



✉ 306 North Loop 288, Suite 222 ✉ Denton ✉ Texas ✉ 76209  
☎ OFC (940) 349-2884 ☎ FAX (940) 349-2881  
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August 31, 2009

To: **Denton County ISD Superintendents**  
Re: **Adjunct Faculty Appointment of the Texas AgriLife Extension Service Employees**

Each Year Denton County Extension faculty, meet and discuss the Texas Education Code requirements and specify procedures the county is going to use during the upcoming year. This information sheet provides an overview of that procedure and applicable paperwork.

1. The 4-H and Youth Development Agent will seek a meeting with each school superintendent and/or principal that has 4-H members that will be involved in 4-H extracurricular activities during the year to discuss the procedures that Extension plans to use. At this meeting the following should be discussed:
  - ◆ Seek extracurricular status for 4-H. The approval of extracurricular organizations outside of school sponsored or UIL sponsored groups continues to be the responsibility of the local board of trustees. A resolution regarding Extracurricular Status of 4-H and an explanation letter follows.
  - ◆ Request Adjunct Faculty Appointment for CEA(s). A sample Adjunct Faculty Appointment Request Agreement follows.
2. Extension faculty will inform the 4-H volunteers and parents in writing, of the procedures that will be followed during the upcoming school year to ensure that 4-H members abide by the provisions of the Texas Education Code, thus ensuring that 4-H retain its extracurricular status.
3. Prior to a 4-H competitive activity or a 4-H activity that requires a member to be absent from school, the set procedures will be put into action.

## **ADJUNCT FACULTY APPOINTMENT INFORMATION**

In response to questions that were received from some school districts regarding the liability risk for school districts when recognizing county Extension faculty as adjunct faculty members, General Counsel, The Texas A&M University System, has prepared the following information. This instrument was prepared after comments and suggestions were received from attorneys with the Texas Education Agency and the Texas Association of School Boards.

- County Extension agents who are granted approval for adjunct faculty states remain under the direct supervision of the appropriate District Extension Director.
- Adjunct faculty members will remain employees of the Texas AgriLife Extension Service and will receive no compensation, salary, or remuneration from the school district entering into this agreement.

If any questions arise regarding this matter, please do not hesitate to call the Associate Director - County Programs.



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## STATE BOARD OF EDUCATION RULING ADJUNCT FACULTY APPOINTMENT

The State Board of Education passed a rule June 9, 1994, that allows public school students to be considered in attendance when participating in approved off-campus activities with an adjunct staff member of the school district. The amendment that was adopted states:

**Amendments to 19 TAC§129.21 (k)(1). Requirements for Student Attendance Accounting for State Funding Purposes.**

- (4-12) *A student not actually on campus at the time attendance is taken may be considered in attendance for Foundation School Program (FSP) purposes under the following conditions:*
1. *The student is participating in an activity which is approved by the local board and is under the direction of a professional staff member of the school district or an adjunct staff member. This adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas.*
- (4-13) *Students participating in any activity which is not approved by the local school board and/or without certified district personnel supervision are counted absent (see (4-12)). To qualify for funding purposes, the certified district staff member/adjunct staff member must be accompanying the students as an official of the school district for the specific purpose of supervising the students and must be approved by the school board to supervise the activity. For example, students participating in 4-H activities which are supervised solely by a County Extension Agent are reported present.*

The approved rule changes provide local school boards the opportunity to recognize county Extension agents as adjunct staff members and to count the students in attendance for the Foundation School Program purposes. All activities that require students to be absent from school must be approved by the local board of school trustees in order for them to be considered in attendance for Foundation School purposes. Approval for 4-H youth to participate in various activities, i.e. stock shows, judging contests, consumer decision making contests, National 4-H Congress, etc., must be granted prior to the date of the event. The county Extension staff will develop a comprehensive list of all activities that would require 4-H youth to be absent from school and submit this request for board approval at the same time.



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**ADJUNCT FACULTY AGREEMENT**  
THE STATE OF TEXAS  
COUNTY OF DENTON

On this date, at regularly scheduled and posted meeting, came the Board of Trustees of the **Denton** Independent School District, hereinafter referred to as "District." A quorum having been established, the Board proceeded to consider the appointment of the herein named individual as an adjunct faculty member of the **Denton** Independent School District.

Upon consideration and vote in favor to

- **Jennifer L. McAlister, County Extension Agent - 4-H and Youth Development**
- **Eddie Baggs, County Extension Agent - Agriculture**
- **Maggie Jover, County Extension Agent - Family and Consumer Sciences**
- **Janet Laminak, County Extension Agent – Horticulture**
- **Stephanie Besier, County Extension Agent - Family and Consumer Sciences**

are hereby named as adjunct faculty member of the **Denton** Independent School District subject to the following conditions and provisions of such appointment, to wit:

1. This appointment shall commence on the   1<sup>st</sup>   day of   September   and end on the   31<sup>th</sup>   day of   May  , being the end of the 2009-2010 academic year.
2. Adjunct faculty member will receive no compensation, salary, or remuneration from the **Denton** Independent School District.
3. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas AgriLife Extension Service.
4. **Adjunct faculty member shall be under the direct supervision of Hurley Miller, District Extension Administrator of Extension District Four.**
5. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of The Texas AgriLife Extension Service employees. **District shall have no responsibility for any of such benefits or plans.**

Adjunct faculty member shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty member for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities



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and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of the Texas AgriLife Extension Service pursuant to the supervisory authority of the District Extension Administrator. Adjunct faculty member is not the employee of School District, and School District does not nor shall not supervise, direct or control the activities and/or participation of such Denton County Extension Agent(s) who has been herein designated as an adjunct faculty member.

This appointment is made by Independent School District by and through the Board of Trustees of said district for the benefit of allowing voluntary student participation in programs conducted by the Texas AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by the Texas AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 129.21 (k)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for foundation school program purposes.

This appointment of the herein named Denton County Extension Agent(s) (Texas AgriLife Extension Service employee) is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by **Denton** Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**Denton** Independent School District

By: \_\_\_\_\_

Its: \_\_\_\_\_

Adjunct Faculty Appointment Accepted By:

\_\_\_\_\_  
 \_\_\_\_\_  
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August 31, 2009

Denton County Independent School Districts  
Superintendants and School Boards

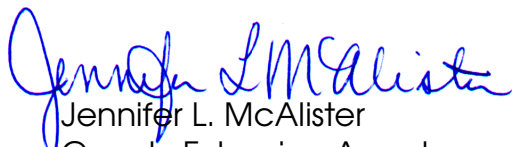
Dear Superintendent:

On behalf of the 4-H members of Denton County, we hereby respectfully request that the 4-H organization, by the attached RESOLUTION, be sanctioned as an extracurricular activity. The enclosed RESOLUTION should be presented for consideration at the next scheduled meeting of the Board of Trustees of your school district. We further request that questions regarding this RESOLUTION be directed to me in a timely manner so that we may prepare and present an appropriate response so as not to delay action on this request.

Finally, we request that a signed copy of this RESOLUTION along with a copy of the minutes of the Board meeting be forwarded to us for our files.

Thank you and members of your Board of Trustees for your consideration of this request.

Sincerely,

  
Jennifer L. McAlister  
County Extension Agent  
4-H and Youth Development

Enclosure: RESOLUTION Regarding EXTRACURRICULAR STATUS OF 4-H ORGANIZATION



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## RESOLUTION regarding EXTRACURRICULAR STATUS OF 4-H ORGANIZATION

Be it hereby resolved that upon this date the duly elected Board of Trustees of the **Denton** Independent School District meeting in public with a quorum present and certified did adopt this resolution that recognizes the Denton County Texas 4-H Organization as approved for recognition and eligible for extracurricular status consideration under 19 Texas Administrative Code, Chapter 76.1, pertaining to extracurricular activities. Participation by 4-H members under provisions of this resolution are subject to all rules and regulations set forth under the 19 Texas Administrative Code as interpreted by this Board and designated officials of this school district whose rulings shall be final.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
(For Board of Trustees)

\_\_\_\_\_  
(Superintendent)



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To: **Denton County Superintendents**  
Re: **Eligibility and Excused Absences**

4-H has been recognized by the Texas Education Agency as a legitimate school-related extracurricular organization. 4-H members may apply for excused absences in order to participate in 4-H activities. It is the responsibility of the local school districts to determine whether or not any student may be excused from classes to participate in any extracurricular event or activity. 4-H members are not automatically excused upon request, but are subject to all regulations of the Texas Education Agency and their local school district as they may apply to extracurricular participation.

Beginning September 1, 2000, all 4-H youth, including youth in public, private, or home school must adhere to the following guidelines regarding extracurricular activities and academic eligibility:

Complete a "Declaration of Eligibility form" (sample attached)

Or

Name of 4-H member must appear on a list of eligible students to participate in a specific extracurricular activity signed by the school principal or designee (sample attached)

Consistent with U.I.L. rules, the Texas 4-H Program has adopted a three (3) school week waiting period upon change in status of school enrollment (i.e. from public to private or private to home or home to public or home to private) before the 4-H member is eligible for extracurricular activity.

## DECLARATION OF ELIGIBILITY FORM

The Declaration of Eligibility Form for the Texas AgriLife Extension Service/4-H provides an alternate approach to the current system in ensuring 4-H's compliance with the Texas Education Code requirements.

The following procedures apply to all competitive events in which 4-H members participate during the school year regardless of when the events are conducted. This includes 4-H sponsored competitive events and events in which students compete representing 4-H. For instance:

- (1) if a food show in which a 4-H member is a competitor is conducted on a Saturday, the 4-H member would have to be eligible according to the Texas Education Code to compete in the show
- (2) if a member is a competitor in the Houston Livestock Show representing 4-H on a school day, the 4-H member would have to be eligible to compete and receive an excused absence

### PROCEDURES

1. The 4-H and Youth Development Agent will meet with school administration to discuss the methods of eligibility and excused absence requests.
2. 4-H volunteers, members and their parents will be informed in writing of the procedures that will be followed during the upcoming school year, to ensure that 4-H members abide by the provisions of the Texas Education Code, thus ensuring that 4-H retains its extracurricular status.
3. The Declaration of Eligibility Form requires a County Extension Agent's signature prior to the principal and/or designee signing. The agent's signature certifies that the youth is enrolled in 4-H; prevents the form from being manipulated or falsified by ineligible youth; allows County Extension Agents to maintain control of this request; and legitimizes the form for school officials.





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## DECLARATION OF ELIGIBILITY FORM GUIDELINES

Parent/Guardian/County Extension Agent Section

**Academic eligibility information only.** (Used to verify academic eligibility only for 4-H competitive events/activities.)

**OR**

**Academic eligibility information and authorization to receive an excused absence from school.** (Used to verify academic eligibility as well as receive authorization to receive an excused absence. This would be used for events held during school hours such as stock shows, state and national 4-H contests and events, etc.)

**Date and Name of Activity.** (Used to notify school officials of exact dates/times a student would be participating in a 4-H activity or representing 4-H at an event.)

**Parent/Guardian Signature is required.** The signature of parent/guardian confirms that this person is aware of the academic eligibility and excused absence requirements of the Texas Education Code.

**Certification of 4-H membership is completed by county Extension agent.**

**County Extension Agent Signature/Date** certifies that the youth is enrolled in 4-H and is eligible to compete in the above-named activity.

### Principal/Designee Section

The principal or designee will be asked to verify a student's academic eligibility. In addition to academic eligibility verification, this person would verify authorization when there is a need for an excused absence for those 4-H events/activities that would require a student's absence. The signature and date must be completed in order for the form to be valid. Schools are urged to keep a copy of the individual eligibility forms after the school authority has signed them.