



ALEDO ISD BOARD MEETING TEMPLATE

MEETING DATE: November 18, 2013

AGENDA ITEM: Report Item on Policy Updates Related to Update 98

PRESENTER: Kathy Allen

ALIGNS TO BOARD PRIORITIES(S):

- Human Resources – The District shall recruit, hire, train, and retain a highly qualified staff.
- Safety – The District will maintain a safe and orderly environment.
- Learning – The District will provide an aligned, rigorous curriculum, with instructional and technology programs preparing students to meet or exceed all educational standards.

BACKGROUND INFORMATION:

- Update 98 includes ninety-one policies that are recommended for revision to remain in compliance with recent legislative changes.
- Thirteen of these new policies are Local, seventy-eight are Legal, and one is an Exhibit.
- B Policy: Board Member - Authority
 - BBE(LOCAL) – This local policy specifies that if a board member is not acting in his or her official capacity, the board member has no greater access to district records than a member of the public. New recommended text mirrors the statutory requirement that the district track and report the number and cost of related to responding to informational requests from board members.
- C Policy: Safety Program/Risk Management – Security Personnel
 - Requires the Chief of Police to report only to the Superintendent. Supervisory Authority reflects this new law and explains the Superintendent may not delegate this supervisory responsibility.
- D Policy: Employment Requirement & Restrictions – Reduction in Force – Personnel Management Relations – Employee Standards of Conduct – Performance Appraisal
 - DBA(LOCAL) – New provisions in this policy state the District will not use an employee's SSN as an employee identifier, except for tax purposes, and will keep the number confidential.
 - DGBA(LOCAL) – To comply with HB 2607, this policy requires the District to permit an employee's representative to participate by telephone conference call in the grievance process.

- DFFA, DFFB, and DFFC(LOCAL) – When evaluating performance for reduction-in-force decisions the District will be required to use an employee's consecutive formal appraisal from more than one year, if available, in addition to the most recent formal appraisal.
- DH(LOCAL) – Language has been added to clarify employee standards of conduct requiring an employee to report child abuse and neglect as required by law.
- DNA(LOCAL) – New policy requires a District to conduct components of the appraisal process more frequently, if necessary, to ensure a teacher receives appropriate guidance.
- E Policy: School Day – Academic Achievement
 - EC(LOCAL) – This policy aligns with the HB 5 requirement limiting a student's removal from class for remedial tutoring or test preparation to no more than ten percent of days on which the class is offered. An additional provision offers parents the opportunity to consent to additional removals for tutoring purposes.
 - EIA(LOCAL) – As a result of changes from HB 5, the provision for counting EOC assessment scores as 15 percent of a student's final grade has been deleted from this policy, including the calculation re-take scores.
 - EIC(LOCAL) – Also in accordance with changes from HB 5, any provision regarding EOC assessments and how they affect class rank has been deleted.
- F Policy: Attendance – Student Welfare Child Abuse and Neglect
 - FEA(LOCAL) – This policy change will permit students to serve as an early voting clerk for up to two days per year.
 - FEC(LOCAL) – Changes reflect a new ruling that the 90 percent attendance rule applies to both the award of credit and the final grade. In the past the attendance policy was only linked to awarding credit.
 - FFG(EXHIBIT) – This exhibit is a Q&A outlining employee responsibilities for reporting child abuse and neglect.

ADMINISTRATIVE CONSIDERATIONS: Administration will recommend the approval of Update 98(LOCAL) policies as listed and presented at the December board meeting.

FISCAL NOTE: None

ADMINISTRATIVE RECOMMENDATIONS: Report Item Only

(LOCAL) Policy Action List

ALEDO ISD(184907) – Update / LDU 98

BBE(LOCAL): BOARD MEMBERS - AUTHORITY

CKE(LOCAL): SAFETY PROGRAM/RISK MANAGEMENT - SECURITY PERSONNEL

DBA(LOCAL): EMPLOYMENT REQUIREMENTS AND RESTRICTIONS - CREDENTIALS AND RECORDS

DFFA(LOCAL): REDUCTION IN FORCE - FINANCIAL EXIGENCY

DFFB(LOCAL): REDUCTION IN FORCE - PROGRAM CHANGE

DGBA(LOCAL): PERSONNEL-MANAGEMENT RELATIONS - EMPLOYEE COMPLAINTS/GRIEVANCES

DH(LOCAL): EMPLOYEE STANDARDS OF CONDUCT

DNA(LOCAL): PERFORMANCE APPRAISAL - EVALUATION OF TEACHERS

EC(LOCAL): SCHOOL DAY

EIA(LOCAL): ACADEMIC ACHIEVEMENT - GRADING/PROGRESS REPORTS TO PARENTS

EIC(LOCAL): ACADEMIC ACHIEVEMENT - CLASS RANKING

FEA(LOCAL): ATTENDANCE - COMPULSORY ATTENDANCE

FEC(LOCAL): ATTENDANCE - ATTENDANCE FOR CREDIT

FFG(EXHIBIT): STUDENT WELFARE CHILD ABUSE AND NEGLECT – REPORTING CHILD ABUSE and NEGLECT

BOARD MEMBERS
AUTHORITY

BBE
(LOCAL)

BOARD AUTHORITY	The Board has final authority to determine and interpret the policies that govern the schools and, subject to the mandates and limits imposed by state and federal authorities, has complete and full control of the District. Board action shall be taken only in meetings that comply with the Open Meetings Act. [See BE(LEGAL)]
TRANSACTIONING BUSINESS	When a proposal is presented to the Board, the Board shall hold a discussion and reach a decision. Although there may be dissenting votes, which are a matter of public record, each Board decision shall be an action by the whole Board binding upon each member.
INDIVIDUAL AUTHORITY FOR COMMITTING THE BOARD	Board members as individuals shall not exercise authority over the District, its property, or its employees. Except for appropriate duties and functions of the Board President, an individual member may act on behalf of the Board only with the express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue. [See BDAA]
INDIVIDUAL ACCESS TO INFORMATION	An individual Board member, acting in his or her official capacity, shall have the right to seek information pertaining to District fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the general public in accordance with the Public Information Chapter of the Government Code. [See GBA]
LIMITATIONS	<p>If a Board member is not acting in his or her official capacity, the Board member has no greater right to District records than a member of the public.</p> <p>An individual Board member shall not have access to confidential student records unless the member is acting in his or her official capacity and has a legitimate educational interest in the records in accordance with policy FL.</p> <p>A Board member who is denied access to a record under this provision may ask the Board to determine whether the record should be provided or may file a request under the Public Information Act. [See GBAA]</p>
REQUESTS FOR RECORDS	<p>An individual Board member shall seek access to records or request copies of records from the Superintendent or other designated custodian of records. When a custodian of records other than the Superintendent provides access to records or copies of records to an individual Board member, the provider shall inform the Superintendent of the records provided.</p> <p>In accordance with law, the District shall track and report any requests under this provision, including the cost of responding to one or more requests by any individual Board member for 200 or more pages of material in a 90-day period.</p>

BOARD MEMBERS
AUTHORITY

BBE
(LOCAL)

REQUESTS FOR
REPORTS

No individual Board member shall direct or require District employees to prepare reports derived from an analysis of information in existing District records or to create a new record compiled from information in existing District records. Directives to the Superintendent or other custodian of records regarding the preparation of reports shall be by Board action.

CONFIDENTIALITY

At the time a Board member is provided access to confidential records or to reports compiled from such records, the Superintendent or other District employee shall advise the Board member of the responsibility to comply with confidentiality requirements.

REFERRING
COMPLAINTS

If employees, parents, students, or other members of the public bring concerns or complaints to an individual Board member, he or she shall refer them to the Superintendent or another appropriate administrator, who shall proceed according to the applicable complaint policy. [See (LOCAL) policies at DGBA, FNG, and GF]

When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

POLICE FORCE	The Board, in order to ensure as safe an environment as possible for District students, employees, and visitors, and to provide a means of protecting the District property and assets, hereby authorizes the formation of a District Police Department. The Board does so in accordance with the provisions of Section 37.081 of the Texas Education Code. The Board also authorizes the chief of police, as an agent of the Board, to commission police officers who meet at least the minimum standards required by the Texas Commission on Law Enforcement (TCLE).
SUPERVISORY AUTHORITY	The chief of police shall be accountable and report to the Superintendent. In accordance with law, the Superintendent may not delegate this supervisory responsibility.
POLICE JURISDICTION AND AUTHORITY	<p>District police officers shall have jurisdiction within the geographical boundaries of the District as defined in this policy. District police jurisdiction shall also include all property both real and personal, inside or outside the boundaries of the District, that is owned, leased, rented, or otherwise under the control of the District or the Board.</p> <p>On property owned, leased, rented, or otherwise under the control of the District, District police officers, under the direction of the chief of police or the campus principal, are empowered to enforce all laws, including municipal ordinances, county ordinances, state laws, and federal laws. In other areas of their jurisdiction, District police officers, under the direction of the chief of police or the campus principal, may enforce any law that is directly related to the safety and well-being of any District student, employee, or protection of District property.</p>
CATEGORIES OF DUTY	District police officers shall be assigned to one of two categories of duty: District-patrol duty or campus-based duty.
DISTRICT-PATROL DUTY	While assigned to District-patrol duty, an officer is under the direction of the chief of police for the District. The chief of police shall direct the officer concerning the officer's duties in situations involving the safety and welfare of the District's students, staff, visitors, and property.
CAMPUS-BASED DUTY	<p>While assigned to campus-based duty, an officer is under the direction of the campus principal. The principal shall direct the officer concerning the officer's duties on and around campus in situations involving the safety and welfare of the District's students, staff, visitors, and property.</p> <p>The chief of police may direct an officer assigned to campus-based duty to areas other than the campus if the chief believes such assignment is necessary to deal with an emergency situation.</p>

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

OTHER FUNCTIONS

The District police, in matters affecting the safety and welfare of any citizen within the boundaries of the District and upon observing in their presence or view, a felony violation of Title 9, Chapter 42, Penal Code, breach of the peace, or an offense under Section 49.02, Penal Code that reasonably calls for action, may initiate appropriate action in accordance with Code of Criminal Procedure, Chapter 14, Art. 14.03d. A District police supervisor shall be immediately notified as to the circumstances and action taken when incidents of this nature occur. A memorandum of understanding shall be developed in cooperation with each of the law enforcement agencies with which the District Police Department shares jurisdiction that outlines reasonable communication and coordination efforts among the department and the agencies.

1. The District police shall, in addition to their normal duties, assist the Board, agents of the Board, and the District and/or campus administrators with matters that do not concern the application of law but that will facilitate the orderly conduct of District business.
2. District police officers shall not work in an off-duty law enforcement-related job without first obtaining the permission of the District to do so. To seek such permission, the officer must execute the required off-duty employment request form. If permission is granted, the officer must inform the officer's off-duty employer of the terms imposed by the District. While off-duty, District police officers:
 - a. Do not represent the District.
 - b. Do not perform duties for the District.
 - c. Shall not use District equipment, uniforms, or resources.
3. The District police chief shall institute departmental regulations pertaining to weapons, ammunition, use of force/deadly force, pursuit, arrest procedures, training, and other topics as may be necessary and prudent to the orderly operations of the police department.
4. It is the policy of the Board that District police officers, while in an on-duty or an off-duty status, shall protect and not violate the civil rights of any person. District police officers shall not violate nor misapply the provisions of Chapter Nine of the Penal Code with respect to the use of force or deadly force. District police officers shall not violate or misapply the provisions of Chapter 14 of the Code of Criminal Procedure, with respect to the powers of arrest. Any violation of the contents or intent

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

of this paragraph shall be cause for disciplinary action and could result in criminal charges and/or civil action.

5. All police officers employed and commissioned by the District shall take and file the oath required of police officers and shall execute and file a good and sufficient bond in the minimum sum of \$1,000 payable to the Board, with two or more good and sufficient sureties, conditioned that the officer will fairly, impartially, and faithfully perform all the duties that may be required of the officer by District policy.

COMPLAINT AGAINST
A POLICE OFFICER

Formal complaints against a District police officer must be submitted to the chief of police in writing and signed by the complainant before an investigation can be conducted. No disciplinary action shall be taken against a District police officer until he or she has been provided a copy of the complaint and given an opportunity to respond.

Informal complaints may be addressed to the campus principal or to the chief of police either orally or in writing. No disciplinary action shall be taken against an officer on the basis of an informal complaint alone; however, the incident may be documented for appraisal purposes.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS

DBA
(LOCAL)

PARENT
NOTIFICATION

The District shall notify parents of students in classrooms in which the regular teacher is not “highly qualified,” as required by law.

Notification shall not be required, however, when:

1. The home campus teacher of a secondary school student assigned to a DAEP is considered the teacher-of-record; and
2. The home campus teacher:
 - a. Is highly qualified,
 - b. Assigns and evaluates the student’s coursework,
 - c. Provides substantially the same coursework and uses the same grading standards as in the regular classroom,
 - d. Has final authority on the coursework grades and the final grade for the course, and
 - e. Is regularly available for face-to-face consultation with the student and the DAEP teacher; and
3. The DAEP teacher meets all applicable SBEC certification requirements.

UPDATING
CREDENTIALS

All employees who have earned certificates, endorsements, or degrees of higher rank since the previous school year shall file with the Superintendent:

1. An official college transcript showing the highest degree earned and date conferred.
2. Proof of the certificate or endorsement.

CONTRACT
PERSONNEL

The Superintendent or designee shall ensure that contract personnel possess valid credentials before issuing contracts.

SOCIAL SECURITY
NUMBER

The District shall not use an employee’s social security number as an employee identifier, except for tax purposes [see DC]. In accordance with law, the District shall keep an employee’s social security number confidential.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

PLAN TO REDUCE
PERSONNEL COSTS

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEAB]
- Furloughs, if the District has received certification from the Commissioner of a reduction in funding under Education Code 42.009 [see CBA and DEAB]
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the Commissioner [see CEA and provisions at REDUCTION IN FORCE DUE TO FINANCIAL EXIGENCY, below]
- Reductions in force of contract personnel due to program change [see DFFB]
- Other means of reducing personnel costs

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at APPLICABILITY, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

REDUCTION IN FORCE
DUE TO FINANCIAL
EXIGENCY
APPLICABILITY

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

DEFINITIONS

Definitions used in this policy are as follows:

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.
2. "Discharge" shall mean termination of a contract during the contract period.

GENERAL GROUNDS A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

EMPLOYMENT AREAS When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs.
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects.
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education.
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs.
5. Counseling programs.
6. Library programs.
7. Nursing and other health services programs.
8. An educational support program that does not provide direct instruction to students.
9. Other Districtwide programs.
10. An individual campus.
11. Any administrative position, unit, or department.
12. Programs funded by state or federal grants or other dedicated funding.
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

1. Combined or adjusted (e.g., “elementary programs” and “compensatory education programs” can be combined to identify an employment area of “elementary compensatory education programs”); and/or
2. Applied on a Districtwide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

CRITERIA FOR
DECISION

The Superintendent or designee shall apply the following criteria to the employees within an affected employment area when a reduction in force will not result in the nonrenewal or discharge of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, highly qualified status, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by:
 - a. The most recent formal appraisal and, if available, consecutive formal appraisals from more than one year [see DNA]; and
 - b. Any other written evaluative information, including disciplinary information, from the last 36 months.

If the Superintendent or designee at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.

3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee’s most recent date of hire.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

SUPERINTENDENT RECOMMENDATION	The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.
BOARD VOTE	<p>After considering the Superintendent's recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.</p> <p>If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).</p> <p>If the Board votes to propose discharge of one or more employees, the Board shall determine whether the hearing will be conducted by a TEA-appointed hearing examiner [see DFD] or will be a local hearing under Education Code 21.207 [see DFBB].</p>
NOTICE	<p>The Superintendent or designee shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:</p> <ol style="list-style-type: none">1. The proposed action, as applicable;2. A statement of the reason for the proposed action; and3. Notice that the employee is entitled to a hearing of the type determined by the Board.
CONSIDERATION FOR AVAILABLE POSITIONS	<p>An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.</p> <p>If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:</p> <ol style="list-style-type: none">1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.
HEARING REQUEST NONRENEWAL: TERM CONTRACT	An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

DISCHARGE: CHAPTER 21 CONTRACT	An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.
DISCHARGE: NON- CHAPTER 21 CONTRACT	An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE.
FINAL ACTION HEARING REQUESTED	If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.
NO HEARING REQUESTED	If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

APPLICABILITY	This policy shall apply when a reduction in force due to a program change requires the nonrenewal of a term contract. A program change may be due to, for example, a redirection of resources; efforts to improve efficiency; a change in enrollment; a lack of student response to particular course offerings; legislative revisions to programs; or a reorganization or consolidation of two or more individual schools, departments, or school districts.
DEFINITIONS	<p>Definitions used in this policy are as follows:</p> <ol style="list-style-type: none">1. "Program change" shall mean any elimination, curtailment, or reorganization of a program, department, school operation, or curriculum offering, including, for example, a change in curriculum objectives; a modification of the master schedule; the restructuring of an instructional delivery method; or a modification or reorganization of staffing patterns in a department, on a particular campus, or Districtwide.2. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.
GENERAL GROUNDS	A reduction in force may take place when the Superintendent recommends and the Board approves a program change. A determination of a program change constitutes sufficient reason for nonrenewal.
EMPLOYMENT AREAS	<p>When a reduction in force is to be implemented, the Superintendent shall recommend the employment areas to be affected.</p> <p>Employment areas may include, for example:</p> <ol style="list-style-type: none">1. Elementary grades, levels, subjects, departments, or programs.2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects.3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education.4. Disciplinary alternative education programs (DAEPs) and other discipline management programs.5. Counseling programs.6. Library programs.7. Nursing and other health services programs.8. An educational support program that does not provide direct instruction to students.

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

9. Other Districtwide programs.
10. An individual campus.
11. Any administrative position, unit, or department.
12. Programs funded by state or federal grants or other dedicated funding.
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or
2. Applied on a Districtwide or campus-wide basis (e.g., "the counseling program at [named elementary campus]").

The Board shall determine the employment areas to be affected.

CRITERIA FOR
DECISION

The Superintendent or designee shall apply the following criteria to the employees within an affected employment area when a program change will not result in the nonrenewal of all staff in the employment area. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Qualifications for Current or Projected Assignment: Certification, multiple or composite certifications, bilingual certification, licensure, endorsement, highly qualified status, and/or specialized or advanced content-specific training or skills for the current or projected assignment.
2. Performance: Effectiveness, as reflected by:
 - a. The most recent formal appraisal and, if available, consecutive formal appraisals from more than one year [see DNA]; and
 - b. Any other written evaluative information, including disciplinary information, from the last 36 months.

If the Superintendent or designee at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

or she may proceed to apply the remaining criteria in the order listed below.

3. Extra Duties: Currently performing an extra-duty assignment, such as department or grade-level chair, band director, athletic coach, or activity sponsor.
4. Professional Background: Professional education and work experience related to the current or projected assignment.
5. Seniority: Length of service in the District, as measured from the employee's most recent date of hire.

SUPERINTENDENT RECOMMENDATION The Superintendent shall recommend to the Board the nonrenewal of the identified employees within the affected employment areas.

BOARD VOTE After considering the Superintendent's recommendations, the Board shall determine the employees to be proposed for nonrenewal, as appropriate. If the Board votes to propose nonrenewal of one or more employees, the Board shall specify the manner of hearing in accordance with DFBB(LOCAL).

NOTICE The Superintendent or designee shall provide each employee written notice of the proposed nonrenewal. The notice shall include a statement of the reason for the proposed action and notice that the employee is entitled to a hearing of the type determined by the Board.

CONSIDERATION FOR AVAILABLE POSITIONS An employee who has received notice of proposed nonrenewal may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures.

If the employee meets the District's objective criteria for the position and is the most qualified internal applicant, the District shall offer the employee the position until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing.
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

HEARING REQUEST An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

FINAL ACTION
HEARING REQUESTED If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DFBB and shall notify the employee in writing.

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

NO HEARING
REQUESTED

If the employee does not request a hearing, the Board shall take final action in accordance with DFBB and shall notify the employee in writing.

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 provided below:</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 materials shall be submitted in accordance with EFA.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.
GUIDING PRINCIPLES	The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator.
INFORMAL PROCESS	Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.
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.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

FORMAL PROCESS	<p>If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.</p> <p>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.</p> <p>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.</p>
FREEDOM FROM RETALIATION	<p>Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.</p>
WHISTLEBLOWER COMPLAINTS	<p>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]</p>
COMPLAINTS AGAINST SUPERVISORS	<p>Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaints alleging a violation of law by the Superintendent may be made directly to the Board or designee.</p>
GENERAL PROVISIONS FILING	<p>Complaint forms and appeal notices may be filed by hand-delivery, fax, or 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. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked 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.</p>
RESPONSE	<p>At Levels One and Two, “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered 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.</p>
DAYS	<p>“Days” shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”</p>

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

REPRESENTATIVE	<p>“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.</p> <p>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.</p>
CONSOLIDATING COMPLAINTS	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p> <p>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.</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 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, starting at the level at which the complaint was dismissed. 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 FORM	<p>Complaints 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 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.</p> <p>A complaint 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 a complaint.</p>

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

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 hold a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

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.

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

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

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:

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 hold a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues presented by the employee at Level One and identified in the Level Two appeal notice. 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.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

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.
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.

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 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 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.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

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]

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 may result in disciplinary action, including termination of employment. [See DCD and DF series]

ELECTRONIC MEDIA

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites, editorial comments posted on the Internet, and social network sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and Web-based applications.

USE WITH
STUDENTS

In accordance with administrative regulations, a certified or licensed employee, or any other employee designated in writing by the Superintendent or a campus principal, may use electronic media to communicate with currently enrolled students about matters within the scope of the employee's professional responsibilities. All other employees are prohibited from using electronic media to communicate directly with students who are currently enrolled in the District. The regulations shall address:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with students; and
3. Other matters deemed appropriate by the Superintendent or designee.

Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CPC]

PERSONAL USE

An employee shall be held to the same professional standards in his or her public use of electronic media as for any other public conduct. If an employee's use of electronic media violates state or

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

	<p>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.</p>
SAFETY REQUIREMENTS	<p>Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.</p>
HARASSMENT OR ABUSE	<p>An employee shall not engage in prohibited harassment, including sexual harassment, of:</p> <ol style="list-style-type: none">1. Other employees. [See DIA]2. Students. [See FFH; see FFG regarding child abuse and neglect] <p>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.</p> <p>An employee shall report child abuse or neglect as required by law. [See FFG]</p>
RELATIONSHIPS WITH STUDENTS	<p>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]</p>
TOBACCO USE	<p>An employee shall not use tobacco products on District premises, in District vehicles, or at school or school-related activities. [See also GKA]</p>
ALCOHOL AND DRUGS	<p>An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:</p> <ol style="list-style-type: none">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.4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

	<p>An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.</p>
EXCEPTIONS	<p>An employee who manufactures, possesses, or dispenses a substance listed above as part of the employee’s job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee’s personal use shall not be considered to have violated this policy.</p>
NOTICE	<p>Each employee shall be given a copy of the District’s notice regarding drug-free schools. [See DI(EXHIBIT)]</p> <p>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.</p>
ARRESTS, INDICTMENTS, CONVICTIONS, AND OTHER ADJUDICATIONS	<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.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

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 any additional standards established by his or her supervisor and approved by the Superintendent.

PERFORMANCE APPRAISAL
EVALUATION OF TEACHERS

DNA
(LOCAL)

APPRAISAL SYSTEM	The formal appraisal of District teachers shall be in accordance with the Professional Development and Appraisal System (PDAS).
GENERAL REQUIREMENTS	<p>District teachers shall be appraised annually, except teachers who are eligible for less frequent evaluations in accordance with law [see DNA(LEGAL)] and the local criteria established in this policy.</p> <p>Components of the appraisal process, such as classroom observations and walk-throughs, shall be conducted more frequently as necessary to ensure that teachers receive appropriate guidance.</p> <p>The District shall establish an appraisal calendar each year.</p>
PDAS FORMAL OBSERVATION	The formal observation for a teacher's appraisal shall be scheduled by day and time.
ALTERNATE APPRAISERS	The list of qualified appraisers who may appraise a teacher in place of the teacher's supervisor shall be approved by the Board.
SECOND APPRAISAL	<p>Upon a teacher's request for a second appraiser, the Superintendent or designee shall select the second appraiser from a pre-established roster of trained appraisers.</p> <p>The formal observation for a second appraisal shall be scheduled by day and time.</p>
SCORES	The Board shall ensure that the Superintendent or designee establishes procedures regarding how domain scores from first and second PDAS appraisals will be used.
LESS-THAN-ANNUAL EVALUATIONS ELIGIBILITY	<p>To be eligible for less-than-annual evaluations under the PDAS a teacher shall:</p> <ol style="list-style-type: none">1. Receive a Proficient rating for two consecutive years; and2. Be employed by the District for two years.
FREQUENCY	<p>Eligible teachers shall be appraised every three years.</p> <p>During any school year when a complete appraisal is not scheduled for an eligible teacher, either the teacher or the principal may require that an appraisal be conducted by providing written notice to the other party.</p>
ANNUAL REVIEW PROCESS	In the years that a PDAS appraisal is not scheduled for an eligible teacher, the District shall conduct an annual review in accordance with a process detailed in guidelines developed by the administration in collaboration with the District- and campus-level decision-making committees.

PERFORMANCE APPRAISAL
EVALUATION OF TEACHERS

DNA
(LOCAL)

The annual review process shall produce a written document to be presented to the teacher, signed by the teacher and supervisor, and maintained in the personnel file.

The regular PDAS procedures and requirements shall not apply to the annual review process.

GRIEVANCES

Complaints regarding teacher appraisal shall be addressed in accordance with DGBA(LOCAL).

SCHOOL DAY

EC
(LOCAL)

LOSS OF CLASS TIME

The District shall not remove a student from a regularly scheduled class for tutoring or test preparation for more than ten percent of the school days on which the class is offered without a parent's written consent.

INTERRUPTIONS

The District shall limit nonacademic activities that interrupt and distract from the academic process and shall enforce the following restrictions:

1. Announcements, other than emergency announcements, shall be made over the public address system only once during the school day.
2. Selling or solicitation shall not be permitted during class time.
[For fund-raising activities, see FJ]

ACADEMIC ACHIEVEMENT
GRADING/PROGRESS REPORTS TO PARENTS

EIA
(LOCAL)

RELATION TO
ESSENTIAL
KNOWLEDGE AND
SKILLS

The District shall establish instructional objectives that relate to the essential knowledge and skills for grade-level subjects or courses. These objectives shall address the skills needed for successful performance in the next grade or next course in a sequence of courses.

Assignments, tests, projects, classroom activities, and other instructional activities shall be designed so that each student's performance indicates the level of mastery of the designated District objectives.

GUIDELINES FOR
GRADING

The Superintendent or designee shall ensure that each campus or instructional level develops guidelines for teachers to follow in determining grades for students. These guidelines shall ensure that grading reflects a student's relative mastery of an assignment and that a sufficient number of grades are taken to support the grade average assigned. Guidelines for grading shall be clearly communicated to students and parents.

The District shall permit a student who meets the criteria detailed in the grading guidelines a reasonable opportunity to redo an assignment or retake a test for which the student received a failing grade.

PROGRESS
REPORTING

The District shall issue grade reports/report cards every six weeks on a form approved by the Superintendent or designee. Performance shall be measured in accordance with this policy and the standards established in EIE.

INTERIM REPORTS

Interim progress reports shall be issued for all students after the third week of each grading period. Supplemental progress reports may be issued at the teacher's discretion.

CONFERENCES

In addition to conferences scheduled on the campus calendar, conferences may be requested by a teacher or parent as needed.

ACADEMIC
DISHONESTY

A student found to have engaged in academic dishonesty shall be subject to grade penalties on assignments or tests and disciplinary penalties in accordance with the Student Code of Conduct. Academic dishonesty includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination. The determination that a student has engaged in academic dishonesty shall be based on the judgment of the classroom teacher or another supervising professional employee, taking into consideration written materials, observation, or information from students.

ACADEMIC ACHIEVEMENT
CLASS RANKING

EIC
(LOCAL)

All students shall be ranked in the respective classes according to the following guidelines:

1. Grades earned in high school academic courses shall be used in averaging each student's grades. The following courses have been designated as nonacademic: physical education, athletics, drill team, and courses designated for local credit only.
2. High school credit earned at the middle school level shall be used in the class ranking.
3. Semester grades shall be used for averaging and class ranking. A temporary ranking shall be calculated at the end of the fifth six-week period for use at graduation only.
4. Weights shall be assigned and used in computing averages and ranks but shall not be shown on permanent records. Weight points shall be ten percent of the passing semester grade earned in Pre-Advanced Placement (AP) or advanced courses as listed in the Academic Excellence Indicator System (AEIS). All AP courses shall be weighted 15 percent. No percentage points shall be awarded for failing semester grades or if the course is not completed. New students entering the District from other schools may not graduate with more weighted courses than their classmates had an opportunity to earn.
5. Students graduating from the Aledo Academic Alternative School shall not be ranked.
6. Eligibility for valedictorian or salutatorian awards shall be based on the highest grade average and second highest grade average respectively. This determination shall be made after the end of the fifth six-week period for graduation night only. To become valedictorian or salutatorian, a student must have been a full-time student at the District high school for his or her final two years.
7. Students shall complete the Recommended or Advanced/Distinguished Achievement Program in order to be considered for the top ten percent of the graduating class.

VALEDICTORIAN /
SALUTATORIAN

ATTENDANCE
COMPULSORY ATTENDANCE

FEA
(LOCAL)

Students in violation of the compulsory attendance law shall be reported to the District attendance officer, who may institute court action as provided by law.

STUDENTS AGE 18
AND OVER

A student who voluntarily attends school after the student's 18th birthday shall be required to attend school until the end of the school year.

HIGHER EDUCATION
VISITS

The District shall excuse a student for up to two days during the student's junior year and up to two days during the student's senior year to visit an accredited institution of higher education. A student shall be required to submit verification of such visits in accordance with administrative regulations.

EARLY VOTING OR
ELECTION CLERK

The District shall excuse a student for up to two days per school year to serve as an early voting or election clerk. A student shall be required to submit verification of service in accordance with administrative regulations.

WITHDRAWAL FOR
NONATTENDANCE

The District may initiate withdrawal of a student under the age of 18 for nonattendance under the following conditions:

1. The student has been absent ten consecutive school days; and
2. Repeated efforts by the attendance officer and/or principal to locate the student have been unsuccessful.

For withdrawal of students 18 or older, see FEA(LEGAL).

STUDENTS IN
HOMESCHOOLS

When the District becomes aware that a student is being or will be homeschooled, the Superintendent or designee may request in writing a letter of notification from the parents of their intention to homeschool using a curriculum designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship.

If the parents refuse to submit a letter of notification or if the District has evidence that the school-age child is not being homeschooled within legal requirements, the District may investigate further and, if warranted, shall pursue legal action to enforce the compulsory attendance law.

ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
(LOCAL)

ATTENDANCE
COMMITTEES

The Board shall establish an attendance committee or as many committees as necessary for efficient implementation of Education Code 25.092.

The Superintendent or designee shall make the specific appointments in accordance with legal requirements.

PARENTAL NOTICE
OF EXCESSIVE
ABSENCES

A student and the student's parent or guardian shall be given written notice prior to and at such time when a student's attendance in any class drops below 90 percent of the days the class is offered.

METHODS FOR
REGAINING CREDIT
OR AWARDED A
FINAL GRADE

When a student's attendance drops below 90 percent but remains at least at 75 percent of the days the class is offered, the student may earn credit for the class or a final grade by completing a plan approved by the principal. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.

If the student fails to successfully complete the plan, or when a student's attendance drops below 75 percent of the days the class is offered, the student, parent, or representative may request award of credit or a final grade by submitting a written petition to the appropriate attendance committee.

Petitions for credit or a final grade may be filed at any time the student receives notice but, in any event, no later than 30 days after the last day of classes.

The attendance committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit or a final grade. The committee may also, whether a petition is filed or not, review the records of all students whose attendance drops below 90 percent of the days the class is offered.

Students who have lost credit or have not received a final grade because of excessive absences may regain credit or be awarded a final grade by fulfilling the requirements established by the attendance committee.

PERSONAL ILLNESS

When a student's absence for personal illness exceeds five consecutive days, the principal or attendance committee may require that the student present a statement from a physician or health clinic verifying the illness or condition that caused the student's extended absence from school as a condition of classifying the absence as one for which there are extenuating circumstances.

If a student has established a questionable pattern of absences, the principal or attendance committee may require that a student present a physician's or clinic's statement of illness after a single

ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
(LOCAL)

day's absence as a condition of classifying the absence as one for which there are extenuating circumstances.

GUIDELINES ON
EXTENUATING
CIRCUMSTANCES

The attendance committee shall adhere to the following guidelines to determine attendance for award of credit or a final grade:

DAYS OF
ATTENDANCE

1. All absences shall be considered in determining whether a student has attended the required percentage of days. If makeup work is completed satisfactorily, excused absences that are allowed under compulsory attendance requirements shall be considered days of attendance for this purpose. [See FEA(LEGAL) at EXCUSED ABSENCES FOR COMPULSORY ATTENDANCE DETERMINATIONS]

TRANSFERS /
MIGRANT
STUDENTS

2. A transfer or migrant student incurs absences only after his or her enrollment in the District.

BEST INTEREST
STANDARD

3. In reaching consensus regarding a student's absences, the committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent or designee shall develop administrative regulations addressing the committee's documentation of the decision.

DOCUMENTATION

4. The committee shall consider the acceptability and authenticity of documented reasons for the student's absences.

CONSIDERATION OF
CONTROL

5. The committee shall consider whether the absences were for reasons out of the student's or parent's control.

STUDENT'S
ACADEMIC RECORD

6. The committee shall consider whether or not the student has completed assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.

INFORMATION
FROM STUDENT OR
PARENT

7. The student or parent shall be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit or be awarded a final grade.

IMPOSING
CONDITIONS FOR
AWARDING CREDIT
OR A FINAL GRADE

The committee may impose any of the following conditions for students with excessive absences to regain credit or be awarded a final grade:

1. Completing additional assignments, as specified by the committee or teacher.
2. Attending tutorial sessions as scheduled, which may include Saturday classes or before- and after-school programs.

ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
(LOCAL)

3. Maintaining the attendance standards for the rest of the semester.
4. Taking an examination to earn credit. [See EHDB]
5. Attending a flexible school day program.
6. Attending summer school.

In all cases, the student must also earn a passing grade in order to receive credit.

APPEAL PROCESS

A parent or student may appeal the decision of the attendance committee in accordance with FNG(LOCAL) beginning at Level Three.

Notice of Employee Responsibilities for Reporting Child Abuse and Neglect

What are the District's policies addressing child abuse or neglect and my responsibilities for reporting suspected child abuse or neglect?

The applicable District policies—FFG(LEGAL), GRA(LEGAL) and (LOCAL), and DH(LOCAL) and (EXHIBIT)—are enclosed in this packet. This distribution is required by state law. At regular intervals, these policies will be addressed in staff development as well. If you have any questions about these policies, please contact Lynn McKinney at (817) 441-8327.

What are my legal responsibilities for reporting if I suspect that a child has been or may be abused or neglected?

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

Any District employee, agent, or contractor has an additional legal obligation to submit the oral or written report within 48 hours of learning of the facts giving rise to the suspicion.

An employee shall make a report if the employee has cause to believe that an adult was a victim of abuse or neglect as a child and the employee determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

Are there any restrictions on reporting?

Under state law, an employee is prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

- Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
- Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

To whom do I make a report?

Reports may be made to any of the following:

- A law enforcement agency: The Parker County Sheriff's Office, at (817) 594-8845;
- The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services, at (800) 252-5400 or on the Web at www.txabusehotline.org; or

STUDENT WELFARE
CHILD ABUSE AND NEGLECT

FFG
(EXHIBIT)

- If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to CPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

Reporting your suspicion to a school counselor, a principal, or another school staff member does NOT fulfill your responsibilities under the law. Furthermore, the District cannot require you to report your suspicion first to a school administrator.

Will my report be kept confidential?

State law requires that the identity of a person making a report of suspected child abuse or neglect be kept confidential.

Will I be liable in any way for making a report?

A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

What will happen if I don't report suspected child abuse or neglect?

By failing to report a suspicion of child abuse or neglect:

- You may be placing a child at risk of continued abuse or neglect;
- You are violating the law and may be subject to legal penalties, including criminal sanctions;
- You are violating Board policy and may be subject to disciplinary action, including possible termination of your employment; and
- Your certification from the State Board for Educator Certification may be suspended, revoked, or canceled.

What are my responsibilities regarding investigations of abuse or neglect?

State law specifically prohibits school officials from:

- Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect; or
- Requiring that a parent or school employee be present during the interview.

School personnel must cooperate fully and may not interfere with an investigation of reported child abuse or neglect.