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August 26, 2008

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 _____ Independent School District, hereinafter referred to as "District." A quorum having adjunct faculty member of the _____ 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

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

1. This appointment shall commence on the 1st day of September and end on the 31th day of May, being the end of the 2008-2009 academic year.
2. Adjunct faculty member will receive no compensation, salary, or remuneration from _____ 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



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notice shall be given to School District administrative personnel. Adjunct faculty members' activities 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 _____ Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Signed this _____ day of _____, 20____.

_____ Independent School District

By: _____

Its: _____

Adjunct Faculty Appointment Accepted By:

