

## PROPOSED REVISIONS

### Mission Statement

~~The mission of Bastrop Independent School District, a leader in innovative student-centered education, is to motivate and ignite passion for life-long learning and successfully prepare all students to compete globally by ensuring engagement in a diverse, rigorous, and relevant learning experience that incorporates 21st Century Skills.~~

- ~~• Critical Thinking and Problem Solving~~
- ~~• Collaboration Across Networks and Leading by Influence~~
- ~~• Agility and Adaptability~~
- ~~• Initiative and Entrepreneurialism~~
- ~~• Effective Oral and Written Communication~~
- ~~• Accessing and Analyzing Information~~
- Curiosity and Imagination

**As a leader in innovative, student-centered education, the mission of Bastrop ISD is to ignite passion for life-long learning and to successfully motivate and prepare all students to compete globally by ensuring they are engaged in diverse, rigorous, and relevant learning experiences that incorporate 21st Century skills.**



## DELETE POLICY

**Purpose**

The purpose of this policy is to provide oversight of the District's business systems.

**Role of the Board**

Management oversight is a vital Board responsibility and duty to assure the public that District resources are being used efficiently and effectively. The Board's role in management oversight is to ensure the integrity and performance of all major business systems, including but not limited to:

1. Construction management/facility maintenance;
2. Finance (including payroll/accounts payable and purchasing/warehouse);
3. Human resources (including benefits and workers' compensation);
4. Transportation, food service, custodial/grounds, safety/security; and
5. Technology.

This shall be accomplished through formal reports, audits, and any other reporting methods deemed appropriate by the Board through the Superintendent. Integrity shall be defined as overall effectiveness, including structure, process, metrics, internal controls, and the like.

The Board and the Superintendent understand management oversight is the responsibility of the Board as a whole, not of the individual Board members. While holding the Superintendent accountable for performance of these systems, the Board shall not interfere with the Superintendent's management of the District. A data dashboard, compiled by the Superintendent from the oversight review reports, shall be used in the Superintendent's evaluation.

When there are competing confidentiality of security concerns, it may be proper for the Board to establish reasonable procedures to preserve confidentiality, but the District shall not absolutely prohibit an individual Board member from viewing records involving District business that are otherwise properly available to the Board as a governmental body. [See Atty. Gen. Op. No. GA-138 (2004)]

**Compliance with State Law**

The Board, in carrying out its management oversight responsibilities, shall follow all state law, including but not limited to, public notice, postings, open meetings requirements, minutes, and external audits. The Board shall also review the annual external financial

audit findings ensuring that the Superintendent responds to the auditor's recommendations.

**Program Reports**

The Board shall schedule program reports to review the overall integrity of each major business system at least every three years with some areas covered every year. During the program reports, the Board shall receive system performance reports and shall identify any other reports required.

**Management Workshops**

The Board commits to review the integrity of District systems through a rotating schedule of the following workshops:

- Finance;
- Food Service;
- Technology;
- Human Resources;
- Construction management/facilities maintenance; and
- Transportation.

**Accountability**

The Board shall determine how well the goals are being accomplished and shall ensure progress toward achievement of District goals through a systematic, timely, and comprehensive review of reports prepared by or at the direction of the Superintendent. The Board shall review the efficiency and effectiveness of District operations and use of resources in supporting the District's vision, mission, and goals and shall modify District policies if needed for effective support of the District's vision, mission, and goals.

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<b>Membership</b>	The Board shall consist of seven members.
<b>Method of Election</b>	Election of Board members shall be by place.
<b>Election Date</b>	General election of board members shall be on the May uniform election date.
<b>Terms and Election Schedule</b>	Board members shall be elected for three-year terms, with elections conducted annually, as follows:
Places 3 and 4	The election for places 3 and 4 shall be held in 2020, 2023, 2026, and in three-year intervals thereafter.
Places 1 and 2	The election for places 1 and 2 shall be held in <del>2018</del> , 2021, 2024, <b>2027</b> , and in three-year intervals thereafter.
Places 5, 6, and 7	The election for places 5, 6, and 7 shall be held in <del>2019</del> , 2022, 2025, <b>2028</b> , and in three-year intervals thereafter.
<b>Method of Voting</b>	To be elected, a candidate must receive more votes than any other candidate for the place.
Plurality	



### PROPOSED REVISIONS

**Public Information  
Coordinator**

The ~~Superintendent~~ **executive director of communications and community relations** shall fulfill the responsibilities of the public information coordinator and shall receive, on behalf of Board members, the training specified by Government Code 552.012. [See GBAA]

**Reporting  
Continuing  
Education Credit**

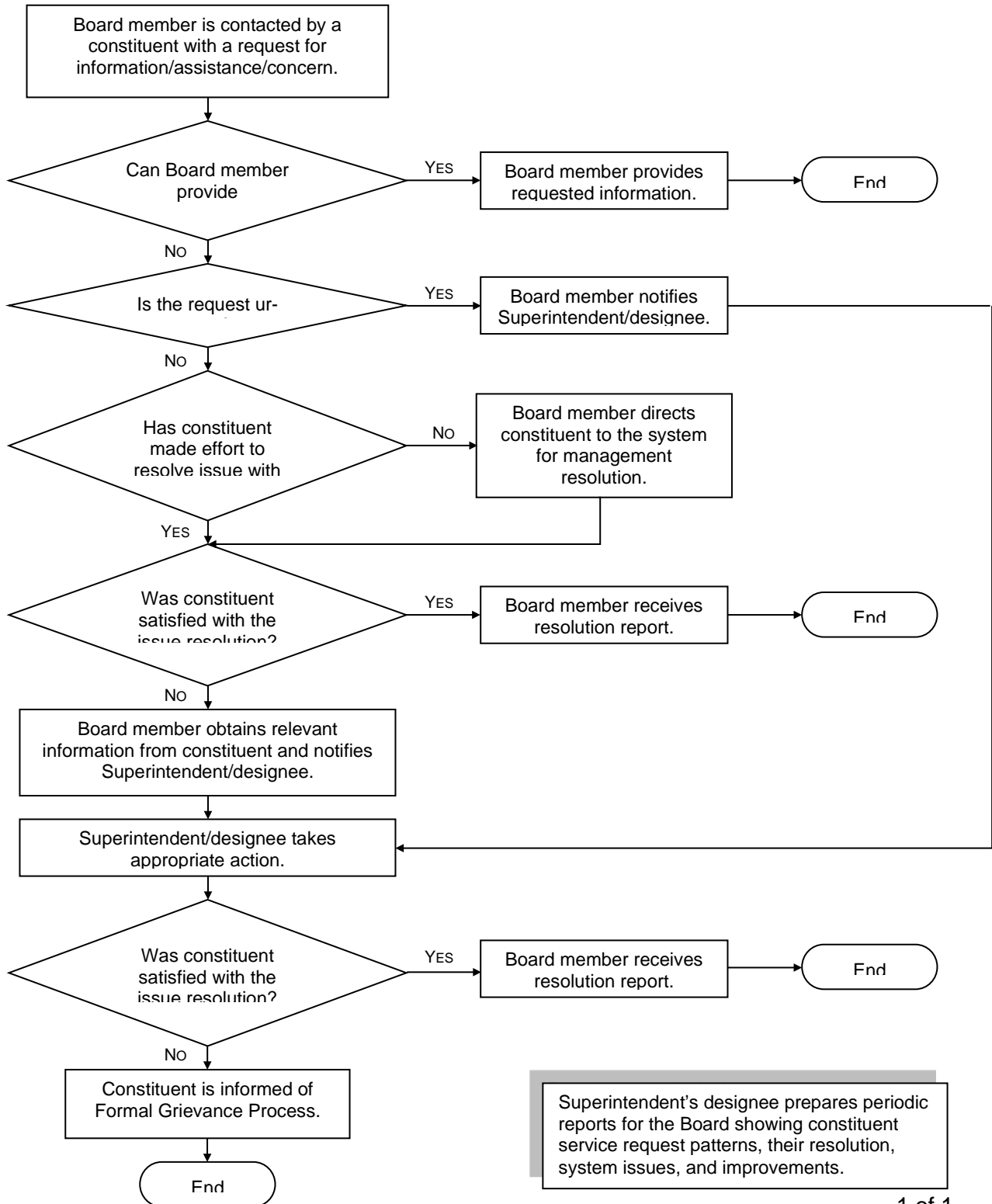
The Board President shall announce the status of each Board member's continuing education credit. The announcement shall be made annually at the last regular Board meeting before the District's uniform election date, whether or not an election is held. The announcement shall be reflected in the meeting minutes and, when necessary, posted on the District's website in accordance with law.





### DELETE EXHIBIT

#### CONSTITUENT SERVICE FLOW CHART



Superintendent's designee prepares periodic reports for the Board showing constituent service request patterns, their resolution, system issues, and improvements.



## PROPOSED REVISIONS

<b>Purpose</b>	<del>The Board's purpose is to ensure that the District provides constituents the necessary services.</del>
<b>Board Authority</b>	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)]
<b>Transacting Business</b>	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.
<b>Individual Authority for Committing the Board</b>	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]
<b>Individual Access to Information</b>	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 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	An individual Board member shall seek access to records or request copies of records from the Superintendent or other designated custodian of records, who shall respond within the time frames required by law. 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.

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.

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 records or reports that are confidential or otherwise not subject to public disclosure [see GBA], the Superintendent or other District employee shall advise the Board member of the responsibility to comply with confidentiality requirements and the District's information security controls.

**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.

**Visits to District  
Facilities**

A Board member shall adhere to any posted requirements for visitors to first report to the main office of a District facility, including a school campus. Visits during the school or business day shall not be permitted if their duration or frequency interferes with the delivery of instruction or District operations. [See also GKC]

**Definitions**

Constituents

~~In this policy "constituents" are residents of the community who are represented by the elected public District Board. Constituents are receivers of public services and provide public funds for those services. This may be further defined as parents, students, residents, employees, community and business leaders, as well as other stakeholders of the community.~~

Governance

~~The term "governance" refers to the primary role of the Board. Governance involves ensuring the delivery of required educational~~

~~and support services in the District by providing oversight and policy to the Superintendent regarding those services and desired results.~~

**Management**

~~“Management” is the responsibility of the Superintendent who is an employee of the Board and operates within the District policy established by the Board and all applicable state and federal laws and regulations. The Superintendent directs staff, allocates resources, administers programs, and provides support services to improve school system effectiveness and successfully achieve District academic objectives. [See BJA and BP]~~

**System for  
Constituent Service**

~~Recognizing the need to provide service to constituents, the need of Board members to be answerable to constituents, and the need to improve District systems, the Board and the Superintendent shall together put into place a system for constituent service.~~

~~The goal of the District is to respond promptly and professionally to any questions or concerns of the public. The public is encouraged to use published telephone numbers to contact the appropriate District personnel regarding issues or questions. Another valuable resource is the District website,<sup>4</sup> which contains policy, procedures, and the status of various ongoing programs that will often answer questions. The Web site also contains links to send questions and comments directly to the Superintendent and Board members using electronic mail.~~

~~The system for constituent service shall include the following major features:~~

- ~~1. A protocol for handling constituent requests for information or assistance;~~
- ~~2. The Superintendent’s designee; that is, the primary contact person in the Superintendent’s office to whom Board members will refer constituent service requests;~~
- ~~3. A form for documenting requests;~~
- ~~4. An information management system for storing, tracking, categorizing, and analyzing requests;~~
- ~~5. A feedback process so that Board members know the resolution of requests;~~
- ~~6. Oversight of the system by the Superintendent’s designee, who handles priority requests and keeps the Superintendent informed of matters that require his or her attention;~~
- ~~7. Periodic reports to the Superintendent and Board on constituent requests, their resolution, and patterns in requests; and~~

~~8. Periodic reports on systems improvements made, in whole or in part, as a result of constituent service requests.~~

~~Phone Calls and Letters~~

~~The Board encourages input; however, anonymous calls or letters shall not receive Board attention, discussion, or response and shall not result in directives to the administration.~~

~~Protocol for Constituent Service~~

~~The District constituent service flow chart will track the recommended process flow for constituent service requests.~~

~~The protocol begins with a constituent request to a Board member for information, assistance, or concern. If the request is for information, the Board member should provide the information, if known, or explain to the constituent where or from whom this information can be obtained.~~

~~If the information request indicates a systems issue; i.e., a request for information that is unavailable or inadequately communicated and indicates a communications issue, then the Board member should refer the issue to the Superintendent's designee for administrative action.~~

~~If the constituent requests assistance in addressing an issue or problem, the Board member must first evaluate the validity of the claim. If the request or complaint appears to be valid and is urgent, complicated, or has potential for major consequence, the Board member should refer the request to the Superintendent's designee for administrative action.~~

~~If the request or issue is not urgent, then the Board member should clearly explain to the constituent the District's chain of command, clarify the difference between governance and management, and define the Board's role in constituent service. The Board member should then direct the constituent back into the system to talk to the teacher or principal, transportation office, and the like. The Board member may need to provide the constituent with contact information. The constituent should be invited to call the Board member again if a timely response and resolution is not received from District staff.~~

~~If the constituent does not receive a satisfactory response despite good faith efforts to resolve the issue with District staff, the issue should be referred to the Superintendent's designee, who will then take appropriate administrative action.~~

~~For every issue referred to the Superintendent's designee, Board members shall receive a written report on the manner and time frame of issue resolution. If the issue is significant or requires time to resolve, the Superintendent's designee shall notify the Board~~

~~members regarding plans, steps taken, and time frame for resolution. The Superintendent's designee shall be responsible for briefing the Superintendent as needed and for preparing periodic reports for the Superintendent and the Board. The reports shall show request patterns, such as number, type, dates, percent of requests resolved to constituent's satisfaction, systems issues, and work to date to improve systems.~~

~~The Board and the Superintendent shall review the effectiveness of the constituent service system yearly. Board members shall consistently monitor their own and their fellow Board members' behavior to ensure compliance with the spirit and letter of this constituent service policy. Every attempt by a Board member to solve a constituent problem, obtain a favor, or influence a management decision should be brought to the attention of the Board President or, if necessary, to the full Board. In addition, Board members have an obligation not to confer special advantage on employees, parents, students, vendors, or any other person or entity outside regular management decision-making processes established by policy or management directives to guarantee fairness and equity.~~

~~Appropriate constituent service is defined as each Board member ensuring that management takes responsibility for helping constituents receive the services that the State Department of Education intend the District to provide using the systems and resources provided for those services.~~

~~The Board shall communicate this policy to the community as appropriate. External and internal communication is located in Board Operational Procedures.~~

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~~<sup>1</sup>District Web site: <http://www.bisdtx.org/>~~





### PROPOSED REVISIONS

**Standing  
Committees**

~~The Board shall have designated standing committees.~~

**Special Committees**

The President shall appoint members to special committees created by the Board to fulfill specific assignments, unless otherwise provided by Board action. These committees may include District personnel and citizens. The function of committees shall be fact-finding, deliberative, and advisory, but not administrative. Special committees shall report their findings to the Board and shall be dissolved upon completion of the assigned task or vote of the Board.

The President of the Board and the Superintendent shall be ex officio members of all Board committees, unless otherwise provided by Board action.

**Transacting  
Business**

Committees may transact business only within the specific authority granted by the Board. To be binding, all such business must be reported to the Board at the next regular or special meeting for approval and entry into the minutes as a public record.



## PROPOSED REVISIONS

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

~~Proposed local~~Local policies may be adopted or amendments introduced and recommended to amended by a majority of the Board at one-any regular or special meeting-shall not be adopted until a subsequent, 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. ~~Emergency adoption, however, may occur in one meeting if special circumstances demand an immediate response.~~

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.

### **DELETE POLICY**

The Board sees the value of self-evaluation and assessment as an informal mechanism for performance-based dialogue and continuous improvement.

The self-evaluation shall be conducted in a workshop setting in conjunction with the annual team-building training.



### PROPOSED POLICY

<b>District-Level Committee</b>	In compliance with law, the District shall establish a District-level committee to advise the Board or its designee in establishing and reviewing the District improvement plan [see BQ], as well as the District's educational goals, performance objectives, and major District-wide classroom instructional programs.
<b>Board's Designee</b>	The Superintendent shall serve as the Board's designee and shall regularly consult with the committee.
<b>Meetings</b>	The chairperson of the committee shall set its agenda and shall schedule at least two meetings per year, including the public meeting required by law.
<b>Communications</b>	The Superintendent shall ensure that the District-level committee establishes communication strategies to periodically obtain broad-based community, parent, and staff input and provide information to those persons regarding the recommendations of the committee.
<b>Composition</b>	The committee shall be composed of members who shall represent campus-based professional staff, District-level professional staff, parents, businesses, and the community. When practicable, professional staff representation shall include a representative with the primary responsibility for educating students with disabilities. For purposes of this policy, District-level professional staff shall be defined as professionals who have responsibilities at more than one campus, including, but not limited to, central office staff.
Selected Representatives	Parent, community member, and business representatives shall be selected in accordance with this policy and administrative regulations.
<i>Parents</i>	The committee shall include at least two parents of students currently enrolled in the District. The Superintendent shall, through various channels, inform all parents of District students about the committee's duties and composition and shall solicit volunteers.
<i>Community Members</i>	The committee shall include at least two community members selected by a process that provides for adequate representation of the community's diversity. The Superintendent shall use several methods of communication to ensure that community residents are informed of the committee and are provided the opportunity to participate and shall solicit volunteers. Community representatives must reside in the District.
<i>Business Representatives</i>	The committee shall include at least two business representatives selected by a process that provides for adequate representation of the community's diversity. The Superintendent shall use several

PLANNING AND DECISION-MAKING PROCESS  
DISTRICT-LEVEL

BQA  
(LOCAL)

methods of communication to ensure that area businesses are informed of the committee and are provided the opportunity to participate and shall solicit volunteers. Business representatives need not reside in nor operate businesses in the District.

**Professional Staff  
Elections**

Professional staff representatives shall be nominated and elected in accordance with this policy and administrative regulations.

Classroom teacher representatives shall comprise at least two-thirds of the total professional staff representation on the committee and shall be nominated and elected by all professional staff.

At least one campus-based nonteaching professional representative shall be nominated and elected by all professional staff.

At least one District-level professional representative, other than the Superintendent, shall be nominated and elected by the District-level professional staff.

An employee's affiliation or lack of affiliation with any organization or association shall not be a factor in either the nomination or election of the employee to the committee. [See DGA]

A nominee must consent before the person's name may appear on a ballot. Election of the committee shall be held at a time determined by the Board or its designee.

**Terms**

All representatives shall serve staggered two-year terms and shall be limited to two consecutive terms on the committee.

**Vacancy**

A vacancy during a term shall be filled for the remainder of the term by election or selection as appropriate for the category.



## PROPOSED POLICY

### **Campus-Level Committees**

In compliance with law, each campus shall establish a campus-level committee to ensure that effective planning and site-based decision-making occur to direct and support the improvement of student performance for all students. The committees shall assist the principal, as the Board's designee, in establishing and reviewing the goals, performance objectives, and major classroom instructional programs of each campus.

Each committee shall assist with the development, evaluation, and revision of the respective campus improvement plan and shall approve campus staff development needs identified in the campus improvement plan [see BQ and DMA].

### **Meetings**

The principal shall be responsible for the agenda and shall schedule at least two meetings per year, including the public meeting required by law.

### **Communications**

Each principal or designee shall ensure that the campus-level committee establishes communication strategies to periodically obtain broad-based community, parent, and staff input and provide information to those persons regarding the recommendations of the committee.

### **Composition**

The committee shall be composed of members who shall represent campus-based professional staff, District-level professional staff, parents, businesses, and the community. When practicable, professional staff representation shall include a representative with the primary responsibility for educating students with disabilities. For purposes of this policy, District-level professional staff shall be defined as professionals who have responsibilities at more than one campus, including, but not limited to, central office staff.

#### **Selected Representatives**

Parent, community member, and business representatives shall be selected in accordance with this policy and administrative regulations.

#### *Parents*

The committee shall include at least two parents of students currently enrolled in the District. The principal shall, through various channels, inform all parents of campus students about the committee's duties and composition and shall solicit volunteers.

#### *Community Members*

The committee shall include at least two community members selected by a process that provides for adequate representation of the community's diversity. The principal shall use several methods of communication to ensure that community residents are informed of the committee and are provided the opportunity to participate and shall solicit volunteers. Community representatives must reside in the District.

PLANNING AND DECISION-MAKING PROCESS  
CAMPUS-LEVEL

BQB  
(LOCAL)

<i>Business Representatives</i>	<p>The committee shall include at least two business representatives selected by a process that provides for adequate representation of the community's diversity. The principal shall use several methods of communication to ensure that area businesses are informed of the committee and are provided the opportunity to participate and shall solicit volunteers. Business representatives need not reside in nor operate businesses in the District.</p>
<b>Professional Staff Elections</b>	<p>Professional staff representatives shall be nominated and elected in accordance with this policy and administrative regulations.</p> <p>Classroom teacher representatives shall comprise at least two-thirds of the professional staff representation on the committee and shall be nominated and elected by all professional staff assigned to the campus.</p> <p>At least one campus-based nonteaching professional representative shall be nominated and elected by all professional staff assigned to the campus.</p> <p>At least one District-level professional representative shall be nominated and elected by District-level professional staff.</p> <p>An employee's affiliation or lack of affiliation with any organization or association shall not be a factor in either the nomination or election of the employee to the committee. [See DGA]</p> <p>A nominee must consent before the person's name may appear on the ballot. Election of the committee shall be held at a time determined by the Board or its designee.</p>
<b>Terms</b>	<p>All representatives shall serve staggered two-year terms and shall be limited to two consecutive terms on the committee.</p>
<b>Vacancy</b>	<p>A vacancy during a term shall be filled for the remainder of the term by election or selection as appropriate for the category.</p>

## PROPOSED REVISIONS

<b>Fiscal Year</b>	The District shall operate on a fiscal year beginning July 1 and ending June 30.
<b>Budget Planning</b>	Budget planning shall be an integral part of overall program planning so that the budget effectively reflects the District's programs and activities and provides the resources to implement them. In the budget planning process, general educational goals, specific program goals, and alternatives for achieving program goals shall be considered, as well as input from the District- and campus-level planning and decision-making committees. Budget planning and evaluation are continuous processes and shall be a part of each month's activities.
<b>Budget Meeting</b>	<p>The annual public meeting to discuss the proposed budget and tax rate shall be conducted as follows:</p> <ol style="list-style-type: none"><li>1. The Board President shall request at the beginning of the meeting that all persons who desire to speak on the proposed budget and/or tax rate sign up on the sheet provided.</li><li>2. Prior to the beginning of the meeting, the Board may establish time limits for speakers.</li><li>3. Speakers shall confine their remarks to the appropriation of funds as contained in the proposed budget and/or the tax rate.</li><li>4. No officer or employee of the District shall be required to respond to questions from speakers at the meeting.</li></ol>
<b>Authorized Expenditures</b>	The adopted budget provides authority to expend funds for the purposes indicated and in accordance with state law, Board policy, and the District's approved purchasing procedures. The expenditure of funds shall be under the direction of the Superintendent or designee who shall ensure that funds are expended in accordance with the adopted budget.
<b>Budget Amendments</b>	The Board shall amend the budget when a change is made increasing any one of the functional spending categories or increasing revenue object accounts and other resources.
<b>Fund Balance</b>	<del>A financial goal of the District shall be to have a sufficient balance in the operating fund to be able to maintain fiscal independence in case of a financial need or crisis. The District shall strive to maintain a yearly fund balance in the general operating fund in which the total fund balance is 22.5 percent of the total operating expenditures and the unreserved/undesignated fund balance is 15 percent of the total operating expenditures.</del>



### PROPOSED REVISIONS

#### Procurement

The ~~Superintendent~~ **chief financial officer** shall oversee the use of federal child nutrition funds to procure appropriate goods and services necessary for providing food service to students and shall develop and enforce financial management systems, internal control procedures, procurement procedures, and other administrative procedures as needed to comply with all state and federal requirements for use of these funds.

[See CO(LEGAL) and COA(LEGAL)]

#### Geographic Preference

The Board delegates to the Superintendent the authority to determine whether the District will apply a geographic preference when procuring unprocessed, locally grown or locally raised agricultural products and to:

1. Specify the types of products for which any geographic preference will be applied; and
2. Define the geographic area to be preferred for each applicable product.



### PROPOSED REVISIONS

**Compliance with Law**

The Superintendent shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.

**Construction Contracts**

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above \$50,000. To assist the Board, the Superintendent shall recommend the project delivery/contract award method that he or she determines provides the best value to the District. [See CV series generally and CBB(LEGAL) for requirements if federal funds are involved.]

For construction contracts valued at or above ~~\$25,000~~ **\$50,000**, the Superintendent shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the Superintendent and consistent with law and policy. [See also CH and CBB(LEGAL)]

**Change Orders**

Change orders permitted by law shall be approved ~~by the Board or its designee~~ prior to any changes being made in the approved plans or the actual construction of the facility.

**Change orders valued at or above \$50,000 shall require Board approval. The Superintendent shall be authorized to approve change orders of a lesser amount.**

**Project Administration**

All construction projects shall be administered by the Superintendent or designee.

The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.

**Final Payment**

The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Board has accepted the work.





### PROPOSED REVISIONS

#### **Non-Chapter 21 Contracts**

~~The District shall employ on non-Chapter 21 contracts, not to be governed by Chapter 21 of the Education Code, the following positions: chief financial officer, chief operations officer, executive director of communications/community services, maintenance manager, and custodial manager.~~

**Non-Chapter 21 contracts shall be provided for positions included on the list approved by the Board. A non-Chapter 21 contract shall not be governed by Chapter 21 of the Education Code.**

#### **Appeal of Employment Actions**

An employee may appeal discharge during the contract period in accordance with DCE(LEGAL).

An employee whose contract is not reissued at the end of the contract period may appeal to the Board in accordance with DGBA(LOCAL).



### PROPOSED REVISIONS

#### Definitions

##### Family

The term “immediate family” is defined as:

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee’s household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

##### Family Emergency

The term “family emergency” shall be limited to disasters and life-threatening situations involving the employee or a member of the employee’s immediate family.

##### Leave Day

A “leave day” for purposes of earning, use, or recording of leave shall mean the number of hours per day equivalent to the employee’s usual assignment, whether full-time or part-time.

##### Catastrophic Illness or Injury

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee’s immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

#### Availability

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

#### Earning Local Leave

An employee shall not earn any local leave when he or she is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status.

COMPENSATION AND BENEFITS  
LEAVES AND ABSENCES

DEC  
(LOCAL)

**Deductions**

Leave Without Pay

The District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.

Leave Proration

*Employed for  
Less Than Full  
Year*

If an employee separates from employment with the District before his or her last duty day of the year, or begins employment after the first duty day, state personal leave and local leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for:

1. State personal leave the employee used beyond his or her pro rata entitlement for the school year; and
2. Local leave the employee used but had not earned as of the date of separation.

*Employed for Full  
Year*

If an employee uses more local leave than he or she earned and remains employed with the District through his or her last duty day, the District shall deduct the cost of the excess leave days from the employee's pay in accordance with administrative regulations.

**Recording**

Leave shall be recorded as follows:

1. For contractual or exempt employees, leave shall be recorded in half-day increments.
2. For noncontractual or nonexempt employees, leave shall be recorded in one-hour increments.
3. If the employee is taking intermittent FMLA leave, leave shall be recorded in one-hour increments.

**Order of Use**

Earned compensatory time shall be used before any available paid state and local leave. [See DEAB]

Unless an employee requests a different order, available paid state and local leave shall be used in the following order, as applicable:

1. Local leave.
2. State sick leave accumulated before the 1995–96 school year.
3. State personal leave.

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Use of extended sick leave or catastrophic leave days shall be permitted only after all available state and local leave has been exhausted.

**Concurrent Use of Leave**

When an absent employee is eligible for FMLA leave, the District shall designate the absence as FMLA leave.

The District shall require the employee to use temporary disability leave and paid leave, including compensatory time, concurrently with FMLA leave.

An employee receiving workers' compensation income benefits may be eligible for paid or unpaid leave. An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

**Medical Certification**

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than three consecutive work-days because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent;
3. The employee requests FMLA leave for the employee's serious health condition or that of a spouse, parent, or child; or
4. The employee requests FMLA leave for military caregiver purposes.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

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**Note:** For District contribution to employee insurance during leave, see CRD(LOCAL).

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**State Personal Leave**

The Board requires employees to differentiate the manner in which state personal leave is used:

Non-Discretionary  
Use

Non-discretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

Non-discretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

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Discretionary Use

Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

*Limitations*

Request for  
Leave

The employee shall submit a written request for discretionary use of state personal leave to the immediate supervisor or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny state personal leave, the supervisor or designee shall not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee shall, however, consider the effect of the employee's absence on the educational program or District operations, as well as the availability of substitutes.

Duration of  
Leave

Discretionary use of state personal leave shall not exceed three consecutive workdays. ~~No more than five workdays per year shall be approved for discretionary use of leave. Any extenuating circumstances shall be submitted to and approved by the Superintendent or designee.~~

**Local Leave**

All full-time employees whose positions require ten months of service shall earn five paid local leave days per school year in accordance with administrative regulations.

All full-time employees whose positions require 11 or 12 months of service shall earn five paid local leave days per school year in accordance with administrative regulations.

Local leave shall accumulate to a maximum of 60 leave days.

~~Local leave shall be used according to the terms and conditions of state sick leave accumulated before the 1995-96 school year. [See DEC(LEGAL)]~~

~~An employee may also use local leave for absences related to the birth or placement of a child when leave is taken within the first year after the child's birth, adoption, or foster placement.~~

**Local leave shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]**

**Extended Sick Leave**

After all available state and local leave days have been exhausted, an employee shall be granted in a school year a maximum of ~~ten~~ **five** leave days of extended sick leave to be used only for the employee's own personal illness or injury, including pregnancy-related illness or injury.

A written request for extended sick leave must be accompanied by medical certification of the illness or injury.

Fifty percent of the daily rate of pay for the employee's position shall be deducted for each day of extended sick leave taken, whether or not a substitute is employed.

**Sick Leave Bank**

The District shall establish a sick leave bank that employees may join through contribution of local leave.

Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave.

If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.

The Superintendent or designee shall develop regulations for the operation of the sick leave bank that address the following:

1. Membership in the sick leave bank, including the number of days an employee must contribute to become a member;
2. Procedures to request leave from the sick leave bank;
3. The maximum number of days per school year a member employee may receive from the sick leave bank;
4. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; and
5. Other procedures deemed necessary for the operation of the sick leave bank.

**Appeal**

All decisions regarding the sick leave bank may be appealed in accordance with DGBA(LOCAL), beginning with the Superintendent or designee.

**Catastrophic Leave**

The District shall provide catastrophic leave for all employees eligible for Texas Teacher Retirement System (TRS) membership in the event of a catastrophic personal illness or disability or a catastrophic personal illness or disability of an immediate family member as defined for purposes of this provision.

For catastrophic leave purposes, catastrophic illness or disability shall be limited to an illness or disability described in the current Federal Register of Diagnosis-Related Groups (DRGs) that rates an outlier threshold of 30 or greater and results in total disability from work. Such a condition may qualify only if treatment is under the supervision of a licensed physician or doctor of osteopathy who

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certifies the level of disability versus total disability. The physician's certification must include the recommended period of convalescence and/or rehabilitation. Only medical personnel shall determine whether a condition qualifies as catastrophic.

Catastrophic leave generally shall not cover normal pregnancy, routine illness, minor surgery, or minor injuries.

For purposes of catastrophic leave only, "immediate family member" shall mean son, stepson, daughter, stepdaughter, child for whom the employee is the legal guardian, or spouse.

Catastrophic leave days shall be available only after the employee has exhausted all comp time, vacation days, state and local leave, and extended leave, if applicable. The total number of days available to an employee for personal illness or disability that qualifies under this provision shall be 60 days, available in 15-day increments. The total number of days available for an employee's immediate family member shall be 30 days, available in 15-day increments.

The following limitations and conditions shall apply to catastrophic leave days:

1. Catastrophic leave days shall be granted only for absences on working days, not for holidays, vacation days, or nonpaid days.
2. An employee using catastrophic leave days shall not receive more than 100 percent of his or her pre-illness or pre-disability earnings.

Administrative  
Regulations

Procedures for requesting days for catastrophic leave or for appealing a denial of days to the appeals committee shall be set out in administrative regulations.

Appeal

An employee who is not satisfied with the decision of the appeals committee may appeal the decision through policy DGBA(LOCAL), beginning at Level Two.

**Family and Medical  
Leave**

For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be measured forward from the date an individual employee's first FMLA leave begins.

Twelve-Month  
Period

Combined Leave for  
Spouses

If both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks. [See DECA(LEGAL)]



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Intermittent or Reduced Schedule Leave	The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. [See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]
Certification of Leave	If an employee requests leave, the employee shall provide certification, as required by FMLA regulations, of the need for leave. [See DECA(LEGAL)]
Fitness-for-Duty Certification	If an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. If the District will require certification of the employee's ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.
End of Semester Leave	If a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester. [See DECA(LEGAL), Leave at the End of a Semester]
Failure to Return	If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. [See DECA(LEGAL), Recovery of Benefit Cost]
<b>Temporary Disability Leave</b>	<p>Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]</p> <p>An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent or designee as a request for temporary disability leave.</p>
<b>Workers' Compensation</b>	<hr/> <p><b>Note:</b> Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. [See CRD(LOCAL) regarding payment of insurance contribution during employee absences.]</p> <hr/> <p>An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.</p>

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An employee eligible for workers' compensation income benefits, and not on assault leave, may elect in writing to use paid leave.

**Court Appearances**

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.

**Neutral Absence Control**

If an employee does not return to work after exhausting all available paid and unpaid leave, the District shall provide the employee written notice that he or she no longer has leave available for use. The District shall automatically pursue termination of an employee who has exhausted all available leave, regardless of the reason for the absence [see DF series]. The employee's eligibility for reasonable accommodations, as required by the Americans with Disabilities Act [see DAA(LEGAL)], shall be considered before termination. If terminated, the employee may apply for reemployment with the District.

### DELETE POLICY

Contractual employees shall not be compensated in any contract year for days worked in excess of the number of days specified in the contract, unless a written request is approved by the Board as an amendment to the contract.

Contractual employees on 226-day and 217-day contracts shall use their nonwork days during the months of June and July. An employee who submits a written request to the Superintendent and receives written approval shall be permitted to use nonwork days during a month other than June or July.

Nonwork days shall be calculated as follows:

Number of contracted days

plus number of designated school holidays

plus 104 days (weekends)

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X

364 calendar days (July 1–June 30)

-X

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Y (number of nonwork days)

An employee who submits a written request to the Superintendent and receives written approval shall be permitted to use nonwork days, not to exceed ten calendar days, from the previous contractual year in the subsequent contractual year. For employees with contracts that exceed one year, a contractual year shall be each July 1–June 30 encompassed by the contract. Nonwork days from one contractual year must be used in the subsequent contractual year. Nonwork days shall not accumulate except as provided by this policy.

Unless the Board grants specific written approval, a contractual employee's compensation for one contract year shall not exceed the amount stated in the employee's contract.



### PROPOSED REVISIONS

**General Requirements**

All resignations shall be submitted in writing to the Superintendent or designee. The employee shall give reasonable notice and shall include in the letter a statement of the reasons for resigning. A pre-paid certified or registered letter of resignation shall be considered submitted upon mailing.

**At-Will Employees**

The Superintendent or designee shall be authorized to accept the resignation of an at-will employee at any time.

**Contract Employees**

The Superintendent or designee shall be authorized to receive a contract employee's resignation effective at the end of the school year or submitted after the last day of the school year and before the penalty-free resignation date. The resignation requires no further action by the District and is accepted upon receipt.

**The Superintendent and the executive director of administrative services and human resources shall be authorized to accept a contract employee's resignation submitted or effective at any other time. The Superintendent and the director of administrative services and human resources shall either accept the resignation or submit the matter to the Board in order to pursue sanctions allowed by law.**

~~The Superintendent or other person designated by Board action shall be authorized to accept a contract employee's resignation submitted or effective at any other time. The Superintendent or other Board designee shall either accept the resignation or submit the matter to the Board in order to pursue sanctions allowed by law.~~

**Withdrawal of Resignation**

Once submitted and accepted, the resignation of a contract employee may not be withdrawn without consent of the Board.



### PROPOSED REVISIONS

The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Penne Liefer  
Position: Executive Director of **Administrative Services and** Human Resources  
Address: 906 Farm Street, Bastrop, TX 78602  
Telephone: (512) 772-7100

The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Jackie Waneck  
Position: Director of Special Programs and Services  
Address: 1507 Pine Street, Bastrop, TX 78602  
Telephone: (512) 772-7835





## PROPOSED REVISIONS

### T-TESS

The District shall appraise teachers annually using the Texas Teacher Evaluation and Support System (T-TESS) in accordance with law and administrative regulations.

The Board shall approve a list of certified appraisers who can appraise a teacher in place of the teacher's supervisor.

#### Annual Appraisal

District teachers shall be appraised annually.

#### *Exception*

Teachers who are eligible for less frequent evaluations in accordance with law [see DNA(LEGAL)] and the local criteria established in this policy shall be appraised in accordance with the provisions below.

#### Less-Than-Annual

#### *Eligibility*

In addition to meeting the eligibility requirements in state rules, to be eligible for less-than-annual evaluations under the T-TESS, a teacher shall:

1. Be employed on an educator term contract;
2. Have served at the current campus for at least one year; however, if a teacher has moved to a new campus as a result of administrative leveling of classes, the teacher shall remain on the evaluation schedule established at the previous school;
3. Serve on a campus that met target scores of each of the four accountability index measures for the 2018–2019 school year; and
4. Be assigned to a campus where the current campus principal is in his or her second year or more of service as the principal of that campus.

#### *Frequency*

Eligible teachers shall be appraised every two years.

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.

A teacher's supervisor shall have the authority to return a teacher to the traditional appraisal cycle as a result of performance deficiencies documented in accordance with state rule.

#### *Annual Review Process*

In the years in which a T-TESS appraisal is not scheduled for an eligible teacher, the teacher shall participate in an annual review process that includes the elements listed in state rule.

**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.**

## PROPOSED REVISIONS

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**Note:** Unless otherwise noted, the terms “video recording,” “video surveillance,” and “video monitoring” shall also include any associated audio recordings. In addition, the term “classroom” shall also include other special education settings subject to video and audio recording required by law.

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To promote student safety, the District shall comply with requests for video and audio monitoring of certain self-contained special education classrooms as required by law. Regular or continual monitoring of video recordings shall be prohibited. Video recordings shall not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

The Superintendent is responsible for coordinating the provision of equipment to campuses in compliance with the law.

The Superintendent shall ensure that administrative regulations are developed to implement this policy.

### Requests

For Following Year

A parent of a student receiving special education services and whose placement for the following school year will be in a self-contained classroom eligible for video surveillance may request in writing that a video camera be placed in the classroom by the end of the current school year or by the tenth business day after the student’s admission, review, and dismissal (ARD) committee determines the student’s placement, whichever is later. If such a request is made, the campus shall begin operation of the camera by the deadlines in law.

For Current Year

Written requests from a parent, assistant principal, principal, staff member, or the Board shall be submitted and processed in accordance with the procedures in law.

Response

As required by law, the District shall provide a response to the requester not later than the seventh business day after receipt of the request.

### Notice

Before a camera is activated, the principal shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be conducted in the classroom.

### Installation and Operation

The classroom subject to the request shall begin operation of video surveillance not later than the time frames required in law, except when the District is granted an extension of time.

When the District has installed video cameras in a classroom as required by law, the District shall operate the cameras during the instructional day at all times when one or more students are in the classroom. For purposes of this policy, the instructional day shall be defined as the portion of a school day during which instruction is taking place in the classroom.

For the school year in which a campus receives a request for video and audio surveillance, the campus shall continue to operate and maintain any video cameras placed in the classroom for as long as the classroom continues to satisfy the requirements in Education Code 29.022(a). However, the campus may discontinue operation of the video camera during the year if the requester withdraws the request in writing and no request is submitted to continue the surveillance. Before a camera is deactivated, the principal shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be discontinued in the classroom and of the opportunity to request continued video and audio surveillance.

Video cameras must be capable of recording video and audio of all areas of the classroom, including a room attached to the classroom used for time out as defined by law. No visual monitoring, other than incidental coverage, shall be conducted of the inside of a bathroom or other area used for changing a student's clothes.

The District shall post notice at the entrance to a classroom in which video cameras are placed stating that video and audio surveillance is conducted in that classroom.

**Retention of Recordings**

Video recordings shall be retained for at least three months after the date of the recording but may be retained for a longer period in accordance with the District's records management program, or as required by law. [See CPC]

**Confidentiality of Recordings**

Video recordings made in accordance with this policy shall be confidential and shall only be released or viewed by the individuals and in the limited circumstances permitted by law. The following individuals shall have authority to view video recordings to the extent permitted by the Family Educational Rights and Privacy Act (FERPA):

1. A District employee or a parent of a student who is involved in an alleged incident documented by a recording and reported to the District;
2. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged abuse or neglect of a child;

3. A peace officer, school nurse, District administrator trained in de-escalation and restraint techniques, or human resource staff member in response to a report of an alleged incident or an investigation of an employee or a report of alleged abuse committed by a student; and
4. Appropriate Texas Education Agency or State Board for Educator Certification personnel or their agents as part of an investigation.

For purposes of this policy, the term “human resource staff member” shall include the Superintendent, **director of special programs and services**, a principal, an assistant principal or other campus administrator, and any supervisory position within the District’s human resources office. If an individual listed in items 2–4, above, believes that a recording shows a violation of District policy or campus procedures, the individual may allow access to the recording by appropriate legal and human resources personnel designated by the District for the purpose of determining whether a policy or procedure has been violated.

Any person who suspects that child abuse or neglect has occurred shall report this suspicion as required by law and District policy. [See FFG]

### **Reporting an Incident**

A person alleging that an incident, as defined by law, has occurred in a classroom in which video surveillance is conducted shall file a report on the form provided by the District with the principal as soon as possible after the person suspects the alleged incident. If possible, an incident report form shall be filed within 48 hours of the facts giving rise to the allegation. The principal shall promptly view, or direct an authorized individual to view, the video surveillance footage to identify the relevant portion of the recording. No later than ten District business days after the report is filed, the principal or designee shall respond by notifying the person whether the alleged incident was recorded in the District’s video surveillance footage and shall initiate other steps as required by law, District policy, or local procedures.

### **Complaints**

Complaints related to video and audio recordings under this policy shall be filed in accordance with DGBA, FNG, or GF, as applicable. A complainant who is dissatisfied with the outcome of the District’s complaint process may appeal in writing to the commissioner of education in accordance with Education Code 7.057 and 19 Administrative Code 103.1303. A parent, staff member, or District administrator may request an expedited review in accordance with 19 Administrative Code 103.1303.



### PROPOSED REVISIONS

**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 Pre-K–Grade 64**

The District shall issue grade reports/report cards every nine weeks to students in prekindergarten through grade 6-4 on a form approved by the Superintendent or designee.

**Progress Reporting Grades 75–12**

The District shall issue grade reports/report cards every six weeks to students in grades 75–12 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**

Notice of a student's unsatisfactory performance in any course shall be issued after the third week of a six-week grading period or during the fourth week of a nine-week grading period.

**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

Bastrop ISD  
011901

ACADEMIC ACHIEVEMENT  
GRADING/PROGRESS REPORTS TO PARENTS

EIA  
(LOCAL)

employee, taking into consideration written materials, observation,  
or information from students.



### PROPOSED REVISIONS

<b>Curriculum Mastery</b>	Promotion and course credit shall be based on mastery of the curriculum. Expectations and standards for promotion shall be established for each grade level, content area, and course and shall be coordinated with compensatory, intensive, and/or accelerated services. [See EHBC] The District shall comply with applicable state and federal requirements when determining methods for students with disabilities [see FB] or students who are English language learners [see EHBE and EKBA] to demonstrate mastery of the curriculum.
Students Receiving Special Education Services	Any modified promotion standards for a student receiving special education services shall be determined by the student's admission, review, and dismissal (ARD) committee and documented in the student's individualized education program (IEP). [See EHBA series and EKB]
<b>Standards for Mastery</b>	In addition to the factors in law that must be considered for promotion, mastery shall be determined as follows: <ol style="list-style-type: none"><li>1. Course assignments and unit evaluation shall be used to determine student grades in a subject. An average of 70 or higher shall be considered a passing grade.</li><li>2. Mastery of the skills necessary for success at the next level shall be validated by assessments that may either be incorporated into unit or final exams or may be administered separately. Mastery of at least 70 percent of the objectives shall be required.</li></ol>
<del>Kindergarten</del>	<del>Students in kindergarten shall be evaluated for mastery of grade-level standards. Promotion to grade 1 shall be based on an overall average of 3 on a scale of 4 based on course-level, grade-level standards (essential knowledge and skills) for reading, language arts, and mathematics.</del>
<b>Grades 1–2</b>	In grades 1–2, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) in each of the following subjects: reading, language arts, and mathematics.
<b>Grades 3–4</b>	In grades 3–4, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) in each of the following subjects: reading, language arts, mathematics, and either science or social studies.
<b>Grades 5–8</b>	In grades 5–8, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level,

	<p>grade-level standards (essential knowledge and skills) for all subject areas and a grade of 70 or above in language arts, mathematics, and either science or social studies.</p>
<p>Grades 9–12</p>	<p>Grade-level advancement for students in grades 9–12 shall be earned by course credits. [See EI]</p>
<p><b>Accelerated Instruction</b></p>	<p>If a student fails to demonstrate proficiency on a state-mandated assessment, the student shall be provided accelerated instruction in accordance with state law. Additionally, students in grades 5 and 8 shall be subject to all provisions of GRADE ADVANCEMENT TESTING, below.</p>
<p><b>Grade Advancement Testing</b></p>	<p>Except when a student will be assessed in reading or mathematics above his or her enrolled grade level, students in grades 5 and 8 must meet the passing standard on the applicable state-mandated assessments in reading and mathematics to be promoted to the next grade level, in addition to the District's local standards for mastery and promotion.</p>
<p>Definition of "Parent"</p>	<p>For purposes of this policy and decisions related to grade advancement requirements, a student's "parent" shall be defined to include either of the student's parents or guardians; a person designated by the parent, by means of a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code, to have responsibility for the student in all school-related matters [see FD]; a surrogate parent acting on behalf of a student with a disability; a person designated by the parent or guardian to serve on the grade placement committee (GPC) for all purposes; or in the event that a parent, guardian, or designee cannot be located, a person designated by the Superintendent or designee to act on behalf of the student. [See EIE(LEGAL)]</p>
<p>Alternate Assessment Instrument</p>	<p>The Superintendent or designee shall select from the state-approved list, if available, for each applicable subject an alternate assessment instrument that may be used for the third testing opportunity. Each student's GPC shall decide whether he or she shall be given the statewide assessment instrument or the applicable alternate instrument for the third testing opportunity. The committee's decision shall be based on a review of the student's performance in the previous testing opportunities, local assessments, and any other circumstances it deems appropriate.</p>
<p>Standards for Promotion Upon Appeal</p>	<p>If a parent initiates an appeal of his or her child's retention following the student's failure to demonstrate proficiency after the third testing opportunity, the GPC shall review all facts and circumstances in accordance with law.</p> <p>The student shall not be promoted unless:</p>

1. All members of the GPC agree that the student is likely to perform on grade level if given additional accelerated instruction during the following school year in accordance with the educational plan developed by the GPC; and
2. The student has completed required accelerated instruction in the subject area for which the student failed to demonstrate proficiency.

Whether the GPC decides to promote or to retain a student in this manner, the committee shall determine an accelerated instruction plan for the student for the following school year, providing for interim reports to the student's parent and opportunities for the parent to consult with the teacher or principal as needed. The principal or designee shall monitor the student's progress during the following school year to ensure that he or she is progressing in accordance with the plan.

**Transfer Students**

When a student transfers into the District having failed to demonstrate proficiency on applicable assessment instruments after two testing opportunities, a GPC shall convene for that student. The GPC shall review any available records of decisions regarding testing and accelerated instruction from the previous district and determine an accelerated instruction plan for the student.

If a parent initiates an appeal for promotion when a student transfers into the District having failed to demonstrate proficiency after three testing opportunities, the GPC shall review any available records of decisions regarding testing, accelerated instruction, retention, or promotion from the previous district and issue a decision in accordance with the District's standards for promotion.

**Assignment of Retained Students**

In the event a student is not promoted to the next grade level, the District shall nevertheless assign the student to an age-appropriate campus, unless:

1. The student's parent requests that the student be assigned to the same or a similar campus setting; or
2. The student's GPC determines that it would be in the student's best interest to be assigned to the same or a similar campus setting. Criteria to be considered for this decision may include:
  - a. Recommendations from the student's teachers.
  - b. Observed social and emotional development of the student.

**Reducing Student  
Retention**

The District shall establish procedures designed to reduce retaining students at a grade level, with the ultimate goal being elimination of the practice of retaining students. [See EHBC]

### PROPOSED REVISIONS

The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, for students:

Name: Penne Liefer  
Position: Executive Director of **Administrative Services and** Human Resources  
Address: 906 Farm Street, Bastrop, TX 78602  
Telephone: (512) 772-7100

The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, for students:

Name: Jackie Waneck  
Position: Director of Special Programs and Services  
Address: 1507 Pine Street, Bastrop, TX 78602  
Telephone: (512) 772-7835



## PROPOSED REVISIONS

### Persons Age 21 and Over

~~With the exception of the alternative education high school program, †~~The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.

### Registration Forms

The student's parent, legal guardian, or other person having lawful control shall annually complete registration forms provided through the District's electronic registration process. The District shall allow electronic signatures via the District online enrollment/registration system. A student who has reached age 18 shall be permitted to complete these forms.

### Proof of Residency

~~Each student shall annually provide at least one of the following documents as proof of residency within the District:~~

- ~~1. Household utility statement in the parent's or guardian's name (gas, electric, water) showing an address within the District's boundaries.~~
- ~~2. A recently paid rent receipt.~~
- ~~3. A current lease agreement.~~
- ~~4. Sworn affidavit of parent or guardian that the parent or guardian and the child seeking admission are bona fide residents of the District, i.e., that they eat, sleep, and maintain clothing and other personal effects at an address within the District's boundaries shown on the application for admission.~~

~~At the time of initial enrollment, upon moving to a new campus, and for all students promoted at grades 5, 7, and 9, the parent, guardian, or other person having lawful control of the student under order of a court shall present a proof of residency in accordance with this policy and administrative regulations. If proof of residency is not shown within 30 school days, the District may initiate withdrawal of the student's enrollment.~~

### Proof of Residency

**At the time of initial registration and on an annual basis thereafter, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency in accordance with administrative regulations developed by the Superintendent.**

**In accordance with law, the District may make reasonable inquiries to determine whether the student is a resident of the District, including when a document submitted for purposes of proving residency is not in the name of the adult who is enrolling the student. When required by law, the District shall waive the requirement to prove residency in the District**

**boundaries. If proof of residency is not shown within 30 school days, the District may initiate withdrawal of the student's enrollment.**

*Continued Enrollment*

After a student's initial enrollment, the District shall verify residency through the annual registration forms and may investigate stated residency as necessary.

~~Exceptions~~

~~Proof of a student's residency shall be waived under the following circumstances:~~

~~Victims of Family Violence, Sexual Assault, or Stalking~~

~~1. When the student or the student's parent or guardian is a participant in the attorney general's address confidentiality program for victims of family violence, sexual assault, or stalking. The District must accept a substitute post office box address designated by the attorney general if it is presented by a parent or student participating in the program.~~

~~Homeless Students~~

~~2. When the student is homeless as defined by law.~~

**Minor Living Apart**

Person Standing in Parental Relation

A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.

Misconduct

A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.

Exceptions

Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.

Extracurricular Activities

The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.

**Nonresident Student in Grandparent's After-School Care**

The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.

The Superintendent shall have authority to approve or deny such admissions requests in accordance with ~~this policy~~ **criteria approved by the Board.**



~~Substantial After-School Care~~

~~For the purpose of admission under this provision, a substantial amount of after-school care shall consist of at least three hours per school day for five days during the regular school week. A student in kindergarten through grade 5 shall be eligible to attend District schools if he or she meets the criteria.~~

~~A student in grades 6–12 shall not be eligible for admission to District schools under this provision unless approved by the Superintendent after consideration of the student's age and the student's special needs or circumstances.~~

~~A student enrolled under this provision may continue in enrollment so long as the grandparent provides this level of care.~~

**“Accredited” Defined**

For the purposes of this policy, “accredited” shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner of education.

**Grade-Level Placement**

Accredited Schools

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

Nonaccredited Schools

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. Other criteria deemed appropriate by the principal.

**Transfer of Credit**

Accredited Texas Public Schools

Credit toward state graduation requirements earned in an accredited public school district in Texas shall be transferable and recognized by the District.

Other Accredited or  
Nonaccredited  
Schools

Before recognizing credit in a course earned in an accredited non-public school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student's records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit. [See EI]

**Placement in Upper-  
Level Foreign  
Language**

~~The following specific guidelines and procedures shall be followed to determine an entering student's placement into an upper-level foreign language course.~~

~~No Previous  
Instruction~~

~~A student entering the District who has not had prior classroom instruction in a foreign language but whose classroom performance indicates that he or she should be placed in Level II or a higher level of the same foreign language shall be given a course final examination covering the essential knowledge and skills of Level I or Level II in order to demonstrate proficiency. The student shall meet the requirements of policy EHDC in order to earn credit for a course at each level.~~

~~With Previous  
Instruction~~

~~A student who has had prior instruction in Level I or Level II of a foreign language shall be placed in accordance with the provisions of policy EHDB by taking the course final examination at each level of the language in order to show proficiency and to be awarded credit for the course or courses.~~

**Withdrawal**

A parent or guardian wishing to withdraw a minor student shall present a signed statement that includes the reason for the withdrawal. A student who is 18 or older may submit a withdrawal statement without a parent's or guardian's signature.

[For District withdrawal of students no longer in attendance, see FEA(LOCAL).]

## PROPOSED REVISIONS

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**Note:** This local policy has been revised in accordance with the District's [innovation plan](#).<sup>1</sup>

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<b>Authority</b>	<p>The Superintendent is authorized to accept or reject any transfer requests, provided that such action is without regard to race, religion, color, sex, disability, national origin, or ancestral language.</p> <p>A resident student who becomes a nonresident during the course of a semester shall be permitted to continue in attendance for the remainder of the semester.</p>
<b>Transfer Requests</b>	<p>A nonresident student, including a child of a nonresident District employee, wishing to transfer into the District shall file an application for transfer each school year with the Superintendent or designee. Transfers shall be granted for one regular school year at a time.</p>
Factors	<p>In approving transfers, the Superintendent or designee shall consider availability of space and instructional staff and the student's disciplinary history and attendance records.</p>
Assigned Campus	<p>An approved transfer student, including the child of a nonresident District employee, shall be required to attend the school <del>assigned by the Superintendent or designee</del>. <b>that has availability of space and instructional staff.</b></p>
Transfer Agreements	<p>A transfer student shall be notified in the written transfer agreement that he or she must follow all rules and regulations of the District.</p> <p>In accordance with the District's innovation plan, the District is exempt from state law requiring transfers to be for a one-year period. Therefore, violation of the terms of the agreement may result in revocation of the agreement during the school year or may result in a transfer request not being approved the following year.</p>
<b>Tuition</b>	<p>If the District charges tuition, the amount shall be set by the Board, within statutory limits.</p>
Waivers	<p>The Board may waive tuition for a student based on financial hardship upon written application by the student, parent, or guardian. [See FP]</p>
Nonpayment	<p>The District may initiate withdrawal of students whose tuition payments are delinquent.</p>
<b>Appeals</b>	<p>Any appeals shall be made in accordance with FNG(LOCAL) and GF(LOCAL), as appropriate.</p>

Bastrop ISD  
011901

ADMISSIONS  
INTERDISTRICT TRANSFERS

FDA  
(LOCAL)

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<sup>1</sup> Innovation Plan: <https://www.bisdtx.org/Page/1442>

Bastrop ISD  
011901

STUDENT WELFARE  
STUDENT SUPPORT SERVICES

FFC  
(EXHIBIT)

### PROPOSED REVISIONS

The District has designated the following employee as the liaison for homeless students:

Name: Ms. Norma Mercado

Position: Parent Involvement Facilitator and Homeless Liaison

Address: ~~906 Farm Street, Bastrop, TX 78602~~ 1602 Hill St., Bastrop, TX 78602

Telephone: (512) 772-7100



## PROPOSED REVISIONS

# Notice of Employee Responsibilities for Reporting Child Abuse and Neglect

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### 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) and (LOCAL), 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 ~~the executive director of human resources~~ **Superintendent** at (512) 772-7100.

### 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 will 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 Bastrop ISD Police Department, at (512) 772-7100**, The Bastrop Police Department, at (512) 321-5550, or the Bastrop Sheriff's Department, at (512) 303-1080;

- The CPS division of the Texas Department of Family and Protective Services at (800) 252-5400 or [Texas Abuse Hotline Website](#)<sup>1</sup>; or
- 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.



Bastrop ISD  
011901

STUDENT WELFARE  
CHILD ABUSE AND NEGLECT

FFG  
(EXHIBIT)

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<sup>1</sup> Texas Abuse Hotline Website: <http://www.txabusehotline.org>



### PROPOSED REVISIONS

The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, for students:

Name: Penne Liefer  
Position: Executive Director of **Administrative Services and** Human Resources  
Address: 906 Farm Street, Bastrop, TX 78602  
Telephone: (512) 772-7100

The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, for students:

Name: Jackie Waneck  
Position: Director of Special Programs and Services  
Address: 1507 Pine Street, Bastrop, TX 78602  
Telephone: (512) 772-7835



### PROPOSED REVISIONS

#### **Extracurricular Activity Absences**

The District shall make no distinction between absences for UIL activities and absences for other extracurricular activities approved by the Board.

**The District shall not limit an eligible student's absences related to participation in extracurricular activities. [See FM(LEGAL)]**

#### **Exempt Courses**

The following District requirements apply to 'no pass, no play' for purposes of eligibility to participate in extracurricular activities.

For students in grades 9–12, the District considers only Advanced Placement, Pre-AP, and dual enrollment courses in the areas of English/language arts, social studies, science, math, and languages other than English (LOTE) to be exempt honor courses. 'No pass, no play' requirements shall be waived only for a grade of 60 or higher in an exempt course.

For students in grades 7–8, the District considers only pre-AP courses and ~~courses~~ **languages other than English (LOTE) courses** taken for high school credit. 'No pass, no play' requirements shall be waived only for a grade of 60 or higher in an exempt course. Only one waiver shall be allowed per semester per student.

#### **Use of District Facilities**

School-sponsored student groups may use District facilities with prior approval of the appropriate administrator. Other student groups may use District facilities in accordance with policy FNAB.



### PROPOSED REVISIONS

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the District or by a District-affiliated school-support organization shall not be sold, circulated, distributed, or posted on any District premises by any District student, except in accordance with this policy.

The District shall not be responsible for, nor shall the District endorse, the contents of any nonschool literature distributed by students.

For purposes of this policy, "distribution" means the circulation of more than ten copies of material from a source other than the District.

Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities shall not be considered nonschool literature and shall not be governed by this policy.

[For distribution of nonschool literature by nonstudents, see GKDA]

#### Limitations on Content

Nonschool literature shall not be distributed by students on District property if:

1. The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
2. The materials endorse actions endangering the health or safety of students.
3. The materials promote illegal use of drugs, alcohol, or other controlled substances.
4. The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
5. The materials contain defamatory statements about public figures or others.
6. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
7. The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.

STUDENT EXPRESSION  
DISTRIBUTION OF NONSCHOOL LITERATURE

FNAA  
(LOCAL)

8. There is reasonable cause to believe that distribution of the nonschool literature would result in material and substantial interference with school activities or the rights of others.

**Prior Review**

All nonschool literature intended for distribution by students on school campuses or other District premises under this policy shall be submitted to the principal for prior review in accordance with the following:

1. Materials shall include the name of the person or organization sponsoring the distribution.
2. Using the standards found in this policy at LIMITATIONS ON CONTENT, the principal shall approve or reject submitted materials within two school days of the time the materials were received.

**Exceptions to Prior Review**

Prior review shall not be required for distribution of nonschool literature by District students only in the following circumstances:

1. Distribution of materials by a student to other attendees during a meeting of a noncurriculum-related student group authorized to meet at school during noninstructional time in accordance with FNAB(LOCAL); or
2. Distribution of nonschool materials in circumstances for which exceptions to prior review are authorized at GKDA(LOCAL).

Even when prior review is not required, all other provisions of this policy shall apply.

**Time, Place, and Manner Restrictions**

Each campus principal shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed by students to students or others at the principal's campus.

The ~~executive director of communications and community services~~ **executive director of communications and community relations** shall designate times, locations, and means for distribution of nonschool literature by students at District facilities other than school campuses, in accordance with this policy.

**Violations of Policy**

Failure to comply with this policy regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials, suspension of a noncurriculum-related student group's use of District facilities, and/or other disciplinary action in accordance with the Student Code of Conduct.

**Appeals**

Decisions made by the administration in accordance with this policy may be appealed in accordance with FNG(LOCAL).



### PROPOSED REVISIONS

For purposes of the Equal Access Act, the District has established a limited open forum for elementary and secondary school students enrolled in the District. Each District secondary school campus shall offer an opportunity for noncurriculum-related student groups to meet on school premises during noninstructional time.

[See GKD for community access]

#### Sponsorship

Noncurriculum-related student groups shall not be sponsored by the District and shall in no way imply to students or to the public that they are school-sponsored. All letterheads, flyers, posters, or other communications that identify the group shall contain a disclaimer of such sponsorship.

District personnel shall not promote, lead, or participate in the meetings of noncurriculum-related student groups.

[For student activities sponsored by the District and having subject matter and purposes directly related to the school's curriculum, see FM]

#### Requests

To receive permission to meet on school premises during noninstructional time, interested students shall file a written request with the ~~chief operations officer~~ principal on a form provided by the District.

The students making the request shall indicate that they have read and understand the policies and rules governing nonsponsored, noncurriculum-related student groups and that the group will abide by those rules.

#### Approval

The ~~chief operations officer~~ principal shall approve or reject the request within seven school days, subject to the availability of suitable meeting space and without regard to the religious, political, philosophical, or other content of the speech likely to be associated with the group's meetings.

Approval to meet as a nonsponsored, noncurriculum-related group shall be granted for one school year at a time, subject to the provisions of this policy.

#### Meetings

The principal shall designate noninstructional time for meetings of nonsponsored, noncurriculum-related student groups and shall assign each approved group an appropriate location and time.

#### Employee Monitor

The principal shall assign a District employee to attend and monitor each student group meeting. Monitors shall be present at meetings and activities in a nonparticipatory capacity to maintain order and protect school property.

STUDENT EXPRESSION  
USE OF SCHOOL FACILITIES FOR NONSCHOOL PURPOSES

FNAB  
(LOCAL)

No employee shall be required to monitor meetings at which the content of the speech would be objectionable to the employee.

**Announcements and  
Publicity**

All nonsponsored, noncurriculum-related student groups shall be given access on the same basis for making announcements and publicizing their meetings and activities, in accordance with guidelines developed by the ~~Superintendent~~principal.

[For distribution of nonschool materials, see FNAA]

**Violations**

Failure of a student group to comply with applicable rules may result in loss of the right to meet on school premises.

In addition, students who violate applicable rules are subject to disciplinary action in accordance with the Student Code of Conduct.

**Appeals**

Decisions made by the administration in accordance with this policy may be appealed in accordance with FNG(LOCAL).

### PROPOSED REVISIONS

**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 **or random drug testing**.

*Metal Detector  
Searches*

In order to maintain a safe and disciplined learning environment, the District reserves the right to subject students to metal detector

STUDENT RIGHTS AND RESPONSIBILITIES  
INVESTIGATIONS AND SEARCHES

FNF  
(LOCAL)

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.

**Random Drug-Testing Program**

**The District requires the random drug-testing of any student in grades 9-12 who chooses to participate in school-sponsored extracurricular activities.**

**The Superintendent shall develop regulations for the implementation of the District's random student drug-testing program that address the following:**

- 1. Covered activities and purpose of the program;**
- 2. Written consent and confidentiality of results;**
- 3. Testing procedures and collection process; and**
- 4. Applicable consequences.**

**Appeal**

**A student or parent may appeal a decision made under the random drug-testing program in accordance with FNG(LOCAL). The student shall be ineligible for participation in extracurricular activities while the appeal is pending.**

## PROPOSED POLICY

The District has established a limited open forum for nonschool use of District facilities in accordance with this policy.

The District shall provide equal access to youth groups designated in federal law, including the Boy Scouts, as it provides to other nonschool users of District facilities. [See Patriotic Societies in GKD(LEGAL)]

### Scope of Use

The District shall permit nonschool use of designated District facilities for educational, recreational, civic, or social activities when these activities do not conflict with school use or with this policy.

Approval shall not be granted for any purpose that would damage District property or to any group that has damaged District property.

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**Note:** See the following policies for other information regarding facilities use:

- Use by employee professional organizations: DGA
  - Use of facilities for school-sponsored and school-related activities: FM
  - Use by noncurriculum-related student groups: FNAB
  - Use by District-affiliated school-support organizations: GE
- 

### Nonprofit Fundraising

The District shall permit nonprofit organizations to conduct fundraising events on District property when these activities do not conflict with school use or with this policy.

### For-Profit Use

The District shall permit individuals and for-profit organizations to use its facilities for financial gain when these activities do not conflict with school use or with this policy.

### Campaign-Related Use

Except to the extent that a District facility is used as an official polling place, District facilities shall not be available for use by individuals or groups for political advertising, campaign communications, or electioneering, as those terms are used in state law.

### Scheduling

Requests for nonschool use of District facilities shall be considered on a first-come, first-served basis.

Academic and extracurricular activities sponsored by the District shall always have priority when any use is scheduled. [See FM] The Superintendent shall have authority to cancel a scheduled nonschool use if an unexpected conflict arises with a District activity.

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

**Approval of Use** The Superintendent is authorized to approve any nonschool use of any District facility.

Exception No approval shall be required for nonschool-related recreational use of the District's unlocked, outdoor recreational facilities, such as the track, playgrounds, tennis courts, and the like, when the facilities are not in use by the District or for a scheduled nonschool purpose.

Emergency Use In case of emergencies or disasters, the Superintendent may authorize the use of District facilities by civil defense, health, or emergency service authorities.

**Use Agreement** Any organization or individual approved for a nonschool use of District facilities shall be required to complete a written agreement indicating receipt and understanding of this policy and any applicable administrative regulations and acknowledging that the District is not liable for any personal injury or damages to personal property related to the nonschool use.

**Fees for Use** Nonschool users shall be charged a fee for the use of designated District facilities.

The Superintendent shall establish and publish a schedule of fees based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.

Exceptions Fees shall not be charged when District facilities are used:

1. For public meetings sponsored by state or local governmental agencies; or
2. By District employee professional organizations [see DGA].

**Required Conduct** Persons or groups using District facilities shall:

1. Conduct business in an orderly manner.
2. Abide by all laws and policies, including but not limited to those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms and the use of tobacco products or e-cigarettes on school property. [See GKA]
3. Make no alteration, temporary or permanent, to school property without prior written consent from the Superintendent.

All groups using District facilities shall be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the District for the cost of any such repairs.

## PROPOSED REVISIONS

### **Distribution of Nonschool Literature Permitted**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the District or by a District-affiliated school-support organization shall not be sold, circulated, distributed, or posted on any District premises by any District employee or by persons or groups not associated with the District, except in accordance with this policy.

The District shall not be responsible for, nor shall the District endorse, the contents of any nonschool literature distributed on any District premises.

[See CPAB regarding use of the District's internal mail system and FNAA regarding distribution of nonschool literature by students.]

### **Limitations on Content**

Nonschool literature shall not be distributed on District property if:

1. The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
2. The materials endorse actions endangering the health or safety of students.
3. The materials promote illegal use of drugs, alcohol, or other controlled substances.
4. The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
5. The materials contain defamatory statements about public figures or others.
6. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
7. The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.
8. There is reasonable cause to believe that distribution of the nonschool literature would result in material and substantial interference with school activities or the rights of others.

### **Prior Review**

All nonschool literature intended for distribution on school campuses or other District premises under this policy shall be submitted to the Superintendent ~~or designee~~ for prior review in accordance with the following:

NONSCHOOL USE OF SCHOOL FACILITIES  
DISTRIBUTION OF NONSCHOOL LITERATURE

GKDA  
(LOCAL)

1. Materials shall include the name of the person or organization sponsoring the distribution.
2. Using the standards found in this policy at Limitations on Content, the Superintendent ~~or designee~~ shall approve or reject submitted materials within two school days of the time the materials were received.

**Exceptions to Prior Review**

Prior review shall not be required for distribution of nonschool literature in the following circumstances:

1. Distribution of materials by an attendee to other attendees at a school-sponsored meeting intended for adults and held after school hours;
2. Distribution of materials by an attendee to other attendees at a community group meeting held in accordance with GKDA(LOCAL) or a noncurriculum-related student group meeting held in accordance with FNAB(LOCAL); or
3. Distribution for electioneering purposes during the time a school facility is being used as a polling place in accordance with state law [see BBBA].

All nonschool literature distributed under these exceptions shall be removed from District property immediately following the event at which the materials were distributed.

Even when prior review is not required, all other provisions of this policy shall apply.

**Time, Place, and Manner Restrictions**

Each campus principal shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed to students or others at the principal's campus.

The Superintendent ~~or designee~~ shall designate times, locations, and means for distribution of nonschool literature at District facilities other than school campuses, in accordance with this policy.

**Violations of Policy**

Failure to comply with this policy regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials and/or suspension of use of District facilities. Appropriate law enforcement officials may be called if a person refuses to comply with this policy or fails to leave the premises when asked. [See GKA]

**Appeals**

Decisions made by the administration in accordance with this policy may be appealed in accordance with the appropriate District complaint policy. [See DGBA or GF]