



UNITED INDEPENDENT SCHOOL DISTRICT INFORMATIONAL ITEM

TOPIC: Review of EXHIBITS Policies Update 87

SUBMITTED BY Gloria Rendon **OF:** Asst. to the Superintendent

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: May 19, 2010

BJCD (EXHIBIT)	SUPERINTENDENT EVALUATION
DFE (REGULATION)	TERMINATION OF EMPLOYMENT RESIGNATION
DI (EXHIBIT)	EMPLOYEE WELFARE
GRA (EXHIBIT)	RELATIONS WITH GOVERNMENTAL ENTITIES LOCAL GOVERNMENTAL AUTHORITIES

PROCEDURES FOR APPRAISAL OF SUPERINTENDENT
RECOMMENDED BY THE COMMISSIONER

Note: The following procedures, which are recommended but not required by the Commissioner, may be used in whole or in part for the Superintendent's evaluation.

The Board shall establish an annual calendar providing for the following activities, in which both the Board and the Superintendent shall participate:

1. Procedures for setting goals that define expectations and set priorities for the Superintendent.
2. Formative conference.
3. Summative conference.

The Superintendent shall be involved in developing, selecting, or revising the appraisal instrument and process.

19 TAC 150.1022

Student performance shall be a part of locally developed appraisal instruments for Superintendents as specified in Education Code 39.054. *19 TAC 150.1022(e)*

A student performance domain shall be included in the appraisal of the Superintendent as follows: "The Superintendent promotes improvement of the performance of students in the District through activities such as comparing disaggregated student performance results to state accountability standards and to prior year performance."

The domains and descriptors used to evaluate the Superintendent may also include:

1. Instructional management.
2. School or organization morale.
3. School or organization improvement.
4. Personnel management.
5. Management of administrative, fiscal, and facilities functions.
6. Student management.
7. School or community relations.
8. Professional growth and development.
9. Student achievement indicators and campus performance objectives.
10. Board relations.

SUPERINTENDENT
EVALUATION

BJCD
(EXHIBIT)

In developing the appraisal instrument, the Board shall use the Superintendent's job description as applicable.

19 TAC 150.1021

The Board may implement a process for collecting staff input for evaluating the Superintendent. If such a process is implemented for use in the Superintendent's evaluation, staff input shall not be anonymous.

Before conducting the Superintendent's appraisal, Board members shall have evidence of training in appropriate personnel evaluation skills related to the locally established criteria and process.

The District, with the approval of the Board, may select the Commissioner-recommended student performance domain for Superintendents or may develop an alternative process in consultation with the District- and campus-level committees and adopted by the Board. If the District uses the Commissioner-recommended student performance domain, it shall meet the following requirements:

1. The Superintendent shall be required to attend an orientation approved by the Commissioner;
2. The results on the Commissioner-recommended student performance domain shall be incorporated into the local appraisal instrument;
3. The results on the Commissioner-recommended student performance domain shall be a primary consideration of the Board in evaluating the Superintendent;
4. For a Superintendent new to the District, the results from the Commissioner-recommended student performance domain shall be on a "report only" basis during the first year. Dropout and attendance data for the Superintendent shall be on a "report only" basis for the first two years.

19 TAC 150.1022

DRUG-FREE WORKPLACE NOTICE

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace.

Employees who violate this prohibition shall be subject to disciplinary sanctions. Sanctions may include:

- Referral to drug and alcohol counseling or rehabilitation programs;
- Referral to employee assistance programs;
- Termination from employment with the District; and
- Referral to appropriate law enforcement officials for prosecution.

As a condition of employment, an employee shall:

- Abide by the terms of this notice; and
- Notify the Superintendent, in writing, if the employee is convicted for a violation of a criminal drug statute occurring in the workplace. The employee must provide the notice in accordance with DH(LOCAL).

[This notice complies with the requirements of the federal Drug-Free Workplace Act (41 U.S.C. 702).]

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(EXHIBIT)

Education Code 37.015 requires principals to make reports to local law enforcement authorities of certain classes of offenses, four of which are referenced entirely by citation. The offenses referenced only by citation are further defined below.

1. "Conduct that may constitute an offense listed under Section 508.149, Government Code":
 - a. An offense for which the judgment contains an affirmative finding under Section 3g(a)(2), Article 42.12, Code of Criminal Procedure (use or exhibition of a prohibited weapon during commission of or flight from a felony offense).
 - b. A first or second degree felony under Penal Code 19.02 (murder).
 - c. A capital felony under Penal Code 19.03 (capital murder).
 - d. A first or second degree felony under Penal Code 20.04 (aggravated kidnapping).
 - e. An offense under Penal Code 21.11 (indecentcy with a child).
 - f. A felony under Penal Code 22.011 (sexual assault).
 - g. A first or second degree felony under Penal Code 22.02 (aggravated assault).
 - h. A first degree felony under Penal Code 22.021 (aggravated sexual assault).
 - i. A first degree felony under Penal Code 22.04 (injury to a child, elderly individual, or disabled individual).
 - j. A first degree felony under Penal Code 28.02 (arson).
 - k. A second degree felony under Penal Code 29.02 (robbery).
 - l. A first degree felony under Penal Code 29.03 (aggravated robbery).
 - m. A first degree felony under Penal Code 30.02 (burglary).
 - n. A felony for which punishment is increased under Health and Safety Code 481.134 (drug-free zones) or 481.140 (use of child in commission of offense).
 - o. An offense under Penal Code 43.25 (sexual performance by a child).
 - p. An offense under Penal Code 21.02 (continuous sexual abuse of young child or children).
2. "Deadly conduct under Section 22.05, Penal Code":
 - a. A person commits an offense if he or she recklessly engages in conduct that places another in imminent danger of serious bodily injury.
 - b. A person commits an offense if he or she knowingly discharges a firearm at or in the direction of one or more individuals or a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied.

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(EXHIBIT)

- c. Recklessness and danger are presumed if the actor knowingly pointed a firearm at or in the direction of another whether or not the actor believed the firearm to be loaded.

3. "Terroristic threat under Section 22.07, Penal Code":

A person commits an offense if he or she threatens to commit any offense involving violence to any person or property with intent to:

- a. Cause a reaction of any type to the threat by an official or volunteer agency organized to deal with emergencies;
- b. Place any person in fear of imminent serious bodily injury;
- c. Prevent or interrupt the occupation or use of a building; room; place of assembly; place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
- d. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
- e. Place the public or a substantial group of the public in fear of serious bodily injury; or
- f. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state.

4. "Conduct that may constitute a criminal offense under Section 71.02, Penal Code" (Engaging in Organized Criminal Activity):

A person commits an offense if, with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang, he or she commits or conspires to commit one or more of the following:

- a. Murder, capital murder, arson, aggravated robbery, robbery, burglary, theft, aggravated kidnapping, kidnapping, aggravated assault, aggravated sexual assault, sexual assault, forgery, deadly conduct, assault punishable as a Class A misdemeanor, burglary of a motor vehicle, or unauthorized use of a motor vehicle;
- b. Any gambling offense punishable as a Class A misdemeanor;
- c. Promotion of prostitution, aggravated promotion of prostitution, or compelling prostitution;
- d. Unlawful manufacture, transportation, repair, or sale of firearms or prohibited weapons;
- e. Unlawful manufacture, delivery, dispensation, or distribution of a controlled substance or dangerous drug, or unlawful possession of a controlled substance or dangerous drug through forgery, fraud, misrepresentation, or deception;
- f. Any unlawful wholesale promotion or possession of any obscene material or obscene device with the intent to wholesale promote the same;

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(EXHIBIT)

- g. Any offense under Penal Code Chapter 43, Subchapter B depicting or involving conduct by or directed toward a child younger than 18 years of age (Chapter 42, Subchapter B prohibits obscenity including: sale, distribution, or display of material harmful to minor; sexual performance by a child; employment of a child in a sexually oriented activity or a place where the child works nude or topless; and possession or promotion of child pornography);
- h. Any felony offense under Penal Code Chapter 32 (fraud);
- i. Any offense under Penal Code Chapter 34 (money laundering) or Chapter 35 (insurance fraud);
- j. Any offense under Penal Code Chapter 36 (bribery and corrupt influence);
- k. Any offense under Penal Code 37.11(a) (impersonating a public servant);
- l. Any offense under Penal Code Chapter 20A (trafficking of persons);
- m. Any offense under Penal Code 37.10 (tampering with government record);
- n. Any offense under Penal Code 38.06 (escape), 38.07 (permitting or facilitating escape), 38.09 (providing a person in custody or an inmate with an implement for escape), or 38.11 (providing prohibited or controlled substances or items to person in custody or an inmate).