



Brownsville Independent School District

Board of Trustees Policy Committee Meeting

October 30, 2019

4:30 PM

Administration Building
1900 Price Road
Brownsville, Texas 78521-2417

Members of Committee are:

Philip Cowen, Chair
Minerva Peña, Vice Co-Chair
Dr. Sylvia P. Atkinson, Member
Erasmio Castro, Member

Committees Goal: The Board of Trustees, in collaboration with District staff, administration, parents, and community will provide required support and resources for the attainment of educational excellence and equity.

Note: Only trustee appointed to committees may participate in debate or action by the committee. Trustees not on a committee may participate on the committee to the extent the public is allowed to participate.

A G E N D A

- I. Welcome
- II. Pledge of Allegiance/s
- III. Request by Policy Chair, different members of the Board, and/or Administration: 3
 - A. Review and discuss BE Local Policy to update requested agenda items by Board Members to require one written request by a Board Member supported by one additional Board Member.
 - B. Review and discuss BED Local regarding the public comment time frame during Regular Board Meetings and Special-Called Board Meetings.
 - C. Update on BDF Local regarding the Board-appointed committee members to the School Health Advisory Council and the annual written report presented to the Board.
 - D. Review and discuss BF Local/Exhibit regarding the timeline to review and recommend TASB updates (legal and local).

- E. Review and discuss CH Local policy regarding the purchasing authority through a Board-approved interlocal agreement or cooperative purchasing program.
- F. Review and discuss DC Local policy regarding the hiring of retire/rehire personnel in areas of critical shortage areas.
- G. Review and discuss DH Local pertaining to the use of audio/ video recording devices by employees.
- H. Update on DGBA/ FNG/ GF Local regarding Hearing Officers and complaints.
 - I. Review and discuss FFA Local regarding Food and Nutritional Services.
 - J. Review and discuss FNF Local regarding the notification to parents about student searches.

IV. Public Input

Persons wanting to address the Board during Public Comment shall before the beginning of the meeting print their names and the subject matter on the sign-in sheet provided at the entrance of the Board Room. The Board allots 30 minutes for Public Comment. Speakers are allowed a maximum of 3 minutes and a minimum of 1 minute, depending on the number of speakers. Complaints or grievances on the following subjects: employee complaints, personnel matters, student complaints, removal of alternative education program, complaints against individual board members, and expulsions, shall be directed to the appropriate policy for attempted resolution before bringing the matter before the Board. The Board President shall determine if the topic shall be redirected to the appropriate policy or redirected to Administration. Comments on issues shall be constructive and courteous.

V. Next steps

VI. Adjourn

Notice of this meeting was posted on Friday, October 25, 2019

1	BE Local Pages 3-16	<p style="text-align: center;">Requested by Board Member PCowen</p> <p style="text-align: center;">Action Update</p> <p>BOARD MEETINGS</p> <p>TASB Request Under "DISTRICT REQUEST" Board requesting to update language to reflect:</p> <p>District Request PREPARATION: In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. Any Board member may request that a subject be included on the agenda for a meeting, and the Superintendent shall include on the preliminary agenda of the meeting all topics that have been timely submitted by a Board member.</p> <p>For an item to be included on the agenda for a meeting, the written request by one of two Board members supported by one additional Board member is required. The member shall make an initial written request to the Superintendent and the Board Secretary</p>
2	BED Local Board Member Request Pages 17-18 Proposed By TASB Pages 19-20	<p style="text-align: center;">Requested by Legal Counsel MS</p> <p style="text-align: center;">Action Update</p> <p>BOARD MEETINGS: PUBLIC PARTICIPATION</p> <p>TASB RESPONSE TO SECOND REQUEST</p> <p>-----Original Message----- From: Carolyn Austin [mailto:Carolyn.Austin@tasb.org] Sent: Tuesday, October 29, 2019 4:27 PM To: Philip T. Cowen <ptchb@att.net> Cc: Dr. Rene Gutierrez <rene.gutierrez@bisd.us>; Patricia Perez <pperez@bisd.us>; Baltazar Salazar <balsalazar@sbcglobal.net>; Dr. Sylvia P. Atkinson <smuponies@aol.com>; Dr. Anysia Trevino <dratrevino@bisd.us>; Martin C. Arambula <mcarambula@bisd.us> Subject: RE: Brownsville ISD Policy Questions</p> <p>Philip – First, I've added Martin Arambula to this message, since he is listed in TASB's records as Brownsville's official policy contact.</p> <p>You're welcome to write BED(LOCAL) as you see fit. TASB does have a base version of this policy that restricts comments to agenda items only at any regular or special meeting, and I've attached that for your reference.</p> <p>TASB's understanding of HB 2840 – that the board must hear all public comment on agenda items – is reflected in our language in our base policies, which no longer includes an overall time limit for public comment. I suspect that there will be further developments in case law and commissioner's hearings on this question, but right now our conservative (in the sense of limiting the risk to districts of grievances or lawsuits) reading of the law is reflected in our base policies. Districts are absolutely free to develop their own policy language that differs from ours, although we recommend consulting with your local counsel to determine if such language opens the district to an unacceptable level of risk.</p>

2

BED
Local

Continued

Regarding the revisions to BF(LOCAL), we would recommend addressing it in administrative regulations large portions of what you are proposing to address in policy. *Your board operating procedures are a more appropriate place to address* things like pre-review of policy changes by TASB, policy format, the responsibilities of the board policy chair, etc. I have attached our base version of BF(LOCAL) so you can see what we think needs to be addressed at the level of governance regarding policy adoption.

If you choose to move forward with the revisions in policy, please note the following:

* At Severability, I would recommend revising the first sentence to “Where there is a conflict between legal requirements of the law and local policy, the law will prevail.” (LEGAL) policy is not law but a restatement and synopsis of law that TASB provides. If there were a discrepancy between TASB’s (LEGAL) policy and the law (something we of course try to avoid), the law would prevail.

* TASB updates do not need to be addressed at Policy Development, since they are recommended to the board for consideration just as with any other policy change by the superintendent, the policy committee, etc.

* At Policy Format, TASB’s current convention is to strike through words that will be deleted and bold words that will be added; when they are viewed in color, the deletions are red and the additions are blue. This level of detail really should not be addressed in policy – as you can see, it’s easy for the details to change and for your policy to get out of sync with practice.

* The language that you have at “Exception” is our standard language for districts that allow for adoption of policy revisions upon a single reading. What you all have described at Adoption and Amendment is the process leading up to the board’s consideration of a policy change. You need language in your policy about what happens when the board does consider a policy change upon the recommendation of the board policy committee. I would remove the margin note “Exception” but retain the text to indicate the board’s procedure for voting on a policy change. You could include this language in your policy at Policy Adoption.

* Please remove any reference to BF(EXHIBIT) and allow us to remove BF(EXHIBIT) from your policy manual. Mr. Arambula and I have discussed why the exhibit should be removed and can fill you in – or feel free to call me for further explanation.

* At Suspension of Policy, if you mean revocation or deletion of a policy, then your board already has this authority and there’s no need to include this statement in policy. If you mean temporary suspension of some sort, it is not clear that you can grant this authority to the board. Please consult your local counsel.

SECOND - District Request:

From: Philip T. Cowen <ptchb@att.net>

Sent: Monday, **October 28, 2019 3:51 PM**

To: Carolyn Austin <carolyn.austin@tasb.org>

Cc: Dr. Rene Gutierrez <rene.gutierrez@bisd.us>; Patricia Perez <pperez@bisd.us>; Baltazar Salazar <balsalazar@sbcglobal.net>; Dr. Sylvia P. Atkinson <smuponies@aol.com>; Dr.

Anysia Trevino <dratrevino@bisd.us>

Subject: Re: Brownsville ISD Policy Questions

Carolyn:

Our administration has reviewed your the BED update you sent us and think **it fails to**

**BED
Local**

Continued

effectively deal with the issues involved. Our local Region 1 people are telling us that all we have to do is to provide a reasonable time and opportunity to speak and that because the comment period is to be a time for the public to reflect on what is on the agenda, that comments should be limited to what is on the agenda. There are enough penumbras, such as budget updates, to cover almost everything and every topics. The board president needs to be reasonable when trying to get a person to stay on topic. **We don't want the complications your recommended BED policy change reflects.** Our people think *your proposed changes are also contradictory.* I have a concern that "meeting management" will allow the board president to gut the entire agenda, at will.

Hence, we submit the following. Your comments are accepted.

My word is a bit old, and didn't keep the formatting, and I apologize for that. It will be corrected before the Nov 5 meeting. We are going to use something like this until we see the final draft of your update 114. **But if the update 114 BED local is the same, it's a no go.**

The Region 1 "reasonableness" when providing public comment will probably remain in effect and become the way most school systems locally handle this. We heard that meetings in Dallas and Houston are starting to be a mess. Board are having trouble holding meetings. We don't want the same here. We are holding a meeting to handle school business, as the policy states, not a meeting to hear public comment. That is what public hearings are for. The last meeting, our consent agenda took 1 minute; public comment took 25 minutes.

This policy will be placed on the Nov. 5 meeting for approval, and will be what guides us for now, assuming it gets approved.

Additionally, I am submitting some changes to our local BF(Local) regarding how we will amend policy in the future.

FIRST - District Request:

The District's Legal Counsel requesting TASB to assist in formulating language to include perimeters set forth for Citizen Participation at Board Meetings. Example: At an August 2019 Board Meeting, a citizen signed to speak before the Board and was calling for the resignation of a current Board member. BISD requesting proposed language that may guide the District in establishing protocol.

TASB Policy Service Response: 10-07-2019 8:32am

Please see the attached draft of BED(LOCAL) that will shortly be sent for the board's consideration as part of Update 114. HB 2840 requires a number of changes to this policy. The revised policy **distinguishes between public comment at regular and special meetings** to permit public comment at regular meetings on both agenda and nonagenda items to be consistent with the district's current practice, but **limits comments at special meetings to agenda items only.** The policy provides that public comment will occur at the beginning of the meeting. The provisions on procedures and meeting management are intended to provide the board's presiding officer **flexibility** in implementing the new requirements and include:

- A requirement for individuals to sign up for public comment before the meeting begins and to indicate which agenda item they wish to address, if any;
- Retention of the district's current time limit for an individual to speak at a meeting;
- Deletion of an overall time limit for public comment at a meeting;
- Deletion of the provision requiring delegations of more than five persons to appoint one spokesperson; and

Policy

POLICY UPDATE REQUESTS
EXPLANATORY NOTES

BED
Local

Continued

• Broad authority for the presiding officer to make adjustments to the board's public comment procedures, such as adjusting when public comment will occur (it must occur before or during the relevant agenda item), reordering or continuing agenda items to a later meeting, deferring public comment on non-agenda items, expanding opportunities for public comment, or establishing an overall time limit and shortening the time allotted to each speaker to no less than one minute.

In regards to your specific question about criticism of a particular board member, HB 2840 prevents a board from prohibiting public criticism of the board. It may or may not prevent a board from prohibiting public criticism of an individual, although if that individual is a board member the line between criticizing the individual and criticizing the board is very fuzzy. TASB Policy Service and Legal Services **do not have specific recommendations at this time** on this question, as we believe there are still a number of unanswered questions regarding this component (and other components) of HB 2840. Please see TASB Legal Services' eSource article at <https://www.tasb.org/services/legal-services/tasb-school-law-essource/governance/documents/hb2840-public-comment-and-testimony-at-board-meetings.pdf>

3

BDF
Local

Requested by
Board Member SPA

Action
Update

BOARD INTERNAL ORGANIZATION:
CITIZEN ADVISORY COMMITTEES

Local
Policy
Page
21

District Request:

Board requesting for TASB to assist in providing proposed language --- to "add line item" to allow board members to appoint members to School Health Advisory Council and discuss structure of such committee.

TASB Policy Service Response: 10-07-2019 8:32am

BDF(LEGAL) already requires the board to appoint at least **five** members to the SHAC, the majority of whom must be parents of students enrolled in the district and must not be employed by the district. The (LEGAL) policy goes on to spell out the SHAC's responsibilities, any subcommittees required by law, and the district's responsibilities to consider any SHAC recommendations before making changes to the districts health education curriculum or instruction. There is no need for a redundant statement of these details in (LOCAL) policy. In fact, most districts have no (LOCAL) policy at BDF. Fewer than 50 out of more than 1,000 districts in the state have any policy at BDF(LOCAL). Our recommendation would actually be to delete the district's BDF(LOCAL) and rely on statements in BDF(LEGAL) to guide the operations of the SHAC and its interactions with the district.

Legal
Policy
Pages
22-23

Policy	POLICY UPDATE REQUESTS EXPLANATORY NOTES
--------	---

4 **BF Local**

Board Member Request
▼
Pages 24-27

Proposed By TASB
▼
Pages 28-29

Requested by Board Member PCowen	Action Update
--	-------------------------

BOARD POLICIES

SECOND - District Request:
 From: Philip T. Cowen <ptchb@att.net>
 Sent: Monday, **October 28, 2019 3:51 PM**
 To: Carolyn Austin <carolyn.austin@tasb.org>
 Cc: Dr. Rene Gutierrez <rene.gutierrez@bisd.us>; Patricia Perez <pperez@bisd.us>; Baltazar Salazar <balsalazar@sbcglobal.net>; Dr. Sylvia P. Atkinson <smuponies@aol.com>; Dr. Anysia Trevino <dratreveno@bisd.us>
 Subject: Re: Brownsville ISD Policy Questions

Carolyn:
 **Additionally, I am submitting some changes to our local BF(Local)** regarding how we will amend policy in the future.

FIRST REQUEST -- District Request:
 Board requesting TASB assistance in proposed language. Example:
 Upon Receipt of TASB Localized Updates

- a) Policy Chair shall be notified
- b) Policy Chair shall call for a PCM
- c) Adm shall prepare and submit proposed TASB policies at next scheduled board meeting

TASB Policy Service Response: 10-07-2019 8:32am

We would recommend addressing these procedures in your board operating procedures rather than in (LOCAL) policy. You may also want to consider which aspects of your existing policy at BF(LOCAL) would be more appropriate to address in board operating procedures. We recommend that (LOCAL) policy focus on issues of governance (for example, who has the authority to recommend a change to a (LOCAL) policy) and not on procedures for implementation (for example, the form for requesting a change to a (LOCAL) policy or the procedures for ensuring administrative review of a policy change prior to presentation to the board).

*In those operating procedures, **we would recommend setting some timeline expectations.** The proposed (EXHIBIT) Mr. Arambula sent suggested **30 days** for administrative review of policies before they are submitted to the board, but **you might want to rewrite that to something like** "The administration will review TASB numbered updates for no more than 30 days and will then submit the (LOCAL) policies to the policy committee for their consideration for no more than **___ (30) days.** The policy committee will make a recommendation to the board regarding the (LOCAL) policies in the update, and President will place consideration of the (LOCAL) policies in the update on the agenda for the next regular board meeting."*

Policy	POLICY UPDATE REQUESTS EXPLANATORY NOTES	
<p>5</p> <p>CH Local</p> <p>Pages 30-31</p>	<p>Requested by Board Member PCowen PURCHASING AND ACQUISITION</p> <p>TASB Policy Service Response: 10-07-2019 8:32am Please see the attached revisions to CH(LOCAL) that incorporate the district's desired changes and changes that will be recommended in Update 114. To address the need for the district to have purchasing procedures on a variety of state and federal laws as recommended by TEA, new policy text requires the superintendent to develop appropriate procedures. Please note that BJA(LOCAL) permits the superintendent to delegate responsibilities to other employees as permitted by law; therefore, references to the superintendent's designee have been removed throughout. -----Original Message----- From: Rosario Pena Sent: Thursday, October 17, 2019 11:03 AM To: Martin C. Arambula <mcarambula@bisd.us> Cc: Maricela Zarate Puente <z@bisd.us>; David Robledo <drobledo@bisd.us>; Subject: RE: CH(LOCAL)</p> <p>Martin: I have discussed this policy with Mr. Robledo and have <u>agreed that we are going to mirror our local purchasing procedures</u>/Purchasing Levels. Attached please find what <u>we need to incorporate into the proposed changes</u> to CH (Local). Please find revision in bold red, and highlighted in yellow. <u>This will be discussed with Mr. Robledo and Dr. Cantu prior to presentation to Policy Committee Meeting.</u></p> <p>On Purchasing Authority: On single budgeted purchase of goods or services that costs \$50,000 or more – the Purchasing Dept is recommending to change to \$150,000</p>	<p>Action Update</p>
<p>6</p> <p>DC Local</p> <p>Pages 32-34</p>	<p>Requested by Board Member PCowen</p> <p>District Request: For TASB to PROPOSE ON RETIRE-REHIRE</p> <p>Best wishes, Carolyn From: Martin C. Arambula Sent: Friday, October 04, 2019 7:33 AM To: 'Carolyn Austin' <Carolyn.Austin@tasb.org> Cc: Melissa Saenz <msaenz@bisd.us> Subject: Retire Rehire Policy</p> <p>Good Morning Carolyn, I need your help, please. Received an email from administration (MZ) regarding a Board Request. As follows: " they (Board) wants TASB to formulate language to propose the adoption of local policy that addresses the rehiring of retired personnel only for areas of critical need shortages. Please add this request to the list that was already sent to TASB.</p>	<p>Action Update</p>

	POLICY UPDATE REQUESTS EXPLANATORY NOTES
--	---

DC Local	<p>10-07-19 3:22pm RETIRE-REHIRE TASB WROTE</p> <p>From: Carolyn Austin [mailto:Carolyn.Austin@tasb.org] Sent: Monday, October 07, 2019 8:29 AM To: Martin C. Arambula <mcarambula@bisd.us> Subject: RE: Retire Rehire Policy</p> <p>Martin --The quick answer is that <u><i>we would recommend addressing this in administrative regulations rather than board policy.</i></u> We generally recommend against putting provisions about retire-rehire in policy, since so much of what a district can and can't do is governed by TRS rules. It is certainly a district choice to determine what positions they'll make open to retire-rehires, but those positions would be more appropriately addressed in administrative regulations.</p>
---------------------	--

7 DH Local	<p>Requested by Inhouse Counsel - MS</p> <p>Action Update</p>
	<p>EMPLOYEE STANDARDS OF CONDUCT: RECORDINGS</p>
Pages 35-43	<p>District Request: For TASB to PROPOSE LANGUAGE on Recordings:</p>
Proposed Language	<p>TASB Policy Service Response: 10-07-2019 8:32am</p> <p>Because HB 1143 prohibits a district from regulating the manner in which a handgun, firearm, or ammunition is stored in a locked vehicle in a school parking area, provided the item is not in plain view, language requiring firearms to be unloaded has been deleted as part of Update 114 proposed revisions.</p>
Pages 42-43	<p>► I have added language regarding <u>audio/visual recordings.</u> The proposed sample language is somewhat different from what Brownsville developed. This sample is drawn from Policy Service files of locally developed policies and in response to your request. TASB Legal and Policy Services provide no assurance that this policy comports with law or is appropriate for your District. Policy Service samples and assistance provided by your policy consultant may not be considered as legal advice and are not intended as a substitute for advice of the District's legal counsel.</p> <p>The copy you sent me also deleted some language that is currently part of your policy at Violations of Standards of Conduct, saying that an employee that makes a false claim or refuses to cooperate with a district investigation may be subject to disciplinary action. I suspect you did not mean to delete this language (you adopted this language recently, probably in January 2019). We would recommend that you retain it.</p>

Policy	POLICY UPDATE REQUESTS EXPLANATORY NOTES	
<p>8</p> <p>DGBA Local</p> <p>Pages 44-50</p>	<p>Requested by Board Member SPA</p> <p>Request TASB Proposed language - 1) Clarify policy under DELEGATION – 90 Day Abatement - 2) Level I & II Hearing Officers by outside attorney/counsel 3) Include a Moderator at Level III 4) Introduction of New Evidence at Level III with a five (5) day notice beforehand</p> <p>TASB Policy Service Response: 10-07-2019 8:32am Please see the attached revision to DGBA(LOCAL), which <i>requires that the superintendent's investigation</i> of a grievance delegated to the Superintendent by the board <i>be concluded within 90 days</i> of the initial filing of the complaint. [I may have misunderstood your request here – please let me know if I have missed the mark.] You asked for sample policies from other districts that refer a Level One or Level Two complaint to outside counsel, and that require a moderator at Level Three. However, there appear to be <i>no districts that have such provisions in their policies</i>, so I cannot provide you with such sample language. I have revised provisions at Introduction of Evidence (under Level One) to allow for introduction of new evidence at Level One, Two, or Three. <i>Your policy already specifies</i> that new evidence must be received by the opposing party at least five business days prior to the upcoming hearing.</p>	<p>Action Update</p>
<p>9</p> <p>FNG Local</p> <p>Pages 51-57</p>	<p>Requested by Board Member SPA</p> <p>Request TASB Proposed language - 1) Clarify policy under DELEGATION – 90 Day Abatement - 2) Level I & II Hearing Officers by outside attorney/counsel 3) Include a Moderator at Level III 4) Introduction of New Evidence at Level III with a five (5) day notice beforehand</p> <p>TASB Policy Service Response: 10-07-2019 8:32am Please see the attached revision to FNG(LOCAL), including the addition of provisions for delegation and introducing new evidence. See comments above regarding DGBA(LOCAL) for further explanation.</p>	<p>Action Update</p>
<p>10</p> <p>GF Local</p> <p>Pages 58-63</p>	<p>Requested by Board Member SPA</p> <p>Request TASB Proposed language - 1) Clarify policy under DELEGATION – 90 Day Abatement - 2) Level I & II Hearing Officers by outside attorney/counsel 3) Include a Moderator at Level III 4) Introduction of New Evidence at Level III with a five (5) day notice beforehand</p> <p>TASB Policy Service Response: 10-07-2019 8:32am Please see the attached revision to GF(LOCAL), including the addition of provisions for delegation and introducing new evidence. See comments above regarding DGBA(LOCAL) for further explanation.</p>	<p>Action Update</p>

Policy	POLICY UPDATE REQUESTS EXPLANATORY NOTES	
<p>11 FFA Local</p> <p>Pages 64-66</p>	<p>Requested by Food Services Dept.</p> <p>STUDENT WELFARE: WELLNESS AND HEALTH SERVICES</p> <p>TASB Policy Service Response:</p> <p>-----Original Message----- From: Carolyn Austin [mailto:Carolyn.Austin@tasb.org] Sent: Tuesday, October 29, 2019 3:14 PM To: Martin C. Arambula <mcarambula@bisd.us> Subject: RE: Wellness Policy Materials</p> <p>Here is a version of FFA(LOCAL) that is ready to present to your board. It <u>includes an exception to the nutritional guidelines for foods and beverages sold to students during the school day as part of an authorized fundraising event.</u></p> <p>There are some minor variations in language from what you sent to me on September 17th, meant to comply with TASB's stylistic guidelines for policy.</p> <p>Best wishes, Carolyn</p> <p>District Request: 08-15-2019 Food Services is recommending to update policy so that the District may <u>be in compliance with Federal USDA guidelines #123</u>. Additionally, administration took the initiative to contact other school districts that have similar policies, i.e., Dallas ISD, McAllen ISD. TASB Policy Service Response: 10-07-2019 8:32am <u>The policy you attached is compliant with the most recent guidelines</u> for school wellness issued by the US Department of Agriculture in August 2016. You have chosen the most restrictive provisions regarding nutrition guidelines for foods and beverages sold, requiring all such foods or beverages to meet guidelines that are at least as restrictive as federal regulations and guidance. <u>This is perfectly allowed</u>. However, the majority of Texas districts have chosen to include an exception for foods and beverages sold during the school day for fundraising purposes – for example, a band candy sale. If you want to include an exception for fundraising, we recommend the following language: The District’s nutrition guidelines for reimbursable school meals and all other foods and beverages sold or marketed to students during the school day shall be designed to promote student health and reduce childhood obesity and shall be at least as restrictive as federal regulations and guidance, except when the District allows an exemption for fundraising activities as authorized by state and federal rules. [See CO and FJ]</p>	<p>Action Update</p>

Policy	POLICY UPDATE REQUESTS EXPLANATORY NOTES	
<p>12</p> <p>FNF Local</p> <p>Pages 67-68</p>	<p>Requested by Board Member SPA</p> <p>STUDENT RIGHTS AND RESPONSIBILITIES INVESTIGATIONS & SEARCHES</p> <p>• Board Member-<i>“Include a sentence requiring administration to contact parents within 24 hours after any student search.”</i></p> <p>TASB Policy Service Response: 10-07-2019 8:32am</p> <p>Please see the attached revisions to FNF(LOCAL). I have adapted language from our sample regulation at FNF. This language does not include a timeframe for contacting a student’s parent or guardian, and you may want to <u>consider omitting a timeframe</u>, given that notification depends on being able to reach a parent. The district might make good faith efforts to contact a parent but be <u>unable to do so within 24 hours because of parent inavailability</u>.</p>	<p>Action Update</p>

PROPOSED REVISIONS

Meeting Place and Time	<p>The notice for a Board meeting shall reflect the date, time, and location of the meeting.</p> <p>Upon request by four Board members, Board training, workshops, election canvass, special called meetings, and regular and re-scheduled Board meetings shall be called by the Board President and/or the Superintendent.</p>
Regular Meetings	<p>Regular meetings of the Board shall normally be held on the first Tuesday of each month at 5:30 p.m. When determined necessary by the Board President and for the convenience of Board members, the Board President may cancel or change the date, time, or location of a regular meeting. The notice for a canceled meeting shall reflect the cancellation. The notice for a rescheduled meeting shall reflect the changed date or time.</p>
Special or Emergency Meetings	<p>Special and emergency meetings shall be called by the Board President, or in case of the Board President's absence, the Vice President. In the absence of the Board President and Vice President, the Secretary shall call special and emergency meetings. The Board President shall determine when an emergency or urgent public necessity, as defined by law, warrants the meeting.</p>
Special Recognition Ceremony	<p>From time to time, the Board may want an opportunity to recognize students, parents, and any/all staff members for special achievement. Special recognition meetings of the Board shall normally be held on the second or third Tuesday of each month at 5:30 p.m.</p> <p>When determined necessary by the Board President and for the convenience of Board members, the Board President may cancel or change the date, time, or location of a special recognition meeting. The notice for a canceled meeting shall reflect the cancellation. The notice for a rescheduled meeting shall reflect the changed date or time.</p>
Agenda	
Deadline	<p>The deadline for submitting items for inclusion on the agenda is the sixth calendar day before regular meetings and the third calendar day before special meetings.</p>
Preparation	<p>In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. Any Board member may request that a subject be included on the agenda for a meeting, and the Superintendent shall include on the preliminary agenda of the meeting all topics that have been timely submitted by a Board member.</p>

BOARD MEETINGS

BE
(LOCAL)

For an item to be included on the agenda for a meeting, the written request **by one of two** Board members **supported by one additional Board member** is required. The member shall make an initial written request to the Superintendent and the Board Secretary. The Board Secretary shall then send the written request to each Board member at his or her e-mail address. Two other members shall make a written request supporting the item to be considered on the agenda. All written requests for agenda items and supporting information for agenda items shall be timely submitted in accordance with this policy.

Before the official agenda is finalized for any meeting, the Superintendent shall consult the Board President to ensure that the agenda and the topics included meet with the Board President's approval. In reviewing the preliminary agenda, the Board President shall ensure that any topics the Board or at least three Board members have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not have authority to remove from the agenda a subject requested by a Board member without the Board member's specific authorization.

Notice to Members

Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meeting and at least two hours prior to the time of an emergency meeting.

Closed Meeting

Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, in accordance with law.

The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BEC]

Order of Business

The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by consensus of Board members.

Rules of Order

The Board shall observe the parliamentary procedures as found in *Robert's Rules of Order, Newly Revised*, 11th Edition except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present. The rules in Article XII, Section 43 "Rules Governing Debate" are modified to limit the time each member may speak to a question for the first time to two minutes and the second time to one minute.

BOARD MEETINGS

BE
(LOCAL)

Refraining from
Attacking a
Member's Motives

Board members are to adhere to the following rules in this article. When a question is pending, a Board member can condemn the nature or likely consequences of the proposed measure in strong terms, but must avoid personalities and under no circumstances can attack or question the motives of another Board member. The measure, not the Board member, is the subject of debate. If a Board member disagrees with the statement by another in regard to an event that both witnessed, the Board member cannot state in debate the other's statement "is false." But the Board member might say, "I believe there is strong evidence that the member is mistaken." The moment the presiding officer hears such words as "fraud," "liar," or "lie" used about a Board member in debate, the presiding officer must act immediately and decisively to correct the matter and prevent its repetition.

Addressing All
Remarks Through
the Chair

Board members cannot address one another directly and must address all remarks through the presiding officer. If, while a Board member is speaking in debate, another Board member wishes to address a question to him, which the person speaking can permit or not as he or she chooses but is taken out of his or her time if he or she does, the Board member desiring to ask the question should rise and address the chair, proceeding as explained under request for information.

Refraining from
Disturbing the
Assembly

During debate, during remarks by the presiding officer to the assembly, and during voting, no Board member shall be permitted to disturb the assembly by whispering, walking across the floor, or any other disturbance. The key words here are disturb and assembly. This rule shall not mean that Board members shall never whisper or walk from one place to another in the hall during the deliberations of the assembly. At large meetings, it would be impossible to enforce such a rule. However, the presiding officer shall watch that such activity does not disturb the meeting or hamper the transaction of business.

Voting

Voting may be by electronic vote, voice vote, or show of hands, as directed by the Board President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request. [See BDAA(LOCAL) for the Board President's voting rights]

Consent Agenda

When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda. A 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.

Minutes

The following shall apply to Board minutes:

1. The minutes of each meeting shall be taken by the Board clerk and shall contain a summary of the action of the Board with motions and results of votes.
2. A narrative style of writing the minutes shall be used with background material included as necessary.
3. Unapproved minutes shall be unofficial until acted upon by the Board.
4. Minutes shall be approved (corrections and deletions made) at the following regular meetings.
5. Minutes of previous meetings and the agenda for each regular meeting shall be submitted to each Board member and the Board attorney in writing or otherwise in sufficient time for careful review by each member and the attorney before the stated meeting.
6. Items on the agenda of a routine nature shall be so designated; any other items shall carry a brief explanation as to who submitted the items and the reason therefore.

The official minutes of the Board shall be retained on file in the office of the Superintendent and shall be available for examination during regular office hours.

Media Coverage

Local news media representatives shall be welcome to attend all regular, special, and other meetings of the Board. In the event that representatives of the news media are unable to attend a meeting of the Board, they shall be provided a summary of important Board actions.

Discussions and Limitation

Discussions shall be addressed to the Board President and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Board President shall halt discussion that does not apply to the business before the Board.

The Board President shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the Board President shall not interfere with debate so long as members wish to address themselves to an item under consideration.

PROPOSED REVISIONS

Board meetings are held to transact the business of the District and are open to the public except when closed meetings are permitted by law. [See BEC] Citizens shall be allowed to address the Board during the audience participation portion of the meeting described below or by requesting a place on the agenda as outlined below.

Limit on Participation

Audience participation at a Board meeting is limited to the public comment portion of the meeting designated for that purpose and to those individuals who are on the agenda. 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 requested by the presiding officer.

Public Comment

~~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.~~

The board shall provide a reasonable time to permit public comment. At regular or special called 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 on the sign-in sheet provided specifically the topics or topics about which they wish to speak.

Public Comment period shall take place at the beginning of the meeting, once the agenda has been approved at the meeting.

Public Comment shall be limited to those items or topics which are on the agenda, whether or not those items involve board approval.

The time allowed per person making public comments shall not exceed three minutes, nor be less than one minute not to exceed 30 minutes. As such, delegations and groups desiring to speak should try to use the public comment wisely and judiciously, so that as many persons as possible have the opportunity to make their comments.

The Supt or Board designee shall inform public speakers the amount of time allotted prior to public comment based on the number of speakers.

The board secretary shall inform the board president when 30 minutes have lapsed.

Once the 30 minute public comment period is concluded, the board secretary shall publically announce that the public comment period is ended and shall then announce the next item on the agenda, after which the board president shall commence the meeting.

No presentation shall exceed five 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.

Agenda Presentation

A request to place an item on the agenda in order to address the Board shall be made in writing to the Superintendent's office at least three days before the agenda is prepared. [See BE] The request shall include the person's name, address, telephone number, and the subject matter to be presented. If a citizen's request has been scheduled on the agenda, the Board shall make whatever response or take whatever action it deems appropriate to handle the matter.

Robert's Rules of Order

Points made on topics during presentations are to be made in a constructive and courteous fashion pursuant to *Robert's Rules of Order*.

Complaints and Concerns

The presiding officer or designee shall determine whether a person addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the person shall be referred to the appropriate policy (see list below) to seek resolution:

Employee complaints: DGBA

Student or parent complaints: FNG

Public complaints: GF

Disruption

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least ~~one~~ two warnings from the presiding officer, any person continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the person removed from the meeting.

Sargeant at Arms

The Board shall select a sargeant at arms among it's members who shall enforce and implement this policy during a meeting.

SAMPLE POLICY

Limit on Participation

Audience participation at a Board meeting is limited to the portion of the meeting designated to receive public comment in accordance with this policy. 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 requested by the presiding officer.

Public Comment

At all Board meetings, public comment shall be limited to items on the agenda posted with notice of the meeting.

Procedures

Individuals who wish to participate during the portion of the meeting designated for public comment shall sign up with the presiding officer or designee before the meeting begins as specified in the Board's procedures on public comment and shall indicate the agenda item on which they wish to address the Board.

Public comment shall occur at the beginning of the meeting.

Except as permitted by this policy and the Board's procedures on public comment, an individual's comments to the Board shall not exceed [S time limit for individual comment] per meeting.

Meeting Management

When necessary for effective meeting management or to accommodate large numbers of individuals wishing to address the Board, the presiding officer may make adjustments to public comment procedures, including adjusting when public comment will occur during the meeting, reordering agenda items, continuing agenda items to a later meeting, providing expanded opportunity for public comment, or establishing an overall time limit for public comment and adjusting the time allotted to each speaker. However, no individual shall be given less than one minute to make comments.

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

The presiding officer or designee shall determine whether an individual addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the individual shall be referred to the appropriate policy to seek resolution:

- Employee complaints: DGBA
- Student or parent complaints: FNG
- Public complaints: GF

Disruption

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any individual continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the individual removed from the meeting.

BOARD INTERNAL ORGANIZATION
CITIZEN ADVISORY COMMITTEES

BDF
(LOCAL)

The Board may appoint citizen advisory committees. The Board shall approve the charters of such groups or shall establish operating guidelines and shall include such charters or guidelines as exhibits in the District's policy manual.

**School Health
Advisory Council**

A board shall establish a local School Health Advisory Council (SHAC) to assist a district in ensuring that local community values are reflected in the district's health education instruction. *Education Code 28.004(a)* [See EHAA regarding duties of the SHAC.]

The SHAC shall meet at least four times each year. *Education Code 28.004(d-1)*

Composition

A board shall appoint at least five members to the SHAC. A majority of members must be parents of students enrolled in the district and must not be employed by the district. One of those members shall serve as chair or co-chair of the SHAC.

A board may also appoint one or more public school teachers, public school administrators, district students, health-care professionals, members of the business community, law enforcement representatives, senior citizens, clergy, representatives of nonprofit health organizations, representatives of local domestic violence programs, or representatives of another group.

Education Code 28.004(d)

Physical Activity
and Fitness
Planning
Subcommittee

The SHAC shall establish a physical activity and fitness planning subcommittee to consider issues relating to student physical activity and fitness and make policy recommendations to increase physical activity and improve fitness among students. *Education Code 28.004(l-1)*

Annual Report

In addition to its other duties, the SHAC shall submit to the board, at least annually, a written report that includes:

1. Any SHAC recommendation concerning the district's health education curriculum and instruction or related matters that the SHAC has not previously submitted to the board;
2. Any suggested modification to a SHAC recommendation previously submitted to the board;
3. A detailed explanation of the SHAC's activities during the period between the date of the current report and the date of the last prior written report; and
4. Any recommendations made by the physical activity and fitness planning subcommittee.

Education Code 28.004(m)

Changes in
Curriculum

A district must consider the recommendations of the local SHAC before changing the district's health education curriculum or instruction. *Education Code 28.004(b)*

Public Statement

A district shall publish in the student handbook and post on the district's internet website, if the district has an internet website, a statement of:

1. District policies adopted to ensure that elementary school, middle school, and junior high school students engage in at least the amount and level of physical activity required by Education Code 28.002(l) [see EHAB and EHAC];
2. The number of times during the preceding year the SHAC has met;
3. Whether the district has adopted and enforces policies to ensure compliance with the Texas Education Agency's vending machine and food service guidelines for restricting student access to vending machines;
4. Whether the district has adopted and enforces policies and procedures that prescribe penalties for the use of e-cigarettes, as defined at Education Code 38.006, and tobacco products by students and others on school campuses or at school-sponsored or school-related activities [see DH and GKA]; and
5. Notice to parents that they can request in writing their child's physical fitness assessment results at the end of the school year [see FFAA].

Education Code 28.004(k)

PROPOSED REVISION

Within the context of current law, the District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Organization

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

[At each policy code the legally referenced policy and the Board-adopted local policy must be read together to further a full understanding of a topic.](#)

Terms

The terms "Trustee" and "Board member" are used interchangeably in the local policy manual. Both terms are intended to reflect all the duties and obligations of the office.

[See AB for District name terminology.]

Harmony with Law

Newly enacted law is applicable when effective. No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

Severability

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application; and to this end the provisions of this policy manual are declared to be severable.

[Where there is a conflict between legal requirements of the law, and local policy, legal policy shall always prevail. In those instances, the administration shall bring this conflict to the attention of the Board President and the Board Policy Committee Chair to address the matter at the next Policy Committee meeting.](#)

Policy Development

Policies and policy amendments may be initiated by the Superintendent, Board members, school personnel, or community citizens, but generally shall be recommended for the Board's consideration by the Superintendent, [or through the normal TASB Updates received by the District. Any changes to local policy, new policies, or deletions of current policies shall be reviewed by the Texas Association of School Boards Policy.](#)

BOARD POLICIES

BF
(LOCAL)

Policy Format

Revisions must be presented so that they clearly outline the deletions, additions, and rewording. The preferred method of presenting the proposed revision is TASB's legislative fashion where words to be deleted are drawn through and words to be added are underscored; likewise, paragraphs to be deleted are drawn through and paragraphs to be added are underscored.

Official Policy Manual

The Board shall designate one copy of the local policy manual as the official policy manual of the District. The official copy shall be kept in the central administration office, and the Superintendent or designee shall be responsible for its accuracy and integrity and shall maintain a historical record of the District's policy manual.

Adoption and Amendment

Proposed local policies or amendments shall be introduced and recommended to the Board policy committee. The recommended policies shall then be presented to the Board for adoption at a subsequent meeting.

The Superintendent, or his/her designee, shall notify the Policy Board Chair of any TASB Updates no later than the second working day after such updates are received. Within five days after receiving a TASB Policy Update, the Superintendent, or his or her designee, shall send a copy of the policy updates to all board members, including any administration recommended changes which may differ from those recommended by TASB.

The Superintendent, on his or her own or through his or her designee, in consultation with the policy chairperson, shall call a Board Policy Committee meeting so that the board may review any TASB Updates and policy changes prior to the next regularly scheduled board meeting.

Exception

~~Local policies may be adopted or amended by a majority of the Board at any regular or special meeting, provided that Board members have had advance written notice of the proposed change and that it has been placed on the agenda for such meeting.~~

Local policies become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

TASB Localized Updates

After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained by the District. If discrepancies occur between different copies of the manual, the version contained in the official policy manual shall be regarded as authoritative.

Board Policy Chair

The Board President shall appoint a board member to facilitate the policy committee. The policy committee chair shall work and carry

out the committee's work in accordance with District policy. Responsibilities include the overall planning, implementation, and coordination of District-related policy issues, including relevant policy matters proposed by the Texas Association of School Boards (TASB), board members, District staff, and legal counsel.

Policy Requests

~~Board members requesting policy review shall submit a request form BF(EXHIBIT). The Board policy chair shall have discretion on policy requests by Board members, District personnel, or legal counsel proposing to develop, review, or update an existing policy in response to community, individual, or District concerns.~~

Policy Committee Meeting

All policies shall first be presented for review at the policy committee meeting. The Board policy chair, when appropriate, shall call for a policy committee meeting to review and consider proposed policies submitted by TASB, Board members, District staff, or legal counsel.

Discretionary Review

In consultation with the Board President, the Board policy chair shall have authority to request a policy review from TASB to clarify whether there is relevant support on a proposed policy.

Board Member Consideration

Board members shall consider the recommendations of District administrators, input from TASB policy and legal services, and the advice of the District's legal counsel~~s~~.

Policy Adoption

After policies have been vetted at the policy committee meeting, policies shall be presented at the next Board meeting for adoption.

Approval for Placement on the Board Agenda

When a proposed policy addition or revision is submitted for placement on the Board agenda, the following guidelines shall have been reviewed by the policy committee:

1. ~~Whether~~ ~~the~~ proposed policy is legally correct;
2. ~~Whether~~ ~~the~~ proposed policy has been properly classified, coded, and prepared in policy format;
3. ~~Whether~~ ~~the~~ proposed policy conforms with the District's stated philosophy, goals, ~~and~~ objectives, ~~practices~~; and
4. ~~Whether~~ ~~the~~ new policy ~~contradicts another policy.~~ ~~shall not create confusing contradictions with the text of any other policies. If it does, then this must be clarified within the proposed policy recommendation, or additional revisions must be included.~~

Superintendent Request

A policy may be presented at a Board meeting as a recommendation from the Superintendent after policies have been originated at the policy committee meeting or any point in the process. ~~All policy~~

BOARD POLICIES

BF
(LOCAL)

requests shall be vetted through TASB, as noted above under the section label "Adoption and Amendment".

Urgent Policy Requests

All requests for new and revised policies that may be of an urgent nature or of significant impact, and those that will be needed by specific deadlines, may be prepared and submitted as individual agenda items for review or adoption. All requests shall be vetted through TASB, as noted above under the section label "Adoption and Amendment".

~~After approval by the Superintendent, the District's policy office shall prepare and draft the proposed policy and prepare an agenda item on the policy for the Board to review or adopt.~~

Suspension of Policy

The Board by a majority vote at any properly convened meeting may suspend a local policy if the action being taken adheres to federal and state law and is in the best interests of the District.

Within the context of current law, the District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Organization

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

At each policy code the legally referenced policy and the Board-adopted local policy must be read together to further a full understanding of a topic.

Terms

The terms "Trustee" and "Board member" are used interchangeably in the local policy manual. Both terms are intended to reflect all the duties and obligations of the office.

[See AB for District name terminology.]

Harmony with Law

Newly enacted law is applicable when effective. No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

Severability

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application; and to this end the provisions of this policy manual are declared to be severable.

Policy Development

Policies and policy amendments may be initiated by the Superintendent, Board members, school personnel, or community citizens, but generally shall be recommended for the Board's consideration by the Superintendent.

Official Policy Manual

The Board shall designate one copy of the local policy manual as the official policy manual of the District. The official copy shall be kept in the central administration office, and the Superintendent or designee shall be responsible for its accuracy and integrity and shall maintain a historical record of the District's policy manual.

Adoption and Amendment

Local policies may be adopted or amended by a majority of the Board at any regular or special meeting, provided that Board members have had advance written notice of the proposed change and that it has been placed on the agenda for such meeting.

Local policies become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

BOARD POLICIES

BF
(LOCAL)

TASB Localized
Updates

After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained by the District. If discrepancies occur between different copies of the manual, the version contained in the official policy manual shall be regarded as authoritative.

PROPOSED REVISIONS

Purchasing Authority

The Board delegates to the Superintendent ~~or designee~~ the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services that costs \$50,000 or more, which is not acquired using one of the procurement methods outlined in state and federal law, shall require Board approval before a transaction may take place, except for the purchase of ~~fuel, child nutrition services,~~ produce, and ~~utilities.~~ **fuel.**

Any single budgeted purchase of goods or services that costs \$50,000 or more and is acquired through a Board-approved interlocal agreement or cooperative purchasing program shall have three written quotes.

The Board does not delegate to the Superintendent the authority to hire outside counsel.

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 ~~or designee~~ the authority to determine the method of purchasing in accordance with CH(LEGAL).

Competitive Bidding

If competitive bidding is chosen as the purchasing method, the Superintendent ~~or designee~~ shall prepare bid specifications. All bids shall be in accordance with administrative regulations. 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.

Competitive Sealed Proposals

If competitive sealed proposals are chosen as the purchasing method, the Superintendent ~~or designee~~ shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations. 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.

PURCHASING AND ACQUISITION

CH
(LOCAL)

The District may reject any and all proposals.

*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 and federal 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 or designee on a properly drawn and issued purchase order, 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.

EMPLOYMENT PRACTICES

DC
(LOCAL)

Personnel Duties

The Superintendent shall define the qualifications, duties, and responsibilities of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.

All positions shall be listed in the annual District compensation plan. All employees shall have an approved job description at the time of employment and/or assignment.

Prior to Posting

Any position not listed in the approved compensation plan shall be presented to the Board for approval prior to posting.

Posting Vacancies

The Superintendent or designee shall advertise employment opportunities and post notices of vacancies in accordance with established procedures and Equal Employment Opportunity Commission (EEOC) requirements. The guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates.

Current District employees may apply for any vacancy for which they have the appropriate qualifications. All advertised positions shall be posted on the District's website for no fewer than ten school days.

All positions on the administrative and professional salary schedule shall be advertised within the District and may be advertised outside the District unless otherwise directed by the Board.

Lateral Transfers

Advertising of vacancies shall not be required for positions involved in lateral reassignments provided that:

1. The person has the proper certification for the position; and
2. The jobs are in the same pay grade.

Applications

All applicants for employment must complete an online application furnished through the District's website. The application shall be designed to elicit all pertinent information about the applicant. When applicants are equally qualified for a position, veterans retiring and/or exiting from military service who are honorably discharged shall be extended a hiring preference. The following information should be included:

1. A complete statement of all employment during the preceding five years, including specific dates for each position;
2. Sufficient references to provide a clear assessment of the professional and personal qualifications of the applicant; and
3. Whether the employee has ever been convicted of or pled guilty or no contest (nolo contendere) to, or received probation, suspension, or deferred adjudication for a felony.

EMPLOYMENT PRACTICES

DC
(LOCAL)

It shall be the responsibility of the applicant to furnish accurate information, and any falsification of either information or credentials shall be cause for dismissal or refusal to employ.

[For information related to the evaluation of criminal history records, see DBAA.]

Equal Employment Opportunity Policy

Race, creed, color, age, religion, marital status, national origin, sex, or physical disability, except in situations where such disability will constitute an employment liability, shall not be considered in judging eligibility. [See DIA]

Interview

Only selected applicants shall be granted interviews. An interview shall be a prerequisite for employment and may be conducted in person, by video tape, by computer interaction, or by telephone.

Employment Requirements

All employees shall meet the requirements specified by the District for the positions for which they are hired.

Polygraph Tests

Applicants for certain positions may be requested to take a polygraph examination after a tentative offer of employment is made by the District.

Selection and Employment

Contractual

The Board delegates to the Superintendent final authority to hire staff on the teacher pay scale, all contractual personnel from pay grade Level 3 and below, and all noncontractual personnel.

The Superintendent shall have the sole authority to make recommendations to the Board regarding the selection of contractual personnel from pay grade Level 4 and above. The Board retains final authority for employment of contractual personnel for pay grade Level 4 and above.

Noncontractual

The Board retains final authority for employment and dismissal, based on the Superintendent's recommendations, of noncontractual personnel whose positions are on the special assignment/administrative salary schedule.

The Board shall delegate to the Superintendent final authority to employ and dismiss all other noncontractual employees on an at-will basis. In cases of dismissal, the Superintendent shall receive written recommendations from the appropriate personnel in the District's organizational chart. An individual, including the Superintendent, who is recommending dismissal of a noncontractual, at-will employee shall adhere to all administrative procedures and guidelines. [See DCD]

Employment Assistance Prohibited

No District employee shall assist another employee of the District or of any school district in obtaining a new job if the employee knows, or has probable cause to believe, that the other employee

EMPLOYMENT PRACTICES

DC
(LOCAL)

engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative or personnel file does not violate this prohibition. [See CJ for prohibitions relating to contractors and agents and DH(EXHIBIT) for the Educators' Code of Ethics.]

Resignation or Retirement in Lieu of Termination

An employee who retired or resigned in order to avoid termination shall not be eligible for reemployment with the District.

Reappointment

Reappointment shall mean the rehiring of a District employee, who, following the initial appointment experienced a break in service resulting from resignation, termination, or expiration of term. A leave of absence of any type shall not be considered a break in service. An employee who has been terminated under this provision must have used his or her entitlement to due process.

Eligibility for Reappointment

At the discretion of the Superintendent or designee, a terminated employee who is eligible after three years for rehire and who wishes to be considered for reemployment with the District will be eligible for rehire if he or she submits an application and is recommended for employment for which he or she is qualified.

General Guidelines

PROPOSED REVISIONS

Employees shall be courteous to one another and the public, working together in a cooperative spirit to serve the best interests of the District. The District holds all employees accountable to the Educators' Code of Ethics. [See DH(EXHIBIT)]

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

Each District employee shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

**Employee
Responsibilities**

Every employee shall be responsible for:

1. Arriving at work on time every day and following attendance procedures;
2. Satisfactorily completing the duties as specified by the job description and/or contract, if any;
3. Relating to colleagues and supervisors with respect, courtesy, and in a professional manner;
4. Spending the workday on work-related activities to the exclusion of personal business;
5. Dressing in a manner that is appropriate for the job assignment, that reflects positively on the District, and that includes the use of all issued safety equipment;
6. Recognizing that employment with the District is not guaranteed, but is dependent on employee performance, budget, and need;
7. Following the established rules of behavior for the District and society in general as defined by local, state, and federal laws;
8. Conducting their duties in a safe manner, following the District's general safety policies and department rules regarding proper use of approved safety equipment and apparel; and
9. Following the directives of the supervisor.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Violations of Standards of Conduct

Each employee shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to his or her status as a District employee. Violation of any policies, regulations, or guidelines, including intentionally making a false claim, offering a false statement, or refusing to cooperate with a District investigation, may result in disciplinary action, including termination of employment. [See DCD and DF series]

Weapons Prohibited

The District prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

Exceptions

No violation of this policy occurs when:

1. Use or possession of a firearm by a specific employee is authorized by Board action; [See CKE]
2. A District employee who holds a Texas handgun license stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, provided the handgun or other firearm is not ~~loaded and not~~ in plain view; or
3. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

Electronic Communication

Use with Students

A certified employee, licensed employee, or any other employee designated in writing by the Superintendent or a campus principal may use electronic communication, as this term is defined by law, with currently enrolled students only about matters within the scope of the employee's professional responsibilities.

Unless an exception has been made in accordance with the employee handbook or other administrative regulations, an employee shall not use a personal electronic communication platform, application, or account to communicate with currently enrolled students.

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who are currently enrolled in the District. The employee handbook or other administrative regulations shall further detail:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with individual students or student groups;

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. Other matters deemed appropriate by the Superintendent or designee.

In accordance with ethical standards applicable to all District employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

An employee shall have no expectation of privacy in electronic communications with students. Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic communication. [See CPC]

Personal Use

All employees shall be held to the same professional standards in their public use of electronic communication as for any other public conduct. If an employee's use of electronic communication violates state or federal law or District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Personal
Telecommunication
Devices

Definition

A personal, non-District, or unauthorized telecommunications device is a piece of equipment that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor and is not issued or authorized by the District as required for the normal discharge of the employee's duties.

Use

An employee shall not interrupt the performance of his or her duties, or leave the classroom or other work site, to answer, respond to, or use a personal, non-District, or unauthorized telecommunications device. The use of personal telecommunications devices shall not interfere with the employee's fulfillment of assigned duties. In the interest of safety, no District employee shall use a personal, non-District, or unauthorized telecommunications device while driving a District vehicle or a personal vehicle while on District business. [See CNB and CNC]

Reporting Improper
Communication

In accordance with administrative regulations, an employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Disclosing Personal Information	An employee shall not be required to disclose his or her personal email address or personal phone number to a student.
Outside Activities	An employee shall conduct his or her outside activities and affairs in a manner that does not adversely affect the employee's professional status or daily performance of instructional duties.
Profanity	When dealing with staff and students, an employee shall not use profane language nor engage in obscene conversations on the job.
Reports of Misconduct	The Board encourages employees and others connected with the District to bring forward reports in the form of complaints, comments, and suggestions in order to maintain effective and efficient operations, free from disruptions that detract from the District's main objective of educating children.
Workplace Bullying	<p>The District considers workplace bullying to be unacceptable and shall not tolerate it under any circumstances.</p> <p>Workplace bullying shall be defined as engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs in the workplace that:</p> <ol style="list-style-type: none">1. Has the effect or will have the effect of physically harming another employee, damaging the employee's property, or placing the employee in reasonable fear of harm to the employee's person or of damage to the employee's property;2. Is sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive work environment for the employee;3. Exploits an imbalance of power between the employee perpetrator and the employee victim through written or verbal expression or physical conduct; or4. Interferes with the victim's employment or substantially disrupts the operation of the work location. <p>Workplace bullying shall not include the legitimate exercise of employee management, including task assignment, employee coaching, and work-related employee discipline.</p>
Disruptive Activity	A staff member who instigates or otherwise incites disruptive activity involving staff or students on school property or at a school event shall be subject to disciplinary action by the Superintendent and the Board.
Safety Requirements	Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Harassment or Abuse

An employee shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees. [See DIA]
2. Students. [See FFH; see FFG regarding child abuse and neglect.]

While acting in the course of employment, an employee shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

An employee shall report child abuse or neglect as required by law. [See FFG]

Relationships with Students

An employee shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH]

As required by law, the District shall notify the parent of a student with whom an educator is alleged to have engaged in certain misconduct. [See FFF]

Tobacco and E-Cigarettes

An employee shall not smoke or use tobacco products or e-cigarettes on District property, in District vehicles, or at school-related activities. [See also GKA]

Alcohol and Drugs / Notice of Drug-Free Workplace

As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Arrests, Indictments, Convictions, and Other Adjudications, below.

An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on District property or at school-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

Exceptions

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.

Sanctions

An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:

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

Notice

Employees shall receive a copy of this policy.

A copy of this policy, a purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

An employee who tests positive for prohibited drugs and/or alcohol shall be subject to termination, except when an employee voluntarily admits to alcohol or illegal drug use and commences counseling or rehabilitation prior to an event that leads to the initiation of any alcohol or drug testing. Such an employee must thereafter refrain from using alcohol and/or illegal drugs.

**Unauthorized
Persons on District
Premises**

A District employee shall not bring his or her own relative, personal aide, or hired helper to assist the employee in the performance of duties on District premises or at school-sponsored activities without prior approval from the principal/work location supervisor and/or Human Resources Department.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Money Lending	The District prohibits loans made by one employee to another with the intent of collecting interest.
Annual Criminal History Record Check	An annual criminal background check shall be conducted on all active personnel who do not have electronic fingerprints on file with the Texas Department of Public Safety.
Review Committee	A review committee will assess the records of employees found to have criminal records that may bar them from continued employment in the District.
Responsibility to Report Charges	<p>An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:</p> <ol style="list-style-type: none">1. Crimes involving school property or funds;2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or4. Crimes involving moral turpitude, which include:<ul style="list-style-type: none">• Dishonesty; fraud; deceit; theft; misrepresentation;• Deliberate violence;• Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;• Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;• Felony driving while intoxicated (DWI); or• Acts constituting abuse or neglect under the Texas Family Code.
Reassignment Pending Final Disposition	An employee shall be subject to being temporarily reassigned when the District becomes aware of any pending charge, previous conviction, or deferred adjudication. The decision to reassign an employee shall be made by the appropriate direct report to the Superintendent or designee.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

**Determination Upon
Final Disposition**

A determination regarding what action, if any, to take shall be made after the final disposition of the pending charge(s) or, in the case of a conviction or deferred adjudication, after a recommendation is made to the Administrator in charge, Human Resources (HR), by the criminal history review committee. In the case of an employee, final disposition of pending charges means a conviction, deferred adjudication, or dismissal of the charges. An employee's completion of probation or other sentencing is not required for a final disposition by the District.

Dress and Grooming

An employee's dress and grooming shall be clean, neat, in a manner appropriate for his or her assignment, and in accordance with the following standards of dress and hygiene:

1. An employee shall dress in neat clean clothing in good state of repair and appropriate for the assignment and safety of the job.
2. Good personal hygiene shall be expected of each employee, including well-groomed, neatly trimmed hair. Men are allowed to wear a neatly trimmed mustache or beard.

Additional standards shall be established by supervisors and approved by the Superintendent.

**Audio and Video
Recording Devices**

An employee shall not make an audio or video recording of a parent, community member, or District employee without the knowledge of the individual being recorded. The recording party shall provide a copy of the recording to the individual being recorded upon written request. Release of the recording shall be subject to Board policy and state and federal confidentiality laws, including, but not limited to, the Texas Public Information Act and the Family Educational rights and Privacy Act (FERPA). The audio or video recording of students shall be in accordance with board policy FI. Uses of audio or video recordings shall be in compliance with board policy and state and federal laws. The audio recordings of employee complaint conferences shall be in accordance with law and Board policy. [See DGBA]

An employee who is the subject of or a witness to a matter being investigated by District personnel or its agents shall be prohibited from electronically recording an authorized investigative interview conducted by District personnel or its agents. An employee may request that administration staff conducting the interview record the investigative interview. The District shall maintain custody of the recorded statement in accordance with the District's records retention policy and keep the recording confidential to the extent allowed

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

by law. Upon written request, the employee may be provided access to the interview recording. Release of this information by an employee is subject to Government Code Section 552.023, prohibiting dissemination of the recording to unauthorized third parties.

**Violation of Audio
and Video
Recording Policy**

Violation of the audio and video recording policy shall result in disciplinary action, including a reduction in an evaluation.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Complaints	In this policy, the terms "complaint" and "grievance" shall have the same meaning.
Other Complaint Processes	<p>Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:</p> <ol style="list-style-type: none">1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.4. Complaints concerning instructional resources shall be submitted in accordance with EF.5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.
Notice to Employees	The District shall inform employees of this policy through appropriate District publications.
Delegation	The Board delegates to the Superintendent the ability to abate a grievance timely filed when in his or her opinion adequate resolution of the grievance will be aided by the results of an investigation. Such investigation shall be conducted expeditiously to bring prompt closure to the grievance process. District employees shall receive periodic and timely updates.
Guiding Principles Informal Process	The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who

**PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES**

**DGBA
(LOCAL)**

has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

**Direct
Communication with
Board Members**

Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

Formal Process

An employee may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

**Freedom from
Retaliation**

Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

**Whistleblower
Complaints**

Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint.
[See DG]

**Complaints Against
Supervisors**

Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.

**General Provisions
Filing**

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance shall be "day one." The following District business day shall be "day two."

With regard to administration time lines requiring the setting of grievances or responses required herein by the administration, the day a document is filed shall be "day one." The following business day shall be "day two."

Representative

"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.

The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Consolidating
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice. Such appeal shall be limited to the issue of timeliness. A grievant who is untimely a second time shall not be eligible to continue the complaint process.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and
Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refile is within the designated time for filing.

Audio Recording

As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within 15 days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Introduction of
Evidence

All parties must introduce all evidence at Level One of the grievance procedure. If a grievance is filed because of a written document received from the employee's supervisor, all evidence must also be introduced at Level One of the grievance procedure. All other grievances that are filed with the administration may introduce evidence at Level One and/or Level Two. All parties may introduce new evidence if the new evidence occurred after the previous hearing date. The new evidence must be received by the opposing party at least five business days prior to the upcoming hearing.

Level Two

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The grievant has the right to ask for an open or closed hearing before the Board.

The Board shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

Complaints

In this policy, the terms "complaint" and "grievance" shall have the same meaning.

Other Complaint Processes

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FNG after the relevant complaint process:

1. Complaints alleging discrimination or harassment based on race, color, gender, national origin, disability, or religion shall be submitted in accordance with FFH.
2. Complaints concerning dating violence shall be submitted in accordance with FFH.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning disciplinary placement shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
8. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.
10. Complaints concerning instructional resources shall be submitted in accordance with EF.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Notice to Students and Parents

The District shall inform students and parents of this policy through appropriate District publications.

Guiding Principles

Informal Process

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Formal Process

A student or parent may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student or parent fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the student's or parent's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the student's or parent's email address of record, or sent by U.S. Mail to the student's or parent's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance shall be "day one." The following District business day shall be "day two."

With regard to administration time lines requiring the setting of grievances or responses required herein by the administration, the day a document is filed shall be "day one." The following business day shall be "day two."

Representative

"Representative" shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.

The student or parent may designate a representative through written notice to the District at any level of this process. If the student or parent designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Consolidating
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file separate or serial complaints arising from any event or series of

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

	<p>events that have been or could have been addressed in a previous complaint.</p>
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process. The student or parent may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice. Such appeal shall be limited to the issue of timeliness.</p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
Complaint and Appeal Forms	<p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student or parent unless the student or parent did not know the documents existed before the Level One conference.</p> <p>A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.</p>
Level One	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none">1. Within 15 days of the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and2. With the lowest level administrator who has the authority to remedy the alleged problem. <p>In most circumstances, students and parents shall file Level One complaints with the campus principal.</p> <p>If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.</p> <p>If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint</p>

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the student or parent within 15 days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the student or parent did not receive the relief requested at Level One or if the time for a response has expired, the student or parent may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The student or parent may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the student or parent at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the student or parent may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the student or parent did not receive the relief requested at Level Two or if the time for a response has expired, the student or parent may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the student or parent of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The student or parent may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student or parent and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the student or parent or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

PUBLIC COMPLAINTS

GF
(LOCAL)

Complaints

In this policy, the terms "complaint" and "grievance" shall have the same meaning.

Other Complaint Processes

Complaints by members of the public shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with GF after the relevant complaint process:

1. Complaints concerning instructional resources shall be filed in accordance with EF.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be filed in accordance with CKE.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Guiding Principles

Informal Process

The Board encourages the public to discuss concerns with an appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Formal Process

An individual may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall

PUBLIC COMPLAINTS

GF
(LOCAL)

be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the individual's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the individual's email address of record, or sent by U.S. Mail to the individual's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance shall be "day one." The following District business day shall be "day two."

With regard to administration time lines requiring the setting of grievances or responses required herein by the administration, the day a document is filed shall be "day one." The following business day shall be "day two."

Representative

"Representative" shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.

The individual may designate a representative through written notice to the District at any level of this process. If the individual designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Consolidating
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

PUBLIC COMPLAINTS

GF
(LOCAL)

Untimely Filings All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice. Such appeal shall be limited to the issue of timeliness.

Costs Incurred Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the individual unless the individual did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

Level One Complaint forms must be filed:

1. Within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the individual within 15 days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

PUBLIC COMPLAINTS

GF
(LOCAL)

Absent extenuating circumstances, the administrator shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the individual did not receive the relief requested at Level One or if the time for a response has expired, he or she may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The individual may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the individual at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

PUBLIC COMPLAINTS

GF
(LOCAL)

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the individual did not receive the relief requested at Level Two or if the time for a response has expired, he or she may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The individual may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the individual notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three

PUBLIC COMPLAINTS

GF
(LOCAL)

presentation. The Level Three presentation, including the presentation by the individual or his or her representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

PROPOSED POLICY

The District shall support the general wellness of all students by implementing measurable goals to promote sound nutrition and student health and to reduce childhood obesity.

[See EHAA for information regarding the District's coordinated school health program.]

Development, Implementation, and Review of Guidelines and Goals

The local school health advisory council (SHAC), on behalf of the District, shall review and consider evidence-based strategies and techniques and shall develop nutrition guidelines and wellness goals as required by law. In the development, implementation, and review of these guidelines and goals, the SHAC shall permit participation by parents, students, representatives of the District's food service provider, physical education teachers, school health professionals, members of the Board, school administrators, and members of the public.

[See BDF for required membership of the SHAC.]

Wellness Plan

The SHAC shall develop a wellness plan to implement the District's nutrition guidelines and wellness goals. The wellness plan shall, at a minimum, address:

1. Strategies for soliciting involvement by and input from persons interested in the wellness plan and policy;
2. Objectives, benchmarks, and activities for implementing the wellness goals;
3. Methods for measuring implementation of the wellness goals;
4. The District's standards for foods and beverages provided, but not sold, to students during the school day on a school campus; and
5. The manner of communicating to the public applicable information about the District's wellness policy and plan.

The SHAC shall review and revise the plan on a regular basis and recommend revisions to the wellness policy when necessary.

Nutrition Guidelines

Foods and Beverages Sold

The District's nutrition guidelines for reimbursable school meals and all other foods and beverages sold or marketed to students during the school day shall be designed to promote student health and reduce childhood obesity and shall be at least as restrictive as federal regulations and guidance, except when the District allows an exemption for fundraising activities as authorized by state and federal rules. [See CO and FJ]

Foods and Beverages Provided	The District shall establish standards for all foods and beverages provided, but not sold, to students during the school day. These standards shall be addressed in the District's wellness plan.
Wellness Goals Nutrition Promotion and Education	<p>The District shall implement, in accordance with law, a coordinated school health program with a nutrition education component. [See EHAA] The District's nutrition promotion activities shall encourage participation in the National School Lunch Program, the School Breakfast Program, and any other supplemental food and nutrition programs offered by the District.</p> <p>The District establishes the following goals for nutrition promotion:</p> <ol style="list-style-type: none">1. The District's food service staff, teachers, and other District personnel shall consistently promote healthy nutrition messages in cafeterias, classrooms, and other appropriate settings.2. The District shall share educational nutrition information with families and the general public to promote healthy nutrition choices and positively influence the health of students. <p>The District establishes the following goals for nutrition education:</p> <ol style="list-style-type: none">1. The District shall deliver nutrition education that fosters the adoption and maintenance of healthy eating behaviors.2. The District shall make nutrition education a District-wide priority and shall integrate nutrition education into other areas of the curriculum, as appropriate.
Physical Activity	<p>The District shall implement, in accordance with law, a coordinated health program with physical education and physical activity components and shall offer at least the required amount of physical activity for all grades. [See BDF, EHAA, EHAB, and EHAC]</p> <p>The District establishes the following goals for physical activity:</p> <ol style="list-style-type: none">1. The District shall provide an environment that fosters safe, enjoyable, and developmentally appropriate fitness activities for all students, including those who are not participating in physical education classes or competitive sports.2. The District shall provide appropriate staff development and encourage teachers to integrate physical activity into the academic curriculum where appropriate.3. The District shall make appropriate before-school and after-school physical activity programs available and shall encourage students to participate.

4. The District shall encourage students, parents, staff, and community members to use the District's recreational facilities, such as tracks, playgrounds, and the like, that are available outside of the school day. [See GKD]

Other School-Based Activities

The District establishes the following goals to create an environment conducive to healthful eating and physical activity and to promote and express a consistent wellness message through other school-based activities:

1. The District shall allow sufficient time for students to eat meals in cafeteria facilities that are clean, safe, and comfortable.
2. The District shall promote wellness for students and their families at suitable District and campus activities.
3. The District shall promote employee wellness activities and involvement at suitable District and campus activities.

Implementation

The health and wellness coordinator shall oversee the implementation of this policy and the development and implementation of the wellness plan and appropriate administrative procedures.

Evaluation

The District shall comply with federal requirements for evaluating this policy and the wellness plan.

Public Notification

The District shall annually inform and update the public about the content and implementation of the wellness policy, including posting on its website copies of the wellness policy, the wellness plan, and the required implementation assessment.

Records Retention

The District shall retain all the required records associated with the wellness policy, in accordance with law and the District's records management program. [See CPC and FFA(LEGAL)]

STUDENT RIGHTS AND RESPONSIBILITIES
INVESTIGATIONS AND SEARCHES

FNF
(LOCAL)

**Questioning
Students**

District officials may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students may not refuse to answer questions based on a right not to incriminate themselves.

For provisions pertaining to student questioning by law enforcement officials or other state or local governmental authorities, see GRA(LOCAL).

District Property

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. Students have no expectation of privacy in District property. Students shall be fully responsible for the security and contents of District property assigned to them. No student shall place or keep in a desk, locker, District-provided technology, or similar item any article or material prohibited by law, District policy, or the Student Code of Conduct. Students shall be responsible for any prohibited item found in District property provided to the student.

Searches in General

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.

District officials may initiate a search in accordance with law, including, for example, based on reasonable suspicion, voluntary consent, or pursuant to District policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on District property.

**Reasonable-
Suspicion Searches**

Searches should be reasonable at their inception and in scope. If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a District official may conduct a search in accordance with law and District regulations.

**Suspicionless
Searches**

For purposes of this policy, a suspicionless search is a search carried out based on lawful security procedures, such as metal detector searches.

*Metal Detector
Searches*

In order to maintain a safe and disciplined learning environment, the District reserves the right to subject students to metal detector searches when entering a District campus and at off-campus, school-sponsored activities.

**STUDENT RIGHTS AND RESPONSIBILITIES
INVESTIGATIONS AND SEARCHES**

FNF
(LOCAL)

Use of Trained Dogs The District reserves the right to use trained dogs to conduct screening for concealed prohibited items. Such procedures shall be unannounced. The dogs shall not be used with students; however, students may be asked to leave personal belongings in an area that will be screened. If a dog alerts to an item or an area, it may be searched by District officials.

**Questioning
Students**

PROPOSED REVISIONS

District officials may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students may not refuse to answer questions based on a right not to incriminate themselves.

For provisions pertaining to student questioning by law enforcement officials or other state or local governmental authorities, see GRA(LOCAL).

District Property

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. Students have no expectation of privacy in District property. Students shall be fully responsible for the security and contents of District property assigned to them. No student shall place or keep in a desk, locker, District-provided technology, or similar item any article or material prohibited by law, District policy, or the Student Code of Conduct. Students shall be responsible for any prohibited item found in District property provided to the student.

Searches in General

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.

District officials may initiate a search in accordance with law, including, for example, based on reasonable suspicion, voluntary consent, or pursuant to District policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on District property.

**Reasonable-
Suspicion Searches**

Searches should be reasonable at their inception and in scope. If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a District official may conduct a search in accordance with law and District regulations.

**Suspicionless
Searches**

For purposes of this policy, a suspicionless search is a search carried out based on lawful security procedures, such as metal detector searches.

**STUDENT RIGHTS AND RESPONSIBILITIES
INVESTIGATIONS AND SEARCHES**

**FNF
(LOCAL)**

*Metal Detector
Searches*

In order to maintain a safe and disciplined learning environment, the District reserves the right to subject students to metal detector searches when entering a District campus and at off-campus, school-sponsored activities.

Use of Trained Dogs

The District reserves the right to use trained dogs to conduct screening for concealed prohibited items. Such procedures shall be unannounced. The dogs shall not be used with students; however, students may be asked to leave personal belongings in an area that will be screened. If a dog alerts to an item or an area, it may be searched by District officials.

Parent Notification

When feasible under the circumstances, the District shall notify a student's parent or guardian if any prohibited item is found in District property assigned to a student, in a student's vehicle parked on school property, or on the student's person or personal property as a result of a search conducted in accordance with this policy.

**Questioning
Students**

PROPOSED REVISIONS

District officials may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students may not refuse to answer questions based on a right not to incriminate themselves.

For provisions pertaining to student questioning by law enforcement officials or other state or local governmental authorities, see GRA(LOCAL).

District Property

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. Students have no expectation of privacy in District property. Students shall be fully responsible for the security and contents of District property assigned to them. No student shall place or keep in a desk, locker, District-provided technology, or similar item any article or material prohibited by law, District policy, or the Student Code of Conduct. Students shall be responsible for any prohibited item found in District property provided to the student.

Searches in General

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.

District officials may initiate a search in accordance with law, including, for example, based on reasonable suspicion, voluntary consent, or pursuant to District policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on District property.

**Reasonable-
Suspicion Searches**

Searches should be reasonable at their inception and in scope. If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a District official may conduct a search in accordance with law and District regulations.

**Suspicionless
Searches**

For purposes of this policy, a suspicionless search is a search carried out based on lawful security procedures, such as metal detector searches.

STUDENT RIGHTS AND RESPONSIBILITIES
INVESTIGATIONS AND SEARCHES

FNF
(LOCAL)

*Metal Detector
Searches*

In order to maintain a safe and disciplined learning environment, the District reserves the right to subject students to metal detector searches when entering a District campus and at off-campus, school-sponsored activities.

Use of Trained Dogs

The District reserves the right to use trained dogs to conduct screening for concealed prohibited items. Such procedures shall be unannounced. The dogs shall not be used with students; however, students may be asked to leave personal belongings in an area that will be screened. If a dog alerts to an item or an area, it may be searched by District officials.

Parent Notification

When feasible under the circumstances, the District shall notify a student's parent or guardian if any prohibited item is found in District property assigned to a student, in a student's vehicle parked on school property, or on the student's person or personal property as a result of a search conducted in accordance with this policy.