

POLICY UPDATE 107



CDC: OTHER REVENUES GIFTS AND SOLICITATIONS

This policy has been renamed GIFTS AND SOLICITATIONS. This policy clarifies that the Superintendent is authorized to accept UNSOLICITED GIFTS, subject to the factors at CRITERIA FOR ACCEPTANCE. However, the policy requires the Board to consider and approve any gift that is conditional on the District's use of the gift for a specified purpose or gifts of real property.

UNSOLICITED GIFTS AUTHORITY TO ACCEPT

The Board **delegates to the Superintendent the authority to** ~~may~~ accept **unsolicited gifts** ~~any bequest or gift of money or property~~ on behalf of the District. **However, any** ~~The~~ gift that the potential donor has expressly made conditional upon the **District's use for a specified purpose, or any gift of real property**, shall require Board approval.

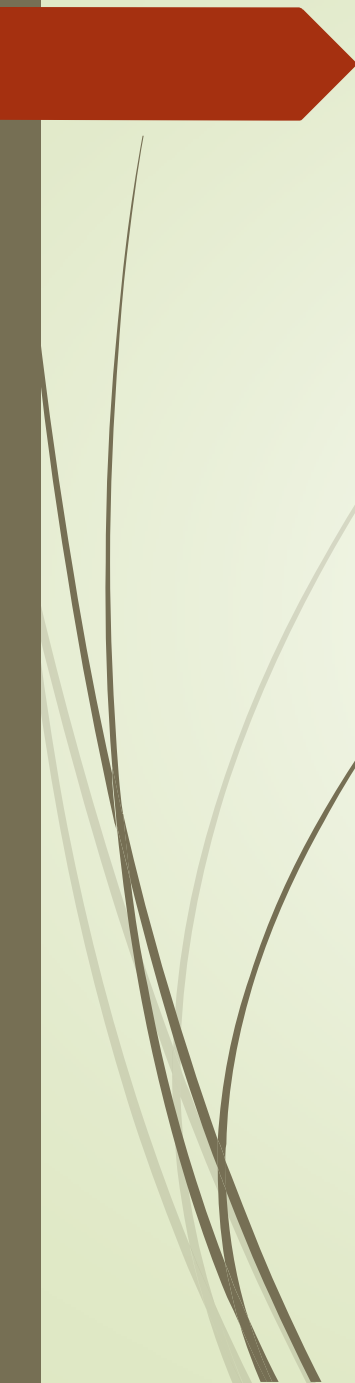
Additional text clarifies that:

Once accepted, a gift becomes ~~become~~ the sole property of the District ~~for its use and disposition. All gifts shall be given to the District and not to a particular school. At the discretion of the Superintendent or designee, the gift may be used in a particular school.~~

CRITERIA FOR ACCEPTANCE

The **District shall not accept any gift that would violate or conflict with policies or actions by the Board or with federal or state law.**

Before the Superintendent **accepts a gift or recommends** ~~shall examine and EVALUATE OFFERS OF GIFTS TO THE District and may recommend~~ acceptance **of a gift** to the Board, **as applicable,** ~~when~~ the **Superintendent shall consider whether the gift:**

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1. ~~Has~~**Have** a purpose consistent with **the District's educational philosophy, goals, and objectives; ~~District—~~ purposes**
 2. **Places any ~~place no~~ restrictions on a campus or District the school program;**
 3. **Would support a program that the Board may be unable or unwilling to continue when the donation of funds is exhausted;**
 4. **Would result in ancillary or ongoing costs for the District;**
 5. **Requires employment of additional personnel;**
 6. **Requires or implies ~~Do not require~~ the endorsement of a specific business product [see GKB for advertising opportunities];**
 7. **Would result in inequitable funding, equipment, or resources among District schools or programs;**
 8. **Obligates the District or a campus to engage in specific actions; or**
 9. **Affects the physical structure of a building~~the Board~~ or would ~~public law. Do not~~ require extensive ~~District~~ maintenance on the part of the District.**

CJ CONTRACTED SERVICES

This local policy is recommended for inclusion in the District's policy manual to satisfy policy requirements from the Every Student Succeeds Act (ESSA), prohibiting employment assistance to certain individuals that are believed to have engaged in sexual misconduct regarding a minor or student.

EMPLOYMENT ASSISTANCE PROHIBITED

No District employee shall assist a contractor or agent of the District or of any other school district in obtaining a new job if the employee knows, or has probable cause to believe, that the contractor or agent engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative file does not violate this prohibition.

No District contractor or agent shall assist an employee, contractor, or agent of the District or of any other school district in obtaining a new job if the contractor or agent knows, or has probable cause to believe, that the individual engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative or personnel file does not violate this prohibition.

[See also DC for prohibitions relating to employees]

DC EMPLOYMENT PRACTICES

This local policy is recommended for inclusion in the District's policy manual to satisfy policy requirements from the Every Student Succeeds Act (ESSA), prohibiting employment assistance to school employees who are believed to have engaged in sexual misconduct regarding a minor or student.

~~EXIT INTERVIEWS AND TERMINATION REPORTS~~

~~An exit interview shall be conducted and a termination report prepared, if possible, for every employee who leaves employment with the District. These interviews shall be conducted in accordance with administrative procedures.~~

No District employee shall assist another employee of the District or any school district in obtaining a new job if the employee knows, or has probable cause to believe, that the other employee engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative or personnel file does not violate this prohibition. [See CJ for prohibitions relating to contractors and agents and DHE(EXHIBIT) for the Educators' Code of Ethics.]

DEE COMPENSATION AND BENEFITS EXPENSE REIMBURSEMENT

A reference to administrative procedures has been added in the first paragraph of this policy to clarify that all aspects of reimbursement, not just documentation requirements, must be in accordance with the District's established regulations.

Two provisions are recommended for deletion. The first is covered by DEE(LLEGAL).

The second, which required accounting to reflect that no state or federal funds were used to reimburse travel expenses beyond those authorized for state employees, is not required for all reimbursements.

PRIOR APPROVAL REQUIRED

An employee shall be reimbursed for reasonable, allowable expenses incurred in carrying out District business only with the prior approval of the employee's **immediate** supervisor **and in accordance with administrative regulations**.

~~TRAVEL EXPENSES~~

~~Reimbursement for authorized travel shall e in accordance with legal requirements.~~

~~Accounting records shall accurately reflect that no state or federal funds were used to reimburse travel expenses beyond those authorized for state employees.~~



DFAA PROBATIONARY CONTRACTS
SUSPENSION/TERMINATION DURING CONTRACT

The recommended change to this local policy consists of changing the “or” to an “and” in the first line, clarifies that suspension with pay is the same as being placed on administrative leave.

SUSPENSION WITH PAY

A probationary contract employee may be suspended with pay **and** ~~or~~ placed on administrative leave by the Superintendent during an investigation of alleged misconduct by the employee or at any time the Superintendent determines that the District’s best interest will be served by the suspension ~~or administrative leave~~.

DFBA TERM CONTRACTS
SUSPENSION/TERMINATION DURING CONTRACT

The recommended change to this local policy consists of changing the “or” to an “and” in the first line, clarifies that suspension with pay is the same as being placed on administrative leave.

SUSPENSION WITH PAY

A Term contract employee may be suspended with pay **and** ~~or~~ placed on administrative leave by the Superintendent or Executive Director of Human Resources during an investigation of alleged misconduct by the employee **or at**. ~~At~~ any time the Superintendent or Executive Director of Human Resources may determines that the District’s best interest will be served by the suspension. ~~Or administrative leave of the employee~~.



DFCA CONTINUING CONTRACTS SUSPENSION/TERMINATION

This local policy is recommended for inclusion in the District's policy manual based on records indicating that the District has employees on continuing contracts. The policy explains that an employee on a continuing contract may be suspended with pay and placed on administrative leave during an investigation of alleged misconduct or at any time that the Superintendent determines it is in the District's best interest.

SUSPENSION WITH PAY

A continuing contract employee may be suspended with pay and placed on administrative leave by the Superintendent during an investigation of alleged misconduct by the employee or at any time the Superintendent determines that the District's best interest will be served by the suspension.

FEA ATTENDANCE COMPULSORY ATTENDANCE

The policy changes explain that students who are homeschooled are exempt from compulsory attendance and also address what the District will accept as adequate documentation of home schooling when a student withdraws from the District. A District may also request a letter of assurance from a parent that a school-aged child in the District is being educated using a curriculum designed to meet basic education goals, regardless of whether or not the child attended a District school.

STUDENTS **ATTENDING IN** HOMESCHOOLS

Students who are ~~When the district becomes aware that a student is being or will be~~ homeschooled **are exempt from the compulsory attendance law to the same extent as students enrolled in other private schools.**

Adequate documentation of homeschooling for withdrawal shall consist of either a statement of withdrawal in accordance with FD(LOCAL) indicating the date homeschooling began, or a signed and dated letter from a parent~~Superintendent~~ **or guardian indicating that his or her child is being homeschooled and the date the homeschooling began.**

The District~~designee~~ **may request from a parent or guardian** ~~in writing~~ **a letter of assurance that a child is being educated**~~notification from the parents of their intention to homeschool~~ **using a curriculum designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship.**

ENFORCING COMPULSORY ATTENDANCE

If a parent or guardian refuses~~the parents refuse~~ **to submit a requested statement or** letter or if the District has evidence that ~~a~~**the** school-aged child is not being homeschooled within legal requirements, the District may investigate further and, if warranted, shall pursue legal action to enforce the compulsory attendance law.



FFA STUDENT WELFARE
WELLNESS AND HEALTH SERVICES

Districts with at least one campus participating in the national School Lunch Program and/or School Breakfast Program must have a Board-adopted wellness policy by June 30, 2017, that meets the requirements of both the Healthy, Hunger-Free Kids Act of 2010 and the corresponding federal rules, effective August 20, 2016.

This policy is now under review by Jim Williams with TASB Policy Service. Mr. Williams will return his recommendations as soon as possible so that we may bring changes before the Board.



FJ **STUDENT FUNDRAISING**~~GIFTS AND SOLICITATIONS~~

Significant revisions are recommended to simplify and streamline this local policy, which has been retitled Student Fundraising. Extensive administrative details are recommended for deletion. Details on fundraising plans, approval of activities, and reporting are typically addressed in administrative regulations and need not be included in board-adopted policy. Provisions on fundraising by outside organizations were moved to GE.

Remaining policy statements include provisions that address student participation in approved activities that benefit the District or a non-school, charitable organization.

In accordance with law, no fundraising is permitted during class time.

The final paragraph includes a reminder that fundraisers involving the sale of food and beverages that can be consumed during the school day must comply with federal competitive food standards, unless it is an exempted fundraiser as permitted by state and federal law.

~~SCHOOL SPONSORED~~

Administrative regulations shall address~~Fundraising activities by student fundraising plans, groups and/or for school-sponsored projects shall be allowed, with prior administration approval and under the supervision of the project sponsor, for students in all grades.~~

~~All fundraising projects shall be subject to the approval of the principal.~~

~~Student participation in approved~~ fundraising activities, **and any required reporting on fundraisers by campus administrators.** ~~shall not interfere with the regular instructional program. [See EC] Funds raised shall be received, deposited, and disbursed in accordance with CFD(LOCAL).~~

~~STUDENT FUNDRAISING FOR CHARITABLE ORGANIZATIONS~~

~~With Student fundraising activities at least one employee managing each project, students all grade levels for charitable organizations shall involve only those organizations on the approved list maintained by the Department of Public Information and approved by the Superintendent's Cabinet. [See CFD(EXHIBIT) C]~~

~~DOOR TO DOOR SALES~~

~~The District prohibits door to door sales for charitable or school sponsored activities for all elementary and middle school grade levels. [See GE(REGULATION)]~~

~~FOR OUTSIDE ORGANIZATIONS~~

~~Students representing their school or the District may participate in approved fundraising to charitable institution and community drives. Such participation shall be on a strictly voluntary basis, shall not disrupt the regular school day, and shall be open to students in grades 9-12.~~

~~BY OUTSIDE ORGANIZATIONS~~

~~No outside organizations of any sort may solicit contributions of any type from students within the schools.~~

~~LOSS OF CLASS TIME~~

~~The collection of monies that takes the time of the students or teachers during school hours is strictly forbidden, unless the monies collected represent payment for school lunches, monies that will benefit the District school or a non-school, charitable organization. Participation its students, or other authorized fees. [See also FP]~~

~~The Board shall regularly be voluntary and shall be informed of approved only when the fundraising projects and shall periodically review the effect of such activity relates to on the District's educational mission. student body, the instructional program, and the community.~~



Fundraising shall not be permitted during class time. [see Ec]

Fundraising through sales of foods and beverages that could be consumed during the school day shall meet the requirements for competitive foods unless the District allows an exception from the competitive food requirement, as permitted by state and federal law. [See CO and FFA]



GE RELATIONS WITH PARENT ORGANIZATIONS

Extensive changes are recommended to streamline this local policy, which focuses on activities by District-affiliated school-support or booster organizations and other parent groups. The revisions clarify that when such groups fundraise or solicit donations, those activities must be consistent with the District's philosophy and objectives, Board policies, and administrative regulations and be conducted in accordance with UIL or other applicable governing association guidelines. In addition, the organization or group must notify the principal or other administrator before engaging in fundraising or soliciting donations. A cross-reference to CDC for District acceptance of gifts and donations was also added.

The District's extensive locally developed text has been deleted.

District-affiliated school-support organizations ~~Parent teacher~~ and booster organizations, and ~~similar groups that may be formed are considered to be adjuncts of the District and are to be accorded willing and active cooperation by school personnel in all matters.~~

~~Such organizations are to be guided by Board policies in their activities. Any such organization, club, or group that promotes, participates in, or receives the benefit of any lottery or raffle as defined in Article 47.01 (6) of the Texas Penal Code shall not be considered or recognized as an adjunct or support personnel and shall not have its offers of financial or other support of the District or any of its programs or goals accepted.~~

~~PARENT TEACHER ORGANIZATIONS~~

~~Citizens are encouraged to participate in determining educational goals and objectives that will meet the needs of students in the community.~~

~~The Board recognizes parent teacher organizations as a medium through which District personnel, parents, and other citizens may discuss educational concerns and problems and work together toward solutions. Representatives and members of these organizations shall in all circumstances be treated by District personnel as interested friends of the schools and as supporters of public education in the District.~~

~~Each parent teacher organization shall have a written constitution and/or bylaws governing its operations, and a copy of the same shall be filed with the communications department. The organization shall also apply for and maintain its own federal identification number. Any changes in said organization shall be filed with the District within 30 days of said change. Clubs operating within the schools with connections to parent organizations shall operate within the general regulations for local groups, subject to the approval of the Superintendent.~~

~~All parent teacher organizations shall keep financial records of their receipts and disbursements and shall report said finances no less than quarterly to their membership. Each organization shall submit to the communications department an organization financial activity overview [see GE(EXHIBIT) B] no later than the 30th day after the organization's calendar/fiscal year end. Section A of GE(EXHIBIT) is for organizations with less than \$25,000 per year. Sections A and B of GE(EXHIBIT) are for organizations with over \$25,000 per year. If an organization's assets or gross revenues or assets exceed \$250,000 per year, accounting documents and records must be audited by an independent auditor. The certified audit of organizations with assets or gross revenues over \$250,000 shall be delivered to the communications department no later than the 60th day after the organization's calendar/fiscal year end adopted by that organization. The associated costs of a required audited financial report of a student organization shall be reimbursed by the District.~~

~~PURCHASES FOR THE SCHOOL~~

~~Before parent groups or other groups working with the school purchase equipment for the schools, including computer hardware and software, they shall notify the principal of their plans. The principal shall consult with the executive directors of finance and instructional technology to determine the type or brand of equipment to buy to ensure compatibility with current District equipment~~

~~BOOSTER ORGANIZATIONS~~

~~School-related booster organizations~~ **parent groups**, shall organize, **fundraise or solicit donations**, and function in a way that is consistent with the District's philosophy and objectives, ~~within adopted~~ Board policies, **District administrative regulations**, ~~and in accordance with University Interscholastic League (UIL) guidelines and all~~ applicable **UIL or other governing association guidelines**, and **financial and audit** ~~state and federal laws.~~

~~Every booster organization shall have a written constitution and/or bylaws governing its operations, and a copy of the same shall be filed with the director of development. The organization shall also apply for and maintain its own federal identification number. Any changes in said organization shall be filed with the District within 30 days of said change. Clubs operating within the schools shall operate within the general regulations. [See also CDC and CFC] for local groups, subject to approval of the Superintendent.~~

Before engaging in fundraising or soliciting gifts, an organization or group shall notify the principal or other appropriate administrator identified in administrative regulations. [See CDC(LOCAL) for District acceptance of gifts and solicitations]

USE OF DISTRICT FACILITIES

~~**District-affiliated school-support or** All booster organizations shall keep financial records of their receipts and disbursements and shall report said finances no less than quarterly to their membership. Each organization shall submit to the communications department an organization financial activity overview [see GE(EXHIBIT) B] no later than the 30th day after the organization's calendar/fiscal year end. Section A of GE(EXHIBIT) is for organizations with less than \$25,000 per year. Sections A and B of GE(EXHIBIT) are for organizations with over \$25,000 per year. If an organization's assets or gross revenues or assets exceed \$250,000 per year, accounting documents and records must be audited by an independent auditor. The certified audit of organizations with assets or gross revenues over \$250,000 shall be delivered to the communications department no later than the 60th day after the organization's calendar/fiscal year end adopted by that organization. The associated costs of a required audited financial report of a student organization shall be reimbursed by the District.~~

~~The principal or designee and director of the activity in question shall be made aware of the time and place of all meetings of any booster organization.~~

~~The executive director of athletics and executive director of fine arts, respectively, shall meet annually with the new officers of any athletic or music booster organization to discuss and review all regulations and requirements pertaining to the operation of said organizations. These meetings shall include explanations by the director of communications of District policies, including criminal history record releases. The internal auditor shall explain record keeping and IRS issues. Said officers shall acknowledge having received these instructions.~~

~~Parent teacher and booster organizations and similar groups shall be exempt from the payment of royalties for the use of District trademarks for so long as the product in question is being manufactured and marketed solely by the organization and is solely for the benefit of the organization, and a current trademark royalty agreement is on file in the office of the chief business officer.~~

~~FAILURE TO REPORT~~

~~Any parent teacher organization or booster club not filing any yearly activity report or audited financial report shall be removed from school property, and donations shall not be accepted from those organizations or clubs or for those organizations or clubs. Any organization or club removed shall have to seek Board approval for reinstatement to the District.~~

~~COMMUNICATION COUNCIL FOR PARENT TEACHER/BOOSTER ORGANIZATIONS~~

~~The District shall establish a communication council for parent teacher/booster organizations to provide a process to enhance communication. The communication council shall in no way infringe upon, limit, or affect the Board's exclusive power to manage and govern the schools of the District.~~

~~The communication council shall in no way be restricted to or inhibited by membership in any organization. The communication council shall not replace or circumvent other District policies and procedures providing for resolution of parent grievances or for a hearing by individual employees before the Board.~~

~~DEFINITION~~

~~The following definitions shall apply in this policy:~~

- ~~1- "Communication council for parent teacher/booster (CCPTB) organizations" shall mean the advisory group described in this policy.~~
- ~~2- "Parent or booster" shall mean any individual who is a member of a school's student support organization.~~



SCOPE

~~The CCPTB shall function within a defined scope. In cases of disagreement regarding the applicability of any topic of consideration within this definition, final determination shall be made by the Superintendent or designee.~~

REPRESENTATION

~~The Superintendent shall designate a representative to the CCPTB from each school parent teacher group and booster organization.~~

MEETINGS

~~The CCPTB shall meet annually. Provisions shall be made to notify all designees and organizations of the date, time, and location of these meetings. The chairman of the CCPTB shall be the director of communications.~~ **booster organizations may use District facilities with prior approval of the appropriate administrator. Other parent groups may use District facilities in accordance with policy GKD.**