICT DATA SUPPORT	3000
CATE AUDIO COORD	3500
CATE VIDEO COORD	3500

CATE AUD/VID ASST.	3500
CATE STATS COORD	1500
AVID Campus Coordinator	500
UIL COORDINATOR	1000
ASST. BAND DIR.	7500
BILINGUAL	5000
INTERPRETER/TRANS	1000
ST-B-TRACK	1500
ST-CHEERLEADERS	2750
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-FOOTBALL	1500
UIL COORDINATOR	1000
WEB-MASTER	1000
AVID Campus Coordinator	500
ASST. BAND DIR.	7500
COORDINATOR (JH Offseason)	500
INTERPRETER/TRAN	500
INTERPRETER/TRAN	500
JH BAND ASST	2500
UIL Coordinator	500
JH Math Stipend	4200
JH Math Stipend	4200
JH Math Stipend	4200
JH Math Stipend	4200
JH Math Stipend	4200
JH Math Stipend	4200
LVIS BAND DIR.	2500
MS BASE	6500
Student council	500
MS GIRLS COOR.	500
ST-BASEBALL	3000
ST-BSKTBL-MS-B	1000
ST-BSKTBL-MS-B	1000
ST-BSKTBL-MS-B	1000
ST-BSKTBL-MS-B	1000
ST-BSKTBL-MS-G	1000
ST-BSKTBL-MS-G	1000
ST-BSKTBL-MS-G	1000
ST-B-SOCCER	1000
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-COACHES BASE	5000
ST-COACHES BASE	7500
ST-COACHES BASE	7500
ST-G-TRACK	375

ST-MS FOOTBALL	1000
ST-MS FOOTBALL	1000
ST-MS FOOTBALL	1000
ST-MS FOOTBALL	1000
ST-MS VOLLEYBALL	1000
ST-MS VOLLEYBALL	1000
ST-MS VOLLEYBALL	1000
ST-SOCCER-MS	1000
ST-SOFTBALL	2000
ST-TRACK MS-B	500
ST-TRACK MS	500
ST-TRACK MS-B	500
ST-TRACK MS-B	500
ST-TRACK-MS-G	500
ST-TRACK-MS-G	500
WEBMASTER	1000
AVID CAMPUS COORDINATOR	1000
READING ACADEMY	3400
READING ACADEMY	2000
TWO WAY BILINGUAL	5000
TWO WAY BILINGUAL	5000
TWO WAY BILINGUAL	5000
TWO WAY BILINGUAL	5000
TWO WAY BILINGUAL	5000
TWO WAY BILINGUAL	5000
TWO WAY BILINGUAL	5000
TWO WAY BILINGUAL	5000
INTERPRETER/TRAN	1000
READING ACADEMY COACH	500
LVPS COUNSELOR	5000
WEB-MASTER	1000
AVID Campus Coordinator	500
INTERPRETER/TRAN	1000
DIAGNOSTICIAN	10000
SPEECH	1500
SPEECH	1500
BILINGUAL	5000 (
CLOCK OPERATOR	1500
ST-B-BASKETBALL	2000
ST-COACHES BASE	4500
INTERPRETER/TRAN	1000
ADMIN CUST.	18000
READING ACADEMY ADMINISTRATOR	7500
INTERPRETER/TRAN	500
INTERPRETER/TRAN	500

Employee Handbook for 2021-2022

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Todd Gooden

Background Information:
Submitted for review and approval are the revisions to the updated 2021-2022 Employee Handbook.

Fiscal Implication:
N/A

Administrative Recommendation:
It is the Administration's recommendation to approve the 2021-2022 Employee Handbook.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Summary of Employee Handbook Changes for 2021-2022

Topic	Page Number	Description of Change
Employment Handbook Receipt	5	Added text on page 14 for districts that employ noncertified professional and administrative employees on a Chapter 21 probationary or term contract
District Information	7	Updated enrollment ethnicity percentages
Campus Directory	10	Updated employee names
Appraisers & Calendars	17-18	Updated appraisal dates and edited the appraiser names
Overtime Compensation	22	Added reference to Policy DEC
Vacation Days	31	Outlined information on Vacation days
Military Leave	40	Added description of additional seven days of paid leave for state active duty.
Leave for Peace Officers	40	Added topic for paid mental health leave & quarantine leave to peace officers required by HB2073 and SB 1359.
Standards of Conduct	48	Updated actions resulting in disciplinary action or termination. Changed the heading Professional Standards to Enforceable Standards.
Reporting Suspected Child Abuse	58	Deleted reference to Policy DH. Added requirement to report alleged abuse or neglect involving a caretaker. Added “reasonable cause standard” to first paragraph. Added reporting of abuse of an elderly person. Added the online reporting option. Added the offense of failure to report may result in a state jail felony.

Summary of Employee Handbook Changes for 2021-2022

Sexual Abuse and Maltreatment of Children	53	Clarified legal responsibility for reporting suspected abuse or neglect. Revised the last paragraph to reflect revised standard for reporting child abuse required by HB 3379.
Electronic Communications between Employees, Students, and Parents	61	Added Parent to the topic. Added an item to address use of school email for all parent communications
Associations and Political Activities	66	Added procedures for employees to request time off for voting.
Emergencies	70	Added additional procedures.
Personnel Records	71	Added the option to change choice to open or close personal information at any time.
Facility Use	72	Changed topic title from Building Use.

2021-2022 Student Code of Conduct

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Dr. Charla Rudd

Background Information:
State law requires the board to adopt your district's Student Code of Conduct. The district's Code stands as an authoritative document and, once adopted, has the force of policy. Its provisions should not be repeated in the local policy manual or the student handbook. We recommend the district's attorney review the completed Code before the board adopts it. The Education Code requires districts to post and prominently display the Code at each school campus or have it available for review at the office of the campus principal. The Code will be available at the office of each campus with the behavior coordinator.

Fiscal Implication:
N/A

Administrative Recommendation:
Adopt 2021-22 Student Code of Conduct

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

La Vega ISD's
Student Code of Conduct



2021–22 School Year

If you have difficulty accessing the information in this document because of disability, please contact Mr. Todd Gooden; todd.gooden@lavegaisd.org (254) 299-6700.

Adopted 7/14/2021

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Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact *Mr. Todd Gooden, Assistant Superintendent for Human Resources, todd.gooden@lavegaisd.org; 254-299-6700.*

Purpose

The Student Code of Conduct ("Code"), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

The law requires the district to define misconduct that may—or must—result in a range of specific disciplinary consequences, including removal from a regular classroom or campus, out-of-school suspension, placement in a disciplinary alternative education program (DAEP), placement in a juvenile justice alternative education program (JJAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the *La Vega ISD)* board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. This Code remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the campus principal's office. Additionally, the Code shall be available at the campus behavior coordinator's office www.lavegaisd.org Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Student Code of Conduct is adopted by the district's board of trustees, it has the force of policy. In the event of a conflict between the Code and the Student Handbook, the Code shall prevail.

Please note: The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) is subject to the provisions of those laws.

School District Authority and Jurisdiction

School rules and the district's authority to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

1. During the regular school day;
2. While the student is traveling on district transportation;
3. During lunch periods in which a student is allowed to leave campus;
4. At any school-related activity, regardless of time or location;
5. For any school-related misconduct, regardless of time or location;
6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
7. When a student engages in cyberbullying, as defined by Education Code 37.0832;
8. When criminal mischief is committed on or off school property or at a school-related event;
9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
11. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
12. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at www.lavegaisd.org > *Student or Parent> Student Code of Conduct. .*

Threat Assessment and Safe and Supportive School Team

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code.

Searches

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

The district has the right to search a vehicle driven to school by a student and parked on school property whenever there is reasonable suspicion to believe it contains articles or materials prohibited by the district.

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

Reporting Crimes

The principal and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

To ensure the security and protection of students, staff, and property, the board employs La Vega ISD police officers, *and* security personnel. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL).

The board authorizes any officer commissioned by the board to enforce rules adopted by the board. Education Code Chapter 37, Subchapter D (protection of buildings and grounds). *Education Code 37.103*

In a peace officer's jurisdiction, a peace officer commissioned by the board:

1. Has the powers, privileges, and immunities of peace officers;

2. May enforce all laws, including municipal ordinances, county ordinances, and state laws;

3. May take a child into custody in accordance with Family Code Chapter 52 [see GRA] or Code of Criminal Procedure 45.058; and

4. May dispose of cases in accordance with Family Code 52.03 or 52.031.

"Parent" Defined

Throughout the Code of Conduct and related discipline policies, the term "parent" includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

The district has the right to limit a student's participation in graduation activities for violating the district's Code.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police officer shall have the authority to refuse entry to or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting and persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 calendar days, unless the complaint is resolved before a board hearing.

See **DAEP—Restrictions During Placement** on page 21 for information regarding a student assigned to DAEP at the time of graduation.

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page 15, **DAEP Placement** on page 16, **Placement and/or Expulsion for Certain Offenses** on page 24**,** and **Expulsion** on page 27, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed on page 14.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher or principal.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 24.)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 24.)
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 24.)
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A "look-alike" weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer, unless it is for an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 24. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Use a telecommunications device, including a cell phone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page 16 and **Expulsion** on page 27 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for "paraphernalia.")
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student's own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person's prescription drug on school property or at a school-related event. (See **glossary** for "abuse.")
- Abuse over-the-counter drugs. (See **glossary** for "abuse.")
- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. (See **glossary** for "under the influence.")
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student's parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

- Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.
- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

The district may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

Discipline Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an ARD committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the district shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.

- Detention, including outside regular school hours.
- Sending the student to the office, another assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 15.
- Placement in a DAEP, as specified in **DAEP** on page 16.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 24.
- Expulsion, as specified in **Expulsion** on page 27.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.

- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The campus behavior coordinator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code.

A good-faith effort shall be made to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office: *www.lavegaisd.org>https://pol.tasb.org/Policy/Code/861?filter=FNG*

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) and (LOCAL).

Removal from the School Bus

A bus driver may refer a student to the principal's office to maintain effective discipline on the bus. The principal must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal may restrict or revoke a student's transportation privileges, in accordance with law.

Removal from the Regular Educational Setting

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

Routine Referral

A routine referral occurs when a teacher sends a student to the campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code to maintain effective discipline in the classroom.

Formal Removal

A teacher may initiate a formal removal from class if:

1. A student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the class or with other students' ability to learn; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the campus behavior coordinator or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the campus behavior coordinator or other administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- DAEP.

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning a Student to the Classroom

A student who has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder may not be returned to the teacher's class without the teacher's consent.

A student who has been formally removed by a teacher for any other conduct may be returned to the teacher's class without the teacher's consent if the placement review committee determines that the teacher's class is the best or only alternative available.

Out-of-School Suspension

Misconduct

Students may be suspended for behavior listed in the Code as a general conduct violation, DAEP offense, or expellable offense.

The district shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code sections 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

Process

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The campus behavior coordinator shall determine the number of days of a student's suspension, not to exceed three school days.

In deciding whether to order out-of-school suspension, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.0.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity before the beginning of the next school year to complete each course the student was enrolled in at the time of removal. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

Disciplinary Alternative Education Program (DAEP) Placement

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be kindergarten–grade 6 and secondary classification shall be grades 7–12.

Summer programs provided by the district shall serve students assigned to a DAEP in conjunction with other students.

A student who is expelled for an offense that otherwise would have resulted in a DAEP placement does not have to be placed in a DAEP in addition to the expulsion.

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Placement: Misconduct That May Result in DAEP Placement

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.

Misconduct Identified in State Law

In accordance with state law, a student **may** be placed in a DAEP for any of the following offenses:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority, or secret society, or gang including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Any criminal mischief, including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see **glossary**) that the student engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The campus behavior coordinator **may** place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

Mandatory Placement: Misconduct That Requires DAEP Placement

A student **must** be placed in a DAEP if the student:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
    - Engages in conduct punishable as a felony.
    - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).
    - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in **Expulsion** on page 27.) (See **glossary** for "under the influence" "controlled substance," and "dangerous drug.")
    - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in **Expulsion** on page 27.)
    - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
    - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
    - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 27.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:

1. The student receives deferred prosecution (see **glossary**),
2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- The victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus.

If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the campus behavior coordinator.

Conference

When a student is removed from class for a DAEP offense, the campus behavior coordinator or appropriate administrator shall schedule a conference within three school days with the student's parent, the student, and, in the case of a teacher removal, the teacher.

At the conference, the campus behavior coordinator or appropriate administrator shall provide the student:

- Information, orally or in writing, of the reasons for the removal;
- An explanation of the basis for the removal; and
- An opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

Consideration of Mitigating Factors

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Placement Order

After the conference, if the student is placed in a DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

Not later than the second business day after the conference, the board's designee shall deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.

If the student is placed in a DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order shall give notice of the inconsistency.

Coursework Notice

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete, at no cost to the student, a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The campus behavior coordinator shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

The maximum period of DAEP placement shall be one calendar year, except as provided below.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the board's decision to place a student who engaged in the sexual assault of another student so that the students are not assigned to the same campus.

Exceeds School Year

Students who are in a DAEP placement at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or

2. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code.

Exceeds 60 Days

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, *www.lavegaisd.org>https://pol.tasb.org/Policy/Code/861?filter=FNG*

Appeals shall begin at campus with Level One with the *(campus principal.*

The district shall not delay disciplinary consequences pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

Restrictions During Placement

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or cocurricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan.

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus behavior coordinator or the board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

If during the term of placement in a DAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

1. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence, and no formal proceedings, deferred adjudication (see **glossary**), or deferred prosecution will be initiated; or
2. The court or jury found a student not guilty or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

Withdrawal During Process

When a student violates the district's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the campus behavior coordinator may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the campus behavior coordinator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

The district shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district including a district in another state.

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

State law requires the district to reduce a placement imposed by a district in another state that exceeds one year so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the

student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement Procedure

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy FOCA(LEGAL) for more information.

Placement and/or Expulsion for Certain Offenses

This section includes two categories of offenses for which the Education Code provides unique procedures and specific consequences.

Registered Sex Offenders

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the district must remove the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement.

If the student is under any form of court supervision, including probation, community supervision, or parole, the student shall be placed in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the student may be placed in DAEP or JJAEP for one semester or placed in a regular classroom. The student may not be placed in the regular classroom if the board or its designee determines that the student's presence:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interests of the district's students.

Review Committee

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

The placement review of a student with a disability who receives special education services must be made by the ARD committee.

Newly Enrolled Students

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

Appeal

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or campus behavior coordinator makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see **glossary**) of the Penal Code. The student must:

- Have received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense; or
- Have received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.

The district may expel the student and order placement under these circumstances regardless of:

1. The date on which the student's conduct occurred,
2. The location at which the conduct occurred,
3. Whether the conduct occurred while the student was enrolled in the district, or
4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

Hearing and Required Findings

The student must first have a hearing before the board or its designee, who must determine that in addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest of the district's students.

Any decision of the board or the board's designee under this section is final and may not be appealed.

Length of Placement

The student is subject to the placement until:

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

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Newly Enrolled Students

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 16.)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
    - Aggravated assault.
    - Sexual assault.
    - Aggravated sexual assault.
    - Murder.
    - Capital murder.
    - Criminal attempt to commit murder or capital murder.
    - Aggravated robbery.
- Breach of computer security. (See **glossary**.)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

At School, Within 300 Feet, or at a School Event

A student **may** be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Penal Code 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

Within 300 Feet of School

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony drug- or alcohol-related offense.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

Property of Another District

A student **may** be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the

student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in a DAEP

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Penal Code 1.07; or
4. Conduct that constitutes the offense of:
    a. Public lewdness under Penal Code 21.07;
    b. Indecent exposure under Penal Code 21.08;
    c. Criminal mischief under Penal Code 28.03;
    d. Hazing under Education Code 37.152; or
    e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:

Under Federal Law

- Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

Note*:* Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
    - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note*: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
    - A location-restricted knife, as defined by state law. (See **glossary**.)

- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See **glossary**.)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.
  - Continuous sexual abuse of a young child or disabled individual.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol, or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, the campus behavior coordinator or other administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- DAEP.

Hearing

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,

2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustees delegates to the Superintendent or her designee authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall consider and base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the Superintendent's designee shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year, except as provided below.

An expulsion may not exceed one year unless, after review, the district determines that:

1. The student is a threat to the safety of other students or to district employees, or
2. Extended expulsion is in the best interest of the student.

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

Withdrawal During Process

When a student's conduct requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

If the campus behavior coordinator or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator or the board may issue an additional disciplinary order as a result of those proceedings.

Restrictions During Expulsion

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district shall continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

1. The student is a threat to the safety of other students or district employees, or
2. Extended placement is in the best interest of the student.

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ten years of age.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. See policies FOCA(LEGAL) and FODA(LEGAL) for more information.

Glossary

Abuse is improper or excessive use.

Aggravated robbery is defined in part by Penal Code 29.03(a) as when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
    a. 65 years of age or older, or
    b. A disabled person.

Armor-piercing ammunition is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Penal Code 28.02 as a crime that involves:

1. Starting a fire or causing an explosion with intent to destroy or damage:
    a. Any vegetation, fence, or structure on open-space land; or
    b. Any building, habitation, or vehicle:
        (1) Knowing that it is within the limits of an incorporated city or town,
        (2) Knowing that it is insured against damage or destruction,
        (3) Knowing that it is subject to a mortgage or other security interest,
        (4) Knowing that it is located on property belonging to another,
        (5) Knowing that it has located within it property belonging to another, or
        (6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance if the fire or explosion damages any building, habitation, or vehicle; or
3. Intentionally starting a fire or causing an explosion and in so doing:
    a. Recklessly damaging or destroying a building belonging to another, or
    b. Recklessly causing another person to suffer bodily injury or death.

Assault is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district and the student knowingly alters, damages, or deletes

school district property or information or commits a breach of any other computer, computer network, or computer system.

Bullying is defined as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below.) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by Penal Code 46.01 as an instrument, specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk.

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Education Code 37.0832 as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

Dangerous drug is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

Deadly conduct under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

Deferred adjudication is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

Deferred prosecution may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

Delinquent conduct is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

Discretionary means that something is left to or regulated by a local decision maker.

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

False alarm or report under Penal Code 42.06 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

1. Cause action by an official or volunteer agency organized to deal with emergencies;
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm is defined by federal law (18 U.S.C. 921(a)) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Graffiti includes markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun is defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Education Code 37.001(b)(2); or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
    a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
    b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
    c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
    d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; and
    e. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.

Hazing is defined by Education Code 37.151 as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Improvised explosive device is defined by Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent exposure is defined by Penal Code 21.08 as an offense that occurs when a person exposes the person's anus or any part of the person's genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

Intimate visual material is defined by Civil Practices and Remedies Code 98B.001 and Penal Code 21.16 as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

Location-restricted knife is defined by Penal Code 46.01 as a knife with a blade over five and one-half inches.

Knuckles means any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine gun as defined by Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

Mandatory means that something is obligatory or required because of an authority.

Paraphernalia are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

Possession means to have an item on one's person or in one's personal property, including, but not limited to:

1. Clothing, purse, or backpack;
2. A private vehicle used for transportation to or from school or school-related activities, including, but not limited to, an automobile, truck, motorcycle, or bicycle;

3. Telecommunications or electronic devices; or
4. Any school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under Penal Code 46.05(a) means:

1. The following items, unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice: An explosive weapon;
    a. A machine gun;
    b. A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; or
6. An improvised explosive device.

Public lewdness is defined by Penal Code 21.07 as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, when the person is reckless about whether another is present who will be offended or alarmed by the act.

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Education Code 37.121(d) are excepted from this definition.

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, including the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

Self-defense is the use of force against another to the degree a person reasonably believes is immediately necessary to protect himself or herself.

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
    a. Public lewdness under Penal Code 21.07;
    b. Indecent exposure under Penal Code 21.08;
    c. Criminal mischief under Penal Code 28.03;
    d. Hazing under Education Code 37.152; or

e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Serious or persistent misbehavior includes, but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

Terroristic threat is defined by Penal Code 22.07 as a threat of violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

Tire deflation device is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 felonies are those crimes listed in Title 5 of the Penal Code that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide under Sections 19.02–.05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05–.06;

- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student "under the in-fluence" need not be legally intoxicated to trigger disciplinary action.

Use means voluntarily introducing into one's body, by any means, a prohibited substance.

Zip gun is defined by Penal Code 46.01 as a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

Policy Manual Update 117

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Todd Gooden

Background Information:
Information about Policy Manual Update 117 is attached. In addition, revisions were made to Policy DEC(LOCAL) with the assistance of TASB policy consultants to customize it for our District.

Fiscal Implication:
N/A

Administrative Recommendation:
The administration recommends approval of Policy Manual Update 117 and DEC(LOCAL) as presented.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

(LOCAL) Policy Comparison Packet

This packet is generated by an automated process that compares the updated policy to the district's current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; omitted in Word)

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

Note: While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

Contact:

School Districts and Education Service Centers	**Community Colleges**
policy.service@tasb.org	colleges@tasb.org
800.580.7529 512.467.0222	800.580.1488 512.467.3689

Purchasing Authority

The Board delegates to the Superintendent the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services that costs $50,000~~$50,000~~ or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

Exception for Emergency Contracts

In the event of a catastrophe, emergency, or natural disaster affecting the District, the Board delegates to the Superintendent the authority to contract for the replacement, construction, or repair of school equipment or facilities in accordance with law, if emergency replacement, construction, or repair is necessary for the health and safety of District students and staff. The Superintendent shall report to the Board at the next regular meeting any contract made under this authority. [See Disaster Exception, CH(LEGAL)]

The delegation regarding emergency contracts does not waive competitive purchasing requirements under Education Code Chapter 44. Only the Board is authorized to waive competitive purchasing requirements under limited circumstances in accordance with Education Code 44.031(h). [See Emergency Damage or Destruction, CH(LEGAL)]

Purchasing Procedures

The Superintendent shall develop purchasing procedures to implement the requirements of state and federal law. [See also CB, CBB, CH(LEGAL), and COA]

Purchasing Method

The Board delegates to the Superintendent the authority to determine the method of purchasing in accordance with CH(LEGAL) or CBB(LEGAL), as appropriate.

Competitive Bidding

If competitive bidding is chosen as the purchasing method, the Superintendent shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted rules. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.

The District may reject any and all bids in accordance with state or federal law, as applicable.

Competitive Sealed Proposals

If competitive sealed proposals are chosen as the purchasing method, the Superintendent shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted rules. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time

specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

The District may reject any and all proposals in accordance with state or federal law, as applicable.

Electronic Bids or Proposals

Bids or proposals that the District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.

Responsibility for Debts

The Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the District's purchasing procedures. [See CE] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.

Purchase Commitments

All purchase commitments shall be made by the Superintendent in accordance with administrative procedures, including the District's purchasing procedures.

Personal Purchases

District employees shall not be permitted to make purchases for personal use through the District's business office.

Compliance with Law

The Superintendent shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.

Construction Contracts

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above $50,000. To assist the Board, the Superintendent shall recommend the project delivery/contract award method that he or she determines provides the best value to the District. [See CV series generally and CBB(LEGAL) for requirements if federal funds are involved.]

For construction contracts valued at or above $50,000~~$50,000~~, the Superintendent shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the Superintendent and consistent with law and policy. [See also CH and CBB(LEGAL)]

Note: For provisions regarding delegation of authority for construction contracts in the event of a catastrophe, emergency, or natural disaster affecting the District, see CH(LOCAL).

Change Orders

Change orders permitted by law shall be approved by the Board or its designee prior to any changes being made in the approved plans or the actual construction of the facility.

Project Administration

All construction projects shall be administered by the Superintendent or designee.

The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.

Final Payment

The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Board has accepted the work.

Leave Administration

The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

Definitions

The term "immediate family" is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Leave Day

A "leave day" for purposes of earning, using~~use~~, or recording ~~of~~ leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

School Year

A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.

Catastrophic Illness or Injury

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

Note: For District contribution to employee insurance during leave, see CRD(LOCAL).

Availability

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

State~~Earning Local~~ Leave

~~An employee shall not earn any local leave when he or she is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status.~~

~~Deductions~~

~~Leave without Pay~~

~~The District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.~~

~~Leave~~ Proration

~~*Employed for Less Than Full Year*~~

If an employee separates from employment with the District before his or her last duty day of the school year~~,~~ or begins employment after the first duty day of the school year, state personal leave ~~and local leave~~ shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond his or her pro rata entitlement for the school year.~~:~~

~~1. State personal leave the employee used beyond his or her pro rata entitlement for the school year; and~~

~~2. Local leave the employee used but had not earned as of the date of separation.~~

~~*Employed for Full Year*~~

~~If an employee uses more local leave than he or she earned and remains employed with the District through his or her last duty day, the District shall deduct the cost of the excess leave days from the employee's pay in accordance with administrative regulations.~~

~~Recording~~

~~Leave shall be recorded as follows:~~

~~1. Leave shall be recorded in half-day increments for all employees.~~

~~2. If the employee is taking intermittent FMLA leave, leave shall be recorded in one-hour increments.~~

~~3. If the employee chooses to offset leave against workers' compensation benefits, leave shall be recorded in the amount used.~~

~~**Order of Use**~~

~~Earned compensatory time shall be used before any available paid state and local leave. [See DEAB]~~

~~Unless an employee requests a different order, available paid state and local leave shall be used in the following order, as applicable:~~

~~1. Local leave.~~

~~2. State sick leave accumulated before the 1995–96 school year.~~

~~3. State personal leave.~~

~~Use of extended sick leave or sick leave pool days shall be permitted only after all available state and local leave has been exhausted.~~

~~**Concurrent Use of Leave**~~

~~When an absent employee is eligible for FMLA leave, the District shall designate the absence as FMLA leave.~~

~~Temporary disability leave shall apply after all paid leave and compensatory time is exhausted, and all shall run concurrently with FMLA leave.~~

~~An employee receiving workers' compensation income benefits may be eligible for paid or unpaid leave. An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.~~

Medical Certification

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than five consecutive workdays because of personal illness or illness in the immediate family;

2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; or

~~3.~~ The employee requests FMLA leave for the employee's serious health condition; a serious health condition ~~or that~~ of the employee's~~a~~ spouse, parent, or child; or

~~4.~~3. ~~The employee requests FMLA leave~~ for military caregiver leave~~purposes~~.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

~~***Note:*** For District contribution to employee insurance during leave, see CRD(LOCAL).~~

State Personal Leave

The Board requires employees to differentiate the manner in which state personal leave is used. ~~:~~

Nondiscretionary~~Non-Discretionary~~ Use

~~1.~~ Nondiscretionary~~Non-discretionary~~ use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

Nondiscretionary~~Non-discretionary~~ use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

Discretionary Use

~~2.~~ Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

~~*Limitations*~~

Request for Leave

In deciding whether to approve or deny a~~The employee shall submit a written~~ request for discretionary use of state personal leave, ~~to~~ the ~~immediate~~ supervisor ~~or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny state personal leave, the supervisor or designee~~ shall not seek or consider the reasons for which an employee requests to use leave. The supervisor ~~or designee~~ shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and~~or~~ District operations, as well as the availability of substitutes.

~~Duration of Leave~~

Discretionary use of state personal leave shall not exceed three consecutive workdays.

Local Leave

Each employee~~All employees~~ shall earn five paid local leave days per school year in accordance with administrative regulations.

Local leave shall accumulate without limit.

Local leave shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]

Extended Sick Leave

After all available paid~~state and local~~ leave days and any applicable compensatory time have been exhausted, a full-time employee with at least one year of service with the District shall be granted up to one calendar year of extended sick leave to be used only for the employee's own personal illness or injury, including pregnancy-related illness or injury.

~~A written request for extended sick leave must be accompanied by medical certification of the illness or injury.~~

Extended sick leave shall be taken without pay.

Sick Leave Pool

An employee who has exhausted all paid leave as well as any applicable compensatory time and who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate ~~only~~ state personal leave for use by the eligible employee.

~~If the employee is unable to submit the request, a member of the employee's family or the employee's supervisor may submit the request to establish a sick leave pool.~~

The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.

The Superintendent ~~or designee~~ shall develop regulations for the implementation of the sick leave pool that address the following:

1. Procedures to request the establishment of a sick leave pool;
2. The maximum number of days an employee may donate to a sick leave pool;
3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and
4. The return of unused days to donors.

Appeal

An employee may appeal a decision~~All decisions~~ regarding the establishment or implementation of the District's sick leave pool ~~may be appealed~~ in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator~~designee~~.

Peace Officers

Mental Health Leave

A District peace officer who experiences a traumatic event in the scope of employment shall be granted a maximum of five days of mental health leave per traumatic event. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The Superintendent shall develop regulations regarding mental health leave that address the following:

1. Circumstances or reasons under which a peace officer may use mental health leave;
2. Procedures for requesting mental health leave and maintaining the anonymity of the requestor;

3. The administrator authorized to approve requests for mental health leave; and

4. Other procedures deemed necessary for administering this provision.

Quarantine Leave

A District peace officer shall be granted quarantine leave when ordered by the local health authority or the peace officer's supervisor to quarantine or isolate due to possible or known exposure to a communicable disease while on duty. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The Superintendent shall develop regulations regarding quarantine leave that address the following:Continuation of all employment benefits and compensation for the duration of the leave;

2. Reimbursement for reasonable costs related to the quarantine; and

3. Other procedures deemed necessary for administering this provision.

Family and Medical Leave

FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable.

Note: See DECA(LEGAL) for provisions addressing FMLA.

Twelve-Month Period

For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be July 1 through June 30.

Combined Leave for Spouses

When~~If~~ both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks. ~~[See DECA(LEGAL)]~~

Intermittent or Reduced -Schedule Leave

The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. ~~[See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]~~

Certification of Leave

When~~If~~ an employee requests leave, the employee shall provide certification, in accordance with~~as required by~~ FMLA regulations, of the need for leave. ~~[See DECA(LEGAL)]~~

Fitness-for-Duty Certification

In accordance with administrative regulations, when~~If~~ an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. ~~If the District will require certification of the employee's ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.~~

Leave at the End ~~-~~of ~~-~~Semester ~~Leave~~

When~~If~~ a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester. ~~[See DECA(LEGAL), Leave at the End of a Semester]~~

~~Failure to Return~~

~~If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. [See DECA(LEGAL), Recovery of Benefit Cost]~~

Temporary Disability Leave

Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]

An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent ~~or designee~~ as a request for temporary disability leave.

Temporary disability leave shall apply after all paid leave and any applicable compensatory time are exhausted, and all shall run concurrently with FMLA leave.

Workers' Compensation

Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. ~~[See CRD(LOCAL) regarding payment of insurance contribution during employee absences.]~~

An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

Paid Leave Offset

The District shall permit the option~~An employee eligible~~ for paid leave offset in conjunction with workers' compensation income benefits~~, and not on assault leave, may elect in writing to use available partial-day increments of paid leave to make up the difference~~

~~between the employee's income benefits and the pre-injury wage~~. [See CRE]

Court Appearances

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.

Payment~~Reimbursement~~ for Accumulated Leave Upon~~upon~~ Retirement

The following leave provisions shall apply to state and local leave accumulated~~earned~~ beginning on the original effective date of this program.

An employee who retires from the District shall be eligible for payment of accumulated~~reimbursement for~~ state and local leave if the employee's retirement is voluntary, i.e., the employee is not being discharged or nonrenewed.

An eligible employee who has five or more consecutive years of service in the District shall receive payment~~be eligible for reimbursement of~~ each day of accumulated state and local leave.

An eligible employee who has fewer than five consecutive years of service with the District shall receive payment ~~be eligible~~ for ~~reimbursement of~~ each day of accumulated state and local leave earned while employed by the District.

The employee shall receive payment~~be reimbursed~~ for each day of accumulated state and local leave at a rate established by the Board. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

Instruction Sheet

TASB Localized Policy Manual Update 117

La Vega ISD

Code	Type	Action To Be Taken	Note
AIC	(LEGAL)	Replace policy	Revised policy
BBC	(LEGAL)	Replace policy	Revised policy
BBD	(EXHIBIT)	Replace exhibit	Revised exhibit
BJCE	(LEGAL)	Replace policy	Revised policy
C	(LEGAL)	Replace table of contents	Revised table of contents
CBB	(LEGAL)	Replace policy	Revised policy
CH	(LEGAL)	Replace policy	Revised policy
CH	(LOCAL)	Replace policy	Revised policy
CHE	(LEGAL)	Replace policy	Revised policy
CL	(LEGAL)	Replace policy	Revised policy
CV	(LEGAL)	Replace policy	Revised policy
CV	(LOCAL)	Replace policy	Revised policy
CVA	(LEGAL)	Replace policy	Revised policy
CVB	(LEGAL)	Replace policy	Revised policy
CVC	(LEGAL)	Replace policy	Revised policy
CVD	(LEGAL)	Replace policy	Revised policy
CVE	(LEGAL)	Replace policy	Revised policy
CVF	(LEGAL)	Replace policy	Revised policy
DEC	(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
EHBAD	(LEGAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EL	(LEGAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy

Explanatory Notes

TASB Localized Policy Manual Update 117

La Vega ISD

AIC(LEGAL) ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Administrative Code provisions amended effective January 5, 2021, address program performance regarding certain special student populations. The rules address supervision and monitoring reviews and require the commissioner to assign districts an annual determination level based on performance of the special student populations.

BBC(LEGAL) BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE

We have streamlined the reference to CH(LEGAL) regarding board member removal for purchasing violations.

BBD(EXHIBIT) BOARD MEMBERS: TRAINING AND ORIENTATION

As approved by the State Board of Education in November 2020, the Framework for School Board Development has been extensively revised.

BJCE(LEGAL) SUPERINTENDENT: SUSPENSION/TERMINATION DURING CONTRACT

Changes to this legally referenced policy on suspension of the superintendent without pay and termination during the contract term were prompted by Administrative Code revisions effective January 11, 2021.

C(LEGAL) BUSINESS AND SUPPORT SERVICES

The C Section table of contents has been revised to rename CHE to Vendor Disclosures and Contracts.

CBB(LEGAL) STATE AND FEDERAL REVENUE SOURCES: FEDERAL

The federal Department of Education issued correcting amendments to the Uniform Guidance for Grants and Agreements, effective February 22, 2021, resulting in a change to the provisions on cooperative purchasing in this legally referenced policy. Citations have also been updated.

CH(LEGAL) PURCHASING AND ACQUISITION

Update 117 includes a reorganization of the purchasing and facilities construction legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material;
- Added existing provisions on site-based purchasing;
- Reordered and adjusted provisions for clarity and to better match statutory wording;
- Moved to CHE(LEGAL) provisions on required vendor disclosures and contract provisions and lobbying restrictions; and
- Moved detailed provisions on competitive bidding to CVA(LEGAL).

Provisions on purchasing recycled products were added from new Administrative Code rules, effective July 2, 2020.

CH(LOCAL) PURCHASING AND ACQUISITION

The major winter storms earlier this year caused extensive damage to many district facilities. Based on district requests for additional flexibility in such emergency circumstances, we recommend a new provision delegating authority to the superintendent to contract for the replacement, construction, or repair of equipment or facilities in the event of a catastrophe, emergency, or natural disaster affecting the district if

La Vega ISD

emergency replacement, construction, or repair is necessary for the health and safety of district students and staff. The superintendent must report to the board any contracts made under the delegated authority at the next regular meeting.

The recommended text also clarifies that the delegation *does not* permit the superintendent to act under Education Code 44.031(h) to make purchases without following normal competitive purchasing requirements; the board must take action to waive any Chapter 44 provisions in accordance with law.

The recommended delegation provision is optional. Please carefully review the new text to ensure it aligns with the district's practices and contact the district's policy consultant if your district does not wish to add this provision or has other revisions.

TASB Legal Services' eSource article *Emergency Management for Texas Public Schools* provides additional information on purchasing in emergency situations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to this policy topic.

CHE(LEGAL) PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS

This legally referenced policy has been reorganized to focus on required vendor disclosures and contract provisions. This material has been moved from CH(LEGAL).

In addition, we have:

- Included references to other pertinent codes and deleted material duplicated at other policy codes; and
- Reordered and adjusted provisions for clarity and to better match statutory wording.

CL(LEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

New Administrative Code rules, effective July 2, 2020, prompted revisions to provisions on recycling programs.

Provisions on pool sanitation and safety standards have been streamlined to refer to the relevant legal guidance.

CV(LEGAL) FACILITIES CONSTRUCTION

Update 117 includes a reorganization of the purchasing- and construction-related legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material; and
- Reordered and adjusted provisions for flow and to better match statutory wording.

CV(LOCAL) FACILITIES CONSTRUCTION

For ease of reference and to align with recommended changes at CH(LOCAL) on delegation to the superintendent for emergency contracting, Policy Service recommends adding a Note referring to CH(LOCAL) for those provisions.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to this policy topic.

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CVA(LEGAL) FACILITIES CONSTRUCTION: COMPETITIVE BIDDING

Provisions on identical, competitive bids have been moved from CH(LEGAL). In addition, a provision on making bid evaluations public has been moved to this policy from CV(LEGAL). Other revisions are to delete material duplicated at other policy codes and adjust language for clarity and to better match statutory wording.

CVB(LEGAL) FACILITIES CONSTRUCTION: COMPETITIVE SEALED PROPOSALS

A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVC(LEGAL) FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AGENT

Additional detail has been added regarding the construction manager-agent method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVD(LEGAL) FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AT-RISK

Additional detail has been added regarding the construction manager-at-risk method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVE(LEGAL) FACILITIES CONSTRUCTION: DESIGN-BUILD

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

CVF(LEGAL) FACILITIES CONSTRUCTION: JOB ORDER CONTRACTS

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

DEC(LOCAL) COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

The events of the past year have highlighted the need for additional flexibility regarding administration of leave. TASB Policy, Legal, and HR Services collaborated on the recommended revisions to this policy, which remove administrative details not required to be in board policy and that may be more appropriately addressed elsewhere, such as in the employee handbook.

To support the removal of these administrative details, a new paragraph directs the superintendent to develop administrative regulations to implement the policy. [Remember that BJA(LOCAL) permits the superintendent to delegate this responsibility as appropriate.] In addition, TASB HR Services has:

- Created a corresponding Framework for Developing Leaves and Absences Procedures, with prompts and placeholders for administrative decisions; and
- Revised the 2021–22 *Model Employee Handbook* to address administrative provisions removed from the policy.

Other changes include:

- Adding a definition of *school year* that aligns with terminology in the TASB sample contracts and that provides context for references to the term elsewhere in the policy.

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- Relocating provisions on concurrent use of leave and compensatory time to the sections addressing temporary disability leave and family and medical leave.
- Streamlining of family and medical leave provisions to eliminate information not necessary in board-adopted policy.
- Simplifying the statement reflecting that the district permits paid leave offset in conjunction with workers' compensation benefits.
- Revising terminology from *reimbursement* to *payment* for unused leave to reflect that employees are receiving payment for days of accumulated leave upon retirement.

New recommended provisions on state personal leave clarify that the district will also consider how the duration of the requested absence affects the educational program and district operations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to this policy topic.

Please note: For clarity and consistency with policy style, the district's provisions regarding payment for accumulated leave upon retirement have been lightly edited. Please contact your policy consultant if you have any questions.

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

New Administrative Code rules address the requirement for districts to provide instruction in positive character traits, which can be met through a stand-alone course or by integrating the TEKS into other courses. The rules address the frequency of instruction by grade bands and are effective for the 2021–22 school year.

EHBA(LEGAL) SPECIAL PROGRAMS: SPECIAL EDUCATION

Revised Administrative Code rules, effective March 14, 2021, address various special education provisions and:

- Provide more detail on instructional arrangements;
- Include a definition of *regular school day* for the purpose of determining the instructional arrangement; and
- Update citations to funding statutes.

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

Provisions on a district's obligation to refer for evaluation and the definition of a *child with a disability* have been updated based on revised Administrative Code rules, effective March 14, 2021. Other changes are to better reflect statute.

EHBAB(LEGAL) SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

As a result of revised Administrative Code rules effective March 14, 2021, we have updated text regarding establishment of the admission, review, and dismissal (ARD) committee and added a provision addressing a district's overall responsibility for all of the functions of the IEP team and ARD committee. Citations have also been updated.

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EHBAC(LEGAL) SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT

From revised Administrative Code rules effective March 14, 2021, we have added a provision requiring the district to notify TEA within 30 calendar days of an ARD committee's decision to place a student in a residential education program.

EHBAD(LEGAL) SPECIAL EDUCATION: TRANSITION SERVICES

Revised Administrative Code rules, effective March 14, 2021, prompted a revision to the graduation provisions and updates to cites throughout this legally referenced policy.

EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES

Revisions regarding approval of an optional flexible school day program are from revised Administrative Code rules, effective December 6, 2020.

EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

Details have been added on the graduation of students receiving special education services who entered grade nine after the 2014–15 school year. The changes come from revised Administrative Code rules effective March 14, 2021.

In addition, we have replaced detailed provisions on graduation of students receiving special education services who entered grade nine before the 2014–15 school year with a reference to the relevant Administrative Code provision. Citations have been updated throughout.

EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT

In accordance with House Bill 3906 (86th Legislative Session) and effective September 1, 2021, the reference to the separate writing assessment in grades 4 and 7 has been removed.

EL(LEGAL) CAMPUS OR PROGRAM CHARTERS

We have added provisions that a district is entitled to additional state aid if the district was under contract during the 2017–18 school year or is under renewal of such a contract to jointly operate a campus or campus program under Education Code 11.157 (Contracts for Educational Services). Details may be found in revised Administrative Code rules, effective March 30, 2021.

FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

New Administrative Code rules, effective February 18, 2021, address maintenance and administration of unassigned asthma medication for districts that choose to implement such a program. Contact your policy consultant if your district has a program but lacks local policy provisions.

See FFAC in the *TASB Regulations Resource Manual*.

Proposed Amendment to District of Innovation (DOI) Plan Regarding Health Care Coverage

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Todd Gooden

Background Information:
See attached amendment for more information. The amendment allows for an increase in local control of the group health benefits plan in order for the District to be responsive to employee and community needs.

Fiscal Implication:
N/A

Administrative Recommendation:
It is recommended that the board approve this amendment to our DOI Plan.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

PROPOSED AMENDMENT TO LA VEGA ISD DISTRICT OF INNOVATION PLAN ORIGINALLY APPROVED BY BOARD April, 2017

Area of Innovation
Within our current local innovation plan, with regard to each area of innovation, the District declares exemption from the listed statutory procedures, as well as any implementing rules or regulations promulgated pursuant to those statutory provisions by any state agency or entity, including but not limited to the Commissioner of Education, Texas Education Agency, State Board for Educator Certification, and State Board of Education.

La Vega ISD has determined a need to apply for an amendment to our District of Innovation Plan to allow exemptions to extend flexibility under:

- Texas Education Code: 22.004(i) Preclusion from providing alternative Uniform Group Coverage Program once the program of coverages under Chapter 1579, Insurance Code is implemented.

Related Board Policies: CRD (LEGAL+LOCAL) Manner in which statute inhibits the goals of the plan:

TEC 22.004(i) states that a school district may not make group health coverage available to its employees pursuant to TEC 22.004(b) after the District implements the program of coverages provided under Chapter 1579 of the Texas Insurance Code. The current processes allows no flexibility in the design of the group health care benefits to fit the needs of all La Vega ISD employees. This provision also prohibits the District from procuring group health insurance benefits that may provide better coverages for its employees and at a lower cost. The provision is in direct contradiction to the wishes of the La Vega ISD Board of Trustees who represent community interest in this matter.

Texas Education Code 22.004 is not in any of the prohibited exemptions that can be included in a District's local innovation plan pursuant to Texas Education Code 12A.004 and the list of the Commissioner's prohibited exemptions in the Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1309.

Innovation Strategies:
Increased local control of the group health benefits plan to allow the District to be responsive to employee and community needs.

AMENDMENT APPROVED: DATE: July 20, 2021

_____ _____
Superintendent LVISD Board President

_____
LVISD Board Secretary

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

Monthly Budget Analysis Report

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached X Provided Later

Contact Person:
Mr. James Garrett

Background Information:
The District compiles and reports revenue and expenditure data for all funds on a monthly basis. The attached monthly budget analysis reports compare year-to-date revenue and expenditures to the same period from last fiscal year.

Fiscal Implication:
N/A

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 Revenues and Expenditures - Budget vs. Actual

For the Period Ended 06/30/2021
6

GENERAL FUND - 199

DATA CONTROL CODES	REVENUES	(1) 2020-2021 ORIGINAL BUD	(2) 2020-2021 AMEND BUD	(3) MONTHLY CURRENT 06/30/2021	(3) MONTHLY PRIOR YR 6/30/2020	(4) YEAR-TO-DATE CURRENT 06/30/2021	(4) YEAR-TO-DATE PRIOR YR 6/30/2020	(5) DIFFERENCE AMEND BUD TO YTD CURR	(6) CY YTD AS % OF BUDGET	(7) PY YTD AS % OF BUDGET	(8) % OF YEAR ELAPSED AS OF 06/30/2021
5700	LOCAL	$10,687,292.00	$ 10,756,774.00	$ 57,108.37	$ 167,270.64	$ 11,117,324.85	$ 10,702,779.73	($360,550.85)	103.35%	97.58%	83.33%
5800	STATE	$21,725,296.00	$ 21,731,899.00	$ 2,133,867.04	$ 2,170,510.28	$ 15,447,852.26	$ 16,404,845.25	$6,284,046.74	71.08%	74.37%	83.33%
5900	FEDERAL	$100,000.00	$ 100,000.00	$ 27,068.87	$ (829.00)	$ 185,176.00	$ 11,820.65	($85,176.00)	185.18%	78.80%	83.33%
7900	OTHER		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
5020	TOTAL REVENUES	$32,512,588.00	$32,588,673.00	$2,218,044.28	$2,336,951.92	$26,750,353.11	$27,119,445.63	$5,838,319.89	82.08%	97.95%	83.33%
	EXPENDITURES										
0011	Instruction	$17,156,860.00	$ 17,306,465.00	$ 1,437,552.75	$ 1,334,972.78	$ 13,842,847.38	$ 13,511,278.43	$3,463,617.62	79.99%	75.59%	83.33%
0012	Instr Resources/Media Services	$308,819.00	$ 310,119.00	$ 22,589.63	$ 21,026.58	$ 248,232.70	$ 190,711.91	$61,886.30	80.04%	66.72%	83.33%
0013	Curriculum & Staff Development	$584,499.00	$ 560,214.00	$ 49,612.02	$ 34,220.17	$ 304,407.47	$ 364,878.48	$255,806.53	54.34%	69.90%	83.33%
0021	Instructional Leadership	$794,065.00	$ 815,065.00	$ 60,979.00	$ 61,080.40	$ 601,151.03	$ 606,856.92	$213,913.97	73.75%	77.15%	83.33%
0023	School Leadership	$2,451,466.00	$ 2,448,981.00	$ 210,797.50	$ 194,570.02	$ 2,005,318.77	$ 1,899,479.72	$443,662.23	81.88%	81.52%	83.33%
0031	Guidance, Counseling & Evaluation	$829,062.00	$ 835,412.00	$ 81,913.94	$ 79,310.83	$ 655,222.06	$ 690,261.05	$180,189.94	78.43%	77.64%	83.33%
0032	Attendance & Social Services	$124,625.00	$ 123,630.00	$ 1,004.93	$ -	$ 123,063.77	$ 93,410.05	$566.23	99.54%	87.58%	83.33%
0033	Health Services	$295,677.00	$ 295,677.00	$ 22,160.18	$ 23,268.34	$ 224,760.33	$ 225,671.54	$70,916.67	76.02%	64.25%	83.33%
0034	Student Transportation	$1,942,000.00	$ 1,942,000.00	$ 339,190.10	$ 129,267.04	$ 1,413,778.22	$ 1,401,383.36	$528,221.78	72.80%	88.36%	83.33%
0035	Food Services	$30,000.00	$ 30,000.00	$ -	$ -	$ 28,668.32	$ 30,550.91	$1,331.68	95.56%	100.00%	83.33%
0036	Extracurricular Activities	$1,588,171.00	$ 1,646,626.00	$ 148,576.27	$ 85,730.15	$ 1,268,747.49	$ 1,229,575.16	$377,878.51	77.05%	75.14%	83.33%
0041	General Administration	$1,558,322.00	$ 1,558,322.00	$ 113,347.75	$ 104,000.47	$ 1,121,386.57	$ 1,148,265.63	$436,935.43	71.96%	77.71%	83.33%
0051	Plant Maintenance & Operations	$3,642,676.00	$ 3,697,676.00	$ 210,023.77	$ 267,763.09	$ 2,605,970.33	$ 2,871,029.33	$1,091,705.67	70.48%	79.00%	83.33%
0052	Security & Monitoring Services	$546,188.00	$ 546,188.00	$ 52,005.18	$ 47,418.52	$ 428,915.35	$ 480,275.33	$117,272.65	78.53%	82.39%	83.33%
0053	Data Processing Services	$1,203,819.00	$ 1,294,719.00	$ 214,202.14	$ 38,785.05	$ 1,097,188.29	$ 877,919.79	$197,530.71	84.74%	74.65%	83.33%
0061	Community Services	$3,050.00	$ 3,050.00	$ -	$ -	$ 1,029.42	$ 1,214.00	$2,020.58	33.75%	41.65%	83.33%
0071	Debt Service	$280,820.00	$ 280,820.00	$ -	$ -	$ 220,711.05	$ 223,313.70	$60,108.95	78.60%	83.80%	83.33%
0081	Facility Acquisition & Construction	$0.00	$ 238,000.00	$ 152,428.00	$ -	$ 152,428.00	$ -	$85,572.00	64.05%	#DIV/0!	83.33%
0095	Payment to JJAEP	$55,255.00	$ 48,350.00	$ 2,890.00	$ -	$ 14,335.00	$ 39,940.00	$34,015.00	29.65%	55.47%	83.33%
0099	Other Intergovernmental Charges	$194,000.00	$ 142,000.00	$ 29,476.80	$ 29,191.23	$ 88,430.40	$ 87,573.69	$53,569.60	62.27%	71.78%	83.33%
6030	TOTAL EXPENDITURES	$33,589,374.00	$ 34,123,314.00	$3,148,749.96	$ 2,450,604.67	$26,446,591.95	$25,973,589.00	$7,676,722.05	77.50%	77.00%	83.33%
1100	Excess (Deficiency) of Revenues Over (Under) Expenditures	($1,076,786.00) (9)	($1,534,641.00) (9)	($930,705.68)	($113,652.75)	$303,761.16 (9)	$1,145,856.63				
	OTHER FINANCING SOURCES (USES)										
7910	Transfers In										
8910	Transfers Out (10)	$0.00	$ -	$ -			$ -				
	TOTAL OTHER FINANCING SOURCES (USES)										
1200	Net Change in Fund Balance (11)	($1,076,786.00)	($1,534,641.00)		(11)	$303,761.16					
100	Fund Balance - Sept. 1 (12)	$7,110,831.00	$7,110,831.00		(12)	$7,110,831.00					
3000	Fund Balance - Aug 31 (projected and unaditied) (13)	$6,034,045.00	$5,576,190.00		(14)	$7,414,592.16					

(1) 2020-2021 Approved Budget - The original budget approved by the Board for the 2020-2021 Fiscal Year

(2) 2020-2021 Amend 05/31/2021
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(3) Monthly Current Year vs. Prior Year Revenues and Expenditures - **C**ash received(revenues)/disbursed(expenditures) for the current month compared with the same period last year

(4) Year To Date Current Year vs. Prior Year Revenues and Expenditures - Cash received(revenues)/disbursed(expenditures) for the current year compared with the same period last year

(5) Difference Between Amended Budget and Current Year To Date -365
left to receive(revenues)/disburse(expenditures) for the remainder of the Fiscal Year

(6) Current Year To Date as A Percent of The 2020-2021 Amended Budget - The percent of Current Year To Date revenues/expenditures to the 2020-2021 Amended Budget

(7) Prior Year To Date as A Percent of The 2020-2021 Budget - Ther percent of Prior Year To Date revenues/expenditures from the 2020-2021 Budget

(8) Percent of Fiscal Year Elapsed as of The Date of The Report - The percent of the Fiscal Year which has elapsed for the as of date of the report

(9) Excess of Revenues Over Expenditures - The excess (deficiency) of Revenues over (under) expenditures for the Original Budget, Amended Budget and Current Year To Date columns

(10) Transfers In/Out - The amount of any transfers made to the Approved Budget, Amended Budget or Current Year To Date Columns

(11) Net Change In Fund Balance - The excess or deficiency of revenues over expenditures which would add to or take away from the beginning fund balance

(12) Fund Balance - September 1 - The District's audited General Fund Balance as of September 1 of the current fiscal year.

(13) Fund Balance - August 31 - The projected and unaditied General Fund Balance the District would have if revenue and expenditures are equal to the 2020-2021 Approved Budget or Amended Budget

(14) Fund Balance - August 31 - The projected and unaudited General Fund Balance the District would have if the fiscal year ended on the last day of the month of the report.

La Vega Independent School District
Statement of Unaudited Revenues and Expenditures - Budget vs. Actual

For the Period Ended 06/30/2021
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CHILD NUTRITION FUND - 240

		(1)	(2)	(3)		(4)		(5)	(6)	(7)	(8)
				MONTHLY		YEAR-TO-DATE		DIFFERENCE	CY YTD	PY YTD	% OF YEAR
DATA CONTROL CODES	REVENUES	2020-2021 APP BUD	2020-2021 AMEND BUD	CURRENT 06/30/2021	PRIOR YR 6/30/2020	CURRENT 06/30/2021	PRIOR YR 6/30/2020	AMEND BUD TO YTD CURR	AS % OF BUDGET	AS % OF BUDGET	ELAPSED AS OF 06/30/2021
5700	LOCAL	$61,500.00	$ 61,500.00	$ 13,152.79	$ 10,346.18	$ 79,231.88	$ 95,673.34	$ (17,731.88)	128.83%	63.91%	83.33%
5800	STATE	$63,079.00	$ 63,079.00	$ 4,659.77	$ 5,489.08	$ 54,631.41	$ 63,779.15	$8,447.59	86.61%	96.19%	83.33%
5900	FEDERAL	$1,785,000.00	$ 1,785,000.00	$ 275,052.88	$ 89,934.00	$ 1,735,659.74	$ 1,803,614.97	$49,340.26	97.24%	78.39%	83.33%
7900	OTHER			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
5020	TOTAL REVENUES	$1,909,579.00	$1,909,579.00	$292,865.44	$105,769.26	$1,869,523.03	$1,963,067.46	$40,055.97	97.90%	86.28%	83.33%
	EXPENDITURES										
0011	Instruction			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0012	Instr Resources/Media Services			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0013	Curriculum & Staff Development			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0021	Instructional Leadership			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0023	School Leadership			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0031	Guidance, Counseling & Evaluation			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0032	Attendance & Social Services			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0033	Health Services			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0034	Student Transportation			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0035	Food Services	$2,278,117.00	$ 2,278,117.00	$ 220,131.78	$ 124,110.21	$ 1,652,803.91	$ 1,805,596.38	$625,313.09	72.55%	72.91%	83.33%
0036	Extracurricular Activities			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0041	General Administration			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0051	Plant Maintenance & Operations	$22,000.00	$ 22,000.00	$ 998.52	$ 1,336.80	$ 7,640.53	$ 9,372.82	$14,359.47	34.73%	34.08%	83.33%
0052	Security & Monitoring Services			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0053	Data Processing Services			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0061	Community Services			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0071	Debt Service			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0081	Facility Acquisition & Construction			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0095	Payment to JJAEP			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
0099	Other Intergovernmental Charges			$ -	$ -	$ -	$ -	$0.00	#DIV/0!		83.33%
6030	TOTAL EXPENDITURES	$2,300,117.00	$2,300,117.00	$221,130.30	$125,447.01	$1,660,444.44	$1,814,969.20	$639,672.56	72.19%	79.17%	83.33%
1100	Excess (Deficiency) of Revenues Over (Under) Expenditures	($390,538.00) (9)	($390,538.00) (9)	$71,735.14	($19,677.75)	$209,078.59 (9)	$148,098.26				
	OTHER FINANCING SOURCES (USES)										
7910	Transfers In										
8910	Transfers Out (10)			$ -	$ -	$ -	YTD				
	TOTAL OTHER FINANCING SOURCES (USES)										
1200	Net Change in Fund Balance (11)	($390,538.00)	($390,538.00)		(11)	$209,078.59					
100	Fund Balance - Sept. 1 (12)	$488,775.00	$488,775.00		(12)	$488,775.00					
3000	Fund Balance - Aug 31 (projected and unaditied) (13)		$98,237.00		(14)	$697,853.59					

La Vega Independent School District
Statement of Unaudited Revenues and Expenditures - Budget vs. Actual

For the Period Ended 06/30/2021

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DEBT SERVICE FUND - 511

DATA CONTROL CODES	REVENUES	(1) 2020-2021 APP BUD	(2) 2020-2021 AMEND BUD	(3) MONTHLY CURRENT 06/30/2021	(3) MONTHLY PRIOR YR 6/30/2020	(4) YEAR-TO-DATE CURRENT 06/30/2021	(4) YEAR-TO-DATE PRIOR YR 6/30/2020	(5) DIFFERENCE AMEND BUD TO YTD CURR	(6) CY YTD AS % OF BUDGET	(7) PY YTD AS % OF BUDGET	(8) % OF YEAR ELAPSED AS OF 06/30/2021
5700	LOCAL	$2,378,843.00	$ 2,378,843.00	$ 11,928.61	$ 26,246.85	$ 2,536,406.12	$ 2,184,212.57	($157,563.12)	106.62%	96.55%	83.33%
5800	STATE	$75,936.00	$ 75,936.00	$ -	$ -	$ 84,697.00	$ 230,111.00	($8,761.00)	111.54%	66.39%	83.33%
5900	FEDERAL	$279,741.00	$ 279,741.00	$ -	$ -	$ 132,628.87	$ 131,198.53	$147,112.13	47.41%	46.90%	83.33%
7900	OTHER		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
5020	TOTAL REVENUES	$2,734,520.00	$2,734,520.00	$11,928.61	$26,246.85	$2,753,731.99	$2,545,522.10	($19,211.99)	100.70%	86.50%	83.33%
	EXPENDITURES										
0011	Instruction		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0012	Instr Resources/Media Services		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0013	Curriculum & Staff Development		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0021	Instructional Leadership		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0023	School Leadership		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0031	Guidance, Counseling & Evaluation		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0032	Attendance & Social Services		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0033	Health Services		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0034	Student Transportation		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0035	Food Services		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0036	Extracurricular Activities		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0041	General Administration		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0051	Plant Maintenance & Operations		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0052	Security & Monitoring Services		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0053	Data Processing Services		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0061	Community Services		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0071	Debt Service	$2,410,167.00	$ 2,410,167.00	$ 1,182.50	$ 1,182.50	$ 1,775,316.43	$ 1,856,741.03	$634,850.57	73.66%	69.45%	83.33%
0081	Facility Acquisition & Construction		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0095	Payment to JJAEP		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
0099	Other Intergovernmental Charges		$ -	$ -	$ -	$ -	$ -	$0.00	#DIV/0!	#DIV/0!	83.33%
6030	TOTAL EXPENDITURES	$2,410,167.00	$2,410,167.00	$1,182.50	$1,182.50	$1,775,316.43	$1,856,741.03	$634,850.57	73.66%	68.57%	83.33%
1100	Excess (Deficiency) of Revenues Over (Under) Expenditures	$324,353.00	$324,353.00	$10,746.11	$25,064.35	$978,415.56	$688,781.07				
	OTHER FINANCING SOURCES (USES)	(9)	(9)			(9)					
7910	Transfers In		$ -	$ -	$ -	$ -	$ -				
8910	Transfers Out (10)		$ -	$ -	$ -	$ -	$ -				
	TOTAL OTHER FINANCING SOURCES (USES)										
1200	Net Change in Fund Balance (11)	$324,353.00	$324,353.00		(11)	$978,415.56					
100	Fund Balance - Sept. 1 (12)	$3,140,001.00	$3,140,001.00		(12)	$3,140,001.00					
100	Less: Committed Fund Balance - Sept. 1		($3,184,489.51)			($3,184,489.51)					
3000	Fund Balance - Aug 31 (projected and unaudited) (13)	$3,464,354.00	$279,864.49		(14)	$933,927.05					
3000	Less: Committed Fund Balance-Aug 31										
	Available Fund Balance (projected and unaudited) (14)	$3,464,354.00	$279,864.49			$933,927.05					

Discussion of the Preliminary 2021-2022 Budget

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☐ Attached ☐ Provided Later ☒

Contact Person:
Mr. James Garrett

Background Information:
This time will be used to initiate some preliminary discussions that affect the 2021-2022 budget.

Fiscal Implication:
To be presented

Administrative Recommendation:
The administration recommends that the Board of Trustees and Administration discuss the 2021-2022 Budget.

Consider Teacher and Professional Employee Contract Recommendations

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Todd Gooden

Background Information:
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.

Fiscal Implication:
Personnel salaries are a budgeted item.

Administrative Recommendation:
Board approval of the contract recommendations as presented.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

LV Personnel Recommendations for employees

The following employees are recommended for employment for the 2021- 2022 school years.

Name	Assignment
Yvette April	2nd Grade Teacher LVE Replacing: Amy Hamilton
Guadalupe Aguilar	Speech Therapy Asst. Special Ed Dept. Replacing: Brooke Ensminger
Eric Degrate	History Teacher/Coach LVJH Replacing: Bryce Bobo
Treston Ridge	P.E. Teacher/Coach LVJH Replacing: Daxton Swanson
Carlos Rodarte	Credit Recovery Specialist Success Center New title/Increase in Days
Laura Shank	1st Grade Teacher LVE Replacing: Jennifer Walker
Marcus Willis	CTE Teacher/Coach LVJH Replacing: Manuel Gibson

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
July 20, 2021

CLOSED MEETING

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☒

Contact Person:
Board President

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:

_____ Beginning Time

_____ Date

_____ Sections of the Texas Government Code

_____ Ending Time

ADJOURNMENT

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Date and Time: _____