



Agenda of Regular Meeting

The Board of Trustees McAllen Independent School District

VISION	The McAllen Independent School District is a multicultural community in which students are enthusiastically and actively engaged in the learning process. Students demonstrate academic excellence in a safe, nurturing and challenging environment enhanced by technology and the contributions of the total community.
MISSION	The mission of the McAllen Independent School District is to educate all students to become lifelong learners and productive citizens in a global society through a program of educational excellence utilizing technology and actively involving parents and the community.
GOALS	<ol style="list-style-type: none">1. Student Achievement/Student Focus2. People Development3. Facility Priorities4. Financial Priorities
STRATEGIES	<ol style="list-style-type: none">1. Branding2. Attract/Retain High Quality Staff3. Engaging Learning Environment4. Rigorous/World Class Standards to Customize for Every Learner5. Partnerships with Business/Civic/Education/Organizations6. Future Ready Students7. Financial Priorities

A Regular Meeting of the Board of Trustees of the McAllen Independent School District will be held Monday, August 8, 2022, beginning at 5:00 PM Dr. Ricardo Chapa Board Room/Administration Building of the McAllen Independent School District, 2000 North 23rd Street, McAllen, TX 78501.

Items listed on this agenda may be taken in an order other than as shown on this agenda. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

At this meeting there may be discussion and action by the Board on the item(s) and subject(s) listed as follows:

1. **CALL MEETING TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT(S)**
5. **RECESS TO CLOSED SESSION: Board of Trustees may go into Closed Session pursuant to Section(s) 551.071, 551.072, and 551.074 Texas Government Code, to discuss the following:**
 - A) Human Resources Recommendation(s) for School Year 2022-2023
 - B) Human Resources Employee Resignation(s) for School Year 2021-2022
 - C) Human Resources Employee Resignation(s) for School Year 2022-2023

- D) Principal for Theodore Roosevelt Elementary
- E) Discussion Regarding Safety and Security Committee Meeting
- F) Pending and/or Potential Litigation
- G) Possible Real Estate Acquisition
- 6. **RECONVENE IN OPEN SESSION**
- 7. **ACTION ON ITEM(S) IN CLOSED SESSION**
 - A) Approval of Human Resources Recommendation(s) for School Year 2022-2023 7
Item Submitted: Todd Miller, Assistant Superintendent Human Resources
Presenter: Dr. J. A. Gonzalez, Superintendent
 - B) Human Resources Employee Resignation(s) for School Year 2021-2022 8
Item Submitted: Todd Miller, Assistant Superintendent Human Resources
Presenter: Dr. J. A. Gonzalez, Superintendent
 - C) Human Resources Employee Resignation(s) for School Year 2022-2023 9
Item Submitted: Todd Miller, Assistant Superintendent Human Resources
Presenter: Dr. J. A. Gonzalez, Superintendent
 - D) Approval of the Principal for Theodore Roosevelt Elementary 10
Item Submitted: Todd Miller, Assistant Superintendent Human Resources
Presenter: Dr. J. A. Gonzalez, Superintendent
 - E) Discussion Regarding Safety and Security Committee Meeting
 - F) Pending and/or Potential Litigation
 - G) Possible Real Estate Acquisition
- 8. **PUBLIC HEARING TO DISCUSS 2022-2023 SAFE RETURN TO IN-PERSON INSTRUCTION AND CONTINUITY OF SERVICES PLAN (RIPICS)** 11
Item Submitted: Adel Felix, Assistant Superintendent Business Operations
Presenter: Dr. J. A. Gonzalez, Superintendent
- 9. **SUPERINTENDENT'S REPORT(S) - New Teacher Orientation**
Presenter: Dr. J. A. Gonzalez, Superintendent
- 10. **RECOGNITION(S)**
- 11. **PROCLAMATION(S)**
- 12. **DONATION(S)**
 - A) Approval of In-Kind Donation from Panasonic via FIRST-RGV for McAllen ISD K-12 FIRST Lego League and FIRST Tech Challenge Robotics Teams 16
Item Submitted: Alejandra Gonzalez, Assistant Superintendent District Operations
Presenter: Dr. J. A. Gonzalez, Superintendent

13. BOARD MEMBER(S), BOARD COMMITTEE(S) AND DISTRICT REPORT(S)

A) Board Committee Reports

1. Instructional Services Briefing - Chair - Sofia Peña
2. Human Resources Briefing - Chair - Daniel Vela
3. District Operations Briefing - Chair - Conrado Alvarado
4. Business Operations Briefing - Chair - Debbie Crane Aliseda
5. Board Officers Briefing - Tony Forina

B) District Reports

1. Report Regarding College Admissions, Financial Aid, and Scholarships 18
Item Submitted: Dr. Rosalba De Hoyos, Assistant Superintendent Instructional Services
Presenter: Dr. J. A. Gonzalez, Superintendent
2. Report Regarding Intention to Apply for K-12 Covid-19 Testing Program 28
Item Submitted: Adel Felix, Assistant Superintendent Business Operations
Presenter: Dr. J. A. Gonzalez, Superintendent
3. Report Regarding the Delinquent Tax Collections for the Period of April 1, 2022 to June 30, 2022 32
Item Submitted: Adel Felix, Assistant Superintendent Business Operations
Presenter: Dr. J. A. Gonzalez, Superintendent
4. Report Regarding the 2022 Anticipated Collection Rate and 2021 Excess Debt Tax Collections 39
Item Submitted: Adel Felix, Assistant Superintendent Business Operations
Presenter: Dr. J. A. Gonzalez, Superintendent
5. Report Regarding Taxes Collected for May 2022 41
Item Submitted: Adel Felix, Assistant Superintendent Business Operations
Presenter: Dr. J. A. Gonzalez, Superintendent
6. Report Regarding Taxes Collected for June 2022 43
Item Submitted: Adel Felix, Assistant Superintendent Business Operations
Presenter: Dr. J. A. Gonzalez, Superintendent
7. Report Regarding the Monthly Financial and Investment Report for May 2022 45
Item Submitted: Adel Felix, Assistant Superintendent Business Operations
Presenter: Dr. J. A. Gonzalez, Superintendent

14. CONSENT AGENDA ITEMS

- A) Approval of Interlocal Cooperative Agreement No. 2023-063 Promote College Awareness with the University of Texas Rio Grande Valley
Item Submitted: Dr. Rosalba De Hoyos, Assistant Superintendent Instructional Services
Presenter: Dr. J. A. Gonzalez, Superintendent 77
- B) Approval of Interlocal Agreement No. 2023-050 Dual Credit Program with South Texas College
Item Submitted: Dr. Rosalba De Hoyos, Assistant Superintendent Instructional Services
Presenter: Dr. J. A. Gonzalez, Superintendent 83
- C) Approval of Final Payment to J S J Rodriguez, Inc. dba Tele-Pro Communications on CSP No. 2021-021 Intercom Upgrade(s) Project 1 (Contract No. 2021-182) Alvarez Elementary School, Brown Middle School, Wilson Elementary School
Item Submitted: Alejandra Gonzalez, Assistant Superintendent District Operations
Presenter: Dr. J. A. Gonzalez, Superintendent 102
- D) Approval of Final Payment to J S J Rodriguez, Inc. dba Tele-Pro Communications on CSP No. 2021-021 Intercom Upgrade(s) Project 2 (Contract No. 2021-184) Fossum Middle School, Hendricks Elementary School, Perez Elementary School
Item Submitted: Alejandra Gonzalez, Assistant Superintendent District Operations
Presenter: Dr. J. A. Gonzalez, Superintendent 107
- E) Approval of Final Payment to J S J Rodriguez, Inc. dba Tele-Pro Communications on CSP No. 2021-021 Intercom Upgrade(s) Project 3 (Contract No. 2021-185) Gonzalez Elementary School, Garza Elementary School, Fields Elementary School
Item Submitted: Alejandra Gonzalez, Assistant Superintendent District Operations
Presenter: Dr. J. A. Gonzalez, Superintendent 112
15. **INSTRUCTIONAL SERVICES, INSTRUCTIONAL LEADERSHIP, HUMAN RESOURCES, DISTRICT OPERATIONS, BUSINESS OPERATIONS, AND BOARD OF TRUSTEES ITEMS**
- A) **Instructional Services Item(s)** (Dr. Rosalba De Hoyos) **Instructional Leadership Item(s)** (Bridgette Vieh)
- B) **Human Resources Item(s)** (Todd Miller)
1. Approval of 2022-2023 Student Code of Conduct
Item Submitted: Todd Miller, Assistant Superintendent Human Resources
Presenter: Dr. J. A. Gonzalez, Superintendent 117
2. Approval of 2022-2023 Texas Teacher Evaluation and Support System (T-TESS) Calendar
Item Submitted: Todd Miller, Assistant Superintendent Human Resources
Presenter: Dr. J. A. Gonzalez, Superintendent 172

3.	Approval of 2022-2023 List of Certified Texas Teacher Evaluation and Support System (T-TESS) Appraisers Item Submitted: Todd Miller, Assistant Superintendent Human Resources Presenter: Dr. J. A. Gonzalez, Superintendent	174
C) District Operations Item(s) (Alejandra Gonzalez)		
D) Business Operations Item(s) (Adel Felix)		
1.	Approval of Agreement No. 2023-048 Legal Consultation with O’Hanlon, Demerath & Castillo Item Submitted: Adel Felix, Assistant Superintendent Business Operations Presenter: Dr. J. A. Gonzalez, Superintendent	177
2.	Approval of the McAllen Independent School District July Budget Amendment for Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 Item Submitted: Adel Felix, Assistant Superintendent Business Operations Presenter: Dr. J. A. Gonzalez, Superintendent	180
3.	Approval of Resolution of the Board Regarding Review of the Investment Policy CDA Local Item Submitted: Adel Felix, Assistant Superintendent Business Operations Presenter: Dr. J. A. Gonzalez, Superintendent	184
4.	Approval of a Resolution Adopting Authorized Broker/Dealer List Item Submitted: Adel Felix, Assistant Superintendent Business Operations Presenter: Dr. J. A. Gonzalez, Superintendent	193
5.	Approval of Resolution Approving Independent Sources for Investment Training and Designation of Investment Officers Item Submitted: Adel Felix, Assistant Superintendent Business Operations Presenter: Dr. J. A. Gonzalez, Superintendent	195
E) Board of Trustees Item(s)		
1.	Board Establishing McAllen ISD School Safety and Security Committee	197
2.	Discussion, Consideration and Possible Action to Rescind Resolution Regarding Delegation of Authority during the COVID-19 Emergency Executed March 16, 2020	223
3.	Discussion and Consideration of Endorsement of Candidate for Texas Association of School Boards (TASB) Board of Directors, District 1, Position B	227
4.	Approval of Travel for Board of Trustees	228

5. Appointment of Board Member(s) to serve as Delegate and Alternate at the Annual Texas Association of School Boards (TASB) Delegate Assembly Meeting

16. SCHEDULE OF FUTURE MEETINGS

- A) Special Board Meeting - August 15, 2022 5:30 P.M. Dr. Ricardo Chapa Board Room/Administration Building
- B) Special Board Meeting - August 15, 2022 6:30 P.M. Dr. Ricardo Chapa Board Room/Administration Building
- C) Special Board Meeting - August 25, 2022 5:30 P.M. Dr. Ricardo Chapa Board Room/Administration Building
- D) Regular Board Meeting - August 29, 2022 - 5:00 P.M. Dr. Ricardo Chapa Board Room/Administration Building
- E) Regular Board Meeting - September 12, 2022 - 5:00 P.M. Dr. Ricardo Chapa Board Room/Administration Building
- F) Regular Board Meeting - September 26, 2022 - 5:00 P.M. Dr. Ricardo Chapa Board Room/Administration Building

17. CLOSED SESSION: The Board of Trustees may reconvene in Closed Session for further discussion regarding the agenda item(s) listed.

18. OPEN SESSION: The Board of Trustees may reconvene into Open Session for discussion regarding the agenda item(s) listed.

19. ADJOURNMENT

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

Pursuant to Texas Government Code 551.127, a member or employee of a governmental body is authorized to participate remotely in a meeting of the governmental body through a videoconference call, as long as a quorum of the governmental body is physically present at the location of the Board Meeting. Any video conference conducted pursuant to this section will comply with the technical requirements of this section.

Pursuant to Texas Government Code 551.129, the Board of Trustees may use a telephone conference call, video conference call, or communications over the internet to conduct a public consultation with its attorney in an open meeting of the governmental body, or, a private consultation with its attorney in closed meeting of the governmental body.

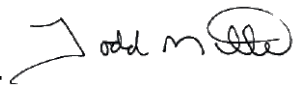
The notice for this meeting was posted in compliance with the Texas Open Meeting Act on August 5, 2022 at 3:00 P.M.

*Natalia Goza
on behalf of the Board of Trustees*

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: _____

SUPERVISOR: 

Approved for presentation to the Board of Education:

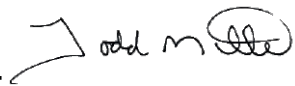


7 _____
Superintendent of Schools **Aug 3, 2022**

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: _____

SUPERVISOR: 

Approved for presentation to the Board of Education:

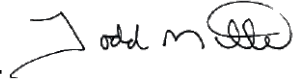


8 _____
Superintendent of Schools **Aug 3, 2022**

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: _____

SUPERVISOR: 

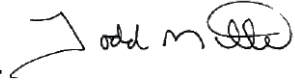
Approved for presentation to the Board of Education:



**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: _____

SUPERVISOR: 

Approved for presentation to the Board of Education:



10 _____
Superintendent of Schools **Aug 3, 2022**



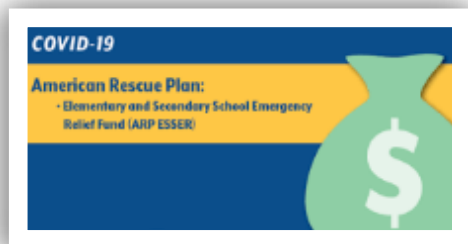
MC^TALLEN ISD

ESSER III

**Public Hearing to Discuss 2022-2023 Safe Return
to In-Person Instruction & Continuity of Services
Plan (RIPICS)**

**Laura Williams, Director for Special Funding
August 8, 2022**

Highlights of the ESSER II & III Grant



The American Rescue Plan was signed into law in March 2021 with \$122 billion in Elementary and Secondary School Emergency Relief (ESSER) funds for school districts across the country becoming the single largest investment in federal elementary and secondary education in the nation's history.

The Coronavirus Response & Relief Supplemental Appropriations Act (CRRSA – ESSER II) was signed into law on December 27, 2020, providing an additional \$54.3 billion in Elementary and Secondary School Emergency Relief fund (ESSER II Fund).

Key Dates

- Pre-award March 13, 2020 – September 30, 2023, with a carryover to September 30, 2024 (ESSER III)
- Pre-award March 13, 2020 – September 30, 2023 (with a carryover) (ESSER II)
- ESSER III 2/3 application submitted Thursday, June 24, 2021. Notice of Grant Award (NOGA) was received Friday, July 16, 2021.
- Prior-Approval Requests Approved: Black Box Theaters, Kitchen Remodel, Marquee replacement, HVAC, Science & Technology Center, and Staff Development Expansion
- ESSER II application submitted Thursday, July 29, 2021. Notice of Grant Award (NOGA) was received Monday, September 13, 2021.
- ESSER III 1/3 additional allocation \$29,161.00 - amended our application by January 28, 2022.
- Safe Return to In-Person Instruction and Continuity of Services Plan (RIPICS) has to be updated a minimum of every six months with stakeholder input

Purpose of ESSER II/III

- To safely reopen and sustain the safe operation of schools.
- To address the impact the coronavirus pandemic has had on students.

Public Input Effort

- McAllen ISD launched a comprehensive stakeholder engagement process to gather feedback on how to spend these additional federal dollars to address unfinished learning and COVID-19 recovery and safe return to in-person instruction and continuity of services.

ESSER funds provides the District the opportunity to be able to invest in the future of our students by allowing us to offset our local operating costs to fund these projects. These projects align with McAllen ISD's Strategic Plan which includes the following goals and strategies:

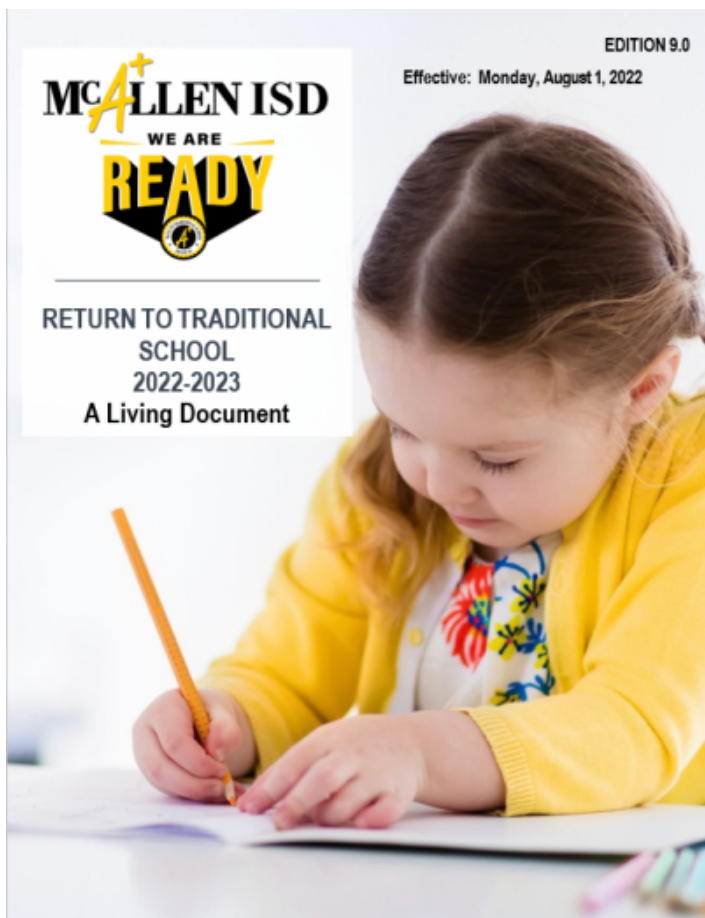
Goals:

1. Student Achievement/Student Focus
2. People Development
3. Facility Priorities
4. Financial Priorities

Strategies:

1. Branding
2. Attract/Retain High Quality Staff
3. Engaging Learning Environment
4. Rigorous/ World Class Standards Customized for Every Learner
5. Partnerships with Business/Civic/ Education Organizations
6. Future-Ready Students
7. Financial Priorities

Safe Return to In-Person Instruction and Continuity of Services Plan (RIPICS) - Return to Traditional School 9.0



www.mcallenisd.org/page/esser-iii

Thank you.

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBJECT: Approval of In-Kind Donation from Panasonic via FIRST-RGV for McAllen ISD's K-12 FIRST Lego League and FIRST Tech Challenge Robotics Teams

REFERENCE: Goal 1: Student Achievement; Goal 4: Financial Priorities; Strategy 5: Partnerships with Business/Civic Education/Organizations; Strategy 6: Future Ready Students; Strategy 7: Financial Priorities

BACKGROUND INFORMATION/REASON FOR BOARD CONSIDERATION:

FIRST-RGV has been an active Science, Technology, Engineering and Mathematics ("STEM") partner for the last eight (8) years, and has provided robotics mentorship and competition opportunities for CTE and UIL students through the FIRST Lego League and the FIRST Tech Challenge programs.

ADMINISTRATIVE CONSIDERATIONS/FACTS AND ANALYSIS:

FIRST in Texas Executive Director/CEO Jason Arms was awarded a \$50,000.00 grant from Panasonic, and has earmarked these funds for district K-12 FIRST Lego League and FIRST Tech Challenge teams. This grant will be administered by FIRST in Texas on Panasonics behalf to offset robotics team expenses, including team registrations, robot parts, and supplies.

LEGAL REVIEW:

None required

BUDGETARY CONSIDERATIONS:

The total in-kind donation from Panasonic via FIRST-RGV is \$50,000.00.

RECOMMENDED BOARD ACTION:

Administration recommends that the Board of Trustees approve the In-Kind donation from Panasonic via FIRST-RGV for McAllen ISD's K-12 FIRST Lego League and FIRST Tech Challenge Robotics Teams.

SUBMITTED BY: *Lilia Sandoval Silva*

SUPERVISOR: *Alexandra Gonzalez*

SUBMITTED BY: _____

For further information contact:
Name:Lilia Silva
Office:Career Technical Education
eMail: Lilia.SandovalSilva@mcallenisd.net

Approved for presentation to the Board of Education:
J. A. Gonzalez
16 _____
Superintendent of Schools

McAllen ISD Donation Form

See consideration guidelines on previous page.

SECTION I:

Solicited Unsolicited Does donation alter facilities? no

Describe Property (Include mfg./model) or Cash Amount	Serial # (If applicable)	Quantity	Per Unit Value*	Total Amount
<u>Services</u>				<u>\$50,000⁰⁰</u>

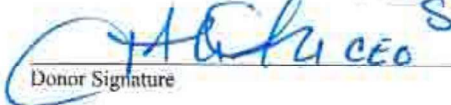
*Appraised Market Value. Additional page can be added as needed.

Please indicate specific purpose or instruction, if any: FIRST registration, robot parts for FIRST teams and supplies to support FIRST teams

Proposed installation method or source donated by: FIRST in Texas

Print Name of Donor: FIRST in Texas

Print Donor's Address, City, State, Zip: 2186 Jackson Keller Rd. Ste 2132
San Antonio, TX. 78213


Donor Signature

08-02-2022
Date

SECTION II:

Department	Accepted	Rejected	Dept. Director Signature	Date
Department of Technology	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Department of Digital Learning and Libraries	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Facilities, Maintenance & Operations	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Child Nutrition	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Athletics	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fine Arts	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fixed Assets	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Rationale: _____

Special Requirements: Rookie/Veteran FIRST robotics team

SECTION III: Final Acceptance (Required)

Signature of McAllen ISD Administrator/Campus Principal: Lilia Sandoval Silva

Department/Campus: McAllen ISD - Dept. of Technology

Signature of Superintendent or Designee (if applicable): Alexandra Broyles

Date: Aug 2, 2022

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: _____

SUPERVISOR: *Rosalba De Hoyos*

SUBMITTED BY: *N.C.*
Norma Cabrera (Aug 3, 2022 14:39 CDT)

Approved for presentation to the Board of Education:

J. A. Gonzalez
18 _____
Superintendent of Schools

Aug 3, 2022



College Admissions, Financial Aid, and Scholarship Information 2021-2022

District College Readiness Model

A+

District College Night ~ District Financial Aid Night ~ College Decision Day ~ College Readiness Internship Program ~ Parent University

Colleague

Updated & Ongoing Professional Development

**Elementary
School**

Student College Readiness Guidance Lessons

Parent College Readiness Guidance Lessons

College Readiness Campus Visuals

**Middle
School**

College Readiness Campus Digital & Social Media Presence

College Visits

**High
School**

The full college²⁰ application & financial aid process.
Dual Enrollment College Readiness Testing: Texas Success Initiative Assessment

MISD College Readiness Faculty: Grade Levels Pre-K - 8th

1. Campus School Counselor
2. District Coordinator for College Readiness

MISD College Readiness Faculty: Grade Levels 9th - 12th

1. College Admission & Scholarship Specialist: *Grade Level 12th*
2. College & Career Ready Specialist: *Grade Levels 9th - 11th*
3. Dual Enrollment Advisor: *Serving all HS campuses Grades 9th - 12th*
4. District Coordinator for College Readiness



District University College Readiness Partnerships

1. University of Texas Rio²¹ Grande Valley ~ AmeriCorps
2. University of Texas Rio Grande Valley ~ G - Force

**The College
Readiness
Support
Team**

Submitted College Applications

Reporting Criteria:

**** Apply to apply to
at least one college/
university.***

Campus	2019-2020	2020-2021	2021-2022
McAllen High School	429/487 87.70%	445/445 100%	465/465 100%
Memorial High School	412/415 99.28%	420/425 98.82%	434/434 100%
Rowe High School	401/406 98.77%	434/437 99.31%	419/419 100%
Lamar IB	120/120 100%	83/83 100%	72/73 98.63%
Lamar Options	110/111 99%	86/86 100%	106/106 100%
Achieve Early College High School	89/89 100%	128/128 100%	71/71 100%


Campus	2019-2020	2020-2021	2021-2022
McAllen High School	347/487 70.29%	445/445 100%	465/465 100%
Memorial High School	295/415 71.08%	418/425 98.35%	434/434 100%
Rowe High School	393/406 96.80%	426/437 97.48%	419/419 100%
Lamar IB	81/120 67.5%	83/83 100%	73/73 100%
Lamar Options	42/111 38%	86/86 100%	106/106 100%
Achieve Early College High School	23 89/89 100%	128/128 100%	71/71 100%

**Submitted
Financial Aid
Applications**

**Reporting
Criteria:**

****Complete the
FAFSA, TASFA, or,
Opt-Out.***

2021 – 2022 Scholarship Amounts by Organizations

Campus		2021-2022 Business & Foundations	2021-2022 Parent & School Organizations	2021-2022 Memorial	2021-2022 Community Organizations	2021-2022 Military Educational Funds	2021-2022 University & Colleges	2021-2022 Comp HS Total	2021-2022 IB Total	2021-2022 GRAND TOTAL
McAllen High School	Comp HS	\$47,350.00	\$47,700.00	\$14,000.00	\$15,750.00	\$899,000.00	\$10,546,416.00	\$11,570,216.00		\$12,792,506.00
	IB	\$3,000.00	\$1,350.00	\$100.00	\$5,000.00	\$0.00	\$1,212,840.00		\$1,222,290.00	
McAllen Memorial High School	Comp HS	\$6,000.00	\$6,150.00	\$5,500.00	\$42,300.00	\$873,000.00	\$11,872,964.00	\$12,805,914.00		\$16,135,260.00
	IB	\$7,000.00	\$0.00	\$1,500.00	\$7,000.00	\$0.00	\$3,313,846.00		\$3,329,346.00	
James “Nikki” Rowe High School	Comp HS	\$3,500.00	\$35,251.00	\$7,500.00	\$9,500.00	\$600,000.00	\$11,730,183.00	\$12,385,934.00		\$15,346,706.00
	IB	\$17,000.00	\$500.00	\$0.00	\$4,000.00	\$0.00	\$2,939,272.00		\$2,960,772.00	
Lamar Academy		\$2,000.00	\$4,000.00	\$5,500.00	\$8,250.00	\$117,000.00	\$46,000.00	\$182,750.00	N/A	\$182,750.00
Achieve Early College		\$4,000.00	\$50.00	\$2,000.00	\$39,500.00	\$0.00	\$2,123,078.00	\$2,168,628.00	N/A	\$2,168,628.00
TOTAL										\$46,625,850.00



2019-2020



2021-2022

	2019-2020 TOTAL	2020-2021 COMPREHENSIVE	2020-2021 IB	2020-2021 TOTAL	2021-2022 COMPREHENSIVE	2021-2022 IB	2021-2022 TOTAL
McAllen High School	\$14,379,138.00	\$10,662,925.00	\$2,935,020.00	13,597,945.00	\$11,570,216.00	\$1,222,290.00	\$12,792,506.00
Memorial High School	\$18,215,497.00	\$7,385,498.00	\$6,276,354.00	\$13,661,852.00	\$12,805,914.00	\$3,329,346.00	\$16,135,260.00
James "Nikki" Rowe HS	\$16,370,849.00	\$8,511,132.00	\$4,132,989.00	\$12,644,121.00	\$12,385,934.00	\$2,960,772.00	\$15,346,706.00
Lamar Academy	\$605,450.00	\$85,352.00	N/A	\$85,352.00	\$182,750.00	N/A	\$182,750.00
Achieve Early College High School	\$4,454,382.00	\$4,873,284.00	N/A	\$4,873,284.00	\$2,168,628.00	N/A	\$2,168,628.00
Total	\$54,025,316.00	\$31,518,191.00	\$13,344,363.00	\$44,862,554.00	\$39,113,442.00	\$7,512,408.00	\$46,625,850.00

\$46,625,850.00

End of Year Amount

**Previous
School Year
Scholarship
Amounts**

<p><i>2010-11</i> \$15,735,262.00 <i>End of Year Amount</i></p>	<p><i>2014-15</i> \$25,463,728.00 <i>End of Year Amount</i></p>	<p><i>2018-19</i> \$50,733,937.00 <i>End of Year Amount</i></p>
<p><i>2011-12</i> \$19,195,380.00 <i>End of Year Amount</i></p>	<p><i>2015-16</i> \$36,643,313.00 <i>End of Year Amount</i></p>	<p><i>2019-20</i> \$54,025,316.00 <i>End of Year Amount</i></p>
<p><i>2012-13</i> \$23,059,769.00 <i>End of Year Amount</i></p>	<p><i>2016-17</i> \$39,177,174.00 <i>End of Year Amount</i></p>	<p><i>2020-21</i> \$44,862,554.00 <i>End of Year Amount</i></p>
<p><i>2013-14</i> \$24,993,214.00 <i>End of Year Amount</i></p>	<p><i>2017-18</i> \$39,610,433.00 <i>End of Year Amount</i></p>	<p>2021 – 2022 \$46,625,850.00 <i>End of Year Amount</i></p>

**GREATNESS
STARTS
HERE.**

MCALLEN ISD

\$46,625,850.00

End of Year Amount

**Congratulations
graduates!**

Job well done team!

Questions or Comments?

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

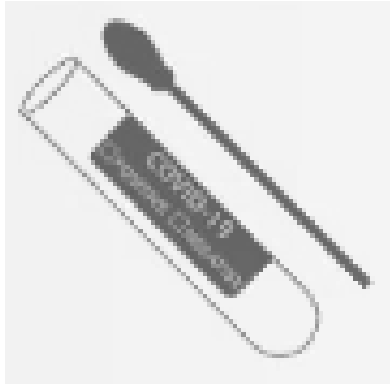
SUBMITTED BY: *Laura Williams*
Laura Williams (Aug 2, 2022 10:13 CDT)

SUPERVISOR: *Adelfino*

Approved for presentation to the Board of Education:


J. Alexander

28 _____
Superintendent of Schools



Report Regarding K-12 COVID-19 Testing Program

**Board Meeting
August 8, 2022**



Highlights of the K-12 COVID-19 Testing Program:

The Department of State Health Services (DSHS) received an \$803 million ELC Reopening Schools: Support for COVID-19 Screening Testing to Reopen and Keep Schools Operating Safely Grant from the federal government in 2021 to support school-based screening testing activities intended to support the reopening of school for in person K-12 instruction.

The Department of State Health Services (DSHS) and TEA have partnered together to make these resources available

Key Dates & Information:

- Grant will expire on July 31, 2023
- Grant application due September 22, 2022
- Partner with Achieve Health Management
- Amount to receive is TBA – carryover from 2021-2022 school year
- Develop a tiered screening testing plan
- Minimum of 80% of the current testing supply must have been reported as used through results reporting before McAllen ISD can order additional testing supplies
- McAllen ISD can only order what the district will utilize in a month

Purpose of K-12 COVID-19 Testing Program and SY 2022-2023 School Health Support Grant:

- The intent and goal of this K-12 COVID 19 Testing Program is primarily focused on providing needed resources to implement screening testing programs to identify asymptomatic individuals and limit the spread of the virus within school communities.

Thank you.

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



32 _____
Superintendent of Schools

**McALLEN
INDEPENDENT SCHOOL DISTRICT**



**DELINQUENT TAX COLLECTION REPORT
AUGUST 08, 2022**



LAW OFFICES
OF
LINEBARGER GOGGAN BLAIR & SAMPSON, LLP
ATTORNEYS AT LAW
1512 S. Lone Star Way
EDINBURG, TEXAS 78539

Telephone: (956) 383-4500
Facsimile: (956) 383-7820

August 08, 2022

Mr. Tony Forina President
Mrs. Debbie Crane-Aliseda, Vice-President
Mr. Marco Suarez, Secretary
Mr. Conrado Alvarado, Trustee
Ms. Sofia M. Peña, Trustee
Mr. Sam Saldivar Jr., Trustee
Mr. Daniel D. Vela, Trustee
Dr. José A. Gonzalez Ed. D, Superintendent
McAllen Independent School District
2000 North 23rd Street
McAllen, Texas 78501

RE: Delinquent Tax Collection for April 01, 2022 through June 30, 2022

Dear Dr. Gonzalez and Board of Trustees:

The Linebarger Goggan Blair & Sampson, LLP Report highlights our delinquent ad valorem tax collection program on behalf of McAllen Independent School District. Our collection results, as noted herein, indicate our efforts continue to be successful for the McAllen Independent School District.

Please know that we truly appreciate the opportunity to represent McAllen Independent School District on all delinquent ad valorem tax matters. As always, we will continue to provide McAllen Independent School District with quality representation, consistent results, and an ample experienced staff of attorneys, legal assistants and a certified tax assessor collector dedicated to servicing your account. We are available to address any questions you may have or to discuss any concerns that interest you at your convenience.

Sincerely,



Kelly R. Salazar
Capital Partner



Our delinquent tax collection program for McAllen Independent School District continues to emphasize two basic premises: to work with individual taxpayers to collect taxes owed to McAllen Independent School District and to only use the tool of litigation as a final option. We listen and continually adapt to your changing needs to ensure that we are providing the best possible service and deliver customized collection programs that yield the best possible results. The following information is an overview of our collections efforts during this reporting period.

MAILINGS

Our extensive mailing program is designed to advise people who have not paid their delinquent taxes to McAllen Independent School District. During the course of the fiscal year, we send delinquent notices, with varying degrees of intensity to every delinquent taxpayer. The intensity of the notice varies on factors such as: time of year, type of property and the particular needs of the jurisdiction.

FOURTH QUARTER

1 Demand Mailing – 1,368 Statements Mailed

FISCAL YEAR

9 Demand Mailing – 10,240 Statements Mailed

CONTACTS

Our comprehensive collection services provide a wide scope of exceptional assistance to McAllen Independent School District and its residents. Equipped with multi-skilled representatives, we create and manage flexible payment plans for taxpayers experiencing any financial hardship.

FOURTH QUARTER

1,868 Phone Calls

704 Pay Off Requests

10 On-Site Visits

FISCAL YEAR

10,408 Phone Calls

1,593 Pay Off Requests

70 On-Site Visits



LITIGATION

Filing a lawsuit to collect delinquent taxes is used as a final resort; after diligent efforts to contact and work with taxpayers are fully exhausted. Once the decision to file suit has been made, a complete property title search is conducted, the taxable property is further identified and all interested parties, including all lien holders, are identified and served with notice of the lawsuit.

FOURTH QUARTER

Litigation Activity	Cases	Base, Penalty and Interest
• Filed Lawsuits	36	\$129,455
• Lawsuits Disposed	36	\$250,108
• Judgments Taken	17	\$110,688
• Tax Warrants	7	\$61,083

FISCAL YEAR

Litigation Activity	Cases	Base, Penalty and Interest
• Filed Lawsuits	223	\$721,546
• Lawsuits Disposed	133	\$822,486
• Judgments Taken	98	\$413,273
• Tax Warrants	19	\$215,785
• Pending Litigation as of 7/2022	368	\$1,666,972



TAX SALES/RESALES

Our Office regularly monitors all judgments we take on behalf of McAllen Independent School District. During this quarter, one (1) tax sale was conducted, placing five (5) properties for sale. During this fiscal year, four (4) tax sales and one (1) resale were conducted, placing seventeen (17) properties for sale.

FOURTH QUARTER

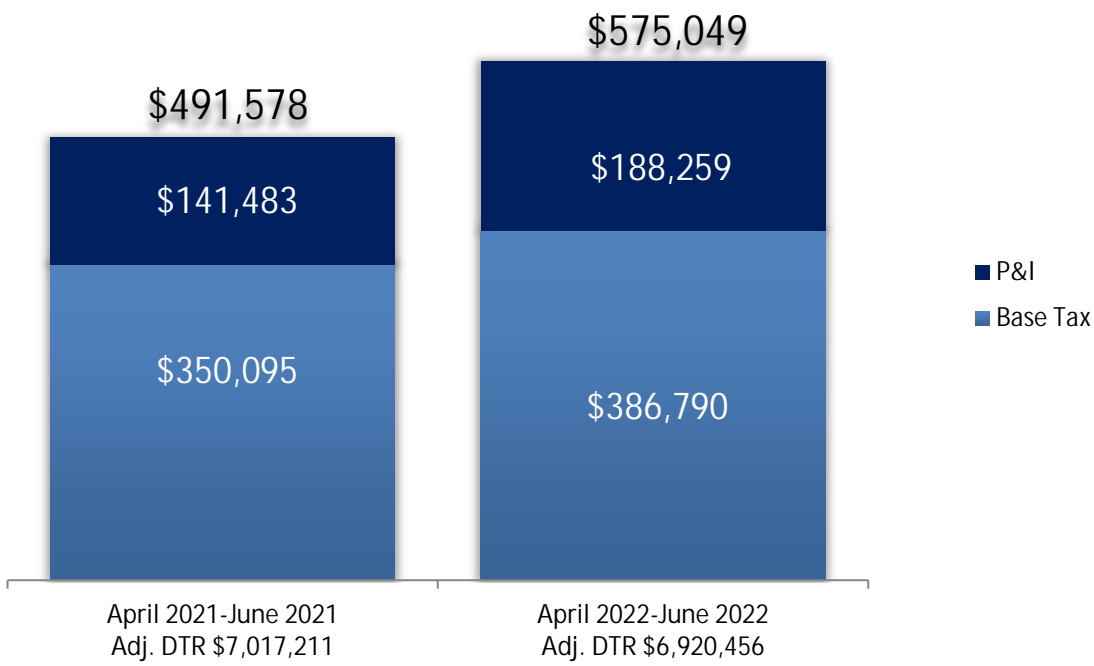
Tax Sale Result	Number of Properties	Base, Penalty and Interest
Sold	3	\$15,427
Pulled – Payment Agreement	1	\$4,204
Pulled – TRO	1	\$11,887

FISCAL YEAR

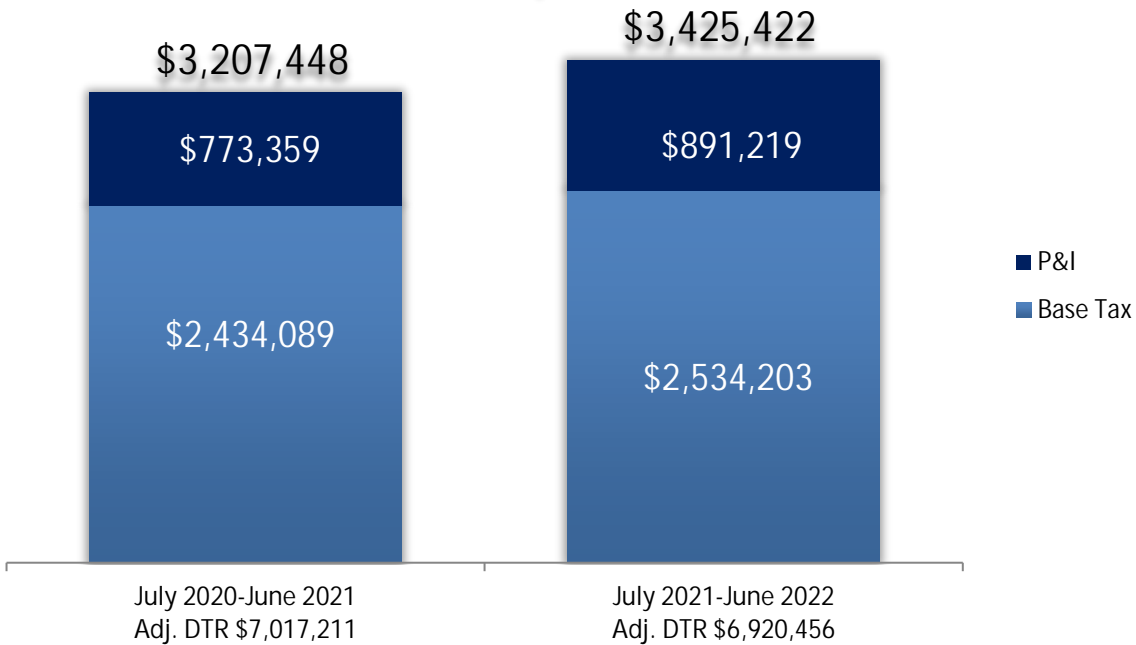
Tax Sale Result	Number of Properties	Base, Penalty and Interest
Sold	10	\$46,576
Pulled – Paid in Full	2	\$49,862
Pulled – Payment Agreement	2	\$6,336
Pulled - TRO	1	\$11,887
Resale	2	\$71,788

COLLECTIONS

Fourth Quarter Comparison



Fiscal Year Comparison



Source: Hidalgo County Tax Office Reports

FUTURE OVERVIEW

Our office is committed to making necessary adjustments to our collection procedures and methods to best advocate for McAllen Independent School District. We will continue to offer firm yet flexible payment options for the McAllen Independent School District taxpayers.

Review of Pending Judgments and the Filing of Additional Lawsuits

During the next quarter we will continue to work pending lawsuits for full payment or payment agreements. We will also continue researching the delinquent tax roll for possible new lawsuits; both real and personal property accounts.

Continued Monitoring of Bankruptcy Accounts

As a continuation of our standard operating practice, we will actively monitor and verify accounts in bankruptcy for the payment of taxes, penalties, and interest owed to the School District.

Mailing Program

We have completed our scheduled mailing on behalf of the School District for the upcoming quarter. In addition to our scheduled mailing, our in-house letter program sends letters to taxpayers who are otherwise non-responsive to phone calls. These letters inform the delinquent taxpayer of options available for payment during this period.

Scheduling of Property Sales

As properties are taken to judgment, they will be reviewed and checked for payment. Those judgments with no taxpayer response will be further reviewed and scheduled for possible tax sale.

Execution of the work plan established for the McAllen Independent School District will include the constant monitoring of collection figures in order to adjust resources and enforce the collection of delinquent taxes. Our collection efforts will also include prosecuting pending suits to conclusion, mailing monthly letters, and filing new suits in order to maximize the collection of taxes. We will continue to work closely with you and your administrative staff to provide assistance and advice on all property tax matters, including changes in the law brought about by amendments to the Texas Property Tax Code.

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



39 _____
Superintendent of Schools

Office of Tax Assessor-Collector

COUNTY of HIDALGO

Pablo "Paul" Villarreal, Jr. PCC.



July 12, 2022

MCALLEN ISD
ADEL FELIX
2000 NORTH 23RD
MCALLEN, TX 78501

P.O. Box 178
Edinburg, Texas 78540-0178
Ph. (956) 318-2157
Fax (956) 318-2733
www.hidalgocountytax.org

Re: 2022 MCALLEN ISD Anticipated Collection Rate
And Excess 2020 Debt Tax Collections

Dear Mr/s. FELIX:

As you are aware, a taxing unit that levies a Debt Tax must consider anticipated collections in calculating the debt component of its Rollback Tax Rate. The collector must certify the above mentioned in addition to excess Debt Tax Collections for the year 2021 to the governing body.

Certification

This is to certify that the Estimated Collection Rate for the year 2022 has been projected at the 100% rate.

Also, the 2021 Estimated Collection Rate was projected at 100% and consequently no excess Debt Tax Collections are to be reported in Schedule "B", 2021 Debt Service Report.

Sincerely,



Pablo (Paul) Villarreal Jr., PCC


Encl.



**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



41 Superintendent of Schools

PABLO "PAUL" VILLARREAL JR., ASSESSOR & COLLECTOR
MCALLEN I.S.D. TAXES COLLECTED FOR:
MAY 2022

COMPARATIVE RATE OF COLLECTIONS

MCALLEN I.S.D. SML - 47	ORIGINAL TAX LEVY	COLLECTED TO DATE	DROPPED YRS AFTER PURGE	MODIF. TO DATE	TAXES OUTSTANDING	PERCENT 2021/2022	COLLECTED 2020/2021
2021 TAX ROLL	90,489,805.41	90,105,300.62	-	2,338,881.70	2,723,386.49	97.07%	96.22%
2020 & PRIOR YRS ROLLBACK	7,560,005.85 50,678.80	2,435,928.62 63,377.10	(107,522.35) -	(532,027.22) 18,312.79	4,484,527.66 5,614.49	35.20% 91.86%	33.11% 62.95%
TOTALS	98,100,490.06	92,604,606.34	(107,522.35)	1,825,167.27	7,213,528.64		

BREAKDOWN OF TAX COLLECTIONS AND FEES FOR THE MONTH OF MAY 2022

	MCALLEN ISD	MONTHLY MODIFICATIONS
CURRENT YEAR-BASE TAX	404,774.87	(46,372.34) CURRENT
CURRENT YEAR-P&I	46,554.23	
PRIOR YEARS-BASE TAX	122,622.61	(27,408.74) PRIOR
PRIOR YEARS-P&I	79,023.65	
ROLLBACK	12,780.51	ROLLBACK
ROLLBACK P&I	-	
ATTORNEY FEES	26,785.74	PURGED
TOTAL COLLECTIONS	692,541.61	(73,781.08)
LESS TRANSFERRED	450,010.18	
LESS IN TRANSIT	229,122.33	
LESS DUE TO HCAD COMM FEES	214.10	
LESS DUE TO CO TREASURER	13,195.00	
BALANCE	0.00	

*****AFFIDAVIT*****

I, PABLO "PAUL" VILLARREAL JR., ASSESSOR-COLLECTOR OF TAXES FOR THE MCALLEN I.S.D., DO SOLEMNLY SWEAR THAT THE ABOVE STATEMENT OF TAXES COLLECTED BY ME FOR THE MONTH OF MAY IS CORRECT.

Pablo Paul Villarreal Jr.

ASSESSOR-COLLECTOR OF TAXES FOR MCALLEN I.S.D., TEXAS



SWORN AND SUBSCRIBED BEFORE ME THIS 16TH DAY OF JUNE 2022 A.D.

Mark Martinez


NOTARY PUBLIC, HIDALGO COUNTY, TEXAS



**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



43 _____
Superintendent of Schools

PABLO "PAUL" VILLARREAL JR., ASSESSOR & COLLECTOR
 MCALLEN I.S.D. TAXES COLLECTED FOR:
 JUNE 2022

COMPARATIVE RATE OF COLLECTIONS

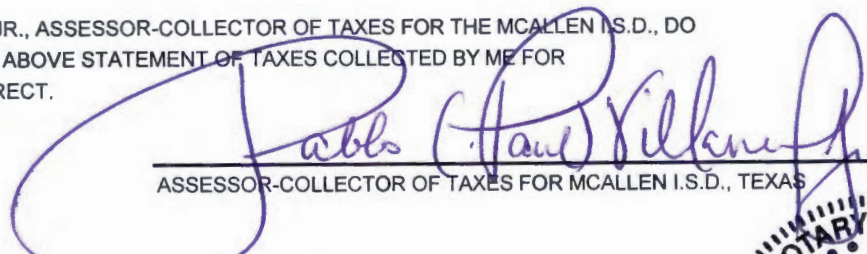
MCALLEN I.S.D. SML - 47	ORIGINAL TAX LEVY	COLLECTED TO DATE	DROPPED YRS AFTER PURGE	MODIF. TO DATE	TAXES OUTSTANDING	PERCENT 2021/2022	COLLECTED 2020/2021
2021 TAX ROLL	90,489,805.41	90,433,613.40	-	2,338,246.53	2,394,438.54	97.42%	96.65%
2020 & PRIOR YRS ROLLBACK	7,560,005.85 50,678.80	2,534,203.43 63,377.10	(107,522.35) -	(532,027.22) 18,312.79	4,386,252.85 5,614.49	36.62% 91.86%	34.69% 51.31%
TOTALS	98,100,490.06	93,031,193.93	(107,522.35)	1,824,532.10	6,786,305.88		

BREAKDOWN OF TAX COLLECTIONS AND FEES FOR THE MONTH OF JUNE 2022

	MCALLEN ISD	MONTHLY MODIFICATIONS
CURRENT YEAR-BASE TAX	328,312.78	(635.17) CURRENT
CURRENT YEAR-P&I	41,845.71	
PRIOR YEARS-BASE TAX	98,274.81	PRIOR
PRIOR YEARS-P&I	37,422.28	
ROLLBACK		ROLLBACK
ROLLBACK P&I	-	
ATTORNEY FEES	24,171.48	PURGED
TOTAL COLLECTIONS	530,027.06	(635.17)
LESS TRANSFERRED	324,655.34	
LESS IN TRANSIT	192,049.85	
LESS DUE TO HCAD COMM FEES	126.87	
LESS DUE TO CO TREASURER	13,195.00	
BALANCE	0.00	

*****AFFIDAVIT*****


I, PABLO "PAUL" VILLARREAL JR., ASSESSOR-COLLECTOR OF TAXES FOR THE MCALLEN I.S.D., DO SOLEMNLY SWEAR THAT THE ABOVE STATEMENT OF TAXES COLLECTED BY ME FOR THE MONTH OF JUNE IS CORRECT.



ASSESSOR-COLLECTOR OF TAXES FOR MCALLEN I.S.D., TEXAS



SWORN AND SUBSCRIBED BEFORE ME THIS 14TH DAY OF JULY 2022 A.D.



 NOTARY PUBLIC, HIDALGO COUNTY, TEXAS



**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



45 _____
Superintendent of Schools

**COMPARISON OF BUDGET TO REVENUES, EXPENDITURES AND ENCUMBRANCES
FOR THE MONTH OF MAY 31, 2022**

	A APPROVED BUDGET 2020-21 04/30/2021	B YTD ACTUAL 07/01/20 TO 05/31/21	C APPROVED BUDGET 2021-22 04/30/22	D YTD ACTUAL 07/01/21 TO 05/31/22	E DIFFERENCE C - D	F OUTSTANDING ENCUMBRANCES 06/01/22 TO 06/30/22	G YTD REVENUES, EXPENSES AND ENCUMBRANCES D + F	H BUDGET LESS EXPENSES AND ENCUMBRANCES C - G
REVENUES:								
LOCAL AND INTERMEDIATE SOURCES	\$3,571,249	\$1,961,443	\$2,939,933	\$10,732,300	(\$7,792,367)		\$10,732,300	(\$7,792,367)
PROPERTY TAXES	79,823,682	80,776,350	85,696,013	\$85,423,725	272,288		85,423,725	272,288
STATE PROGRAM REVENUES	139,173,497	93,792,318	122,444,354	84,654,497	37,789,857		84,654,497	37,789,857
FEDERAL PROGRAM REVENUES	24,638,528	20,971,357	27,575,027	26,579,655	995,372		26,579,655	995,372
OTHER RESOURCES/NON-OPERATING REVENUES	6,578,298	6,528,185	202,697	245,557	(42,860)		245,557	(42,860)
SUB TOTAL	\$253,785,254	\$204,029,653	\$238,858,024	\$207,635,734	\$31,222,290		\$207,635,734	\$31,222,290
EXPENDITURES:								
11 INSTRUCTION	\$130,785,675	\$109,769,634	\$125,639,968	\$56,093,581	\$69,546,387	\$24,333,325	\$80,426,906	\$45,213,062
12 INST. RES. & MEDIA SERVICES	3,646,714	3,194,657	3,437,174	2,682,334	754,840	673,703	3,356,037	81,137
13 CURRICULUM DEV. & INST. STAFF DEV.	5,222,339	3,821,104	4,756,623	3,557,241	1,199,382	407,889	3,965,131	791,492
21 INST. LEADERSHIP	3,262,907	2,411,407	3,327,939	2,707,308	620,631	392,546	3,099,854	228,085
23 SCHOOL LEADERSHIP	13,969,962	12,262,771	13,350,377	11,153,861	2,196,516	1,755,350	12,909,210	441,167
31 GUID., COUNSELING & EVAL. SER.	9,986,682	8,274,889	10,008,246	7,611,457	2,396,789	1,943,470	9,554,927	453,319
32 SOCIAL WORK SERVICES	1,942,550	1,681,200	2,069,633	1,651,370	418,263	306,668	1,958,038	111,595
33 HEALTH SERVICES	3,241,358	2,582,690	3,045,238	2,184,569	860,669	581,377	2,765,946	279,292
34 STUDENT (PUPIL) TRANS.	5,369,675	3,229,833	4,800,442	4,814,927	(14,485)	776,528	5,591,455	(791,013)
35 FOOD SERVICES	22,878,277	18,109,983	20,377,723	15,020,508	5,357,215	3,440,878	18,461,386	1,916,337
36 CURRICULAR/EXTRACURRICULAR ACT.	9,180,083	6,382,213	10,338,339	7,956,111	2,382,228	1,660,947	9,617,059	721,280
41 GENERAL ADMINISTRATION	8,810,932	7,051,021	8,432,465	6,972,262	1,460,203	667,395	7,639,657	792,808
51 PLANT MAINT. & OPERATIONS	21,813,210	17,642,800	25,547,074	18,615,814	6,931,260	1,805,318	20,421,131	5,125,943
52 SECURITY AND MONITORING SERV.	5,047,043	3,751,616	5,562,754	4,315,996	1,246,758	598,119	4,914,115	648,639
53 DATA PROCESSING SERVICES	6,903,082	4,917,312	6,428,734	4,885,455	1,543,279	1,673,684	6,559,140	(130,406)
61 COMMUNITY SERVICES	55,307	41,855	97,327	75,220	22,107	15,711	90,931	6,396
71 DEBT SERVICE	7,078,590	4,996,383	6,017,528	5,879,228	138,300	0	5,879,228	138,300
81 FAC. ACQUISITION & CONST.	983,300	476,066	3,693,642	633,177	3,060,465	978,957	1,612,134	2,081,508
95 PMT. TO JUV. JUSTICE ALT. ED. PRG.	40,000	40,000	40,000	40,000	0	0	40,000	0
99 OTHER INTERGOVERNMENTAL CHARGES	907,579	906,015	939,270	931,592	7,678	0	931,592	7,678
00 OTHER USES/NON-OPERATING EXPENSES	2,959,330	\$1,049,475	133,780	1,448,780	(1,315,000)	0	1,448,780	(1,315,000)
SUB TOTAL	\$264,084,595	\$212,592,923	\$258,044,276	\$159,230,791	\$98,813,485	\$42,011,866	\$201,242,657	\$56,801,619
REVENUES OVER (UNDER) EXPENDITURES		(\$8,563,270)		\$48,404,943				
BEGINNING FUND BALANCE		97,700,231		107,594,997				
PRELIMINARY ENDING FUND BALANCE		\$89,136,961		\$155,999,940				
OPTIMUM FUND BALANCE FOR UNFORESEEN EVENTS		\$103,042,102		\$104,077,381				



MONTHLY INVESTMENT REPORT

McAllen ISD

MAY 31, 2022



MEEDER
47
PUBLIC FUNDS
PATTERSON GROUP

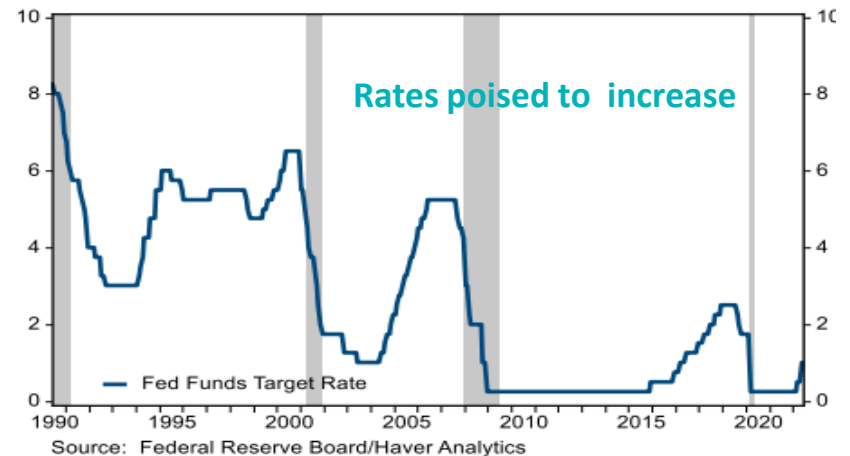
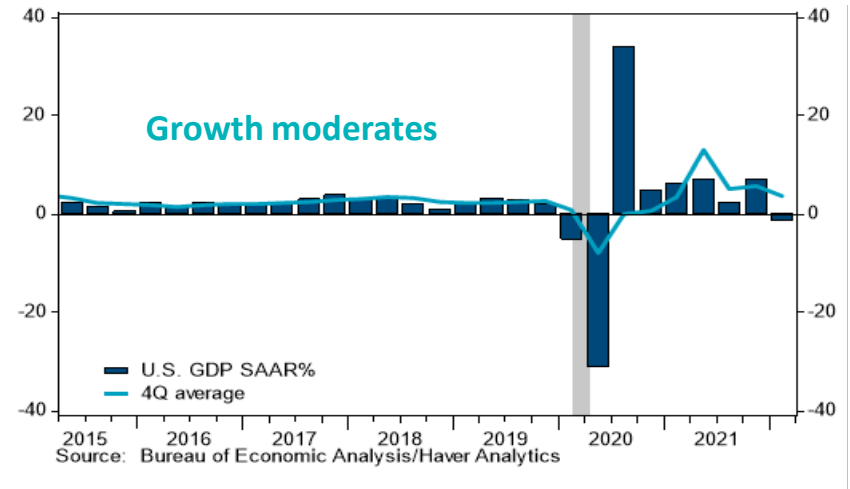
At a Cross-Roads

The Federal Reserve is at a cross-road as it attempts to tame our runaway inflation without stifling economic growth in the US. The FOMC Board is voicing opposing views regarding the upcoming pace and size of rate increases.

Inflation remains high and raising rates in concert with reduction of the Fed balance sheet (which will raise rates on the long end) will help, but, how far and how fast they go rests on two key factors since (a) the majority of price pressures are the result of supply-side constraints, making traditional remedies less effective in fighting inflation, and (b) the economy is already showing signs of weakening.

Growth is fragile as GDP has contracted for the first time since Q2 2020. Consumers are buying at higher prices and personal income increases are moderate. 70% of GDP is the consumer. The consumer is sustaining goods buying but not the important service component hindered by worker shortages. As we move to the 2nd half of the year the Fed will have a difficult time justifying robust rate increases as weakness becomes increasingly – and perhaps overwhelmingly – apparent.

At some point the consumer will not be able to absorb the higher prices. YOY headline consumer spending increased 9.2% but personal income only 2.6%: a definite mis-match. Oil prices continue to rise and may go further as the EU bars the door for Russian gas/oil. Energy is already up 80% YOY and we are seeing historically high airline prices as we enter the travel season.



Supply Side Economics and Politics

The supply side angst cannot last forever but hurdles remain. The supply chains themselves may be changing with the historic stress seen over two years.

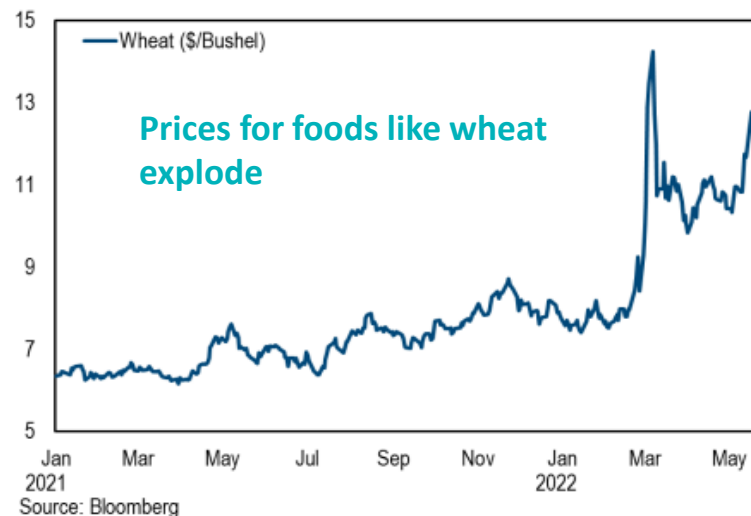
We have seen global supply chains start to untangle slightly as Covid case numbers decrease, however we now have monkeypox with which to contend. The destruction in Ukraine has now escalated a major agricultural supply crises which could lead to serious hunger and even famine conditions in third-world countries.

The supply woes created by the globe's dependence on cheap Chinese goods, the sanctions on Russian energy, trucks at the border, and India's decision to not export its agricultural goods is also slowly changing supply side thinking.

The cost of the Russian sanctions and China's saber rattling over Taiwan may be interestingly moving corporations and governments to create future supply chains with more and friendlier sources. The "just in time" philosophy that drove trade for decades may be morphing into a "just in case" philosophy.

Another facet of the supply-side puzzle is the supply of workers for the service sector. Services, as well as consumer goods spending, must be re-established for GDP to grow.

The supply side problems will be very difficult to solve, and it may take months or years to re-balance. The Fed may have to moderate rate increases later in the year in order to engineer its 49 desired soft landing.



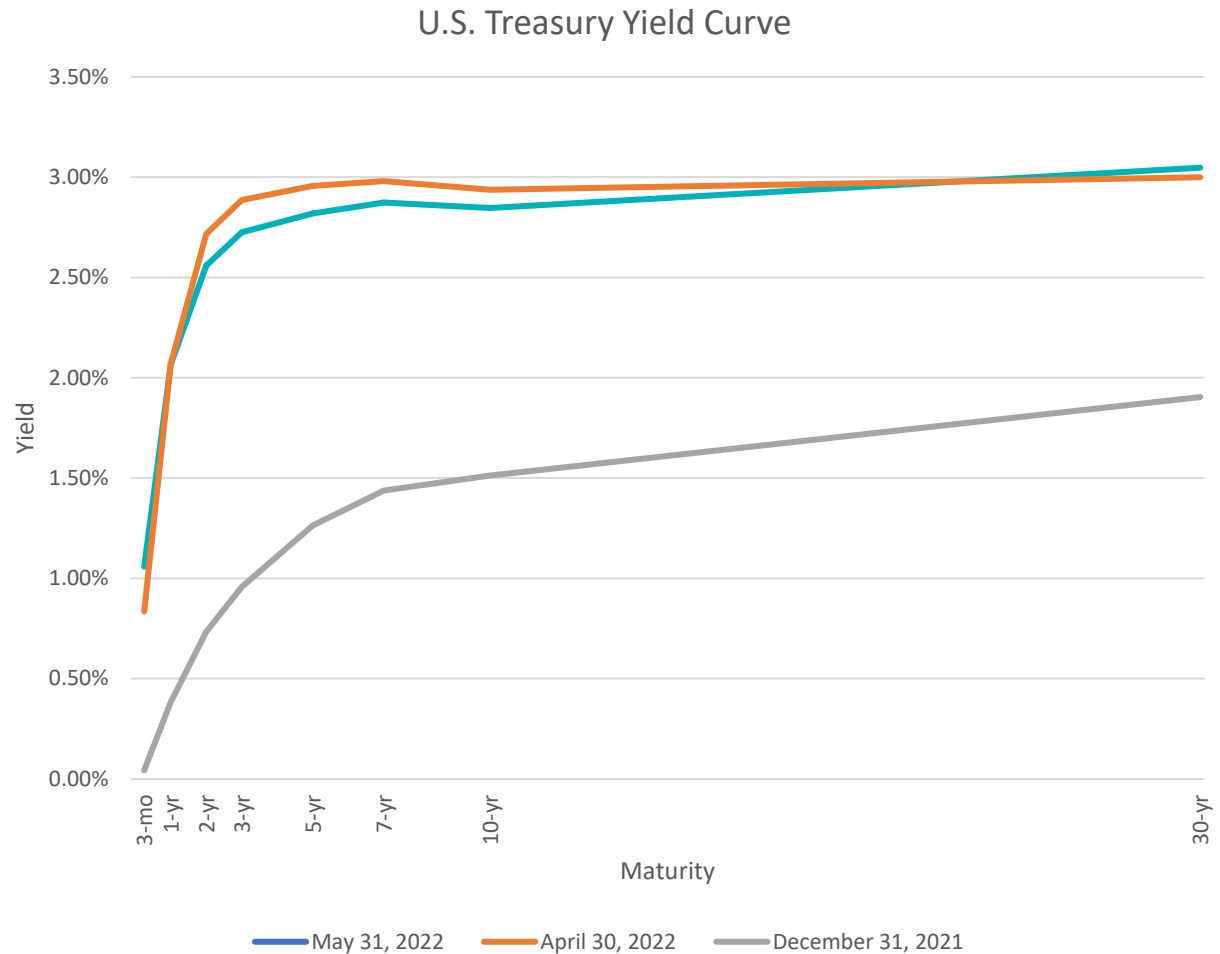
Built in Rate Increases

Short End:

- The market had already built in 50bps hikes in both June and July.
- The short end should rise with the hikes flattening the yield curve slightly.
- Most economists consider 2.25% to 2.50% to be the neutral rate for Fed Funds. Going too high may bind the economy.

Long End:

- The Fed's unwinding of the balance sheet in will start in June. \$95B a month in long bonds' supply will keep prices lower than could be expected given a slowing of the economy and rate increases.



McAllen Independent School District
 Monthly Investment Report
 May 1, 2022 – May 31, 2022

Portfolio Summary Management Report

This report and investment portfolio of the District is in compliance with the District investment strategy as expressed in the District's investment policy and relevant provisions of the Government Code, Chapter 2256, the Public Funds Investment Act.

<p><u>Portfolio as of 04/30/22:</u></p> <p>Beginning Book Value \$ 177,767,978 Beginning Market Value \$ 176,870,352</p> <p>WAM at Beginning Period Date¹ 133 days</p> <p><i>(Increase in market value is due to seasonal cash inflows)</i></p>	<p><u>Portfolio as of 05/31/22:</u></p> <p>Ending Book Value \$ 183,396,098 Ending Market Value \$ 182,631,009</p> <p>Unrealized Gain/Loss \$ (765,089)</p> <p>WAM at Ending Period Date¹ 123 days</p> <p>Change in Market Value² \$ 5,760,657</p>
<p>Average Yield to Maturity for period 0.654% Average Yield 1-year Treasury Bill for period 2.060% Average Yield 2-year Treasury Note for period 2.620%</p>	



 Iris Luna, Chief Financial Officer
 McAllen ISD



 Adelita Felix, Asst. Superintendent of Business Operations
 McAllen ISD



 Dyanira Diaz, Director of Accounting
 McAllen ISD

 1 WAM – weighted average maturity

2 “Change in Market Value” is required data, but will primarily reflect the receipt and expenditure of the District’s funds from month to month. *Patterson & Associates* has assisted in the preparation of this consolidated investment report, with additional input provided by McAllen ISD.

Your Portfolio

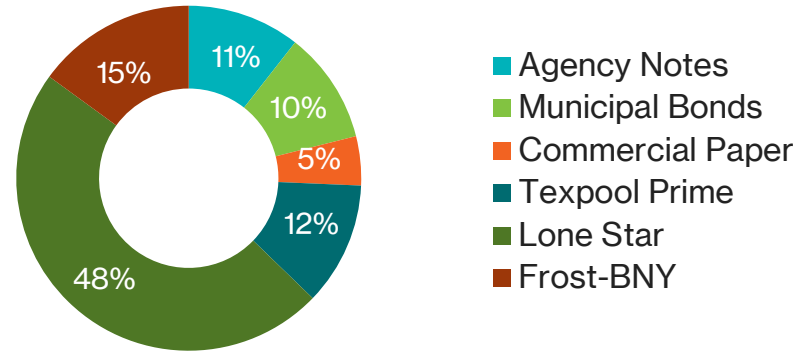
As of May 31, 2022

Your Portfolio Statistics

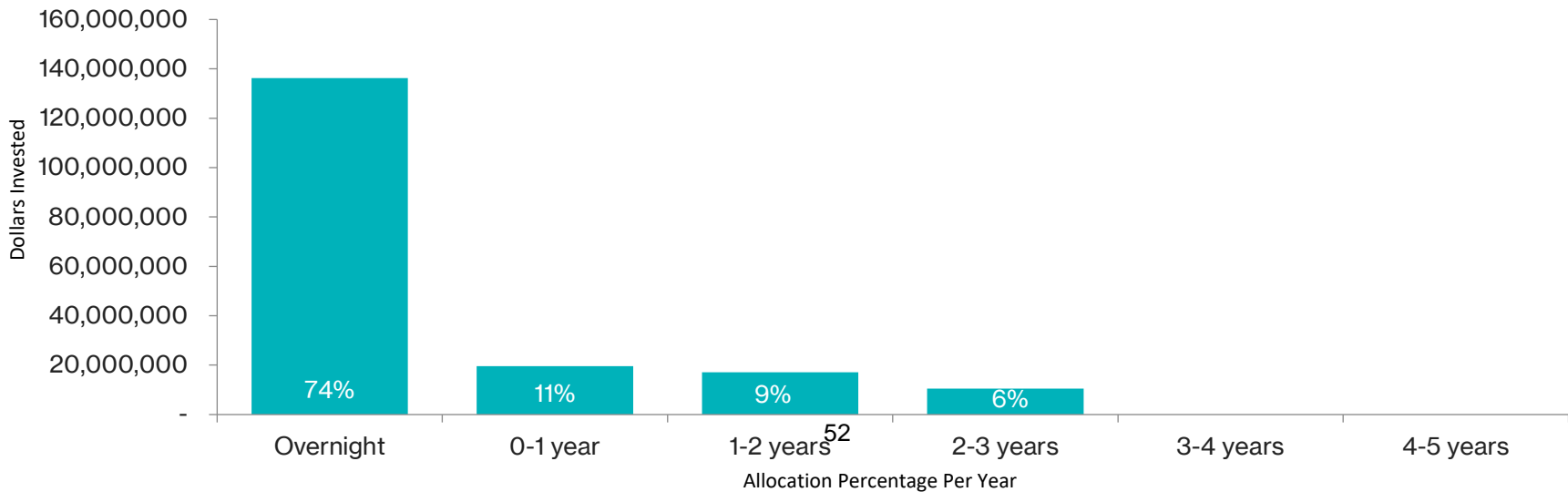
Weighted Average Maturity 0.34 years

Weighted Average Yield (All Funds) 0.654%

Your Asset Allocation



Your Maturity Distribution



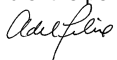
**McAllen ISD
Portfolio Management
Portfolio Summary
May 31, 2022**

Patterson & Associates
901 S. MoPac
Suite 195
Austin, TX 78746
-

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 365 Equiv.
BNY Mellon	1,614,563.13	1,614,563.13	1,614,563.13	0.88	1	1	0.000
Frost Bank	25,858,464.79	25,858,464.79	25,858,464.79	14.10	1	1	0.020
Commercial Paper Disc. -Amortizing	8,500,000.00	8,424,370.00	8,443,679.59	4.60	221	156	1.494
Federal Agency Coupon Securities	19,400,000.00	18,916,552.78	19,400,000.00	10.58	928	758	0.897
Municipal Bonds	19,135,000.00	18,992,138.90	19,254,470.47	10.50	524	336	0.690
Texpool/Texpool Prime	21,197,367.82	21,197,367.82	21,197,367.82	11.56	1	1	0.718
Lone Star	87,627,551.85	87,627,551.85	87,627,551.85	47.78	1	1	0.694
	183,332,947.59	182,631,009.27	183,396,097.65	100.00%	164	123	0.654
Investments							
Cash and Accrued Interest							
Accrued Interest at Purchase		947.22	947.22				
Subtotal		947.22	947.22				
Total Cash and Investments	183,332,947.59	182,631,956.49	183,397,044.87		164	123	0.654

Total Earnings	May 31 Month Ending	Fiscal Year To Date
Current Year	95,938.08	318,312.20

The following reports are submitted in accordance with the Public Funds Investment Act (Texas Gov't Code 2256). The reports also offer supplemental information not required by the Act in order to fully inform the governing body of McAllen ISD of the position and activity within the District's portfolio of investment. The reports include a management summary overview, a detailed inventory report for the end of the period, a transaction report, as well as graphic representations of the portfolio to provide full disclosure to the governing body.



Aug 4, 2022

Adelita Felix, Asst Sup't of Business Oper

**McAllen ISD
Summary by Type
May 31, 2022
Grouped by Fund**

Patterson & Associates
901 S. MoPac
Suite 195
Austin, TX 78746
-

Security Type	Number of Investments	Par Value	Book Value	% of Portfolio	Average YTM 365	Average Days to Maturity
Fund: Activity Fund						
Frost Bank	1	1,975,247.18	1,975,247.18	1.08	0.020	1
Subtotal	1	1,975,247.18	1,975,247.18	1.08	0.020	1
Fund: Clearing Fund						
Frost Bank	1	5,848,395.29	5,848,395.29	3.19	0.020	1
Subtotal	1	5,848,395.29	5,848,395.29	3.19	0.020	1
Fund: Capital Projects Fund						
Frost Bank	2	2,047,062.52	2,047,062.52	1.12	0.020	1
Lone Star	4	15,687,230.50	15,687,230.50	8.55	0.697	1
Subtotal	6	17,734,293.02	17,734,293.02	9.67	0.619	1
Fund: Debt Service Fund						
Frost Bank	1	6,920.14	6,920.14	0.00	0.020	1
Lone Star	2	3,210,477.14	3,210,477.14	1.75	0.701	1
Subtotal	3	3,217,397.28	3,217,397.28	1.75	0.699	1
Fund: General Fund						
Commercial Paper Disc. -Amortizing	3	8,500,000.00	8,443,679.59	4.60	1.494	156
Frost Bank	1	11,612,152.89	11,612,152.89	6.33	0.020	1
Federal Agency Coupon Securities	5	14,400,000.00	14,400,000.00	7.85	0.905	757
Lone Star	3	63,207,275.21	63,207,275.21	34.46	0.693	1
Municipal Bonds	7	13,385,000.00	13,474,706.51	7.35	0.751	312
Texpool/Texpool Prime	2	21,197,367.82	21,197,367.82	11.56	0.718	1
Subtotal	21	132,301,795.92	132,335,182.02	72.15	0.718	125
Fund: Plan 457 Fund						
Frost Bank	1	0.00	0.00	0.00	0.000	0
Subtotal	1	0.00	0.00	0.00	0.000	0

**McAllen ISD
Summary by Type
May 31, 2022
Grouped by Fund**

Security Type	Number of Investments	Par Value	Book Value	% of Portfolio	Average YTM 365	Average Days to Maturity
Fund: Proprietary Fund						
Frost Bank	1	4,368,686.77	4,368,686.77	2.38	0.020	1
Lone Star	2	5,522,569.00	5,522,569.00	3.01	0.700	1
Subtotal	3	9,891,255.77	9,891,255.77	5.39	0.400	1
Fund: QSCB - Reserve Fund						
BNY Mellon	1	1,614,563.13	1,614,563.13	0.88	0.000	1
Federal Agency Coupon Securities	2	5,000,000.00	5,000,000.00	2.73	0.877	760
Municipal Bonds	3	5,750,000.00	5,779,763.96	3.15	0.548	393
Subtotal	6	12,364,563.13	12,394,327.09	6.76	0.609	490
Fund: QSCB - Debt Service						
BNY Mellon	1	0.00	0.00	0.00	0.000	0
Subtotal	1	0.00	0.00	0.00	0.000	0
Total and Average	43	183,332,947.59	183,396,097.65	100.00	0.654	123



McAllen ISD
Fund ACT - Activity Fund
Investments by Fund
May 31, 2022

Patterson & Associates
901 S. MoPac
Suite 195
Austin, TX 78746
-

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Days To Date Maturity
Frost Bank										
999915	10020	Frost Bank Public Checking	07/01/2021	1,975,247.18	1,975,247.18	1,975,247.18	0.020	0.019	0.020	1
Subtotal and Average				1,975,247.18	1,975,247.18	1,975,247.18		0.020	0.020	1
Total Investments and Average				1,975,247.18	1,975,247.18	1,975,247.18		0.020	0.020	1

**Fund CLEAR - Clearing Fund
Investments by Fund
May 31, 2022**

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Days To Date Maturity
Frost Bank										
999914	10019	Frost Bank Public Checking	07/01/2021	5,848,395.29	5,848,395.29	5,848,395.29	0.020	0.019	0.020	1
Subtotal and Average				5,848,395.29	5,848,395.29	5,848,395.29		0.020	0.020	1
Total Investments and Average				5,848,395.29	5,848,395.29	5,848,395.29		0.020	0.020	1

Fund CP - Capital Projects Fund
Investments by Fund
May 31, 2022

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Days To Date Maturity
Frost Bank										
999922	10103	Frost Bank Public Checking	07/01/2021	1,782,854.25	1,782,854.25	1,782,854.25	0.020	0.019	0.020	1
SYS10109	10109	Frost Bank Public Checking	07/01/2021	264,208.27	264,208.27	264,208.27	0.020	0.019	0.020	1
Subtotal and Average				2,047,062.52	2,047,062.52	2,047,062.52		0.020	0.020	1
Lone Star										
108906G	10101	Lone Star Corporate Overnight	12/18/2019	921,895.47	921,895.47	921,895.47	0.820	0.808	0.820	1
108906I	10108	Lone Star Corporate Overnight	02/21/2020	6,723,381.36	6,723,381.36	6,723,381.36	0.820	0.808	0.820	1
108906H	10102	Lone Star Government ON	12/18/2019	1,021,489.83	1,021,489.83	1,021,489.83	0.580	0.572	0.580	1
108906J	10113	Lone Star Government ON	03/12/2020	7,020,463.84	7,020,463.84	7,020,463.84	0.580	0.572	0.580	1
Subtotal and Average				15,687,230.50	15,687,230.50	15,687,230.50		0.687	0.697	1
Total Investments and Average				17,734,293.02	17,734,293.02	17,734,293.02		0.610	0.619	1

**Fund DS - Debt Service Fund
Investments by Fund
May 31, 2022**

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Days To Date Maturity
Frost Bank										
999918	10023	Frost Bank Public Checking	07/01/2021	6,920.14	6,920.14	6,920.14	0.020	0.019	0.020	1
Subtotal and Average				6,920.14	6,920.14	6,920.14		0.020	0.020	1
Lone Star										
108906B	10032	Lone Star Corporate Overnight	10/22/2015	1,613,414.77	1,613,414.77	1,613,414.77	0.820	0.808	0.820	1
108906C	10089	Lone Star Government ON	08/05/2019	1,597,062.37	1,597,062.37	1,597,062.37	0.580	0.572	0.580	1
Subtotal and Average				3,210,477.14	3,210,477.14	3,210,477.14		0.691	0.701	1
Total Investments and Average				3,217,397.28	3,217,397.28	3,217,397.28		0.690	0.699	1

**Fund GEN - General Fund
Investments by Fund
May 31, 2022**

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Date	Days To Maturity
Frost Bank											
999917	10022	Frost Bank Public Checking	07/01/2021	11,612,152.89	11,612,152.89	11,612,152.89	0.020	0.019	0.020		1
Subtotal and Average				11,612,152.89	11,612,152.89	11,612,152.89		0.020	0.020		1
Commercial Paper Disc. -Amortizing											
22533ULR2	10160	Credit Agricole CP	05/26/2022	2,474,310.41	2,500,000.00	2,473,855.00		2.159	2.189	11/25/2022	177
63873KJG3	10155	Natixis NY CP	02/22/2022	2,992,242.51	3,000,000.00	2,985,150.00		0.880	0.892	09/16/2022	107
63873KM61	10157	Natixis NY CP	03/14/2022	2,977,126.67	3,000,000.00	2,965,365.00		1.498	1.519	12/06/2022	188
Subtotal and Average				8,443,679.59	8,500,000.00	8,424,370.00		1.473	1.494		156
Federal Agency Coupon Securities											
3130ANDP2	10143	FHLB Call Note	08/18/2021	2,400,000.00	2,400,000.00	2,349,320.21	0.250	0.246	0.250	08/18/2023	443
3130APQM0	10150	FHLB Call Note	11/18/2021	3,000,000.00	3,000,000.00	2,887,033.80	1.000	0.986	1.000	11/18/2024	901
3130APQU2	10151	FHLB Call Note	11/22/2021	2,000,000.00	2,000,000.00	1,954,164.08	0.650	0.641	0.650	11/22/2023	539
3130AQLR2	10153	FHLB Call Note	02/07/2022	2,500,000.00	2,500,000.00	2,436,446.35	1.000	0.986	1.000	02/07/2024	616
3130AQYM9	10156	FHLB Step Note	02/28/2022	4,500,000.00	4,500,000.00	4,453,051.86	1.250	1.232	1.250	02/28/2025	1,003
Subtotal and Average				14,400,000.00	14,400,000.00	14,080,016.30		0.892	0.905		756
Municipal Bonds											
116083WW2	10154	Brownsburg IN 1999 School Bldg	02/16/2022	5,015,691.37	5,000,000.00	5,001,500.00	1.750	1.027	1.042	02/01/2023	245
476637AR4	10158	Jersey City NJ Redev Agy	03/16/2022	2,212,034.92	2,200,000.00	2,197,294.00	2.000	1.282	1.300	03/16/2023	288
67872OKM4	10145	Oklahoma County OK ISD	09/23/2021	1,102,737.39	1,100,000.00	1,075,261.00	0.500	0.234	0.238	09/01/2023	457
678553AP3	10147	Oklahoma City Econ Dev Trust	09/27/2021	1,022,099.03	1,000,000.00	1,008,210.00	3.204	0.246	0.250	03/01/2023	273
73358W4V3	10148	Port Authority of NY & NJ	10/15/2021	1,515,805.22	1,505,000.00	1,480,859.80	1.086	0.414	0.420	07/01/2023	395
8717027U4	10141	Syracuse NY	06/30/2021	1,606,338.58	1,580,000.00	1,586,351.60	2.000	0.246	0.249	05/15/2023	348
953107AB5	10142	West Hartford CT	07/08/2021	1,000,000.00	1,000,000.00	979,280.00	0.466	0.459	0.465	07/01/2023	395
Subtotal and Average				13,474,706.51	13,385,000.00	13,328,756.40		0.741	0.751		311
Texpool/Texpool Prime											
999921	10092	Texpool	08/05/2019	10,572,238.04	10,572,238.04	10,572,238.04	0.623	0.614	0.622		1
999920	10034	Texpool Prime	11/03/2015	10,625,129.78	10,625,129.78	10,625,129.78	0.813	0.801	0.812		1
Subtotal and Average				21,197,367.82	21,197,367.82	21,197,367.82		0.708	0.718		1

**Fund GEN - General Fund
Investments by Fund
May 31, 2022**

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Days To Date Maturity
Lone Star										
108906F	10099	Lone Star Corporate Overnight+	11/18/2019	0.00	0.00	0.00				1
108906	10003	Lone Star Corporate Overnight	11/01/2014	29,645,147.10	29,645,147.10	29,645,147.10	0.820	0.808	0.820	1
108906D	10090	Lone Star Government ON	08/05/2019	33,562,128.11	33,562,128.11	33,562,128.11	0.580	0.572	0.580	1
Subtotal and Average				63,207,275.21	63,207,275.21	63,207,275.21		0.683	0.693	1
Total Investments and Average				132,335,182.02	132,301,795.92	131,849,938.62		0.708	0.718	124

**Fund PLAN457 - Plan 457 Fund
Investments by Fund
May 31, 2022**

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Days To Date Maturity
Frost Bank										
999916	10021	Frost Bank Public Checking	07/01/2021	0.00	0.00	0.00				1
Subtotal and Average				0.00	0.00	0.00		0.000	0.000	0
Total Investments and Average				0.00	0.00	0.00		0.000	0.000	0

**Fund PROP - Proprietary Fund
Investments by Fund
May 31, 2022**

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Days To Date Maturity
Frost Bank										
999919	10024	Frost Bank Public Checking	07/01/2021	4,368,686.77	4,368,686.77	4,368,686.77	0.020	0.019	0.020	1
Subtotal and Average				4,368,686.77	4,368,686.77	4,368,686.77		0.020	0.020	1
Lone Star										
108906A	10025	Lone Star Corporate Overnight	08/05/2015	2,761,771.65	2,761,771.65	2,761,771.65	0.820	0.808	0.820	1
108906E	10091	Lone Star Government ON	08/05/2019	2,760,797.35	2,760,797.35	2,760,797.35	0.580	0.572	0.580	1
Subtotal and Average				5,522,569.00	5,522,569.00	5,522,569.00		0.690	0.700	1
Total Investments and Average				9,891,255.77	9,891,255.77	9,891,255.77		0.394	0.400	1

**Fund QSCB - QSCB - Reserve Fund
Investments by Fund
May 31, 2022**

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Date	Days To Maturity
BNY Mellon											
882521	10014	BNY Mellon - Cash	07/01/2021	1,614,563.13	1,614,563.13	1,614,563.13					1
Subtotal and Average				1,614,563.13	1,614,563.13	1,614,563.13		0.000	0.000		1
Federal Agency Coupon Securities											
3130ANDP2	10144	FHLB Call Note	08/18/2021	2,000,000.00	2,000,000.00	1,957,766.84	0.250	0.246	0.250	08/18/2023	443
3130AQJM6	10152	FHLB Call Note	01/28/2022	3,000,000.00	3,000,000.00	2,878,769.64	1.250	1.276	1.294	01/28/2025	972
Subtotal and Average				5,000,000.00	5,000,000.00	4,836,536.48		0.865	0.877		760
Municipal Bonds											
476637AR4	10159	Jersey City NJ Redevel Agy	03/16/2022	1,256,838.02	1,250,000.00	1,248,462.50	2.000	1.282	1.300	03/16/2023	288
678720KM4	10146	Oklahoma County OK ISD	09/23/2021	2,004,977.08	2,000,000.00	1,955,020.00	0.500	0.234	0.238	09/01/2023	457
73358W4V3	10149	Port Authority of NY & NJ	10/15/2021	2,517,948.86	2,500,000.00	2,459,900.00	1.086	0.414	0.420	07/01/2023	395
Subtotal and Average				5,779,763.96	5,750,000.00	5,663,382.50		0.541	0.548		393
Total Investments and Average				12,394,327.09	12,364,563.13	12,114,482.11		0.601	0.609		490

**Fund QSCBDS - QSCB - Debt Service
Investments by Fund
May 31, 2022**

CUSIP	Investment #	Issuer	Purchase Date	Book Value	Par Value	Market Value	Current Rate	YTM 360	YTM 365	Maturity Days To Date Maturity
BNY Mellon										
882520	10040	BNY Mellon - Cash	07/01/2021	0.00	0.00	0.00				1
Subtotal and Average				0.00	0.00	0.00		0.000	0.000	0
Total Investments and Average				0.00	0.00	0.00		0.000	0.000	0

McAllen ISD
Cash Reconciliation Report
For the Period May 1, 2022 - May 31, 2022
Grouped by Fund

Patterson & Associates
 901 S. MoPac
 Suite 195
 Austin, TX 78746
 -

Trans. Date	Investment #	Fund	Trans. Type	Security ID	Par Value	Security Description	Maturity Date	Purchases	Interest	Redemptions	Cash
General Fund											
05/01/2022	10123	GEN	Interest	64971WJ35	2,500,000.00	NYTRAN 2.5M 1.65% Mat.	05/01/2022	0.00	20,625.00	0.00	20,625.00
05/01/2022	10123	GEN	Maturity	64971WJ35	2,500,000.00	NYTRAN 2.5M 1.65% Mat.	05/01/2022	0.00	0.00	2,500,000.00	2,500,000.00
05/15/2022	10141	GEN	Interest	8717027U4	1,580,000.00	SYRANY 1.6M 2.00% Mat.	05/15/2023	0.00	27,650.00	0.00	27,650.00
05/18/2022	10150	GEN	Interest	3130APQM0	3,000,000.00	FHLBC 3.0M 1.00% Mat. 11/18/2024	11/18/2024	0.00	15,000.00	0.00	15,000.00
05/22/2022	10151	GEN	Interest	3130APQU2	2,000,000.00	FHLBC 2.0M 0.65% Mat. 11/22/2023	11/22/2023	0.00	6,500.00	0.00	6,500.00
05/26/2022	10138	GEN	Interest	476637AM5	2,910,000.00	JERSEY 2.9M 1.50% Mat.	05/26/2022	0.00	43,650.00	0.00	43,650.00
05/26/2022	10138	GEN	Maturity	476637AM5	2,910,000.00	JERSEY 2.9M 1.50% Mat.	05/26/2022	0.00	0.00	2,910,000.00	2,910,000.00
05/26/2022	10160	GEN	Purchase	22533ULR2	2,500,000.00	CRAGCP 2.5M 0.00% Mat.	11/25/2022	-2,473,439.58	0.00	0.00	-2,473,439.58
Subtotal								-2,473,439.58	113,425.00	5,410,000.00	3,049,985.42
QSCB - Reserve Fund											
05/26/2022	10139	QSCB	Interest	476637AM5	1,590,000.00	JERSEY 1.6M 1.50% Mat.	05/26/2022	0.00	23,850.00	0.00	23,850.00
05/26/2022	10139	QSCB	Maturity	476637AM5	1,590,000.00	JERSEY 1.6M 1.50% Mat.	05/26/2022	0.00	0.00	1,590,000.00	1,590,000.00
Subtotal								0.00	23,850.00	1,590,000.00	1,613,850.00
Total								-2,473,439.58	137,275.00	7,000,000.00	4,663,835.42

McAllen ISD
Purchases Report
Sorted by Fund - Fund
May 1, 2022 - May 31, 2022

CUSIP	Investment #	Fund	Sec. Type	Issuer	Original Par Value	Purchase Date	Payment Periods	Principal Purchased	Accrued Interest at Purchase	Rate at Purchase	Maturity Date	YTM	Ending Book Value
General Fund													
22533ULR2	10160	GEN	ACP	CRAGCP	2,500,000.00	05/26/2022	11/25 - At Maturity	2,473,439.58			11/25/2022	2.159	2,474,310.41
				Subtotal	2,500,000.00			2,473,439.58	0.00				2,474,310.41
				Total Purchases	2,500,000.00			2,473,439.58	0.00				2,474,310.41



McAllen ISD
Maturity Report
Sorted by Maturity Date
Receipts during May 1, 2022 - May 31, 2022

CUSIP	Investment #	Fund	Sec. Type	Issuer	Par Value	Maturity Date	Purchase Date	Rate at Maturity	Book Value at Maturity	Interest	Maturity Proceeds	Net Income
64971WJ35	10123	GEN	MC2	NYTRAN	2,500,000.00	05/01/2022	10/13/2020	1.650	2,500,000.00	20,625.00	2,520,625.00	20,625.00
476637AM5	10138	GEN	MC2	JERSEY	2,910,000.00	05/26/2022	05/26/2021	1.500	2,910,000.00	43,650.00	2,953,650.00	43,650.00
476637AM5	10139	QSCB	MC2	JERSEY	1,590,000.00	05/26/2022	05/26/2021	1.500	1,590,000.00	23,850.00	1,613,850.00	23,850.00
Total Maturities					7,000,000.00				7,000,000.00	88,125.00	7,088,125.00	88,125.00

McAllen ISD
Interest Earnings
Sorted by Fund - Fund
May 1, 2022 - May 31, 2022
Yield on Average Book Value

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings		
										Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Fund: Activity Fund												
999915	10020	ACT	LA2	1,975,247.18	1,939,655.90	1,940,804.01		0.020	0.009	14.97	0.00	14.97
			Subtotal	1,975,247.18	1,939,655.90	1,940,804.01			0.009	14.97	0.00	14.97
Fund: Clearing Fund												
999914	10019	CLEAR	LA2	5,848,395.29	5,664,441.08	5,670,375.09		0.020	0.008	37.64	0.00	37.64
			Subtotal	5,848,395.29	5,664,441.08	5,670,375.09			0.008	37.64	0.00	37.64
Fund: Capital Projects Fund												
108906I	10108	CP	RR2	6,723,381.36	6,718,705.91	6,718,856.73		0.820	0.819	4,675.45	0.00	4,675.45
108906G	10101	CP	RR2	921,895.47	921,254.38	921,275.06		0.820	0.819	641.09	0.00	641.09
SYS10109	10109	CP	LA2	264,208.27	519,480.44	125,635.08		0.020	0.009	0.96	0.00	0.96
999922	10103	CP	LA2	1,782,854.25	507,259.22	744,442.07		0.020	0.009	5.69	0.00	5.69
108906H	10102	CP	RR2	1,021,489.83	1,020,990.19	1,021,006.31		0.580	0.576	499.64	0.00	499.64
108906J	10113	CP	RR2	7,020,463.84	7,416,878.50	7,336,348.99		0.580	0.575	3,585.34	0.00	3,585.34
			Subtotal	17,734,293.02	17,104,568.64	16,867,564.24			0.657	9,408.17	0.00	9,408.17
Fund: Debt Service Fund												
108906B	10032	DS	RR2	1,613,414.77	1,598,827.99	1,593,929.97		0.820	0.820	1,110.20	0.00	1,110.20
999918	10023	DS	LA2	6,920.14	6,581.68	6,679.93		0.020	0.009	0.05	0.00	0.05
108906C	10089	DS	RR2	1,597,062.37	1,596,281.21	1,596,306.41		0.580	0.576	781.16	0.00	781.16
			Subtotal	3,217,397.28	3,201,690.88	3,196,916.31			0.697	1,891.41	0.00	1,891.41
Fund: General Fund												
999921	10092	GEN	RRP	10,572,238.04	10,566,648.92	10,566,829.21		0.623	0.623	5,589.12	0.00	5,589.12
108906	10003	GEN	RR2	29,645,147.10	28,857,663.57	31,921,476.64		0.820	0.825	22,363.70	0.00	22,363.70
999917	10022	GEN	LA2	11,612,152.89	8,071,334.89	8,185,554.83		0.020	0.014	99.94	0.00	99.94
999920	10034	GEN	RRP	10,625,129.78	10,617,802.95	10,618,039.30		0.813	0.812	7,326.83	0.00	7,326.83
3130AQLR2	10153	GEN	FAC	2,500,000.00	2,500,000.00	2,500,000.00	02/07/2024	1.000	0.981	2,083.34	0.00	2,083.34
3130ANDP2	10143	GEN	FAC	2,400,000.00	2,400,000.00	2,400,000.00	08/18/2023	0.250	0.245	500.00	0.00	500.00

McAllen ISD
Interest Earnings
May 1, 2022 - May 31, 2022

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings		
										Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Fund: General Fund												
3130APQM0	10150	GEN	FAC	3,000,000.00	3,000,000.00	3,000,000.00	11/18/2024	1.000	0.981	2,500.00	0.00	2,500.00
3130APQU2	10151	GEN	FAC	2,000,000.00	2,000,000.00	2,000,000.00	11/22/2023	0.650	0.638	1,083.33	0.00	1,083.33
63873KM61	10157	GEN	ACP	3,000,000.00	2,973,355.00	2,975,301.67	12/06/2022		1.493	0.00	3,771.67	3,771.67
63873KJG3	10155	GEN	ACP	3,000,000.00	2,989,995.01	2,991,155.01	09/16/2022		0.885	0.00	2,247.50	2,247.50
108906D	10090	GEN	RR2	33,562,128.11	29,622,782.88	29,749,858.53		0.580	0.576	14,566.23	0.00	14,566.23
64971WJ35	10123	GEN	MC2	0.00	2,500,000.00	0.00	05/01/2022	1.650		0.00	0.00	0.00
116083WW2	10154	GEN	MC2	5,000,000.00	5,020,978.68	5,018,249.75	02/01/2023	1.750	0.503	7,431.50	-5,287.31	2,144.19
476637AR4	10158	GEN	MC2	2,200,000.00	2,213,301.75	2,212,627.47	03/16/2023	2.000	1.277	3,666.67	-1,266.83	2,399.84
476637AM5	10138	GEN	MC2	0.00	2,912,376.50	2,347,694.13	05/26/2022	1.500	0.328	3,031.25	-2,376.50	654.75
8717027U4	10141	GEN	MC2	1,580,000.00	1,608,635.55	1,607,412.97	05/15/2023	2.000	0.246	2,633.33	-2,296.97	336.36
953107AB5	10142	GEN	MC2	1,000,000.00	1,000,000.00	1,000,000.00	07/01/2023	0.466	0.457	388.34	0.00	388.34
678720KM4	10145	GEN	MC2	1,100,000.00	1,102,919.89	1,102,822.75	09/01/2023	0.500	0.294	458.33	-182.50	275.83
678553AP3	10147	GEN	MC2	1,000,000.00	1,024,554.47	1,023,247.54	03/01/2023	3.204	0.247	2,670.00	-2,455.44	214.56
73358W4V3	10148	GEN	MC2	1,505,000.00	1,516,636.39	1,516,193.99	07/01/2023	1.086	0.412	1,362.03	-831.17	530.86
3130AQYM9	10156	GEN	FAC	4,500,000.00	4,500,000.00	4,500,000.00	02/28/2025	1.250	1.226	4,687.50	0.00	4,687.50
22533ULR2	10160	GEN	ACP	2,500,000.00	0.00	478,828.56	11/25/2022		2.141	0.00	870.83	870.83
Subtotal				132,301,795.92	126,998,986.45	127,795,937.50			0.688	82,441.44	-7,806.72	74,634.72
Fund: Plan 457 Fund												
999916	10021	PLAN457	LA2	0.00	0.02	0.00				0.00	0.00	0.00
Subtotal				0.00	0.02	0.00				0.00	0.00	0.00
Fund: Proprietary Fund												
108906A	10025	PROP	RR2	2,761,771.65	2,759,851.11	2,759,913.06		0.820	0.819	1,920.54	0.00	1,920.54
999919	10024	PROP	LA2	4,368,686.77	4,965,128.76	4,945,888.70		0.020	0.008	33.96	0.00	33.96
108906E	10091	PROP	RR2	2,760,797.35	2,759,446.98	2,759,490.54		0.580	0.576	1,350.37	0.00	1,350.37
Subtotal				9,891,255.77	10,484,426.85	10,465,292.30			0.372	3,304.87	0.00	3,304.87
Fund: QSCB - Reserve Fund												
882521	10014	QSCB	LA1	1,614,563.13	713.13	313,071.19				0.00	0.00	0.00
3130ANDP2	10144	QSCB	FAC	2,000,000.00	2,000,000.00	2,000,000.00	08/18/2023	0.250	0.245	416.67	0.00	416.67
3130AQJM6	10152	QSCB	FAC	3,000,000.00	3,000,000.00	3,000,000.00	01/28/2025	1.250	1.226	3,125.00	0.00	3,125.00
476637AR4	10159	QSCB	MC2	1,250,000.00	1,257,557.81	1,257,174.70	03/16/2023	2.000	1.277	2,083.33	-719.79	1,363.54
476637AM5	10139	QSCB	MC2	0.00	1,591,298.50	1,282,760.71	05/26/2022	1.500	0.328	1,656.25	-1,298.50	357.75
678720KM4	10146	QSCB	MC2	2,000,000.00	2,005,308.88	2,005,132.28	09/01/2023	0.500	0.294	833.33	-331.80	501.53
73358W4V3	10149	QSCB	MC2	2,500,000.00	2,519,329.55	2,518,594.67	07/01/2023	1.086	0.412	2,262.50	-1,380.69	881.81

**McAllen ISD
Interest Earnings
May 1, 2022 - May 31, 2022**

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Adjusted Interest Earnings			
									Annualized Yield	Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
			Subtotal	12,364,563.13	12,374,207.87	12,376,733.54			0.632	10,377.08	-3,730.78	6,646.30
			Total	183,332,947.59	177,767,977.69	178,313,622.99			0.633	107,475.58	-11,537.50	95,938.08

**McAllen ISD
Amortization Schedule
May 1, 2022 - May 31, 2022
Sorted By Fund - Fund**

Patterson & Associates
901 S. MoPac
Suite 195
Austin, TX 78746
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Investment #	Maturity Date	Beginning Par Value				Amounts Amortized				
Issuer	Fund	Amort. Date	Current Rate	Purchase Principal	Original Premium or Discount	Ending Book Value	And Unamortized As of 05/01/2022	Amount Amortized This Period	Amt Amortized Through 05/31/2022	Amount Unamortized Through 05/31/2022
General Fund										
10154	GEN	02/01/2023	5,000,000.00	5,033,600.00	33,600.00	5,015,691.37	-12,621.32	-5,287.31	-17,908.63	15,691.37
Brownsburg IN 1999 School Bldg		09/01/2022	1.750				20,978.68			
10160	GEN	11/25/2022	2,500,000.00	2,473,439.58	-26,560.42	2,474,310.41	0.00	870.83	870.83	-25,689.59
Credit Agricole CP							-26,560.42			
10138	GEN	05/26/2022	2,910,000.00	2,944,221.60	34,221.60	0.00	-31,845.10	-2,376.50	-34,221.60	0.00
Jersey City NJ Redev Agy			1.500				2,376.50			
10158	GEN	03/16/2023	2,200,000.00	2,215,202.00	15,202.00	2,212,034.92	-1,900.25	-1,266.83	-3,167.08	12,034.92
Jersey City NJ Redev Agy			2.000				13,301.75			
10155	GEN	09/16/2022	3,000,000.00	2,985,065.01	-14,934.99	2,992,242.51	4,930.00	2,247.50	7,177.50	-7,757.49
Natixis NY CP							-10,004.99			
10157	GEN	12/06/2022	3,000,000.00	2,967,515.00	-32,485.00	2,977,126.67	5,840.00	3,771.67	9,611.67	-22,873.33
Natixis NY CP							-26,645.00			
10145	GEN	09/01/2023	1,100,000.00	1,104,246.00	4,246.00	1,102,737.39	-1,326.11	-182.50	-1,508.61	2,737.39
Oklahoma County OK ISD			0.500				2,919.89			
10147	GEN	03/01/2023	1,000,000.00	1,042,070.00	42,070.00	1,022,099.03	-17,515.53	-2,455.44	-19,970.97	22,099.03
Oklahoma City Econ Dev Trust			3.204				24,554.47			
10148	GEN	07/01/2023	1,505,000.00	1,522,066.70	17,066.70	1,515,805.22	-5,430.31	-831.17	-6,261.48	10,805.22
Port Authority of NY & NJ			1.086				11,636.39			
10141	GEN	05/15/2023	1,580,000.00	1,631,681.80	51,681.80	1,606,338.58	-23,046.25	-2,296.97	-25,343.22	26,338.58
Syracuse NY			2.000				28,635.55			
Subtotal				23,919,107.69	124,107.69	20,918,386.10	-82,914.87	-7,806.72	-90,721.59	33,386.10
							41,192.82			
QSCB - Reserve Fund										
10152	QSCB	01/28/2025	3,000,000.00	2,996,100.00	-3,900.00	3,000,000.00	3,900.00	0.00	3,900.00	0.00
FHLB Call Note		04/28/2022	1.250				0.00			
10139	QSCB	05/26/2022	1,590,000.00	1,608,698.40	18,698.40	0.00	-17,399.90	-1,298.50	-18,698.40	0.00
Jersey City NJ Redev Agy			1.500				1,298.50			
10159	QSCB	03/16/2023	1,250,000.00	1,258,637.50	8,637.50	1,256,838.02	-1,079.69	-719.79	-1,799.48	6,838.02
Jersey City NJ Redev Agy			2.000				7,557.81			
10146	QSCB	09/01/2023	2,000,000.00	2,007,720.00	7,720.00	2,004,977.08	-2,411.12	-331.80	-2,742.92	4,977.08
Oklahoma County OK ISD			0.500				5,308.88			
10149	QSCB	07/01/2023	2,500,000.00	2,528,350.00	28,350.00	2,517,948.86	-9,020.45	-1,380.69	-10,401.14	17,948.86
Port Authority of NY & NJ			1.086				19,329.55			

McAllen ISD
Amortization Schedule
May 1, 2022 - May 31, 2022

<u>Investment #</u>	<u>Maturity Date</u>	<u>Beginning Par Value</u>				<u>Amounts Amortized</u>				
<u>Issuer</u>	<u>Fund</u>	<u>Amort. Date</u>	<u>Current Rate</u>	<u>Purchase Principal</u>	<u>Original Premium or Discount</u>	<u>Ending Book Value</u>	<u>And Unamortized As of 05/01/2022</u>	<u>Amount Amortized This Period</u>	<u>Amt Amortized Through 05/31/2022</u>	<u>Amount Unamortized Through 05/31/2022</u>
			Subtotal	10,399,505.90	59,505.90	8,779,763.96	-26,011.16 33,494.74	-3,730.78	-29,741.94	29,763.96
			Total	34,318,613.59	183,613.59	29,698,150.06	-108,926.03 74,687.56	-11,537.50	-120,463.53	63,150.06

McAllen ISD
Projected Cashflow Report
Sorted by Monthly
For the Period June 1, 2022 - December 31, 2022

Patterson & Associates
901 S. MoPac
Suite 195
Austin, TX 78746
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Projected Trans. Date	Investment #	Fund	Security ID	Transaction Type	Issuer	Par Value	Original Cost	Principal	Interest	Total
June 2022										
06/07/2022	10153	GEN	3130AQLR2	Call	FHLB Call Note	2,500,000.00	2,500,000.00	2,500,000.00	0.00	2,500,000.00
06/29/2022	10161	QSCB	578060EQ4	Purchase	Mayes County OK ISD	0.00	0.00	-1,607,824.00	-4,106.67	-1,611,930.67
Total for June 2022						2,500,000.00	2,500,000.00	892,176.00	-4,106.67	888,069.33
July 2022										
07/01/2022	10142	GEN	953107AB5	Interest	West Hartford CT	0.00	0.00	0.00	4,569.39	4,569.39
07/01/2022	10148	GEN	73358W4V3	Interest	Port Authority of NY & NJ	0.00	0.00	0.00	8,172.15	8,172.15
07/01/2022	10149	QSCB	73358W4V3	Interest	Port Authority of NY & NJ	0.00	0.00	0.00	13,575.00	13,575.00
07/28/2022	10152	QSCB	3130AQJM6	Interest	FHLB Call Note	0.00	0.00	0.00	18,750.00	18,750.00
07/28/2022	10152	QSCB	3130AQJM6	Call	FHLB Call Note	3,000,000.00	2,996,100.00	3,000,000.00	0.00	3,000,000.00
Total for July 2022						3,000,000.00	2,996,100.00	3,000,000.00	45,066.54	3,045,066.54
August 2022										
08/07/2022	10153	GEN	3130AQLR2	Interest	FHLB Call Note	0.00	0.00	0.00	12,500.00	12,500.00
08/18/2022	10143	GEN	3130ANDP2	Interest	FHLB Call Note	0.00	0.00	0.00	3,000.00	3,000.00
08/18/2022	10143	GEN	3130ANDP2	Call	FHLB Call Note	2,400,000.00	2,400,000.00	2,400,000.00	0.00	2,400,000.00
08/18/2022	10144	QSCB	3130ANDP2	Interest	FHLB Call Note	0.00	0.00	0.00	2,500.00	2,500.00
08/18/2022	10144	QSCB	3130ANDP2	Call	FHLB Call Note	2,000,000.00	2,000,000.00	2,000,000.00	0.00	2,000,000.00
08/18/2022	10150	GEN	3130APQM0	Call	FHLB Call Note	3,000,000.00	3,000,000.00	3,000,000.00	0.00	3,000,000.00
08/22/2022	10151	GEN	3130APQU2	Call	FHLB Call Note	2,000,000.00	2,000,000.00	2,000,000.00	0.00	2,000,000.00
08/28/2022	10156	GEN	3130AQYM9	Interest	FHLB Step Note	0.00	0.00	0.00	28,125.00	28,125.00
Total for August 2022						9,400,000.00	9,400,000.00	9,400,000.00	46,125.00	9,446,125.00
September 2022										
09/01/2022	10147	GEN	678553AP3	Interest	Oklahoma City Econ Dev Trust	0.00	0.00	0.00	16,020.00	16,020.00
09/01/2022	10154	GEN	116083WW2	Call	Brownsburg IN 1999 School Bldg	5,000,000.00	5,033,600.00	5,000,000.00	0.00	5,000,000.00
09/16/2022	10155	GEN	63873KJG3	Maturity	Natixis NY CP	3,000,000.00	2,985,065.01	3,000,000.00	0.00	3,000,000.00
Total for September 2022						8,000,000.00	8,018,665.01	8,000,000.00	16,020.00	8,016,020.00
November 2022										
11/15/2022	10141	GEN	8717027U4	Interest	Syracuse NY	0.00	0.00	0.00	15,800.00	15,800.00
11/18/2022	10150	GEN	3130APQM0	Interest	FHLB Call Note	0.00	0.00	0.00	15,000.00	15,000.00
11/22/2022	10151	GEN	3130APQU2	Interest	FHLB Call Note	0.00	0.00	0.00	6,500.00	6,500.00

McAllen ISD
Projected Cashflow Report
For the Period June 1, 2022 - December 31, 2022

Projected Trans. Date	Investment #	Fund	Security ID	Transaction Type	Issuer	Par Value	Original Cost	Principal	Interest	Total
November 2022										
11/25/2022	10160	GEN	22533ULR2	Maturity	Credit Agricole CP	2,500,000.00	2,473,439.58	2,500,000.00	0.00	2,500,000.00
Total for November 2022						2,500,000.00	2,473,439.58	2,500,000.00	37,300.00	2,537,300.00
December 2022										
12/06/2022	10157	GEN	63873KM61	Maturity	Natixis NY CP	3,000,000.00	2,967,515.00	3,000,000.00	0.00	3,000,000.00
Total for December 2022						3,000,000.00	2,967,515.00	3,000,000.00	0.00	3,000,000.00
GRAND TOTALS:						28,400,000.00	28,355,719.59	26,792,176.00	140,404.87	26,932,580.87

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**Meeder Public Funds
Patterson Group**

Barton Oaks Plaza II
901 S. MoPac Expy
Suite 195
Austin, Texas
78746

800.817.2442

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 
Norma Cabrera (Jul 26, 2022 17:01 CDT)

SUPERVISOR: 

Approved for presentation to the Board of Education:



77
Superintendent of Schools

INTERLOCAL COOPERATION CONTRACT

This **Interlocal Cooperation Contract** (this “**Contract**”) is entered into effective August 31, 2022 (“**Effective Date**”), by and between the Contracting Parties shown below pursuant to authority granted in and in compliance with Chapter 791, *Texas Government Code*.

CONTRACTING PARTIES:

Receiving Party: McAllen Independent School District (McAllen ISD), a local entity of the State of Texas.

Performing Party: University of Texas Rio Grande Valley (UTRGV), an institution of higher education and agency of the State of Texas.

PURPOSE:

The purpose of this Contract is to obtain the services of Performing Party to promote college awareness (**the “Project”**). This Contract will increase the efficiency and effectiveness of the Contracting Parties.

STATEMENT OF SERVICES TO BE PERFORMED:

Performing Party will perform the following services (“**services**”):

- Assign AmeriCorps members for academic year (2022-2023) to a designated Lab or Go-Center for academic engagement activities to promote college awareness and participate among students and parents providing a maximum of 20 hours of service per week, over a 9-month period.
- Train members on how to spread the college-going message among students and parents that college is affordable, possible, and desirable.
- Recruit, screen, deploy, and monitor AmeriCorps members to assist students at the lab assigned by the high school.
- Oversee student (member) academic progress; assist with postsecondary matriculation decisions and processes. Additional daily tasks will include facilitating the enrollment process to any university of their choice. (Admissions, Testing, Financial Aid, Advising, Registration, and Orientation).
- UTRGV agrees to provide to the District the names, social security numbers and dates of birth of any employee of UTRGV or AmeriCorps that will be provided access to District campuses and contact with students. This information shall be used for the sole purpose of conducting a criminal record check of the UTRGV or AmeriCorps member as provided by District policy (Legal) and Section 22.083(b) of the Texas Education Code. Alternatively, UTRGV or AmeriCorps may provide proof or certification, satisfactory to the District, of a criminal record check of the UTRGV or AmeriCorps employee that was conducted within the preceding twelve (12) month period. The District at its sole discretion shall determine if the UTRGV or AmeriCorps employee clears the criminal record check.
- Monitor the activities of the project through monthly reports from members and report to the AmeriCorps Agency.
- MISD acknowledges that as a service provider under agreement with MISD that UTRGV or AmeriCorps has a legitimate educational interest in the student data and information contained in the educational records provided to them in the execution of providing services to the District. UTRGV or AmeriCorps agrees to keep confidential all educational records obtained by them and to comply with the Family Educational Rights and Privacy

Act (FERPA) (20 U.S.C. § 1232g;34 CFR Part 99). Disclosure to third parties by UTRGV or AmeriCorps shall be in strict compliance with all FERPA requirements or by obtaining the written consent of the parent(s) and/or legal guardian of the student(s).

Receiving Party will be performing the following services:

- Establish a permanent physical location for the UTRGV AmeriCorps program. Members and students must have uninterrupted accessibility to computers and internet access, a Lab or Go-Center is a preferred location; the lab is required to have a minimum of eight computers.
- Provide Alpha Roster, including academic ranking from last academic year to AmeriCorps program members that will be kept at a secure place within the lab and will not be taken out of the school.
- Select students to be a part of the AmeriCorps program and must be allowed to meet twice a week with AmeriCorps members, except when state mandated exams are taking place.
- High School will need to provide a system in which students will be called out of their elective periods.
- Encourage the establishment of a student-led center in a classroom or lab to maximize a college going culture.
- Designate an adult sponsor to oversee the operation and supervision of the AmeriCorps members. This sponsor must either be a school employee or someone authorized by the school to have access to students and school facilities (such as a counselor).
- Display college readiness materials including FAFSA forms, Apply Texas Applications, community college applications and other items.
- Encourage teachers and students to use the UTRGV AmeriCorps Lab and infuse curriculum with activities that foster an expectation of college attendance (i.e., reinforcing the knowledge that a postsecondary education is affordable and possible, and the belief that it is desirable).

The Go Center Sponsor will:

- Communicate regularly with UTRGV AmeriCorps Program Director, or other designated program staff to provide feedback on UTRGV AmeriCorps program.
- Provide assistance to the UTRGV AmeriCorps members in their daily activities.
- Create awareness about the services offered by the program to all high school staff and community.
- Provide daily supervision of the UTRGV AmeriCorps members.

WARRANTIES:

Receiving Party warrants that (1) the services are necessary and authorized for activities that are properly within its statutory functions and programs; (2) it has the authority to contract for the services under authority granted in Chapter 11 *Texas Education Code*, and Chapter 791, *Texas Government Code*; (3) it has all necessary power and has received all necessary approvals to execute and deliver this Contract, and (4) the representative signing this Contract on its behalf is authorized by its governing body to sign this Contract.

Performing Party warrants that (1) it has authority to perform the services under authority granted in Chapter 79 *Texas Education Code* and Chapter 791, *Texas Government Code*; (2) it has all necessary power and has received all necessary approvals to execute and deliver this Contract, and (3) the representative signing this Contract on its behalf is authorized by its governing body to sign this Contract.

TERM:

The participating parties agree to the terms outlined above for the duration of the academic year 2022-2023.

NOTICES:

Except as otherwise provided by this Section, all notices, consents, approvals, demands, requests or other communications provided for or permitted to be given under any of the provisions of this Contract will be in writing and will be sent via certified mail, hand delivery, overnight courier, facsimile transmission (to the extent a facsimile number is set forth below), or email (to the extent an email address is set forth below) as provided below, and notice will be deemed given (i) if delivered by certified mailed, when deposited, postage prepaid, in the United States mail, or (ii) if delivered by hand, overnight courier, facsimile (to the extent a facsimile number is set forth below) or email (to the extent an email address is set forth below), when received:

If to Receiving Party: McAllen Independent School District
2000 North 23rd Street
McAllen, Texas 78501
Fax: (956) 686-8362
Attention: Dr. Jose A. Gonzalez

with copy to: McAllen Independent School District
2000 North 23rd Street
McAllen, Texas 78501
Fax: (956) 972-5717
Email: norma.cabrera@mcallenisd.net
Attention: Norma Cabrera

If to Performing Party: University of Texas Rio Grande Valley
701 E. Expressway 83, MRIOB 6.676
McAllen, Texas 78501
Attention: Mr. Michael Mueller

with copy to: University of Texas Rio Grande Valley
1201 W University Drive, SSET 3.104B
Edinburg, Texas 785439
Attention: Dr. Magdalena Hinojosa

or other person or address as may be given in writing by either party to the other in accordance with this Section.

Notwithstanding any other requirements for notices given by a party under this Contract, if Performing Party intends to deliver written notice to Receiving Party pursuant to Section 2251.054, *Texas Government Code*, then Performing Party will send that notice to Receiving Party as follows:

McAllen Independent School District
2000 North 23rd Street
McAllen, Texas 78501
Fax: (956) 686-8362
Email: Jose.Gonzalez@mcallenisd.net
Attention: Dr. Jose A. Gonzalez

with copy to:

McAllen Independent School District
2000 North 23rd Street
McAllen, Texas 78501
Fax : (956) 972-5717
Email : norma.cabrera@mcallenisd.net
Attention : Norma Cabrera

or other person or address as may be given in writing by Receiving Party to Performing Party in accordance with this Section.

TERMINATION:

In the event of a material failure by a Contracting Party to perform its duties and obligations in accordance with the terms of this Contract, the other party may terminate this Contract upon thirty (30) days' advance written notice of termination setting forth the nature of the material failure; provided that, the material failure is through no fault of the terminating party. The termination will not be effective if the material failure is fully cured prior to the end of the thirty-day period.

Either party may terminate this Contract without cause on thirty (30) days written notice to the other party.

OTHER PROVISIONS:

Access by Individuals with Disabilities. Performing Party represents and warrants ("EIR Accessibility Warranty") that the electronic and information resources and all associated information, documentation, and support that it provides to Receiving Party under this Contract (collectively, the "EIRs") comply with the applicable requirements set forth in Title 1, Chapter 213 of the *Texas Administrative Code* and Title 1, Chapter 206, Rule §206.70 of the *Texas Administrative Code* (as authorized by Chapter 2054, Subchapter M of the *Texas Government Code*.) To the extent Performing Party becomes aware that the EIRs, or any portion thereof, do not comply with the EIR Accessibility Warranty, then Performing Party represents and warrants that it will, at no cost to Receiving Party, either (1) perform all necessary remediation to make the EIRs satisfy the EIR Accessibility Warranty or (2) replace the EIRs with new EIRs that satisfy the EIR Accessibility Warranty. In the event that Performing Party is unable to do so, then Receiving Party may terminate this Contract and Performing Party will refund to Receiving Party all amounts Receiving Party has paid under this Contract within thirty (30) days after the termination date. Performing Party will provide all assistance and cooperation necessary for the performance of accessibility testing conducted by Receiving Party or Receiving Party's third party testing resources as required by Title 1, Rule §213.38(g) of the *Texas Administrative Code*.

Venue; Governing Law. Hidalgo County, Texas shall be the proper place of venue for suit on or in respect of this Contract. This Contract and all of the rights and obligations of the parties hereto and all of the terms and conditions hereof shall be construed, interpreted and applied in accordance with and governed by and enforced under the laws of the State of Texas.

Entire Agreement; Modifications. This Contract supersedes all prior agreements, written or oral, between Performing Party and Receiving Party and shall constitute the entire agreement and understanding between the parties with respect to the subject matter hereof. This Contract and each of its provisions shall be binding upon the parties and may not be waived, modified, amended or altered except by a writing signed by Receiving Party and Performing Party.

State Auditor’s Office. The Contracting Parties understand that acceptance of funds under this Contract constitutes acceptance of the authority of the Texas State Auditor's Office, or any successor agency (collectively, “Auditor”), to conduct an audit or investigation in connection with those funds pursuant to Sections 51.9335(c), 73.115(c) and 74.008(c), *Texas Education Code*. The Contracting Parties agree to cooperate with the Auditor in the conduct of the audit or investigation, including without limitation providing all records requested. The Contracting Parties will include this provision in all contracts with permitted subcontractors.

Assignment. This Contract is not transferable or assignable except upon written approval by Receiving Party and Performing Party.

Severability. If any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained therein.

Public Records. It shall be the independent responsibility of Receiving Party and Performing Party to comply with the provisions of Chapter 552, *Texas Government Code* (the “*Public Information Act*”), as those provisions apply to the parties’ respective information. Receiving Party is not authorized to receive public information requests or take any action under the *Public Information Act* on behalf of Performing Party. Likewise, Performing Party is not authorized to receive public information requests or take any other action under the *Public Information Act* on behalf of Receiving Party.

Executed effective as of the Effective Date by the following duly authorized representatives of the Contracting Parties:

RECEIVING PARTY:

McAllen Independent School District

By: _____
Name: Tony Forina
Title: Board of Trustees President

Date: _____

PERFORMING PARTY:

University of Texas Rio Grande Valley

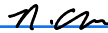
DocuSigned by:
By: Maggie Hinojosa
1D0F8BB052F94BF...
Name: Dr. Magdalena Hinojosa
Title: Senior Vice President
for Strategic Enrollment and Student Affairs
Date: 6/13/2022

DocuSigned by:
By: Mr. Michael Mueller
EFD56E43180E4AF...
Name: Mr. Michael Mueller
Title: Senior Vice President
of Finance and Planning
Date: 6/14/2022

APPROVED AS TO FORM:
ATLAS, HALL & RODRIGUEZ, LLP
By: Stephen L. Crain
Stephen L. Crain

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 
Norma Cabrera (Aug 4, 2022 15:39 CDT)

SUPERVISOR: *Rosalba De Hoyos*

Approved for presentation to the Board of Education:



83
Superintendent of Schools



Office of the President

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www.southtexascollege.edu

June 2, 2022

Dr. Jose A. Gonzalez
Superintendent
McAllen Independent School District
2000 N. 23RD ST.
McAllen, TX 78501

Dear Dr. Gonzalez,

The South Texas College Dual Credit Program has made a lasting, positive impact on high school students in Hidalgo and Starr Counties since its inception in 1997. Our Dual Credit Program offers students unique and incredible opportunities for access to higher education and workforce training. These students then successfully transition into a postsecondary education setting or entrance into the competitive workforce sector.

Over the years, the success of the program has been a collaborative effort of partnership and commitment to student success by South Texas College and your district. Through the identification of critical needs and opportunities, the program continues to meet the academic rigor and standards of excellence required, and has served as a tool for developing college readiness and provided students with a clear pathway to college. Through our partnership, we continue to strengthen the framework of the program to better lead students to the successful completion of their academic goals.

Enclosed is an electronic copy of the 2022-2023 Dual Credit Programs Interlocal Agreement between South Texas College and McAllen Independent School District. This Interlocal Agreement is the contract that encompasses all dual credit programs, including Designated High Schools and the Academies Program as required by the Texas Higher Education Coordinating Board (THECB).

Please print and sign two copies of the agreement. Upon execution of the agreement, you may contact Lorena Martinez, Administrative Assistant for Dual Credit Programs at (956) 872-3520 or via email at lmart206@southtexascollege.edu. She will coordinate pick up of the interlocal agreement.

I thank you for your continued support of our partnership and dedication to the success of the program.

Respectfully,

Dr. Ricardo J. Solis
President



SOUTH TEXAS
COLLEGE

Interlocal Agreement South Texas College Dual Credit Programs

SOUTH TEXAS COLLEGE (herein called the “College”) and MCALLEN INDEPENDENT SCHOOL DISTRICT (herein called the “School District”) enter into the following Interlocal Agreement (IA), and for the terms of which WITNESS THE FOLLOWING:

TERM

This IA shall be in effect from August 22, 2022 to August 22, 2023, and posted during this term on the College’s and School District’s respective internet websites.

OVERVIEW

The College is committed to serving the students and communities of South Texas through collaborative work with school districts in the College’s service area. A major initiative promoting a college-going and college graduation culture is the **South Texas College Dual Credit Programs**, which complies with the rules set forth by the State of Texas (TAC Title:19 Chapter 4, Subchapter D, Rule § 4.84) for dual credit partnerships between secondary schools and Texas public colleges to offer dual credit to qualified students; therefore,

1) **IA PURPOSE**

The purpose of this IA is to outline the roles and responsibilities of the College and the School District that participate in the Dual Credit Programs. This IA is the agreement that encompasses all programs and initiatives under the Dual Credit Programs as required by the Texas Higher Education Coordinating Board (THECB). An additional IA is required by the Texas Education Agency for Early College High Schools, T-STEM and P-TECH schools.

2) **RECOGNITION OF HIGHER EDUCATION PARTNER**

The School District, when reporting and publicizing high school *students’ completion* of dual credit **courses, degrees, or certificates**, will recognize South Texas College. Furthermore, when the School District advertises and/or publicizes including but not limited to, designations, awards received, tuition saved, and articles written in social media, television commercials and print ads for dual credit, the School District will recognize South Texas College as their Higher Education partner. The following statement must be included in all the School District’s publications and/or advertisements in regards to the Dual Credit Programs:

“[ISD name] collaborates with South Texas College, our Higher Education partner, to offer college credit hours, college certificates and degrees, while saving families hundreds of thousands of dollars by waiving tuition and fees.”

In addition, the School District shall adhere to the format and style of all advertising, marketing, reporting, and publicity materials, which includes billboards, print ads, and television commercials, as set forth in the College’s ***Branding, Marketing, and Advertising Guidelines for South Texas College Dual Credit Programs*** at www.southtexascollege.edu/go/dual-credit-marketing (see Exhibit B for Sample Recognition). Failure to follow this provision will result in a non-compliance notification as stated in Section 9 of this document.

3) ACADEMIC POLICIES & PROCEDURES

Academic policies and procedures applicable to regular college courses and students will also apply to dual credit courses and dual credit students. A degree plan with a defined sequence of courses will be available through Degree Works for all dual credit students.

a) Eligible Courses

Academic courses offered by the College for dual credit are developed based on the guidelines published in the Academic Course Guide Manual. Workforce courses are developed based on the guidelines published in the Workforce Education Course Manual. The College does not offer kinesiology, guided studies, competency-based or developmental courses for dual credit.

b) Faculty Qualification, Selection, Supervision, and Evaluation

The College has established an approval process for selecting and/or approving qualified School District faculty (those approved will herein be called “Dual Credit Faculty”) to teach dual credit course(s). Each approved Dual Credit Faculty will be supervised by the College’s respective department chair or designee and be evaluated and monitored to ensure quality of instruction and compliance with the College’s policies and procedures in accordance with the standards established by the State of Texas and the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). For a comprehensive view of the Faculty Credentials and Qualification, Selection, Supervision, and Evaluation process, refer to the *Dual Credit Programs Instructional and Quality Standards Manual - Academic Affairs Division*.

- i. The School District will collaborate with the College to ensure that the School District instructor applying to teach in the Dual Credit Programs meets the credential requirements as stated in the College’s *Board Policy #4151 Academic and Professional Credentials for Faculty*, which includes the criteria used by the College to determine teaching eligibility.
- ii. The College will ensure that College Faculty requested to teach dual credit courses at the School District sites have met acceptable national criminal background checks.
- iii. School District faculty approved as Dual Credit Faculty must be cleared by the College’s Office of Human Resources to teach any dual credit courses.
- iv. Dual Credit Faculty will submit all required reporting documents such as rosters, learning outcome results, syllabi/section outlines, and grades by the deadlines set by the College.
- v. New Dual Credit Faculty approved for the upcoming Academic Year must satisfactorily complete the LMS Fundamentals and Academic Continuity Certifications offered through the College’s Distance Learning Department, prior to teaching dual credit courses.
- vi. College and Dual Credit Faculty teaching dual credit courses should check their class rosters during the first week of classes by accessing Starfish through JagNet to make sure that all students attending the class are enrolled in the dual credit course. Refer students not on the roster to the appropriate School District counselor and the Dual Credit Enrollment Services Department. Any student not listed on the roster by the 12th day of class (Census Day) will not be enrolled in the dual credit course.
- vii. New Dual Credit Faculty approved for the upcoming Academic Year must satisfactorily complete the *DELTA Online Academy* course offered through the College’s Office of Professional and Organizational Development during the first semester teaching dual credit courses. Dual Credit Faculty not completing this Academy will not be allowed to continue

- teaching the following academic year. This Academy focuses on relevant College policies, and procedures, resources, faculty responsibilities, and maintaining a college environment in the classroom. The *DELTA Online Academy* course includes required training on Title IX and related Texas laws, and covers topics including but not limited to mandatory reporting duties, sexual harassment under federal and state law, and prevention techniques.
- viii. The School District will allow release time from School District duties for all Dual Credit Faculty to attend required College departmental meetings, discipline and course-specific College professional development training, and the two Dual Credit professional development days organized by the College held on the Saturday before each full semester begins. The department chairs will provide the meeting schedule to the Dual Credit Faculty before the beginning of the semester, so that the Dual Credit Faculty can coordinate their teaching responsibilities at the high school in order to attend required department meetings.
 - ix. The School District will allow release time from School District duties for all high school librarians to attend no more than two required library summits organized by the College held on week days during the school year.
 - x. College Faculty and Dual Credit Faculty teaching college-level courses are expected to communicate with students who need academic assistance and direct them to the appropriate College or School District support services. College provides students access to college resources, and support services at no cost.
 - xi. The School District will forward any concerns regarding Dual Credit Faculty or College Faculty teaching the college-level course to the College Department Chair for investigation. To address and resolve the concerns, a meeting shall take place between the College Department Chair (and/or designee) and the School District Principal (and/or other designated high school administrator) to discuss the issues and reach a decision that is mutually agreeable.
 - xii. The Dual Credit Faculty or College Faculty assigned to teach a dual credit course is charged with the duties and responsibilities of the instructor of record. In cases where the course is a Distance Learning course taught at the partner school, as stated in [Board Policy #3115 Distance Education](#), the instructor of record, not an assistant, is the one responsible for delivery of instruction and evaluation of student progress. Online students shall be informed that they are able to access the online course at any time, not only during a designated time at the high school.
 - xiii. Texas House Bill 3979 and Senate Bill 3 (87th Legislature), **which relates to civic instruction and instruction policies in public school in the state**, does not apply to community colleges or to dual credit students, as long as the curriculum being taught is the College's curriculum. This is the case even if the College curriculum is taught by a high school teacher in their capacity as a Dual Credit Faculty member.
 - xiv. This IA recognizes the unique and sometimes challenging position of Dual Credit Faculty. Nevertheless, although Dual Credit Faculty are full-time employees of the School District where they teach College courses(s), Dual Credit Faculty shall follow all applicable College policies during dual credit instructional time. Accordingly, Dual Credit Faculty are expected to fulfill their responsibilities as Dual Credit Faculty while also complying with the expectations, policies, and responsibilities of their School District and Principal.

- xv. Expectations of Dual Credit Faculty when teaching a College-level Course for the College:
- College-Level Course Work: The rigor of college-level course work often requires additional time outside of class for students to meet course learning objectives and outcomes. Dual Credit Faculty should not decrease the amount of out-of-class work assigned to students enrolled in Dual Credit course(s).
 - Issuing of College Grade: Dual Credit Faculty should not inflate the college letter grade, which might differ from the high school numeric grade.
 - Contact Hours Pertaining to Dual Credit Students: Just as Dual Credit Faculty are expected to meet the required number of contact hours per semester, students enrolled in dual credit courses are required to maintain regular and punctual attendance in classes and laboratories. In accordance with the College [Board Policy #3335 Student Attendance](#), the student is responsible for communicating with faculty members concerning any absence. The student may be required to present evidence to support an absence, and make-up work for class absences will be permitted only as specified by the faculty in the course syllabus.
 - Dual Credit Faculty shall treat students equally and should not unreasonable measures to help a particular student who, in the estimation of the Dual Credit Faculty member, is failing the course due to the student's classroom performance, lack of participation and/or excessive student absences.
- c) Location, Facilities, Teaching Environment, and College Courses
The location of dual credit courses will be held at approved instructional sites in accordance with SACSCOC standards.
- i. Facilities
The School District will work with the College to ensure that the School District's facilities meet the expectations and criteria required for college classes and are appropriate for college-level instruction by the first day of class including the following:
- School District will ensure that College Faculty and dual credit students have appropriate access to all available instructional facilities, resources, and essential technology;
 - School District will permit access to the College's electronic learning resources when the course is taught at the School District; and
 - School District offering science courses will meet the laboratory safety standards and have material/equipment required for College courses available in all labs in which classes are being taught to comply with the College science program requirements.
- ii. Teaching Environment
The School District will ensure that the classroom environment is conducive to college-level learning by:
- Designating a classroom for the dual credit classes;
 - Displaying the signs provided by the College outside of the classroom that indicate "College Course is in Session";
 - Assuring no interruptions take place in the College dual credit class while in session, such as removing students for high school activities, or making announcements except for official business or emergencies. Interruptions for official announcements must be minimized; and
 - Accepting the faculty member's attendance requirements as stated in the course syllabus and as supported by [Board Policy #3335 Student Attendance](#). This policy provides guidelines related to student attendance and authorizes faculty to drop a student, prior to the withdrawal deadline, when in the opinion of the faculty, the

student would have difficulty in successfully completing the course.

iii. College Courses

Faculty teaching dual credit courses must use the College's approved Learning Management System. The College maintains security measures to protect faculty and students while learning in an online environment. More detailed information can be accessed on the Dual Credit Programs webpage at the following link:
<https://www.southtexascollege.edu/dual/index.html>.

iv. Course Delivery

The School District will ensure that all dual credit courses taught by Dual Credit Faculty are conducted through face-to-face instruction. Only in circumstances, when a State of Emergency is activated, may a Dual Credit Faculty be approved to conduct online instruction to adhere to the College's Instructional Contingency Plan, using the College's Learning Management System.

d) Course Curriculum, Instruction, and Grading

School Districts that participate in the Dual Credit Programs at the College will comply with procedures and guidelines as published in the *Dual Credit Programs Principal Agreement*, and *Dual Credit Programs Instructional and Quality Standards Manual*, including the following:

i. Academic Instructional Calendar

Dual credit classes will follow the College Academic Calendar. Exceptions may be arranged through collaboration between the College and the School District. When the requested exception involves the Final Exam Schedule for full semester classes, the College Department Chair and Division Dean will be involved in any decision. The College requires that the Division Dean approve any exception. Notification of conflicts between mandatory State testing and final exams must be made well in advance of final exams. College courses and exams should take reasonable priority over School District activities.

ii. Monitoring Instruction

The School District will work with the College so College personnel will have the opportunity to monitor the quality of instruction in compliance with the College course syllabus and the standards established by the State of Texas, SACSCOC, and the School District.

iii. Books and Supplemental Materials

The School District will provide textbooks for each registered student, equipment, and supplemental materials required for the cohort (S sections) classes. The College will consider the use of free or low-cost open educational resources in courses offered under the program for School District. College-approved textbooks purchased by the School District as required for a college course are allowed to be used for four (4) years. Chairs may request a change of textbooks earlier than four (4) years, if the textbooks are for technology-based courses or with reasonable justification. Required textbooks and materials shall be available to each registered student on the first-class day. Exceptions must be discussed with the Dean of Dual Credit Programs and the Department Chair.

iv. Transportation

The School District will provide transportation to students enrolled as required, deemed necessary, and appropriate under State law and School District rules and procedures.

Students enrolled in dual credit courses at the College may be transported by the School District.

v. Grading Procedures

All Dual Credit Faculty will follow the College Grading System as stated in the College's [Board Policy #3310 Grading System: Credit Programs](#), as well as the grading criteria in the department approved syllabus.

vi. Submission of College Grade

The primary responsibility for assigning College grades in a course belongs to the faculty member, and in the absence of compelling evidence of discrimination, differential treatment, or procedural irregularities, the judgment of the faculty member responsible for the course must remain determinative. College and School District officials will not interfere with the faculty member's responsibility for assigning College grades. The final course grade submitted for the College will be a letter grade, and for the high school a numeric grade based on a standard 100-point scale, which will be provided by STC Faculty, upon request. Request must be submitted by the School District to the STC Faculty by the Friday before the College's finals week. The final course grade recorded for the College will be a letter grade and for the high school a numeric grade that may differ from the College letter grade.

vii. Grade Appeal

The School District will direct students to follow the College's Grade Appeal process. An electronic copy of these documents may be accessed on the Academic Affairs Department webpage at the following link:

https://academicaffairs.southtexascollege.edu/grade_appeals/.

viii. Reporting Required Critical Student Performance Information

The College has developed guidelines for sharing critical student performance information when needed for high school reporting.

STC Faculty

- Will only provide final course numeric grades based on a standard 100-point scale to the School District, upon request. Request must be submitted by the School District to the STC Faculty before the end of College's finals week.
- Will not be required to submit midterm course grade
- Will provide the following Starfish Early Alert Surveys:
 - Fall 2022 and Spring 2023: First Week Attendance Verification, and two Progress Surveys (Weeks 5-6 & Weeks 11-12)
 - Summer 2023: First Week Attendance Verification, and one Progress Survey (Week 3)

Dual Credit Faculty

- Guidelines indicate reporting requirements and responsibilities of the Dual Credit Faculty regarding parent inquiries, progress reports, and discipline matters which are found in the *Dual Credit Programs Instructional and Quality Standards Manual*.

e) Dual Credit Policies

i. [Board Policy #3230 Dual Credit Programs with Partnering School Districts](#)

- Lists general provisions that partnering School District must comply with; and
- States that tuition and fees for dual credit students sponsored by partnering School District will be charged as approved by the College's Board of Trustees.

- ii. **[Board Policy #3232](#) *Dual Credit Student Eligibility Requirements***

 - Outlines the dual credit student eligibility requirements;
 - Stipulates limitations on what courses and how many hours may be taken;
 - Mandates student compliance with Financial Aid Satisfactory Academic Progress (SAP); and
 - Levies the independent student tuition and fees for students enrolled in (non-S) section(s) with approval by the College.

- iii. **[Board Policy #3320](#) *Academic Progress Standards***

 - States expectation that students meet academic standards for coursework at the College;
 - Defines levels of academic status GPA criteria; and
 - Explains student academic progress standards including probation, suspension, and readmission.

- iv. **[Board Policy #3322](#) *Student Financial Aid - Satisfactory Academic Progress (SAP)***

 - Cites Federal regulations that require the College to monitor Satisfactory Academic Progress (SAP) for all students, including dual credit students, in order to determine financial aid eligibility; and
 - Cites regulations that require the evaluation of quantitative (67% course completion rate and maintaining at least a 2.0 cumulative GPA) standards, as well as completion of a degree or certificate within 150% of normal time frame.

4) **STUDENT ENROLLMENT & SUPPORT SERVICES**

a) Student Eligibility

The College requires the School District to follow all College enrollment procedures and guidelines for dual credit students. All procedures and guidelines are outlined in the College's ***Dual Credit Programs Enrollment and Support Services Manual***. An electronic copy of this document may be accessed on the Dual Credit Programs webpage at the following link:

<https://www.southtexascollege.edu/dual/index.html>.

All students must meet dual credit admissions and eligibility requirements as outlined by the THECB laws and regulations, the Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter D, Rule § 4.85, and as stated in the College's **[Board Policy #3200](#) *Student Admissions***. The School District will work with the College to make certain that all dual credit students are enrolled by the first day of class to help ensure student success and will comply with the College Dual Credit Programs Admission and Registration Timeline. An electronic copy of this document may be accessed on the Dual Credit Programs webpage at the following link:

<https://www.southtexascollege.edu/dual/index.html>.

High school students are eligible to participate in the Dual Credit Programs upon meeting the Texas Success Initiative (TSI) Assessment minimum passing scores established by the THECB and the College dual credit course pre-requisites as published in the College's ***Dual Credit Programs Enrollment and Support Services Manual***.

Dual credit students must comply with the College's Academic Progress Standards as outlined in **[Board Policy #3320](#)** and **[Board Policy #3322](#)**. Federal Financial Aid SAP requirements measure all students' GPA and progression regardless of whether or not they receive aid and these requirements are applicable to dual credit students who are still in high school.

b) *Collaboration and Outreach Efforts*

The College provides informational sessions for students and parents regarding dual credit opportunities, benefits, cost, and resources. Sessions are available throughout the academic year upon request by the School District. The College disseminates the most current dual credit information regarding enrollment, resources, and requirements for the program on the College's dual credit website.

c) *Course Load*

As stated in the College's [**Board Policy #3232 Dual Credit Student Eligibility Requirement**](#), dual credit students may not enroll in college-level courses until the Spring semester of their 9th grade, are then limited to no more than two (2) dual credit courses for that semester from an approved list of recommended courses. All 10th grade students will be limited to two (2) dual credit courses per Fall and Spring semester. All 11th and 12th grade students should not exceed four (4) dual credit courses per Fall and Spring semesters. Summer session enrollment is limited to two (2) dual credit courses for Summer Term I/III and two (2) dual credit courses for Summer Term II.

Dual credit students shall be limited to courses within their declared major and corresponding degree plan. Students who declare a major leading to Career Technical Education (CTE) certificate or Associate degree, may also enroll in academic dual credit courses, limited to English 1301, Mathematics/Natural Science Electives, Humanities Electives, Social and Behavioral Electives, and other Associate of Applied Science (AAS) Electives needed to complete their Certificate and/or AAS degree, while not exceeding the limitation on dual credit courses per semester described below. Students may attempt a maximum of 68 credit hours, with the exception of students pursuing the Associate of Science in Engineering. The Dual Credit Programs is subject to all applicable College policies and procedures.

Non-S Section Enrollment

Students who want to enroll in regular (non-S) section(s) must submit a request and be approved by the Dean of Dual Credit Programs and School District Partnerships. Students can only be enrolled in courses within their declared major. Any student approved to enroll in a regular (non-S) section(s) will not be assessed the independent student tuition and fee rates based on the Board Approved Tuition & Fee Schedule. Dual credit students who do not receive approval to enroll in a regular (non-S) section(s), may still enroll, but will be assessed the independent student tuition and fee based on the Board Approved Tuition & Fee Schedule.

Non-S section requests for 10 or more students in the same course type during the same semester will require an "S" section to be created by the School District. Criteria is available on the Dual Credit Programs website, which includes the eligibility of enrollment of only 11th and 12th graders.

d) *Student Composition of Class*

As outlined in the Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter D, Rule 4.85, the school district may not enroll both dual credit and non-dual credit students in the same section unless the development of a high school credit-only class is not financially viable for the high school and only under one of the following conditions:

- i. If the course is required for completion under State Board of Education High School graduation requirements, and the school is otherwise unable to offer such a course.
- ii. If the high school credit-only students are College Board Advanced Placement or International Baccalaureate students.

- iii. If the course is a career and technology/college workforce education course and the high school credit-only students are eligible to earn articulated college credits.

Dual Credit Sections

Dual credit sections assigned to an STC Faculty and/or Dual Credit Faculty must have a minimum of ten (10) students enrolled in Academic sections and seven (7) in Career Technical Education sections. Dual credit sections with less than the minimum enrollment will be cancelled by the advertised semester deadline. Dual Credit Programs will work with the School District to determine options to combine dual credit courses with partnering school districts approval, if available.

e) *Advising*

The College and the School District offers college advising services for dual credit students, in addition to a College Advising Training Program for High School District Counselors held by the College.

The College offers advising services for dual credit students regarding transferability and applicability to baccalaureate degree plans of all college credit offered and earned.

In active collaboration with the College, the School District shall take whatever actions deemed reasonably necessary by the College to fully comply with the advising mandates delineated in TX SB 25 (2019) and TX SB 1324 (2019), which collectively address measures public institutions of higher education must take to facilitate successful transfer, academic progress, and timely graduation through, among other things, the filing of degree plans at certain milestones and the publication of course sequences. The College and the School District shall also take necessary actions to ensure compliance with any and all advising requirements of TX SB 1277 (2021), including but not limited to designating at least one employee from either institution to provide academic advising to each student who enrolls in a dual credit course before beginning the course.

f) *Pathways Alignment*

The College provides a comprehensive guide to the alignment of High School endorsements, dual credit courses, post-secondary pathways, credentials at the institution, and industry certifications.

g) *Counseling and Student Accommodations*

The College and the School District will adhere to Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (ADA), and the ADA Amendments Act of 2008.

The School District will be responsible for implementing policies and procedures to enable students to identify disability needs and to provide academic accommodations for dual credit students. If the class is taught at the high school by a Dual Credit Faculty, the School District's high school will be responsible to provide the academic accommodations. If the class is taught by a STC Faculty at the high school, the College Counselor will coordinate academic accommodations with the high school's Special Education Counselor. Students are not eligible to receive and/or otherwise utilize Individual Education Plans (IEP's) in Dual Credit courses. All procedures and guidelines are outlined in the College ***Dual Credit Programs Enrollment and Support Services Manual***. An electronic copy of this document may be accessed on the Dual Credit Programs webpage at the following link: <https://www.southtexascollege.edu/dual/index.html>.

h) *Student Complaints*

The College's Grievance and/or Complaint procedures for handling student complaints regarding college courses are applicable to all students, including those enrolled in dual credit courses. Dual

credit students who would like to submit reports or complaints shall adhere to [Board Policy #3313, Student Grievance or Complaint](#), and follow the process and procedures as detailed in the College's [Student Handbook](#) and/or the [Employee Handbook](#), depending on whether the report reports or complaint relates to another College student or College employee. Generally, students should report complaints relating to a Dual Credit course to the College. If the student chooses to report to the School District, the School District shall promptly report the matter to the College. The College shall be responsible for implementing the College's Grievance and/or Complaint procedures only if the College has jurisdiction over the individuals and/or environment involved in the report or complaint, including but not limited to, jurisdiction over the educational program or activity, the complainant, and respondent.

Student reports and complaints alleging sex-based discrimination, harassment, domestic violence, dating violence, stalking, or other sexual misconduct in a Dual Credit course will be handled in accordance with the policy and procedures outlined in [Board Policy #4216 Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited](#). A student may report a grievance or complaint at the following link: <https://www.southtexascollege.edu/report/index.html>.

i) Student Conduct

All students, including dual credit students, are subject to discipline and appropriate sanctions, ranging from verbal or written warning to suspension and expulsion from the College and all related programming, under the College's Student Handbook and Code of Student Conduct. The Code of Student Conduct is an articulation of the College's commitment to maintaining an environment that recognizes and supports the rights of its students, while providing a guide for defining behaviors the College considers inappropriate. Procedures, including a list of violations, potential sanctions, and a list of individual rights for each student, are listed in the College's Student Handbook, Chapter 2, Code of Student Conduct. Dual credit students who receive a sanction of suspension or expulsion from the College must be removed from the college course and placed in a high school credit course or a traditional high school setting by the School District; and in accordance with Texas State law shall have a transcript notation of suspension or expulsion placed on their official record. On request by the student, the College may remove the notation from the official transcript. Further, the College reserves the right to refer cases to the Behavioral Intervention Team for review and threat assessment. An electronic copy of this Student Handbook and Code of Conduct may be accessed on following link: https://www.southtexascollege.edu/pdf/student_code_of_conduct.pdf

j) Transcription of Credit

The College and the School District will transcript dual credit courses for both college credit and high school credit immediately upon student completion of the performance required in each course.

k) Commencement Ceremonies

To become eligible to participate in the College Commencement Ceremonies held in May, December, or at such time determined by the Board of Trustees, dual credit students must be enrolled in all final coursework for their declared program and all coursework must be completed at the end of the semester of graduation. Dual Credit students who are eligible to participate cannot defer participation to a later Commencement Ceremony date, except when a State of Emergency is activated. The College Registrar is the Graduation Determination Official and has the final authority to determine dual credit eligibility for graduation and ceremony participation. Dual credit students must meet all graduation requirements as outlined in College Policy to be eligible for graduation and participation in the Commencement Ceremonies.

5) FINANCE SUPPORT SERVICES

- a) Faculty Stipend
School District instructors approved by the College to be Dual Credit Faculty and approved to teach college level courses will be paid a stipend by the College per class, per semester, as outlined in the College *Dual Credit Programs Instructional and Quality Standards Manual*.

- b) Tuition & Fees
The School District will be charged tuition and fees as outlined in *Exhibit A: Board Approved Tuition & Fees for Dual Credit Students Sponsored by Partnering School Districts for FY 2022-2023*. The College's Board of Trustees reserves the right to adjust tuition and fees as deemed necessary during the year.

- c) Invoicing
The College will invoice the School District that sponsors the student for the applicable charges, in accordance with the *Board Approved Tuition & Fees for Dual Credit Students Sponsored by Partnering School Districts for FY 2022-2023*, as approved by the College Board of Trustees (see Exhibit A).

- d) Faculty Charges
When the College provides the faculty, including via distance learning, the School District is responsible for the mileage and faculty cost as stipulated in the Dual Credit Course Agreement (DCCA). School Districts cannot cancel dual credit courses with assigned College Faculty after August 8, 2022 (Fall 2022 semester), January 9, 2023 (Spring 2023 semester), May 22, 2023 (Summer I semester), and June 28, 2023 (Summer II). Should a School District cancel dual credit course(s) with an assigned College Faculty after the advertised deadline, a Late Dual Credit Section Cancellation Fee will be assessed.

This agreement is outlined in the *Dual Credit Programs Instructional and Quality Standards Manual*. An electronic copy of this document may be accessed on the Dual Credit Programs webpage at the following link: <https://www.southtexascollege.edu/dual/index.html>.

6) DATA SHARING

FERPA allows protected student data to be exchanged between the College and School District for students that are dually enrolled without requiring the consent of either the parents or the student under § 99.34. If the student is under 18, the parents still retain the right under FERPA to inspect and review any education records maintained by the School District, including records that the College disclosed. The College and the School District are expected to meet FERPA requirements to maintain the privacy of student data.

The School District agrees to provide directory information for all 11th and 12th grade students enrolled in the district for recruitment purposes. The School District will provide an electronic secure file to the Director of College Connections and Admissions for Traditional students by the end of September. The file will include student names, school emails, home phone numbers, and home addresses.

The College will provide data reports to the School District via standard reports as per identified timelines. These reports have been developed in an effort to provide required data in a timely manner to our partners with a signed IA.

The School District shall provide a primary and secondary contact, at the District and at each high school, to receive data via a secure process from the College. These contacts will be responsible for distributing data securely within their assigned area and within FERPA guidelines. Any data received

from the College shall not be shared outside the District without prior authorization from the College.

The School District may request data outside of the scheduled report distribution schedule provided:

- An IA has been executed and is active between the School District and the College
- The data request is submitted, at minimum, three (3) business days prior to the requested delivery date

PLEASE NOTE: Requests are **NOT** guaranteed to be delivered by the requested delivery date and may be delayed depending on the data team's existing request volume. Requests will be prioritized depending on identified need.

The School District may submit an e-mail request for reports to: dcdatarequest@southtexascollege.edu.

7) **HUMAN RESOURCES DEPARTMENT. DATA PRIVACY & SHARING AGREEMENT**

The School District will collaborate with the College to ensure that all School District faculty applying to teach in the Dual Credit Programs meet the credential requirements as stated in the College's [Board Policy #4151 Academic and Professional Credentials for Faculty](#), and submit all required documents for the approval/hiring process to the Human Resources Department as well as agree to full information sharing in the event of an investigation of a personnel matter regarding Dual Credit Faculty.

- a) Any non-academic incidents or complaints against Dual Credit Faculty teaching a College course are required to be reported to the College's Office of Human Resources to the attention of the Director and/or Employee Relations Officers for investigation.

8) **TITLE IX OF THE EDUCATION AMENDMENTS 1972**

The School District will comply with Title IX of the Education Amendments 1972 (20 U.S.C. § 1681 et seq.) and its implementing regulations as stated in the College's [Board Policy #4216 Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited](#) and the School District Title IX policy in resolving incidents and complaints. An electronic copy of the College's Board Policy may be accessed on following link: <https://admin.southtexascollege.edu/president/policies/pdf/4000/4216.pdf>.

Title IX of the Education Amendments of 1972 (20 U.S.C. s1681 et seq) and it's implementing regulations, 34 C.F.R. Part 107 (Title IX) state: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Title IX resources, policies, and procedures, including the names and contact information of the Title IX Coordinator and the Title IX Deputy Coordinators for the College are located at the following link: <https://www.southtexascollege.edu/about/notices/title-ix.html>.

The School District will designate a specific School District official **who is trained to investigate and address matters relating Title IX and civil rights issues, including but not limited to Title VI and Title VII of the Civil Rights Act** to serve as the authorized liaison with South Texas College Office of Human Resources and/or the Title IX Coordinator. The School District official and the College's representative(s) will work collaboratively and timely to share any and all information necessary in the event of an investigation of a personnel matter (see Exhibit C).

9) **NON-DISCRIMINATION**

The College prohibits discrimination, including harassment, and sexual misconduct against any employee, applicant for employment, student or applicant for admission on the basis of any protected class or any other basis prohibited by law. Protected classes at the College include: race, color, national

origin, religion, age, sex, sexual orientation, gender, gender identity, physical or mental disability, genetic information, veteran status or any other basis prohibited by law.

Discrimination is defined as prohibited conduct directed at an employee or student on the basis of race, color, national origin, religion, age, sex, including pregnancy and parental status, sexual orientation, gender, gender identity, physical or mental disability, genetic information, veteran status, or any other basis prohibited by law, that adversely affects the employee's employment or that adversely affects the student.

For more information, please visit [Board Policy #4216 Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited](#).

10) INTERLOCAL AGREEMENT (IA)

This IA may be amended by mutual written agreement of both parties.

The College and the School District reserve the right to terminate this IA, by notice from either party in accordance with this IA or by operation of law. The College or the School District may terminate the IA no fewer than ninety (90) days prior to the intended date of termination. To be effective, notice must be submitted in writing, signed by the College President or the School District Superintendent and personally delivered to the other party to this IA.

11) NOTIFICATION OF NON—COMPLIANCE AND TERMINATION OF AGREEMENT

Failure to act in accordance with any provision in this IA will result in a Notification of Non-Compliance (Notice), which may be initiated by either party. The Notice shall be in writing and shall state in particular the alleged non-compliance. The Notice will be provided to the College President and School District Superintendent for review and action. Failure to correct non-compliance may result in termination of this agreement.

EXECUTED IN TWO (2) Original counterparts on this _____ day of _____ 20_____.



Dr. Ricardo J. Solis
President
South Texas College

Dr. Jose A. Gonzalez
Superintendent
McAllen Independent School District

Chairman, Board of Trustees
South Texas College

President, Board of Trustees
School District

Approved as to form:
Atlas, Hall, & Rodriguez, LLP

by: Stephen L. Crain
Stephen L. Crain (Jan-20, 2022 09:06 CDT)

Stephen L. Crain

EXHIBIT A
TUITION AND FEES FOR DUAL CREDIT STUDENTS
SPONSORED BY PARTNERING SCHOOL DISTRICTS
FOR FY 2022-2023

	Board Approved FY 2020-2021	Board Approved FY 2021-2022	Board Approved FY 2022-2023
DUAL CREDIT TUITION:			
Per credit hour tuition for in-district dual credit students sponsored by partnering school districts	0.00	0.00	0.00
DIFFERENTIAL TUITION PER CREDIT HOUR FOR COURSES OFFERED ON A SOUTH TEXAS COLLEGE CAMPUS OR FACULTY:			
Associate Degree Nursing	75.00	0.00	0.00
Emergency Medical Technology	55.00	0.00	0.00
Occupational Therapy Assistant	55.00	0.00	0.00
Patient Care Assistant	35.00	0.00	0.00
Pharmacy Tech	55.00	0.00	0.00
Physical Therapist Assistant	55.00	0.00	0.00
Radiologic Technology/Sonography	65.00	0.00	0.00
Respiratory Therapy	65.00	0.00	0.00
Vocational Nursing	75.00	0.00	0.00
COURSE FEES:			
Electronic Distance Learning/VCT Course Fee per credit hour (Summer 2020 Sessions - Fee waived) (Fall 2020 Session - Fee waived)	10.00	10.00	10.00
Hybrid Course Fee per credit hour	0.00	0.00	0.00
NAH and Other Course Fees: <i>Liability Insurance/Exams/Booklets/Badges/Special Program ID/Certificates/Pinning Ceremony/Other Activities</i>	Recovery of costs and processing fees	Recovery of costs and processing fees	Recovery of costs and processing fees
INCIDENTAL FEES:			
Fee per credit hour for dual credit students attempting a course three or more times	125.00	125.00	125.00
Dual Credit Late Processing Fee per course per student after Census Day	200.00	200.00	200.00
DUAL CREDIT ACADEMIES:			
Dual Credit Academies Participation Fee - Fall and Spring, per Student per Semester (Charged to School District)	600.00	600.00	600.00
Dual Credit Academies Participation Fee - Summer, per Student per Credit Hour (Charged to School District)	50.00	50.00	50.00

Board Approved_DualCreditTuitionandFees FY 2022-2023_February 22, 2022

Exhibit B

Sample Recognition

Vanguard Academy

Congratulations

SOUTH TEXAS COLLEGE

Graduates

Mozart Secondary

 Houston, Matt AA-BOL	 Jose, Carlos AA-CBU	 Jansen, Elyse AA-BOL	 Garza, Jhonel AA-BOL	 Gonia, Leonardo AA-CBU	 Rivas, Luis AA-INDS
 Gomez, Isabella AA-BOL	 Lopez, Nancy AA-INDS	 Sanchez, Diana AA-INDS	 Zermeno, Yelena AA-INDS	 Juarez, Taryn AA-INDS	 Jara, Gabriela AA-CBU

Rembrandt Secondary

 Arreola, Daniel AA-INDS	 Alvarez, Adrian AA-INDS	 Arriaga, Jose AA-INDS	 Arriola, Brian AA-INDS	 Garcia, Lizeth AA-CBU	 Garcia, Ana AA-INDS
 De La Cruz, Jose AA-BOL	 Diaz, Daniel AA-INDS	 Garcia, Anthony AA-INDS	 Garcia, Juan AA-BOL	 Gonzalez, Zaida AA-CBU	 Hernandez, Joseph AA-INDS
 Hernandez, Amalia AA-INDS	 Lopez, Isabella AA-INDS	 Lopez, Daniel AA-INDS	 Lopez, Erika AA-CBU	 Luna, Fernando AA-INDS	 Morales, Angel AA-INDS
 Nolas, Florita AA-INDS	 Nolas, Bianca AA-INDS	 Perez, Lee AA-INDS	 Ponce, James AA-INDS	 Rodriguez, Erika AA-CBU	 Salazar-Lopez, Juli AA-INDS

Not pictured:
Barragan, Graciela
AA-CBU


Garcia, Jennifer
AA-INDS


Vega, Gabriela
AA-INDS



VANGUARD ACADEMY

COLLEGE

CONGRATULATIONS

PSJA ISD EARLY COLLEGE 2021-2022 GRADUATES

488

High school students were named candidates for Associate Degrees and Certificates from South Texas College during the Fall 2021 and Spring 2022 commencement.

#PSJAProud

VILLA

TV

SOUTH TEXAS COLLEGE



STC GRADUATES

2022



KNIGHTS

EXHIBIT C

School District Title IX Investigator/Coordinator

As stated in Section 7C, the School District will designate a specific School District official who is trained to investigate and address matters relating Title IX and civil rights issues, including but not limited to Title VI and Title VII of the Civil Rights Act to serve as the authorized liaison for South Texas College Office of Human Resources and Title IX Coordinator. The School District official and the College’s representative(s) will work collaboratively and timely to share any and all information necessary in the event of an investigation of a personnel matter.

The School District Liaison contact information is as follows:

School District Name: McAllen Independent School District

High School Name: McAllen High School, Memorial High School, & Nikki Rowe High School

Liaison’s Name: Mirtha Jimenez (McAllen HS), Lynda J. Dopp (Memorial HS), & Claudia Hernandez (Rowe HS)

Position Title: CTE Counselors

Contact Phone Number: 632-3148 Mirtha Jimenez, 632-5263 Lynda J. Dopp, & 632-8848 Claudia Hernandez

Email: mirtha.jimenez@mcallenisd.net, lynda.dopp@mcallenisd.net, & claudia.hernandez-rivera@mcallenisd.net

Liaison’s Name: Brianna Arzate (McAllen HS), Leigh Ann Gutierrez (Memorial HS), & Melissa Lauer (Rowe HS)

Position Title: Lead Academic Counselors

Contact Phone Number: 632-3123 Brianna Arzate, 632-5205 Leigh A. Gutierrez, & 657-5120 Melissa Lauer

Email: brianna.arzate@mcallenisd.net, leighann.gutierrez@mcallenisd.net, & melissa.lauer@mcallenisd.net

This form must be completed in its entirety and submitted to:

Title IX Coordinator
Lauren Starnes, J.D.
Director of Interim Director of Institutional Equity
3201 West Pecan Blvd. A-101
956-872-2307
TitleIX@southtexascollege.edu


For any questions, please contact:

Laura Requena, MBA, MPAcc, PHR, SHRM-CP
Director of Human Resources
2501 West Pecan Blvd.
McAllen, TX 78501
956-872-3646
HR_Administrators@southtexascollege.edu

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



102 _____
Superintendent of Schools

Min. O. S. Jul 18, 2022
 Signature Date
[Signature] Jul 18, 2022
 Signature Date

APPLICATION AND CERTIFICATION FOR PAYMENT

TO CONTRACTOR:
 MCALLEN ISD
 2000 NORTH 23RD STREET
 MCALLEN TX 78501
FROM CONTRACTOR:
 TELEPRO COMMUNICATIONS
 12005 N BRYAN ROAD
 MISSION TX 78573
CONTRACT FOR:

PROJECT:
 MCALLEN ISD CSP 2021-021
 MCALLEN TX
VIA ARCHITECT:

PROJECT NO: Q02201
APPLICATION NO: 9
APPLICATION DATE: 6/9/2022
PERIOD TO: 4/30/2022

Distribution to:

<input checked="" type="checkbox"/>	OWNER
<input type="checkbox"/>	ARCHITECT
<input checked="" type="checkbox"/>	CONTRACTOR
<input type="checkbox"/>	

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.

Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	\$	442,418.00
2. Net change by Change Orders	\$	(24,969.15)
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	417,448.85
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	417,448.85
5. RETAINAGE:		
a. 0 % of Completed Work (Column D + E on G703)	\$	0.00
b. 0 % of Stored Material (Column F on G703)	\$	0.00
c. Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	417,448.85
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	396,576.41
8. CURRENT PAYMENT DUE	\$	20,872.44
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	0.00

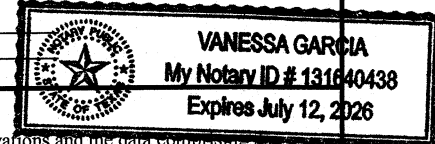
The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

SUBCONTRACTOR:

By: Patricia Mendez Date: 06/09/22

State of: Texas County of: Hidalgo
 Subscribed and sworn to before me this 9 day of JUNE, 20 22.

Notary Public: [Signature]
 My Commission expires: 7-12-20



CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Contractor certifies to the Owner that to the best of the Contractor's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Subcontractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED.....\$ 20,872.44

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

By: [Signature] Date: 6-15-22
 This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$24,969.15
Total approved this Month		\$0.00
TOTALS	\$0.00	\$24,969.15
NET CHANGES by Change Order	(\$24,969.15)	

CONTINUATION SHEET

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 9
 APPLICATION DATE: 6/9/2022
 PERIOD TO: 4/30/2022
 PROJECT NO: Q02201

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H % COMPLETED (G ÷ C)	I BALANCE TO FINISH (C - G)	J RETAINAGE (0% of Completed Work)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
			1	INTERCOM - ALVAREZ PO 8082106544					
5	DESIGN & SUBMITTALS	\$1,200.00	\$1,200.00	\$0.00	\$0.00	\$1,200.00	100.00%	\$0.00	\$0.00
10	MATERIALS	\$92,498.00	\$92,498.00	\$0.00	\$0.00	\$92,498.00	100.00%	\$0.00	\$0.00
15	PRE-WIRE LABOR	\$22,238.00	\$22,238.00	\$0.00	\$0.00	\$22,238.00	100.00%	\$0.00	\$0.00
20	TRIM-OUT LABOR	\$5,930.00	\$5,930.00	\$0.00	\$0.00	\$5,930.00	100.00%	\$0.00	\$0.00
25	TESTING	\$1,482.00	\$1,482.00	\$0.00	\$0.00	\$1,482.00	100.00%	\$0.00	\$0.00
30	DEMO EXISTING SYSTEM	\$2,610.00	\$2,610.00	\$0.00	\$0.00	\$2,610.00	100.00%	\$0.00	\$0.00
35	CONTINGENCY	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$0.00
40	CHANGE ORDER #1	(\$8,936.88)	(\$8,936.88)	\$0.00	\$0.00	(\$8,936.88)	100.00%	\$0.00	\$0.00
	TOTAL PHASE 001	\$127,021.12	\$127,021.12	\$0.00	\$0.00	\$127,021.12	100.00%	\$0.00	\$0.00
2	INTERCOM - BROWN PO 8082106545								
5	DESIGN & SUBMITTALS	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	100.00%	\$0.00	\$0.00
10	MATERIALS	\$121,676.00	\$121,676.00	\$0.00	\$0.00	\$121,676.00	100.00%	\$0.00	\$0.00
15	PRE-WIRE LABOR	\$30,675.00	\$30,675.00	\$0.00	\$0.00	\$30,675.00	100.00%	\$0.00	\$0.00
20	TRIM-OUT LABOR	\$8,180.00	\$8,180.00	\$0.00	\$0.00	\$8,180.00	100.00%	\$0.00	\$0.00
25	TESTING	\$2,045.00	\$2,045.00	\$0.00	\$0.00	\$2,045.00	100.00%	\$0.00	\$0.00
30	DEMO EXISTING SYSTEM	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$4,500.00	100.00%	\$0.00	\$0.00
35	CONTINGENCY	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$0.00
40	CHANGE ORDER #1	(\$8,880.12)	(\$8,880.12)	\$0.00	\$0.00	(\$8,880.12)	100.00%	\$0.00	\$0.00
	PHASE 002	\$169,695.88	\$169,695.88	\$0.00	\$0.00	\$169,695.88	100.00%	\$0.00	\$0.00
3	INTERCOM - WILSON PO 8082106543								
5	DESIGN & SUBMITTALS	\$1,200.00	\$1,200.00	\$0.00	\$0.00	\$1,200.00	100.00%	\$0.00	\$0.00
10	MATERIALS	\$87,724.00	\$87,724.00	\$0.00	\$0.00	\$87,724.00	100.00%	\$0.00	\$0.00

15	PRE-WIRE LABOR	\$19,763.00	\$19,763.00	\$0.00	\$0.00	\$19,763.00	100.00%	\$0.00	\$0.00
20	TRIM-OUT LABOR	\$5,270.00	\$5,270.00	\$0.00	\$0.00	\$5,270.00	100.00%	\$0.00	\$0.00
25	TESTING	\$1,317.00	\$1,317.00	\$0.00	\$0.00	\$1,317.00	100.00%	\$0.00	\$0.00
30	DEMO EXISTING SYSTEM	\$2,610.00	\$2,610.00	\$0.00	\$0.00	\$2,610.00	100.00%	\$0.00	\$0.00
35	CONTINGENCY	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$0.00
40	CHANGE ORDER #1	(\$7,152.15)	(\$7,152.15)	\$0.00	\$0.00	(\$7,152.15)	100.00%	\$0.00	\$0.00
	PHASE 003	\$120,731.85	\$120,731.85	\$0.00	\$0.00	\$120,731.85	100.00%	\$0.00	\$0.00

GRAND TOTALS

\$417,448.85 \$417,448.85 \$0.00 \$0.00 \$417,448.85 100% \$0.00 \$0.00

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity



FINAL PAYMENT CHECKLIST
Facilities Projects

Project Name: CSP 2021-021 - Intercom Upgrade(s) Project 1 - Alvarez Elementary School, Brown Middle School, Wilson Elementary School

1. Vendor Obligations to McAllen ISD:

YES	NA	
<input checked="" type="radio"/>	<input type="radio"/>	Original Certificate of Substantial Completion (internal/external) transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	Letter of Guarantee, Warranty transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	List of names and addresses of obligatory vendors (subcontractors/suppliers) transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	All non-compliant items corrected (incl. punch list) and evidence of corrections transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	Final copy of Close-Out and As-Built Documents transmitted to McAllen ISD (hard copy and electronic files) and/or final inspections performed and project specifications met

Notes:

McAllen ISD Facilities, Maintenance and Operations staff certifies that the items indicated above have been completed by the vendor.

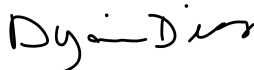
2. McAllen ISD Facilities, Maintenance, and Operations Obligations to McAllen ISD Business Operations

Select one:	
<input type="radio"/>	Item has been recorded as an asset and assigned an asset number.
<input checked="" type="radio"/>	Item has not been recorded as an asset. Appropriate steps are being taken to record. Approved to proceed with final payment.
<input type="radio"/>	Not applicable.

McAllen ISD Business Operations staff certifies that the project indicated above has been reviewed.

APPROVED BY:  Jun 7, 2022

For further information, contact:
Name: Ruben Trevino
Phone: (956) 632-3200
Email: ruben.trevino@mcallenisd.net


ACKNOWLEDGED BY:  Jun 8, 2022

For further information, contact:
Name: Dyanira Diaz
Phone: (956) 632-8403
Email: Dyanira.Farias@mcallenisd.net

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



107 _____
Superintendent of Schools

Melissa Ortiz

Signature Date

Jul 18, 2022

Signature Date

APPLICATION AND CERTIFICATION FOR PAYMENT

Signature Date

TO CONTRACTOR:
 MCALLEN ISD
 2000 NORTH 23RD STREET
 MCALLEN TX 78501
FROM CONTRACTOR:
 TELEPRO COMMUNICATIONS
 12005 N BRYAN ROAD
 MISSION TX 78573
CONTRACT FOR:

PROJECT:
 MCALLEN ISD CSP 2021-021
MCALLEN TX
 FOSSUM HENDRICKS PEREZ
VIA ARCHITECT:

PROJECT NO: Q02202
APPLICATION NO: 8
APPLICATION DATE: 6/9/2022
PERIOD TO: 5/31/2022

Distribution to:

<input checked="" type="checkbox"/>	OWNER
<input type="checkbox"/>	ARCHITECT
<input checked="" type="checkbox"/>	CONTRACTOR
<input type="checkbox"/>	
<input type="checkbox"/>	

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.

Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	\$	<u>449,295.00</u>
2. Net change by Change Orders	\$	<u>(28,128.67)</u>
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$	<u>421,166.33</u>
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	<u>421,166.33</u>
5. RETAINAGE:		
a. 0 % of Completed Work (Column D + E on G703)	\$	<u>0.00</u>
b. 0 % of Stored Material (Column F on G703)	\$	<u>0.00</u>
c. Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	<u>0.00</u>
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	<u>421,166.33</u>
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	<u>400,108.01</u>
8. CURRENT PAYMENT DUE	\$	<u>21,058.32</u>
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	<u>0.00</u>

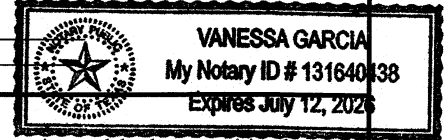
The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

SUBCONTRACTOR:

By: Pamela Mendez Date: 06/09/22

State of: TEXAS County of: Hidalgo
 Subscribed and sworn to before me this 9 day of JUNE, 20 22.

Notary Public: Vanessa Garcia
 My Commission expires: 7-12-26



CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Contractor certifies to the Owner that to the best of the Contractor's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Subcontractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED.....\$ 21,058.32

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

By: Arturo Benavente Jr Date: 6-15-22

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$28,128.67
Total approved this Month		\$0.00
TOTALS	\$0.00	\$28,128.67
NET CHANGES by Change Order	(\$28,128.67)	

CONTINUATION SHEET

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 8
 APPLICATION DATE: 6/9/2022
 PERIOD TO: 5/31/2022
 PROJECT NO: Q02202

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H % COMPLETED (G ÷ C)	I BALANCE TO FINISH (C - G)	J RETAINAGE (0% of Completed Work)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
			1	INTERCOM - FOSSUM PO 8082106542					
5	DESIGN & SUBMITTALS	\$1,900.00	\$1,900.00	\$0.00	\$0.00	\$1,900.00	100.00%	\$0.00	\$0.00
10	MATERIALS	\$117,946.00	\$117,946.00	\$0.00	\$0.00	\$117,946.00	100.00%	\$0.00	\$0.00
15	PRE-WIRE LABOR	\$33,263.00	\$33,263.00	\$0.00	\$0.00	\$33,263.00	100.00%	\$0.00	\$0.00
20	TRIM-OUT LABOR	\$8,870.00	\$8,870.00	\$0.00	\$0.00	\$8,870.00	100.00%	\$0.00	\$0.00
25	TESTING	\$2,217.00	\$2,217.00	\$0.00	\$0.00	\$2,217.00	100.00%	\$0.00	\$0.00
30	DEMO EXISTING SYSTEM	\$5,850.00	\$5,850.00	\$0.00	\$0.00	\$5,850.00	100.00%	\$0.00	\$0.00
35	CONTINGENCY	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$0.00
40	CHANGE ORDER #1	(\$8,954.39)	(\$8,954.39)	\$0.00	\$0.00	(\$8,954.39)	100.00%	\$0.00	\$0.00
	TOTAL PHASE 001	\$171,091.61	\$171,091.61	\$0.00	\$0.00	\$171,091.61	100.00%	\$0.00	\$0.00
2	INTERCOM - HENDRICKS 8082106541								
5	DESIGN & SUBMITTALS	\$1,200.00	\$1,200.00	\$0.00	\$0.00	\$1,200.00	100.00%	\$0.00	\$0.00
10	MATERIALS	\$86,270.00	\$86,270.00	\$0.00	\$0.00	\$86,270.00	100.00%	\$0.00	\$0.00
15	PRE-WIRE LABOR	\$19,763.00	\$19,763.00	\$0.00	\$0.00	\$19,763.00	100.00%	\$0.00	\$0.00
20	TRIM-OUT LABOR	\$5,270.00	\$5,270.00	\$0.00	\$0.00	\$5,270.00	100.00%	\$0.00	\$0.00
25	TESTING	\$1,317.00	\$1,317.00	\$0.00	\$0.00	\$1,317.00	100.00%	\$0.00	\$0.00
30	DEMO EXISTING SYSTEM	\$2,880.00	\$2,880.00	\$0.00	\$0.00	\$2,880.00	100.00%	\$0.00	\$0.00
35	CONTINGENCY	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$0.00
40	CHANGE ORDER #1	(\$9,174.28)	(\$9,174.28)	\$0.00	\$0.00	(\$9,174.28)	100.00%	\$0.00	\$0.00
	PHASE 002	\$117,525.72	\$117,525.72	\$0.00	\$0.00	\$117,525.72	100.00%	\$0.00	\$0.00
3	INTERCOM - PEREZ PO 8082106546								
5	DESIGN & SUBMITTALS	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	100.00%	\$0.00	\$0.00
10	MATERIALS	\$98,639.00	\$98,639.00	\$0.00	\$0.00	\$98,639.00	100.00%	\$0.00	\$0.00

15	PRE-WIRE LABOR	\$21,788.00	\$21,788.00	\$0.00	\$0.00	\$21,788.00	100.00%	\$0.00	\$0.00
20	TRIM-OUT LABOR	\$5,810.00	\$5,810.00	\$0.00	\$0.00	\$5,810.00	100.00%	\$0.00	\$0.00
25	TESTING	\$1,452.00	\$1,452.00	\$0.00	\$0.00	\$1,452.00	100.00%	\$0.00	\$0.00
30	DEMO EXISTING SYSTEM	\$3,360.00	\$3,360.00	\$0.00	\$0.00	\$3,360.00	100.00%	\$0.00	\$0.00
35	CONTINGENCY	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$0.00
40	CHANGE ORDER #1	(\$10,000.00)	(\$10,000.00)	\$0.00	\$0.00	(\$10,000.00)	100.00%	\$0.00	\$0.00
	PHASE 003	\$132,549.00	\$132,549.00	\$0.00	\$0.00	\$132,549.00	100.00%	\$0.00	\$0.00
	GRAND TOTALS	\$421,166.33	\$421,166.33	\$0.00	\$0.00	\$421,166.33	100%	\$0.00	\$0.00

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity



FINAL PAYMENT CHECKLIST
Facilities Projects

Project Name: CSP 2021-021 - Intercom Upgrade(s) Project 2 - Fossum Middle School, Hendricks Elementary School, Perez Elementary School

1. Vendor Obligations to McAllen ISD:

YES	NA	
<input checked="" type="radio"/>	<input type="radio"/>	Original Certificate of Substantial Completion (internal/external) transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	Letter of Guarantee, Warranty transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	List of names and addresses of obligatory vendors (subcontractors/suppliers) transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	All non-compliant items corrected (incl. punch list) and evidence of corrections transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	Final copy of Close-Out and As-Built Documents transmitted to McAllen ISD (hard copy and electronic files) and/or final inspections performed and project specifications met

Notes:

McAllen ISD Facilities, Maintenance and Operations staff certifies that the items indicated above have been completed by the vendor.


2. McAllen ISD Facilities, Maintenance, and Operations Obligations to McAllen ISD Business Operations

Select one:	
<input type="radio"/>	Item has been recorded as an asset and assigned an asset number.
<input checked="" type="radio"/>	Item has not been recorded as an asset. Appropriate steps are being taken to record. Approved to proceed with final payment.
<input type="radio"/>	Not applicable.

McAllen ISD Business Operations staff certifies that the project indicated above has been reviewed.

APPROVED BY:  Jun 7, 2022

For further information, contact:
Name: Ruben Trevino
Phone: (956) 632-3200
Email: ruben.trevino@mcallenisd.net

ACKNOWLEDGED BY:  Jun 8, 2022

For further information, contact:
Name: Dyanira Diaz
Phone: (956) 632-8403
Email: Dyanira.Farias@mcallenisd.net

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



112 _____
Superintendent of Schools

Melissa Ortiz
Melissa Ortiz (Jul 18, 2022 11:23 CDT)

Jul 18, 2022

Signature

Date

[Signature]

Jul 18, 2022

Signature

Date

APPLICATION AND CERTIFICATION FOR PAYMENT

Signature

Date

TO CONTRACTOR:
MCALLEN ISD
2000 NORTH 23RD STREET
MCALLEN TX 78501
FROM CONTRACTOR:
TELEPRO COMMUNICATIONS
12005 N BRYAN ROAD
MISSION TX 78573
CONTRACT FOR:

PROJECT:
MCALLEN ISD CSP 2021-021
MCALLEN TX
GONZALEZ, GARZA, FIELDS
VIA ARCHITECT:

PROJECT NO: Q02203
APPLICATION NO: 8
APPLICATION DATE: 6/9/2022
PERIOD TO: 5/31/2022

Distribution to:

<input checked="" type="checkbox"/>	OWNER
<input type="checkbox"/>	ARCHITECT
<input checked="" type="checkbox"/>	CONTRACTOR
<input type="checkbox"/>	

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.

Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	\$	450,522.00
2. Net change by Change Orders	\$	(24,362.53)
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$	426,159.47
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	426,159.47
5. RETAINAGE:		
a. 0 % of Completed Work (Column D + E on G703)	\$	0.00
b. 0 % of Stored Material (Column F on G703)	\$	0.00
c. Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	426,159.47
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	404,851.49
8. CURRENT PAYMENT DUE	\$	21,307.98
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	0.00

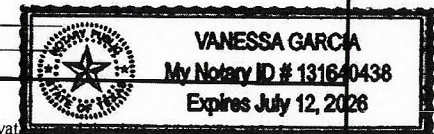
The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

SUBCONTRACTOR:

By: Shade Pad Date: 7/18/22

State of: Texas County of: Hidalgo
Subscribed and sworn to before me this 18 day of July, 20 22

Notary Public: [Signature]
My Commission expires: 7-12-26



CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observation and application, the Contractor certifies to the Owner that to the best of the Contractor's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Subcontractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED.....\$ 21,307.98

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

By: [Signature] Date: Jul 18, 2022

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$4,408.08	\$28,770.61
Total approved this Month		\$0.00
TOTALS	\$4,408.08	\$28,770.61
NET CHANGES by Change Order	(\$24,362.53)	

AIA DOCUMENT G702 - APPLICATION AND CERTIFICATION FOR PAYMENT - 1992 EDITION - AIA - ©1992

THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20006-5292

Users may obtain validation of this document by requesting a completed AIA Document D401 - Certification of Document's Authenticity from the Licensee.

CONTINUATION SHEET

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

APPLICATION NO: 8

In tabulations below, amounts are stated to the nearest dollar.

APPLICATION DATE: 6/9/2022

Use Column I on Contracts where variable retainage for line items may apply.

PERIOD TO: 5/31/2022

PROJECT NO: Q02203

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H % COMPLETED (G ÷ C)	I BALANCE TO FINISH (C - G)	J RETAINAGE (0% of Completed Work)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
1	INTERCOM - GONZALEZ PO 8082106551								
5	DESIGN & SUBMITTALS	\$1,700.00	\$1,700.00	\$0.00	\$0.00	\$1,700.00	100.00%	\$0.00	\$0.00
10	MATERIALS	\$107,396.00	\$107,396.00	\$0.00	\$0.00	\$107,396.00	100.00%	\$0.00	\$0.00
15	PRE-WIRE LABOR	\$30,668.00	\$30,668.00	\$0.00	\$0.00	\$30,668.00	100.00%	\$0.00	\$0.00
20	TRIM-OUT LABOR	\$8,178.00	\$8,178.00	\$0.00	\$0.00	\$8,178.00	100.00%	\$0.00	\$0.00
25	TESTING	\$2,044.00	\$2,044.00	\$0.00	\$0.00	\$2,044.00	100.00%	\$0.00	\$0.00
30	DEMO EXISTING SYSTEM	\$3,630.00	\$3,630.00	\$0.00	\$0.00	\$3,630.00	100.00%	\$0.00	\$0.00
35	CONTINGENCY	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$0.00
40	CHANGE ORDER #1	(\$8,770.61)	(\$8,770.61)	\$0.00	\$0.00	(\$8,770.61)	100.00%	\$0.00	\$0.00
	TOTAL PHASE 001	\$154,845.39	\$154,845.39	\$0.00	\$0.00	\$154,845.39	100.00%	\$0.00	\$0.00
2	INTERCOM - GARZA PO 8082106552								
5	DESIGN & SUBMITTALS	\$1,200.00	\$1,200.00	\$0.00	\$0.00	\$1,200.00	100.00%	\$0.00	\$0.00
10	MATERIALS	\$90,071.00	\$90,071.00	\$0.00	\$0.00	\$90,071.00	100.00%	\$0.00	\$0.00
15	PRE-WIRE LABOR	\$20,048.00	\$20,048.00	\$0.00	\$0.00	\$20,048.00	100.00%	\$0.00	\$0.00
20	TRIM-OUT LABOR	\$5,346.00	\$5,346.00	\$0.00	\$0.00	\$5,346.00	100.00%	\$0.00	\$0.00
25	TESTING	\$1,336.00	\$1,336.00	\$0.00	\$0.00	\$1,336.00	100.00%	\$0.00	\$0.00
30	DEMO EXISTING SYSTEM	\$2,790.00	\$2,790.00	\$0.00	\$0.00	\$2,790.00	100.00%	\$0.00	\$0.00
35	CONTINGENCY	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$0.00
40	CHANGE ORDER #2	(\$6,811.06)	(\$6,811.06)	\$0.00	\$0.00	(\$6,811.06)	100.00%	\$0.00	\$0.00
	PHASE 002	\$123,979.94	\$123,979.94	\$0.00	\$0.00	\$123,979.94	100.00%	\$0.00	\$0.00
3	INTERCOM - FIELDS PO 8082106553								
5	DESIGN & SUBMITTALS	\$1,700.00	\$1,700.00	\$0.00	\$0.00	\$1,700.00	100.00%	\$0.00	\$0.00
10	MATERIALS	\$108,045.00	\$108,045.00	\$0.00	\$0.00	\$108,045.00	100.00%	\$0.00	\$0.00

15	PRE-WIRE LABOR	\$24,690.00	\$24,690.00	\$0.00	\$0.00	\$24,690.00	100.00%	\$0.00	\$0.00
20	TRIM-OUT LABOR	\$6,584.00	\$6,584.00	\$0.00	\$0.00	\$6,584.00	100.00%	\$0.00	\$0.00
25	TESTING	\$1,646.00	\$1,646.00	\$0.00	\$0.00	\$1,646.00	100.00%	\$0.00	\$0.00
30	DEMO EXISTING SYSTEM	\$3,450.00	\$3,450.00	\$0.00	\$0.00	\$3,450.00	100.00%	\$0.00	\$0.00
35	CONTINGENCY	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$0.00
40	CHANGE ORDER #2	(\$8,780.86)	(\$8,780.86)	\$0.00	\$0.00	(\$8,780.86)	100.00%	\$0.00	\$0.00
	PHASE 003	\$147,334.14	\$147,334.14	\$0.00	\$0.00	\$147,334.14	100.00%	\$0.00	\$0.00
	GRAND TOTALS	\$426,159.47	\$426,159.47	\$0.00	\$0.00	\$426,159.47	100%	\$0.00	\$0.00

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FINAL PAYMENT CHECKLIST
Facilities Projects

Project Name: CSP 2021-021 – Intercom Upgrade(s) Project 3 – Gonzalez Elementary School, Garza Elementary School, Fields Elementary School

1. Vendor Obligations to McAllen ISD:

YES	NA	
<input checked="" type="radio"/>	<input type="radio"/>	Original Certificate of Substantial Completion (internal/external) transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	Letter of Guarantee, Warranty transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	List of names and addresses of obligatory vendors (subcontractors/suppliers) transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	All non-compliant items corrected (incl. punch list) and evidence of corrections transmitted to McAllen ISD
<input checked="" type="radio"/>	<input type="radio"/>	Final copy of Close-Out and As-Built Documents transmitted to McAllen ISD (hard copy and electronic files) and/or final inspections performed and project specifications met


Notes:

McAllen ISD Facilities, Maintenance and Operations staff certifies that the items indicated above have been completed by the vendor.

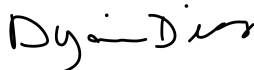
2. McAllen ISD Facilities, Maintenance, and Operations Obligations to McAllen ISD Business Operations

Select one:	
<input type="radio"/>	Item has been recorded as an asset and assigned an asset number.
<input checked="" type="radio"/>	Item has not been recorded as an asset. Appropriate steps are being taken to record. Approved to proceed with final payment.
<input type="radio"/>	Not applicable.

McAllen ISD Business Operations staff certifies that the project indicated above has been reviewed.

APPROVED BY:  Jun 7, 2022

For further information, contact:
Name: Ruben Trevino
Phone: (956) 632-3200
Email: ruben.trevino@mcallenisd.net

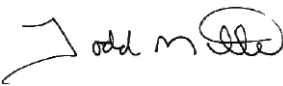
ACKNOWLEDGED BY:  Jun 8, 2022

For further information, contact:
Name: Dyanira Diaz
Phone: (956) 632-8403
Email: Dyanira.Farias@mcallenisd.net

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

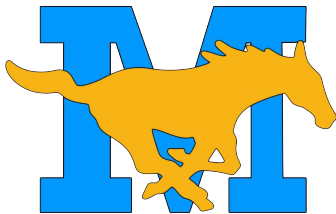
Approved for presentation to the Board of Education:





INDEPENDENT SCHOOL DISTRICT

STUDENT SUPPORT SERVICES



STUDENT CODE OF CONDUCT

2022 - 2023

2022 - 2023

CAMPUS DIRECTORY

No.	Campus	Address	Principal	Phone
HIGH SCHOOLS				
001	McAllen	2021 La Vista	Albert Canales	632-3100
002	Memorial	101 East Hackberry	Pedro Alvarez, Jr.	632-5201
006	Rowe	2101 N. Ware Rd.	Monica Kaufmann	632-5100
007	Options	1009 N. 10 th St.	Jeanette Nino	632-3222
011	Achieve Early College H.S. (Lincoln)	1601 N. 27 th St	Miguel Carmona	971-4200
MIDDLE SCHOOLS				
044	Brown	2700 S. Ware Rd.	Alfredo Gutierrez, Jr.	632-8700
047	Cathey	1800 N. Cynthia	Miguel Herrera	971-4300
046	De Leon	4201 N. 29 th St.	Samuel Cazares	632-8800
048	Fossum	7800 N. Ware Rd.	Dr. Consuelo Camacho	971-1105
045	Morris	1400 Trenton	Alenn Garza	618-7300
042	Travis	600 Houston	Efrain Amaya	971-4242
ELEMENTARY SCHOOLS				
101	Alvarez	2606 Gumwood	Melissa Lara	971-4471
126	Castañeda	4100 N. 34 th St.	Jessica P. Rodriguez	632-8882
128	Dr. Perez	7801 N. Main St.	Veronica Delgado	971-1125
119	Escandon	2901 Colbath	Karla Rodriguez	971-4511
114	Fields	500 Dallas	Teresa Trdla	971-4344
122	Garza	6300 N. 29 th St.	Nancy Valenzuela	971-4554
124	Gonzalez	201 E. Martin	Christina Hernandez	971-4577
129	Hendricks	3900 Goldcrest	Carlos Mora	971-1145
106	Houston	3201 Olga Ave.	Jessica K. Lowe	971-4484
107	Jackson	501 Harvey	Erika Salinas	971-4277
123	McAuliffe	3000 Daffodil	Elizabeth Gonzalez	971-4400
111	Milam	3800 N. Main	Christian Quintanilla	971-4333
120	Rayburn	7000 N. Main	Clarissa Partida	971-4363
121	Roosevelt	4801 S. 26 th St.	(TBD)	971-4424
127	Sanchez	2901 Incarnate Word	Veronica Rodriguez	971-1100
116	Seguin	2200 N. 29 th St.	Juan P. Nevarez	971-4565
130	Thigpen/Zavala	2500 Galveston	Sonia S. Casas	971-4377
112	Wilson	1200 Hackberry	Kristine Garza	971-4525
005	I & G	2604 Galveston	Fernando Gutierrez	971-4393
---	Regional/Deaf	2185 N. Broadway	Liza Lara	971-4500
---	Special Education	2185 N. Broadway	Maribelle Elizondo	632-3285

ACKNOWLEDGEMENT

Student Code of Conduct - Electronic Distribution

Dear Student and Parent:

As required by state law, the board of trustees has officially adopted the Student Code of Conduct in order to promote a safe and orderly learning environment for every student.

We urge you to read this publication thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student’s teacher, campus behavior coordinator or appropriate campus administrator.

The student and parent should each sign this page in the space provided below, and then return the page to the student’s school. Thank you.

Sincerely,



Jose A. Gonzalez, Ed. D.
Superintendent

My child and I have been offered the option to receive a paper copy of or to electronically access at www.mcallenisd.org the McAllen Independent School District Student Code of Conduct for the 2022-2023 school year.

I accept responsibility for accessing the Student Code of Conduct by visiting the web address listed above.

I understand that if I wish to receive a paper copy of the Student Code of Conduct, I must request a copy from John L. Wilde, Student Support Services Director at 2200 Tamarack Avenue, Portable #69.

I understand that the Student Code of Conduct contains information that my child and I may need during the school year. I also understand that all students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Student Code of Conduct. If I have any questions regarding this Code of Conduct, I will direct those questions to the principal at my child’s campus.

Student’s name (print): _____

Student’s signature: _____

Parent’s name (print): _____

Parent’s Signature: _____

Date: _____

The McAllen Independent School District prohibits discrimination, including harassment, against any employee/student on the basis of race, color, religion, gender, national origin, age disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District Policy and is prohibited. The following person has been designated to handle inquiries regarding this subject: John L. Wilde, Director for Student Support Services, Title IX Coordinator (Students and Employees), 2200 Tamarack Ave. Portable 69, McAllen, Texas 78501, (956) 618-6031, john.wilde@mcallenisd.net

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Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact *John L. Wilde, Title II Coordinator, (956) 618-6031*.

Purpose

The Student Code of Conduct (“Code”), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

The law requires the district to define misconduct that may—or must—result in a range of specific disciplinary consequences, including removal from a regular classroom or campus, out-of-school suspension, placement in a disciplinary alternative education program (DAEP), placement in a juvenile justice alternative education program (JJAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the *McAllen Independent School District* board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. This Code remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the campus principal’s office. Additionally, the Code shall be available at the campus behavior coordinator’s office and posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Student Code of Conduct is adopted by the district’s board of trustees, it has the force of policy. In the event of a conflict between the Code and the Student Handbook, the Code shall prevail.

Please note: The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) is subject to the provisions of those laws.

School District Authority and Jurisdiction

School rules and the district's authority to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

1. During the regular school day;
2. While the student is traveling on district transportation;
3. During lunch periods in which a student is allowed to leave campus;
4. At any school-related activity, regardless of time or location;
5. For any school-related misconduct, regardless of time or location;
6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
7. When a student engages in cyberbullying, as defined by Education Code 37.0832;
8. When criminal mischief is committed on or off school property or at a school-related event;
9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
11. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
12. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at www.mcallenisd.org and at *Student Handbook*.

Threat Assessment and Safe and Supportive School Team

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code.

Searches

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. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

The district has the right to search a vehicle driven to school by a student and parked on school property whenever there is reasonable suspicion to believe it contains articles or materials prohibited by the district.

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.

Reporting Crimes

The principal *or* campus behavior coordinator and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

To ensure the security and protection of students, staff, and property, the board employs police officers. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL).

“Parent” Defined

Throughout the Code of Conduct and related discipline policies, the term “parent” includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

The district has the right to limit a student’s participation in graduation activities for violating the district’s Code.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding the semester in which graduation occurs.

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police officer shall have the authority to refuse entry to or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting and persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

School District Authority and Jurisdiction

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 calendar days, unless the complaint is resolved before a board hearing.

See **DAEP—Restrictions During Placement** on page 29 for information regarding a student assigned to DAEP at the time of graduation.

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page 16, **DAEP Placement** on page 17, **Placement and/or Expulsion for Certain Offenses** on page 32, and **Expulsion** on page 35, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed on page 15.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher or principal.
- Repeat violations of the dress code policy.
- Starting and/or participating in a food fight.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 32.)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.

- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.
- Engage in prohibited conduct as determined by a Title IX Investigation.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 32.)
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 32.)
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products, cigarettes, **vape pens**, e-cigarettes, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;

- A laser pointer, unless it is for an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 32. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Use a telecommunications device, including a cell phone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page 17 and **Expulsion** on page 35 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Sell, give, possess, or deliver a drug or substance not classified as a dangerous drug under Chapter 483, Health and Safety Code.
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks

General Conduct Violations

connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.

- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Downloading pornographic, obscene or may material deemed unacceptable by the school district.

Safety Transgressions

Students shall not:

- Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.
- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

- Engage in any sexual activity

The district may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

Discipline Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including progressive discipline practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an ARD committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the district shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.

- Detention, including outside regular school hours.
- Sending the student to the office, another assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 16.
- Placement in a DAEP, as specified in **DAEP** on page 17.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 32.
- Expulsion, as specified in **Expulsion** on page 35.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.

- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The campus behavior coordinator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code.

A good-faith effort shall be made to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office or through Policy On Line at the following address: www.mcallenisd.org.

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) and (LOCAL).

Removal from the School Bus

A bus driver may refer a student to the principal's office or the campus behavior coordinator's office to maintain effective discipline on the bus. The principal or campus behavior coordinator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or the campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

Removal from the Regular Educational Setting

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

Routine Referral

A routine referral occurs when a teacher sends a student to the campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code to maintain effective discipline in the classroom.

Formal Removal

A teacher may initiate a formal removal from class if:

1. A student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the class or with other students' ability to learn; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the campus behavior coordinator or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the campus behavior coordinator or other administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- DAEP.

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning a Student to the Classroom

A student who has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual may not be returned to the teacher's class without the teacher's consent.

A student who has been formally removed by a teacher for any other conduct may be returned to the teacher's class without the teacher's consent if the placement review committee determines that the teacher's class is the best or only alternative available.

Out-of-School Suspension

Misconduct

Students may be suspended for behavior listed in the Code as a general conduct violation, DAEP offense, or expellable offense.

The district shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code sections 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

Process

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The campus behavior coordinator shall determine the number of days of a student's suspension, not to exceed three school days.

In deciding whether to order out-of-school suspension, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity before the beginning of the next school year to complete each course the student was enrolled in at the time of removal. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

Discipline Management Plan

Disciplinary Infractions and Consequences

Infractions of McAllen I.S.D.'s Student Code of Conduct are grouped into five levels, depending upon the seriousness or persistence of offenses.

- Level I- Infractions are those which are routinely/generally addressed by the classroom teacher using the Level I Discipline Documentation Form as a form of documentation;
- Level II- Infractions are addressed by a teacher (if appropriate), an administrator or campus behavior coordinator;
- Level III- Discretionary infractions/offenses, are addressed by an administrator or campus behavior coordinator and can lead to a Disciplinary Alternative Education Program (DAEP) placement;
- Level IV- Mandatory infractions/offenses, often leading to a Disciplinary Alternative Education Program (DAEP) placement or discretionary expulsion;
- Level V- Mandatory expulsions leading to placement in a Juvenile Justice Alternative Education Program (JJAEP).

Level I Infractions and Consequences

Considerations: Before ordering the suspension of a student, the Campus Behavior Coordinator must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student’s disciplinary history, and whether the student has a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct. [Texas Education Code Sec. 37.001 (a) (4)]. The offense may have been committed on school property or at a school sponsored event on or off school property.

The Campus Behavior Coordinator, administrator or classroom teacher shall promptly contact the parent or guardian by telephone.

In the event of such an offense, parent/guardian may be requested to attend a conference with the administrator or Campus Behavior Coordinator to discuss the offense and subsequent disciplinary action.

Level I Infractions:	Level I Consequences:
<ul style="list-style-type: none"> • Being tardy to class-persistent (secondary) • Running or making noise • Neglecting to bring materials or work to class • Failing to follow classroom/cafeteria rules • Failing to participate in classroom activities • Violating the dress code • Cheating or copying another students work • Eating or drinking in an undesignated area • Chewing gum or consuming food/candy • Throwing objects or passing unauthorized notes • Possessing uncovered textbooks • Talking back/arguing or name calling • Violating the telecommunication device guidelines (first and second minor offenses) • Horse playing/scuffling (not fight) • Spitting (without bodily contact) • Violating bus conduct/safety rules not covered elsewhere (refer to process and procedures at Transportation) • Inappropriate language (verbal or written) • Failing to serve detention • Abusing the use of a hall pass • Possessing toys/nuisance items, including paintballs • Telling a falsehood to an adult (not associated with an investigation) • Possessing or using a skateboard, roller blades, shoes with wheels, or similar devices • Using or possessing visible personal devices for entertainment purposes during instructional day • Engaging in inappropriate public display of affection • Loitering on school campus before or after school • Selling or soliciting for sale unauthorized merchandise • Posting or distributing unauthorized publications 	<ul style="list-style-type: none"> • Fine assessed • Verbal reprimand • Confiscation of item • Behavioral contracts • Loss of privilege(s) • Telephone call/note to parent or conference • Change of seat assignment • Grade penalties • Exclusion from extracurricular activities • Withdrawal or restriction of bus privileges; bus probation • Detention • In-school suspension • Out-of-school suspension

Consequences for each level include but are not limited to those listed (Please see General Conduct Violations **Commencing on Page 43 6**). Consequences will be repeated at the different levels for the purpose of the Campus Behavior Coordinator applying the progressive discipline followed by McAllen ISD. However, a student may be placed in the DAEP regardless of it being the student’s first infraction/offense.

Please note that the consequences listed are the different options of the Campus Behavior Coordinator and it is not intended to follow a sequential order.

Level II Infractions and Consequences

Considerations: Before ordering the suspension of a student, the Campus Behavior Coordinator must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student’s disciplinary history, and whether the student has a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct. [Texas Education Code Sec. 37.001 (a) (4)]. The offense may have been committed on school property or at a school sponsored event on or off school property.

The Campus Behavior Coordinator, administrator or classroom teacher shall promptly contact the parent or guardian by telephone.

Consequences will not be deferred pending the outcome of an appeal.

Level II Infractions:	Level II Consequences:
<ul style="list-style-type: none"> • Persistent offenses from Level I (acts of misconduct, including repeated bus infractions) • Inappropriate language to include being directed towards another student and/or staff member (verbal or written) • Noncompliance with the directives; disrespectful • Truancy, skipping class, leaving school/class without permission • Physically contacting student creating a disruptive environment • Encouraging or promoting a fight • Creating/participating in disturbance/inappropriate activity • Possessing a current prescription (student’s own medication); or possessing or using one’s own nonprescription drug, natural and/or homeopathic-like substances, dietary supplements, or energy pills • Forging or altering school’s records, parent’s notes, forms, or other school/home communications • Defacing or damaging school property, including removal of bar codes; defacing/damaging another’s property • Cheating or copying the work of another • Violating parking rules/procedures (high school) • Intentionally or knowingly making defamatory or slanderous remarks (written and verbal) about others • Fighting (Verbal Confrontations) • Using a laser pointer • Failing to disclose information, hiding/covering up info/evidence for self or others, or lying as a witness during an investigation 	<ul style="list-style-type: none"> • Fine assessed • Confiscation of item • Behavioral contracts • Loss of privilege(s) • Grade penalties • Exclusion from extracurricular activities • Withdrawal or restriction of bus privileges; bus probation • Detention • In-school suspension • Out-of-school suspension

Consequences for each level include but are not limited to those listed (Please see General Conduct Violations **Commencing on Page 43 6**). Consequences will be repeated at the different levels for the purpose of the Campus Behavior Coordinator applying the progressive discipline followed by McAllen ISD.

Please note that the consequences listed are the different options of the Campus Behavior Coordinator and it is not intended to follow a sequential order.

Level III Infractions and Consequences

Considerations: Before ordering the suspension of a student, the Campus Behavior Coordinator must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student’s disciplinary history, and whether the student has a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct. [Texas Education Code Sec. 37.001 (a) (4)]. The offense may have been committed on school property or at a school sponsored event on or off school property.

The Campus Behavior Coordinator, administrator or classroom teacher shall promptly contact the parent or guardian by telephone. The Campus Behavior Coordinator shall schedule the conference/hearing with three days. (Texas Education Code Sec. 37.009)

Consequences will not be deferred pending the outcome of an appeal.

Level III Infractions:	Level III Consequences:
<ul style="list-style-type: none"> • Persistent offenses from Level II, including bus infractions • Starting and/or participating in a food fight • • Disrupting the school environment or educational process • Using racial slurs/comments, profane, vulgar, obscene, or threatening language, including hit lists (written or verbal); or obscene gestures • Discrimination/Harassment/Retaliation based on the Protective Protected classes to include sexual harassment and dating violence • Fighting (Physical) • Using lighters or matches • Possessing or using lighters and matches tobacco-less cigarettes, e-cigarettes or tobacco related paraphernalia • Possessing, disturbing distributing, or using fireworks, stink bombs, smoke bombs, other noxious chemicals, or “shock” pens • Possessing drug paraphernalia, aerosol paint, or fixative spray • Possessing ammunition • Possessing, distributing, or creating pornographic or sexually-oriented material or material that promotes violence or other illegal activities, including sexting • Possessing, distributing, or concealing a weapon, which does not violate Texas Penal Code • Selling, giving, or delivering to another person a non-prescription drug; possessing or using a nonprescription drug other than one’s own; or possessing, transmitting, selling, attempting to sell, or exhibiting what is represented to be a prohibited substance • Attempting to sell/purchase a prohibited substance through verbal or written communication without being in possession • Stealing or unauthorized possession of another person’s property, theft; committing burglary • Exhibiting, delivering, using, or selling look-alike weapons • Assault (Class C Misdemeanor) of another student or an adult that is not a removable or expellable offense • Vandalizing, defacing or damaging school property, including non-felony graffiti • Engaging in behavior that is illegal that does not constitute a removable or expellable offense • Engaging in sexual conduct • Mooning; streaking; other forms of nudity; exposing or attempting to expose one’s undergarments or those of another (“panting”) (Move to Level IV Infractions) • Hazing; harassing or stalking (nonsexual); bullying; cyberbullying • Creating a potential health or safety hazard or a situation that may result in possible injury • Engaging in inappropriate behavior on school-related overnight trips • Gambling • Interfering with school activities, including trespassing, boycotting, and group demonstrations, or making a 9-1-1 call that does not constitute a mandatory removal offense • Tampering with a fire extinguisher, an automated external defibrillator (AED), or their storage cabinet 	<ul style="list-style-type: none"> • Confiscation of item • Exclusion from extracurricular activities • Withdrawal or restriction of bus privileges; bus probation • In-school suspension • Out-of-school suspension • Campus AEP • DAEP- I&G (discretionary)

Consequences for each level include but are not limited to those listed (Please see General Conduct Violations Commencing on Page 43 6). Consequences will be repeated at the different levels for the purpose of the Campus Behavior Coordinator applying the progressive discipline followed by McAllen ISD. However, a student may be placed in the DAEP regardless of it being the student’s first infraction/offense.

Please note that the consequences listed are the different options of the Campus Behavior Coordinator and it is not intended to follow a sequential order.

Level IV Infractions and Consequences

Considerations: Before ordering the suspension of a student, the Campus Behavior Coordinator must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student’s disciplinary history, and whether the student has a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct. [Texas Education Code Sec. 37.001 (a) (4)]. The offense may have been committed on school property or at a school sponsored event on or off school property.

The Campus Behavior Coordinator, administrator or classroom teacher shall promptly contact the parent or guardian by telephone. The Campus Behavior Coordinator shall schedule the conference/hearing with three days. (Texas Education Code Sec. 37.009)

Consequences will not be deferred pending the outcome of an appeal.

Level IV Infractions:	Level IV Consequences:
<p>Discretionary Placements</p> <ul style="list-style-type: none"> • Persistent misbehavior at Level III • Racial Slurs/comments directed towards a student and/or staff member • Indecent Assault Class A • Possession or smoking of an e-cigarette/vape pen (non-THC) or Tobacco paraphernalia • Exhibition or Threat of use of Firearm Class A • Student refusal to comply with Behavior Assessment • Mooning; streaking; other forms of nudity; exposing or attempting expose one’s undergarments or those of another (“panting”) • Refer to page 24 25 for additional infractions <p>Mandatory Placements- Refer to Texas Education Code Chapter 37.006; the infractions listed below require a Mandatory removal to the DAEP</p> <ul style="list-style-type: none"> • False alarm/reports; terroristic threat • Conduct Punishable as a felony • Assault (Class A Misdemeanor- T.P.C. 22.01 (a)(1)) • Possession or smoking of an e-cigarette/vape pen with THC • Marijuana, controlled substances or dangerous drugs (non-felony) • Alcohol (non-felony) • Abusable volatile chemicals • Public lewdness/indecent exposure • Public intoxication other than alcohol, marijuana, controlled substance or dangerous drugs • Title V felonies or aggravated robbery (off-campus) • Refer to Page 25 26 for additional infractions 	<ul style="list-style-type: none"> • In-school suspension • Out-of-school suspension • Exclusion from extracurricular activities • Campus AEP • DAEP- I&G • JJAEP

Consequences for each level include but are not limited to those listed (Please see General Conduct Violations Commencing on Page 43 6). Consequences will be repeated at the different levels for the purpose of the Campus Behavior Coordinator applying the progressive discipline followed by McAllen ISD. However, a student may be placed in the DAEP regardless of it being the student’s first infraction/offense.

Please note that the consequences listed are the different options of the Campus Behavior Coordinator and it is not intended to follow a sequential order.

Level V Infractions and Consequences

Considerations: Before ordering the suspension of a student, the Campus Behavior Coordinator must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student’s disciplinary history, and whether the student has a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct. [Texas Education Code Sec. 37.001 (a) (4)]. The offense may have been committed on school property or at a school sponsored event on or off school property.

The Campus Behavior Coordinator, administrator or classroom teacher shall promptly contact the parent or guardian by telephone. The Campus Behavior Coordinator shall schedule the conference/hearing with three days. (Texas Education Code Sec. 37.009)

Consequences will not be deferred pending the outcome of an appeal.

Level V Infractions:	Level V Consequences:
<p>Discretionary Expulsion to JJAEP</p> <ul style="list-style-type: none"> • Persistent misbehavior at Level IV • Refer to Page 34 for these infractions • Serious misbehavior while placed at DAEP (by statute) • Assault against an employee or a volunteer (on campus or within 300’) • Retaliation against an employee or volunteer (regardless of location) • Criminal mischief (felony) • Deadly conduct (on campus or within 300’) • Aggravated assault, sexual assault, or aggravated sexual assault against a student (off-campus) • Murder, capital murder, or criminal attempted murder against a student (off-campus) • Expellable offenses occurring on another district’s property in Texas • Title V felonies or aggravated robbery against another student • Breach of computer security <p>Mandatory Expulsion to JJAEP</p> <ul style="list-style-type: none"> • Refer to Page 35 37 for these infractions • Firearm • Location-restricted knife • Club • Prohibited weapon • Aggravated assault, sexual assault, or aggravated sexual assault • Arson • Murder, capital murder, or criminal attempted murder or capital murder • Indecency with a child • Aggravated kidnapping • Aggravated robbery • Manslaughter • Criminally negligent homicide • Continuous sexual abuse of young child or children • Marijuana or controlled substances (felony) • Dangerous drugs (felony) • Alcohol (felony) • Retaliation against an employee or volunteer (regardless of location involving any of the infractions above) 	<ul style="list-style-type: none"> • Exclusion from extracurricular activities • DAEP- I&G • JJAEP

Consequences for each level include but are not limited to those listed (Please see General Conduct Violations Commencing on Page 43 6). Consequences will be repeated at the different levels for the purpose of the Campus Behavior Coordinator applying the progressive discipline followed by McAllen ISD. However, a student may be placed in the DAEP regardless of it being the student’s first infraction/offense.

Please note that the consequences listed are the different options of the Campus Behavior Coordinator and it is not intended to follow a sequential order.

Consequences at all Levels

School Officials shall notify local law enforcement authorities any time it is suspected that a criminal act occurred on school or District property or school sponsored event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.

Disruptions

Conduct by students either in or out of class which for any reason – whether because of time, place, or manner of behavior – materially disrupts class work, or involves substantial disruption or invasion of the rights of others is prohibited. Student demonstrations and similar activities will be prohibited when there is evidence which may reasonably lead school authorities to forecast substantial disruption of, or material interference with, normal school operations or approved school activities. The evidence must establish a “reasonable belief of substantial disruption “of school operations; “undifferentiated fear “or mere apprehension of disturbance are not sufficient to justify restrictions on students ‘otherwise legitimate right to freedom of expression.

Disciplinary Alternative Education Program (DAEP) Placement

Disciplinary Alternative Education Program (DAEP) Placement

The DAEP shall be provided in a setting other than the student’s regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be kindergarten–grade 5 and secondary classification shall be grades 6–12.

Summer programs provided by the district shall serve students assigned to a DAEP in conjunction with other students.

A student who is expelled for an offense that otherwise would have resulted in a DAEP placement does not have to be placed in a DAEP in addition to the expulsion.

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student’s disciplinary history,
4. A disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct,
5. A student’s status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student’s status as homeless.

Disciplinary Alternative Education Programs/Placements

MISD has Disciplinary Alternative Placements which requires students to serve their placement as determined in the discipline hearing. However, Each program placement has specific amount of days that must be served and They- they are as follows:

1. Instruction & Guidance Center (Secondary Only)

Discretionary Placement at I&G	Mandatory Placement at I&G	Campus Transition Program at Home Campus
Middle School- 27 25 Attended School Days High School- 25 Attended School Days	Middle School- 42 40 Attended School Days High School- 40 Attended School Days	Middle School- 3 Days High School- 5 3 Days
*Note that 60 - day and 84 - day placements are permitted, but can only be assigned after review with the Student Support Services Department		

Disciplinary Alternative Education Program (DAEP) Placement

2. Campus AEP (High School Only)
 - a. 10- Day Program Placement
 - b. 15-Day Program Placement
 - c. 20-Day Program Placement
3. Elementary AEP
 - a. 15- Day Program Placement
 - b. 25- Day Program Placement
 - c. 35 40-Day Program Placement
4. Juvenile Justice Alternative Education Program (JJAEP)
 - a. Number of days will be determined by Expulsion Hearing Officer/Designee

Discretionary Placement: Misconduct That May Result in DAEP Placement

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code and a student may be placed in a DAEP for the following conduct violations:

Misconduct Identified in State Law

In accordance with state law, a student **may** be placed in a DAEP for any of the following offenses:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority, or secret society, or gang including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Any criminal mischief, including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see **glossary**) that the student engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The campus behavior coordinator **may** place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

Mandatory Placement: Misconduct That Requires DAEP Placement

A student **must** be placed in a DAEP if the student:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in **Expulsion** on page 35.) (See **glossary** for "under the influence" "controlled substance," and "dangerous drug.")
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in **Expulsion** on page 35.)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 35.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see **glossary**),
 2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
 3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

Disciplinary Alternative Education Program (DAEP) Placement

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- The victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus.

If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the campus behavior coordinator.

Conference

When a student is removed from class for a DAEP offense, the campus behavior coordinator or appropriate administrator shall schedule a conference within three school days with the student's parent, the student, and, in the case of a teacher removal, the teacher.

At the conference, the campus behavior coordinator or appropriate administrator shall provide the student:

- Information, orally or in writing, of the reasons for the removal;
- An explanation of the basis for the removal; and
- An opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

Consideration of Mitigating Factors

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Placement Order

After the conference, if the student is placed in a DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

Not later than the second business day after the conference, the board's designee shall deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.

Disciplinary Alternative Education Program (DAEP) Placement

If the student is placed in a DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order shall give notice of the inconsistency.

Coursework Notice

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete, at no cost to the student, a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The campus behavior coordinator shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

The maximum period of DAEP placement shall be one calendar year, except as provided below.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the board's decision to place a student who engaged in the sexual assault of another student so that the students are not assigned to the same campus.

Exceeds School Year

Students who are in a DAEP placement at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
2. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code.

Exceeds 60 Days

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

Disciplinary Alternative Education Program (DAEP) Placement

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through Policy On Line at the following address: www.mcallenisd.org.

Appeals shall begin at Level Two with the Director Of Student Support Services or designee.

The district shall not delay disciplinary consequences pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

Restrictions During Placement

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or cocurricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

The district shall provide transportation to students in a DAEP.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus behavior coordinator or the board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

If during the term of placement in a DAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

1. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence, and no formal proceedings, deferred adjudication (see **glossary**), or deferred prosecution will be initiated; or
2. The court or jury found a student not guilty or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

Disciplinary Alternative Education Program (DAEP) Placement

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

Withdrawal During Process

When a student violates the district's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the campus behavior coordinator may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the campus behavior coordinator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

The district shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district including a district in another state.

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

State law requires the district to reduce a placement imposed by a district in another state that exceeds one year so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement Procedure

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date

Disciplinary Alternative Education Program (DAEP) Placement

of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy FOCA(LEGAL) for more information.

Placement and/or Expulsion for Certain Offenses

This section includes two categories of offenses for which the Education Code provides unique procedures and specific consequences.

Registered Sex Offenders

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the district must remove the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement.

If the student is under any form of court supervision, including probation, community supervision, or parole, the student shall be placed in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the student may be placed in DAEP or JJAEP for one semester or placed in a regular classroom. The student may not be placed in the regular classroom if the board or its designee determines that the student's presence:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interests of the district's students.

Review Committee

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

The placement review of a student with a disability who receives special education services must be made by the ARD committee.

Newly Enrolled Students

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

Appeal

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or campus behavior coordinator makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see **glossary**) of the Penal Code. The student must:

Placement and/or Expulsion for Certain Offenses

- Have received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense; or
- Have received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.

The district may expel the student and order placement under these circumstances regardless of:

1. The date on which the student's conduct occurred,
2. The location at which the conduct occurred,
3. Whether the conduct occurred while the student was enrolled in the district, or
4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

Hearing and Required Findings

The student must first have a hearing before the board or its designee, who must determine that in addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest of the district's students.

Any decision of the board or the board's designee under this section is final and may not be appealed.

Length of Placement

The student is subject to the placement until:

1. The student graduates from high school,
2. The charges are dismissed or reduced to a misdemeanor offense, or
3. The student completes the term of the placement or is assigned to another program.

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Placement and/or Expulsion for Certain Offenses

Newly Enrolled Students

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 17 24)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Breach of computer security. (See **glossary**.)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

At School, Within 300 Feet, or at a School Event

A student **may** be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Penal Code 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

Within 300 Feet of School

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony drug- or alcohol-related offense.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

Property of Another District

A student **may** be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the

student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in a DAEP

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Penal Code 1.07; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:

Under Federal Law

- Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note:* A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
 - A location-restricted knife, as defined by state law. (See **glossary**.)

- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or disabled individual.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol, or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, the campus behavior coordinator or other administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- DAEP.

Hearing

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,

2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.
4. After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustee's delegates to the Director for Student Support Services ~~or his designee~~ authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall consider and base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the *Director of Student Support Services* ~~or designee~~ shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year, except as provided below.

An expulsion may not exceed one year unless, after review, the district determines that:

1. The student is a threat to the safety of other students or to district employees, or
2. Extended expulsion is in the best interest of the student.

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

Withdrawal During Process

When a student's conduct requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

If the campus behavior coordinator or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator or the board may issue an additional disciplinary order as a result of those proceedings.

Restrictions During Expulsion

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district shall continue the expulsion of any newly enrolled student expelled from another district or an open enrollment charter school until the period of expulsion is completed.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

1. The student is a threat to the safety of other students or district employees, or
2. Extended placement is in the best interest of the student.

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ten years of age.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. See policies FOCA(LEGAL) and FODA(LEGAL) for more information.

Glossary

Abuse is improper or excessive use.

Aggravated robbery is defined in part by Penal Code 29.03(a) as when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - b. 65 years of age or older, or
 - c. A disabled person.

Armor-piercing ammunition is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Penal Code 28.02 as a crime that involves:

1. Starting a fire or causing an explosion with intent to destroy or damage:
 - d. Any vegetation, fence, or structure on open-space land; or
 - e. Any building, habitation, or vehicle:
 - (1) Knowing that it is within the limits of an incorporated city or town,
 - (2) Knowing that it is insured against damage or destruction,
 - (3) Knowing that it is subject to a mortgage or other security interest,
 - (4) Knowing that it is located on property belonging to another,
 - (5) Knowing that it has located within it property belonging to another, or
 - (6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance if the fire or explosion damages any building, habitation, or vehicle; or
3. Intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damaging or destroying a building belonging to another, or
 - b. Recklessly causing another person to suffer bodily injury or death.

Assault is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district and the student knowingly alters, damages, or deletes

school district property or information or commits a breach of any other computer, computer network, or computer system.

Bullying is defined as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below.) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by Penal Code 46.01 as an instrument, specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk.

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Education Code 37.0832 as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

Dangerous drug is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

Deadly conduct under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

Deferred adjudication is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

Deferred prosecution may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

Delinquent conduct is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

Discretionary means that something is left to or regulated by a local decision maker.

E-cigarette/Vape Pen means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

False alarm or report under Penal Code 42.06 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

1. Cause action by an official or volunteer agency organized to deal with emergencies;
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm is defined by federal law (18 U.S.C. 921(a)) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Graffiti includes markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun is defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Education Code 37.001(b)(2); or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
 - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; and
 - e. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.

Hazing is defined by Education Code 37.151 as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Hit List under Sec 37.001 of the Student Code of Conduct means a list of people targeted to be harmed, using:

1. A firearm, as defined by Section 46.01 (3), Penal Code;
2. A knife, as defined by Section 46.01 (7), Penal Code; or
3. Any other object to be used with intent to cause bodily harm.

Improvised explosive device is defined by Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent exposure is defined by Penal Code 21.08 as an offense that occurs when a person exposes the person's anus or any part of the person's genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

Intimate visual material is defined by Civil Practices and Remedies Code 98B.001 and Penal Code 21.16 as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

Location-restricted knife is defined by Penal Code 46.01 as a knife with a blade over five and one-half inches.

Knuckles means any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine gun as defined by Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

Mandatory means that something is obligatory or required because of an authority.

Paraphernalia are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

Possession means to have an item on one's person or in one's personal property, including, but not limited to:

1. Clothing, purse, or backpack;
2. A private vehicle used for transportation to or from school or school-related activities, including, but not limited to, an automobile, truck, motorcycle, or bicycle;
3. Telecommunications or electronic devices; or
4. Any school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under Penal Code 46.05(a) means:

1. The following items, unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice: An explosive weapon;
 - a. A machine gun;
 - b. A short-barrel firearm;
 - c. A explosive weapon;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; or
6. An improvised explosive device.

Public lewdness is defined by Penal Code 21.07 as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, when the person is reckless about whether another is present who will be offended or alarmed by the act.

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Education Code 37.121(d) are excepted from this definition.

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, including the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

Self-defense is the use of force against another to the degree a person reasonably believes is immediately necessary to protect himself or herself.

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;

3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Serious or persistent misbehavior includes, but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

Terroristic threat is defined by Penal Code 22.07 as a threat of violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

Tire deflation device is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 felonies are those crimes listed in Title 5 of the Penal Code that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide under Sections 19.02–.05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05–.06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person’s physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student “under the in-fluence” need not be legally intoxicated to trigger disciplinary action.

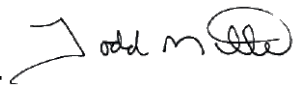
Use means voluntarily introducing into one’s body, by any means, a prohibited substance.

Zip gun is defined by Penal Code 46.01 as a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 
Stanley Crouse (Aug 5, 2022 12:09 CDT)

SUPERVISOR: 

Approved for presentation to the Board of Education:



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Superintendent of Schools

Aug 5, 2022



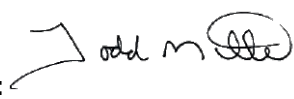
Texas Teacher Evaluation and Support System
(T-TESS) CALENDAR 2022-2023

DATE	
August 8 - 19, 2022	T-TESS Teacher Orientation
September 6, 2022	Formal classroom T-TESS observations may begin. (No earlier than two weeks after Teacher Orientation)
August 22 - September 30, 2022	Goal-Setting and Professional Development Plan submitted to appraiser (No later than six weeks after Teacher Orientation)
November 18, 2022	Last full instructional day before Thanksgiving holidays. No observations may be conducted.
December 6-9, 2022	STAAR Assessment Window – High School No observations may be conducted during actual test days.
December 21, 2022	Last full instructional day before Winter Break. No observations may be conducted.
March 10, 2023	Last full instructional day before Spring Break. No observations may be conducted.
February 20 - March 31, 2023	TELPAS Assessment Window No observations may be conducted during actual test days.
April 3, 2023	All appraisals must be completed
April 10, 2023	Deadline for Teacher GSPD Part 2 – End of Year Reflection. (First day of the last six weeks period)
April 24, 2023	Summative Appraisal Reports due to teachers. (10 days prior to scheduling summative conference)
May 5, 2023	All Summative Conferences must be completed. (Fifteen days before last day of instruction)
May 26, 2023	Early Dismissal/End of appraisal period. The written annual summative report shall be marked complete in TalentEd Perform to be placed in the teacher's personnel file.

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



**T-TESS Appraisers
2022-2023**

Last Name	First Name	Campus	Role	Status	Certification Year	Board Approved
Carmona	Miguel	AECHS	School Administrator	Certified	2022-2023	Pending
Garcia-Olivares	Dalia	AECHS	Assistant School Administrator	Certified	2022-2023	Pending
Saenz	Sandra	AECHS	Assistant School Administrator	Certified	2022-2023	Pending
Lara	Melissa	Alvarez ES	School Administrator	Certified	2022-2023	Pending
Leo	Melissa	Alvarez ES	Assistant School Administrator	Certified	2022-2023	Pending
Gutierrez	Alfredo	Brown MS	School Administrator	Certified	2022-2023	Pending
Hernandez	Carlos	Castaneda ES	Assistant School Administrator	Certified	2022-2023	Pending
Rodriguez	Jessica	Castaneda ES	School Administrator	Certified	2022-2023	Pending
Garza	Monica	Cathey MS	Assistant School Administrator	Certified	2022-2023	Pending
Herrera	Miguel	Cathey MS	School Administrator	Certified	2022-2023	Pending
Cazares	Samuel	DeLeon MS	School Administrator	Certified	2022-2023	Pending
Zavala	Justin	DeLeon MS	Assistant School Administrator	Certified	2022-2023	Pending
Skretta	Marla	DeLeon MS	Assistant School Administrator	Certified	2022-2023	Pending
Barnett-Bermea	Karla	District	Assistant School Administrator	Certified	2022-2023	Pending
Lara	Liza	District	Assistant School Administrator	Certified	2022-2023	Pending
Guerra	Veronica	Escandon ES	Assistant School Administrator	Certified	2022-2023	Pending
Rodriguez	Karla	Escandon ES	School Administrator	Certified	2022-2023	Pending
Ramirez	Marisa	Fields ES	Assistant School Administrator	Certified	2022-2023	Pending
Trdla	Teresa	Fields ES	School Administrator	Certified	2022-2023	Pending
Camacho	Consuelo	Fossum MS	School Administrator	Certified	2022-2023	Pending
Evans	Aida	Fossum MS	Assistant School Administrator	Certified	2022-2023	Pending
Trevino	Nora	Fossum MS	Assistant School Administrator	Certified	2022-2023	Pending
Lopez	April	Garza ES	Assistant School Administrator	Certified	2022-2023	Pending
Valenzuela	Nancy	Garza ES	School Administrator	Certified	2022-2023	Pending
Alaniz Lopez	Jennifer	Gonzalez ES	Assistant School Administrator	Certified	2022-2023	Pending
Hernandez	Christina	Gonzalez ES	School Administrator	Certified	2022-2023	Pending
Mora	Carlos	Hendricks ES	School Administrator	Certified	2022-2023	Pending
Villanueva	Rachel	Hendricks ES	Assistant School Administrator	Certified	2022-2023	Pending
Lowe	Jessica	Houston ES	School Administrator	Certified	2022-2023	Pending
Saldana	Victoria	Houston ES	Assistant School Administrator	Certified	2022-2023	Pending
Gutierrez	Fernando	I&G Center	School Administrator	Certified	2022-2023	Pending
Harris	Anthony	I&G Center	Assistant School Administrator	Certified	2022-2023	Pending
Salinas	Erika	Jackson ES	School Administrator	Certified	2022-2023	Pending
Varela	Sanjuanita	Jackson ES	Assistant School Administrator	Certified	2022-2023	Pending
Nino	Jeanette	Lamar Academy	School Administrator	Certified	2022-2023	Pending
Sanchez	Nora	Lamar Academy	Assistant School Administrator	Certified	2022-2023	Pending
Canales	Albert	McAllen HS	School Administrator	Certified	2022-2023	Pending
De Leon	Elizabeth	McAllen HS	Assistant School Administrator	Certified	2022-2023	Pending
Friedlein	Stephanie	McAllen HS	Assistant School Administrator	Certified	2022-2023	Pending
Garcia	Manuel	McAllen HS	Assistant School Administrator	Certified	2022-2023	Pending
Hernandez	Edna	McAllen HS	Assistant School Administrator	Certified	2022-2023	Pending
Gonzalez	Elizabeth	McAuliffe ES	School Administrator	Certified	2022-2023	Pending
Saenz	Yvonne	McAuliffe ES	Assistant School Administrator	Certified	2022-2023	Pending
Alvarez	Pedro	Memorial HS	School Administrator	Certified	2022-2023	Pending
Bechtold	Rebecca	Memorial HS	Assistant School Administrator	Certified	2022-2023	Pending
Caldwell	Yvonne	Memorial HS	Assistant School Administrator	Certified	2022-2023	Pending
Castillo	Ramiro	Memorial HS	Assistant School Administrator	Certified	2022-2023	Pending
Lozano	Jesus Miguel Angel	Memorial HS	Assistant School Administrator	Certified	2022-2023	Pending
Guerra	Bibiana	Milam ES	Assistant School Administrator	Certified	2022-2023	Pending
Quintanilla	Christian	Milam ES	School Administrator	Certified	2022-2023	Pending
Garza	Alenn	Morris MS	School Administrator	Certified	2022-2023	Pending
Gonzalez	Jessica	Morris MS	Assistant School Administrator	Certified	2022-2023	Pending
Mendez	Olga	Morris MS	Assistant School Administrator	Certified	2022-2023	Pending
Delgado	Veronica	Perez ES	School Administrator	Certified	2022-2023	Pending
Garcia	Laura	Perez ES	Assistant School Administrator	Certified	2022-2023	Pending
Montes	Yesenia	Rayburn ES	Assistant School Administrator	Certified	2022-2023	Pending

**T-TESS Appraisers
2022-2023**

Partida	Clarissa	Rayburn ES	School Administrator	Certified	2022-2023	Pending
Hatzold	Cynthia	Roosevelt ES	Assistant School Administrator	Certified	2022-2023	Pending
Alaniz Jr.	Ignacio	Rowe HS	Assistant School Administrator	Certified	2022-2023	Pending
de la Garza	Aissa	Rowe HS	Assistant School Administrator	Certified	2022-2023	Pending
Kaufmann	Monica	Rowe HS	School Administrator	Certified	2022-2023	Pending
Snelling	Olga	Rowe HS	Assistant School Administrator	Certified	2022-2023	Pending
Tamez	Sergio	Rowe HS	Assistant School Administrator	Certified	2022-2023	Pending
Partida	Veronica	Sanchez ES	Assistant School Administrator	Certified	2022-2023	Pending
Rodriguez	Veronica	Sanchez ES	School Administrator	Certified	2022-2023	Pending
Bzibziak	Donna	Seguin ES	Assistant School Administrator	Certified	2022-2023	Pending
Nevarez	Juan	Seguin ES	School Administrator	Certified	2022-2023	Pending
Casas	Sonia	Thigpen-Zavala ES	School Administrator	Certified	2022-2023	Pending
Chapa	Marisela	Thigpen-Zavala ES	Assistant School Administrator	Certified	2022-2023	Pending
Amaya	Efrain	Travis MS	School Administrator	Certified	2022-2023	Pending
Guerrero	Fayna	Travis MS	Assistant School Administrator	Certified	2022-2023	Pending
Garcia	Erika	Wilson ES	School Administrator	Certified	2022-2023	Pending
Montgomery	Rachel	Wilson ES	Assistant School Administrator	Certified	2022-2023	Pending

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 
Elizabeth Cabrera (Aug 3, 2022 17:20 CDT)

SUPERVISOR: 

Approved for presentation to the Board of Education:


177 _____
Superintendent of Schools

O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

808 WEST AVENUE
AUSTIN, TEXAS 78701
PHONE: (512) 494-9949
FAX: (512) 494-9919

KEVIN THOMAS O'HANLON
Board Certified, Civil Trial Law
Board Certified, Civil Appellate Law
kohanlon@808west.com

Rio Grande Valley Office
426 W. Caffery Ave.
Pharr, Texas 78577

San Antonio Office
117 W. Craig Place
San Antonio, Texas 78212

August 3, 2022

Mr. Tony Forina, Board President &
Members of the Board of Trustees
McAllen Independent School District
2000 N. 23rd St.
McAllen, Texas 78501

RE: Legal representation agreement

President Forina,

The purpose of this letter is to provide you the terms and conditions under which our firm proposes to undertake all necessary legal work, as directed by you ("Client"), related to providing legal counsel services to the District. Please review the agreement, and if you wish to retain the Firm's services, execute and return the agreement to our office by either facsimile or email.

We have made the following fee and staffing arrangements.

1. Firm's Personnel: Kevin O'Hanlon will have primary responsibility for this engagement. Other attorneys and legal and staff assistants in our office may also be used in the course of this matter. The use of such personnel will be based on the exercise of our professional judgment and will depend on the nature of the work to be performed and the qualifications, skill and specialized expertise needed to perform a particular aspect of a specific engagement.

2. Fees: Our firm policy is to charge a reasonable fee for services rendered based primarily upon the time spent by each attorney and legal assistant working on the case. Our hourly rates for personnel assigned to this matter will be \$ 165.00 per hour for attorney work performed by attorneys in the firm, \$ 95.00 per hour for work performed by paralegals and \$45 per hour for work performed by law clerks. Time will be billed in .25 hour increments. Our firm will not charge for travel, including mileage, nor for copies, faxes, and related expenses.

3. Billing: Client will receive monthly invoices for the services provided by the firm. Client will be responsible for all additional fees and costs at the rates as set forth in Paragraphs 2

August 3, 2022

Page 2

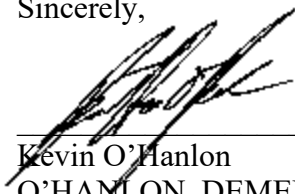
and 3. Any outstanding amounts due and owed to the firm are payable within thirty (30) days of invoicing.

4. Conflict Issues: We have reviewed the goals that the Client wishes to achieve and have not detected any conflict between our firm and your interests in this engagement.

5. Commencement Date: The commencement date for this Agreement shall be August 8, 2022 and the term shall be for one year, ending on August 7, 2023.

On a personal note, I am very pleased that you are considering our firm to provide general legal services. We look forward to serving you, and we shall use our best efforts on your behalf.

Sincerely,

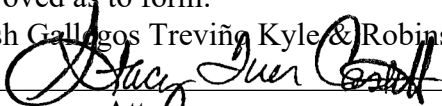


Kevin O'Hanlon
O'HANLON, DEMERATH & CASTILLO

AGREED TO:

Mr. Tony Forina, Board President
MCALLEN INDEPENDENT SCHOOL DISTRICT

Approved as to form:
Walsh Gallegos Treviño Kyle & Robinson P.C.

by: 
Attorney

**BOARD AGENDA REPORT
McALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

**BOARD AGENDA REPORT
McALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



181 Superintendent of Schools

Description	A	B		C	D
	Original Budget	Budget Amendments Under Consideration			Revised Budget 07/31/2022
		Revisions	Transfers		
Unaudited Fund Balance	133,909,021				133,909,021
Revenues:					
Local:					
Property Taxes	84,847,227				84,847,227
Interest Income	449,000				449,000
Other Local Income	2,558,363				2,558,363
State:	122,747,887				122,747,887
Federal:	24,168,809				24,168,809
Other Sources:	0	8,732			8,732
Total Revenues	234,771,286	8,732	0		234,780,018
Expenditures:					
11 Instruction	111,529,775	490,720	(113,904)		111,906,591
12 Inst. Res. & Media Services	3,439,107		(13,610)		3,425,497
13 Curriculum Dev. & Inst. Staff Dev.	4,485,953		16,615		4,502,568
21 Inst. Leadership	3,232,831	11,500	39,004		3,283,335
23 School Leadership	13,078,246		9,850		13,088,096
31 Guid., Counseling & Eval. Ser.	9,892,119		22,652		9,914,771
32 Social Work Services	1,938,730				1,938,730
33 Health Services	3,011,681		700		3,012,381
34 Student (Pupil) Trans.	4,394,173		(15,000)		4,379,173
35 Food Services	19,375,000				19,375,000
36 Curricular/Extracurricular Act.	11,106,630	80,850	(15,599)		11,171,881
41 General Administration	7,751,869		55,000		7,806,869
51 Plant Maint. & Operations	26,638,858	8,732	(5,661,678)		20,985,912
52 Security and Monitoring Serv.	4,787,045				4,787,045
53 Data Processing Services	4,866,183		(26,700)		4,839,483
61 Community Services	110,373				110,373
71 Debt Service	6,265,094		(2,208)		6,262,886
81 Fac. Acquisition & Const.	21,022,428		5,704,878		26,727,306
95 Pmt. to Juv. Justice Alt. Ed. Prg.	40,000				40,000
99 Other Intergovernmental Charges	965,919				965,919
Other Uses	12,500,000				12,500,000
Total Expenditures	270,432,014	591,802	0		271,023,816
Preliminary Ending Fund Balance	98,248,293	(583,078)	0		97,665,223

GENERAL FUND
Revisions

REVENUES:

Other Sources

- Transfer to Fund 199 General Fund from Fund 713 Safe and Secure for Carpet Installation at Gonzalez Elementary Library	<u>\$ 8,732</u>	8,732
Grand Total	<u>\$ 8,732</u>	


EXPENDITURES:

Function 11	- Transfer from Fund Balance for Fund 157 Dyslexia for Teacher Supplies - Transfer from Fund Balance for Fund 162 Career Technical Education for High School Classroom iMac Computers, Aviation Program, Substitutes and EMT Courses	\$ 40,000 <u>450,720</u>	490,720
Function 21	- Transfer from Fund Balance for Fund 162 Career Technical Education for Part-Time Paraprofessional Wages	<u>\$ 11,500</u>	11,500
Function 36	- Transfer from Fund Balance for Fund 162 Career Technical Education for Career Technical Student Organizations (CTSO) Stipends at all High Schools	<u>\$ 80,850</u>	80,850
Function 51	- Increase for Carpet Installation at Gonzalez Elementary Library	<u>\$ 8,732</u>	8,732
	Grand Total	<u>\$ 591,802</u>	

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



184 _____
Superintendent of Schools

Investment Authority

The Superintendent or any other person designated by Board resolution shall serve as the investment officer of the District and shall invest and report District funds as directed by the Board and in accordance with the District's written investment policy and generally accepted accounting procedures. All investment transactions except investment pool funds and mutual funds shall be executed on a delivery versus payment basis.

**Approved
Investment
Instruments**

From those investments authorized by the Public Funds Investments Act, Section 2256 of the Government Code, and described further in CDA(LLEGAL) under Authorized Investments, the Board shall permit investment of District funds, including bond proceeds and pledged revenue to the extent allowed by law, in only the following investment types, consistent with the strategies and maturities defined in this policy:

1. Obligations of, or guaranteed by, the U.S. government, its agencies and instrumentalities, excluding mortgage-backed securities with a maximum stated maturity of three years, as permitted by Government Code 2256.009.
2. Obligations of any state in the United States and their subdivisions rated A or better by a nationally recognized rating agency, with a maturity not to exceed three years, as permitted by Government Code 2256.009.
3. FDIC-insured or collateralized depository certificates of deposit collateralized in accordance with this policy, as permitted by Government Code 2256.010, to include the Promontory Network's CDARS and ICS deposits, with a stated maturity not to exceed two years.
4. NCUIF-insured share certificates from credit unions in Texas, as permitted by Government Code 2256.10.
5. Fully collateralized repurchase agreements, as defined by Government Code 2256.011. Flexible repurchase agreements for bond proceeds may extend for as long as three years, but not beyond the expenditure plan.
6. Prime banker's acceptances, as defined by Government Code 2256.012, with a stated maturity not to exceed one year.
7. A1/P1 commercial paper, or the equivalent, as permitted by Government Code 2256.013, not to exceed 270 days to stated maturity.

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INVESTMENTS

CDA
(LOCAL)

8. AAA-rated, SEC-registered money market mutual funds, as permitted by Government Code 2256.014, striving to maintain a \$1 net asset value.
9. Texas local government investment pools, as defined by Government Code 2256.016, which strive to maintain a \$1 net asset value.
10. FDIC-insured or collateralized interest-bearing accounts in any bank in Texas.
11. FDIC-insured brokered certificates of deposit securities from a bank in any state in the United States, delivered versus payment, not to exceed one year to maturity. Before a purchase, the investment officer shall verify the FDIC status of the bank.

Safety

The primary goal of the investment program is to ensure safety of principal, to maintain liquidity, and to maximize financial returns within current market conditions in accordance with this policy. Investments shall be made in a manner that ensures the preservation of capital in the overall portfolio, and offsets during a 12-month period any market price losses resulting from interest-rate fluctuations by income received from the balance of the portfolio. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio.

**Investment
Management**

In accordance with Government Code 2256.005(b)(3), the quality and capability of investment management for District funds shall be in accordance with the standard of care, investment training, and other requirements set forth in Government Code Chapter 2256.

**Liquidity and
Maturity**

The total portfolio of the District shall have a maximum dollar weighted maturity (WAM) of two years. The maximum allowable stated maturity of any other investment owned by the District shall not exceed three years from the time of purchase, with the exception of flex repurchase agreements. Matching the WAM and authorized investments, the District shall establish the one-year Treasury Bill and the two-year Treasury Note as the risk benchmarks for the portfolio.

The District's investment portfolio shall have sufficient liquidity to meet anticipated cash flow requirements and buffer against unanticipated cash needs.

**Other Debt
Obligations**

The maintenance tax notes, qualified school construction notes, and any other debt obligations shall be defined as a separate sub-portfolio and shall have a maximum dollar weighted maturity of five years. The maximum allowable stated maturity of such obligations shall not exceed five years from the time of purchase.

Diversity

The investment portfolio shall be diversified in terms of investment instruments, maturity scheduling, and financial institutions to reduce risk of loss resulting from overconcentration of assets in a specific class of investments, specific maturity, or specific issuer. Under certain market conditions, funds may be maintained in one investment vehicle to ensure preservation and safety of principal.

Monitoring Market Prices

The investment officer shall monitor the investment portfolio and shall keep the Board informed of significant changes in the market value of the District's investment portfolio. Information sources may include financial/investment publications and electronic media, available software for tracking investments, depository banks, commercial or investment banks, financial advisers, and representatives/advisers of investment pools or money market funds. Monitoring shall be done monthly or more often as economic conditions warrant by using appropriate reports, indices, or benchmarks for the type of investment.

Monitoring Rating Changes

The investment officer shall monitor the credit ratings on no less than a monthly basis. If a required credit rating drops, the investment officer shall inform the Superintendent. Depending on the reason for the credit rating drop, the investment officer shall recommend either an immediate or delayed liquidation or sale.

Monitoring FDIC Status

The investment officer shall monitor on no less than a weekly basis the status and ownership of all banks issuing brokered CDs owned by the District, based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are owned, the investment officer shall immediately liquidate any brokered CD that places the District above the FDIC insurance level.

Funds / Strategies

Investments of the following fund categories shall be consistent with this policy and in accordance with the applicable strategy defined below. Under certain market conditions, funds may be consolidated into one investment portfolio to ensure preservation and safety of principal. All strategies described below for the investment of a particular fund should be based on an understanding of the suitability of an investment to the financial requirements of the District and consider preservation and safety of principal, liquidity, marketability of an investment if the need arises to liquidate before maturity, diversification of the investment portfolio, and yield.

Operating Funds

Investment strategies for operating funds (including any commingled pools containing operating funds) shall have as their primary objectives preservation and safety of principal, investment liquidity, and maturity sufficient to meet anticipated monthly cash flow requirements.

OTHER REVENUES
INVESTMENTS

CDA
(LOCAL)

Custodial Funds	Investment strategies for custodial funds shall have as their primary objectives preservation and safety of principal, investment liquidity, and maturity sufficient to meet anticipated monthly cash flow requirements.
Debt Service Funds	Investment strategies for debt service funds shall have as their primary objective sufficient investment liquidity to timely meet debt service payment obligations in accordance with provisions in the bond documents. Successive debt service payments must be funded before any extension.
<i>Other Debt Obligation Funds</i>	Investment strategies for debt obligations such as maintenance tax notes and qualified school construction notes shall have as their primary objectives safety, investment liquidity, and maturity. The funds shall be sufficient to timely meet debt obligations in accordance with provisions in the note documents.
Capital Project Funds	Investment strategies for capital project funds shall have as their primary objective sufficient investment liquidity to timely meet capital project obligations. Investments should meet expected expenditure plans.
Proprietary Funds	Investment strategies for proprietary funds (including any commingled pools containing proprietary funds) shall have as their primary objectives safety, investment liquidity, and maturity sufficient to meet anticipated cash flow requirements. Investments made out of this fund will be considered suitable if they have a highly/actively traded secondary market and can be sold quickly and turned into immediate cash or invested in overnight funds or authorized local government investment pools.
Safekeeping of District-Owned Securities	The District shall retain clearly marked receipts/legal documents providing proof of the District's ownership. All safekeeping shall be executed on a delivery-versus-payment basis.
Sellers of Investments	<p>Prior to handling investments on behalf of the District, local government pools in which the District participates must submit required written documents in accordance with law. [See Sellers of Investments, CDA(LEGAL)]</p> <p>Representatives of brokers/dealers shall be registered with the Texas State Securities Board and must have membership in the Securities Investor Protection Corporation (SIPC) and be in good standing with the Financial Industry Regulatory Authority (FINRA). Investment officers shall maintain information regarding the brokers, and the authorized broker/dealer list shall be reviewed annually by the Board.</p>
Collateralization	The District shall require collateralization on all time and demand deposits and repurchase agreements. In order to anticipate market

OTHER REVENUES
INVESTMENTS

CDA
(LOCAL)

changes and to provide a level of security for all funds, the collateralization level shall be 102 percent of market value of principal and accrued interest. Mortgage-backed collateral for time and demand deposit shall be required to have a 110-percent margin.

Time and Demand
Deposits

Collateral for time and demand deposits shall be pledged to the District and shall not be owned by the District. Collateral shall be pledged under a written agreement under the terms of FIRREA. Collateral shall be held by an independent third-party custodian approved by the District outside the holding company of the pledging bank. A clearly marked evidence of ownership (safekeeping receipt/report) shall be supplied to and retained by the District.

The custodian shall be required to provide monthly collateral reports directly to the District. The pledging bank shall be responsible for monitoring and maintaining the margins daily. The right of collateral substitution shall be granted with prior District approval. Acceptable collateral shall include only obligations of the U.S. government, its agencies and instrumentalities, including mortgage-backed securities, municipal bonds of any state rated A or better by two nationally recognized rating agencies, and approved letters of credit.

Repurchase
Agreements

Repurchase collateral shall be owned by the District. Collateral shall be held by an independent third party approved by the District. A clearly marked evidence of ownership (safekeeping receipt/report) shall be supplied to and retained by the District. The custodian shall be required to provide timely collateral reports directly to the District. The counter party shall be responsible for monitoring and maintaining the margins daily.

Collateral for repurchase agreements should be worth 102 percent, but never lower than 101 percent. The right of collateral substitution shall be granted. Acceptable collateral shall include only obligations of the U.S. government, its agencies and instrumentalities, including mortgage-backed securities, municipal bonds of any state rated A or better by two nationally recognized rating agencies.

**Soliciting Bids for
CDs**

The District may solicit bids for certificates of deposit in writing, by telephone, or electronically, or by a combination of these methods.

Interest Rate Risk

To report exposure to changes in interest rates and other risks that could adversely affect the value of investments, the District shall report final and weighted-average-maturity data.

The District shall monitor interest rate risk using weighted average maturity, weighted average yield, and use diversification.

Internal Controls

A system of internal controls shall be established and documented by the investment officer in writing and must include specific procedures designating who has authority to withdraw funds. Also, they shall be designed to protect against losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the District. Controls deemed most important shall include:

1. Separation of transaction authority from accounting and recordkeeping and electronic transfer of funds;
2. Avoidance of collusion;
3. Custodial safekeeping for collateral and safekeeping of District-owned securities;
4. Clear delegation of authority;
5. Written documentation of all transactions; and
6. Documentation of dealer questionnaires, bids/offers, evaluations, transactions, and rationale.

These controls shall be reviewed by the District's independent auditing firm.

Reports

In accordance with law, the investment officers shall prepare and submit to the Board in a timely manner a written, signed investment report at least quarterly. At a minimum, the report shall include the following:

1. Details of each investment and depository position held by the District.
2. The beginning and ending market and book value of the portfolio for the period reported.
3. Changes to the market value during the period.
4. Fully accrued interest and total investment income for the period.
5. The book and market value of each security and investment position.
6. The stated maturity date for each security and investment position.
7. The dollar weighted average maturity for the portfolio.
8. The yield of the benchmark and the portfolio yield for the comparable period.

The prices used for valuation of market value shall be obtained from an independent source.

Annual Review

The Board shall review this investment policy and investment strategies not less than annually and shall document its review in writing, which shall include whether any changes were made to either the investment policy or investment strategies.

Annual Audit

In conjunction with the annual financial audit, the District shall perform a compliance audit of management controls on investments and adherence to the District's established investment policies.

**A RESOLUTION ADOPTING
INVESTMENT POLICY AND INVESTMENT STRATEGY**

WHEREAS, the Public Funds Investment Act codified in the Texas Government Code Chapter 2256 governs local government investment; and

WHEREAS, the Public Fund Investment Act (Section 2256.005a), as amended, requires the McAllen Independent School District to adopt an investment policy and investment strategies by rule, order, ordinance or resolution governing the investment of funds under its control; and

WHEREAS, the Public Fund Investment Act (Section 2256.005e), requires the governing body to review and adopt that investment policy and investment strategies by rule, order, ordinance or resolution not less than annually, recording any changes made thereto; and

WHEREAS, the McAllen Independent School District Board of Trustees has reviewed the Policy and decided to make no changes thereto.

NOW, THEREFORE, BE IT RESOLVED

That the McAllen Independent School District has complied with the requirements of the Public Funds Investment Act and the District's Investment Policy and adopts the Investment Policy and Investment Strategy, with no changes, as the Investment Policy and Strategy of the District for fiscal year 2022-2023.

PASSED, ADOPTED AND APPROVED by the Board of Trustees for the McAllen Independent School District in McAllen, Texas this the 8th day of August, 2022.

APPROVED:

Mr. Tony Forina
President, Board of Trustees


ATTEST

Mr. Marco Suarez
Secretary, Board of Trustees

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



193 _____
Superintendent of Schools

RESOLUTION

A RESOLUTION ADOPTING AUTHORIZED BROKER DEALER LIST

WHEREAS, the Public Fund Investment Act codified in Government Code 2256 governs local government investment; and

WHEREAS, the Public Funds Investment Act (Section 2256.025) requires that the Board of the District, or an investment committee designated by the Board, to, at least annually, review, revise, and adopt a list of qualified broker/dealers authorized to engage in investment transactions with the District.

NOW, THEREFORE, BE IT RESOLVED

That the District has complied with the requirements of the Public Funds Investment Act and the following broker/dealers have received a copy of the District's Investment Policy and the Board hereby authorizes these firms for transactions with the District.

- Bank of America/Merrill Lynch
- BOK Financial
- BNY Capital Markets
- Cantor Fitzgerald & Co.
- CastleOak Securities
- FHN Financial
- Goldman Sachs & Co.
- Hilltop Securities
- InspereX (formerly InCapital)
- Jefferies
- JPMorgan Securities
- Keybank Capital Markets
- Loop Capital Markets
- MarketAxess Corporation
- Mizuho Securities
- Morgan Stanley
- Moreton Capital Markets
- Multi-Bank Securities
- Nomura Securities
- Oppenheimer
- Piper Sandler & Co
- Raymond James
- RBC Securities
- Robert W. Baird
- Siebert Williams Shank
- Stifel Nicolaus
- SunTrust Robinson Humphrey, Inc.
- StoneX Group Inc.
- UBS Financial
- Wells Fargo

PASSED, ADOPTED AND APPROVED by the Board this the 8th day of August 2022.

APPROVED:

Mr. Tony Forina
President, Board of Trustees


ATTEST

Mr. Marco Suarez
Secretary, Board of Trustees

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBMITTED BY: 

SUPERVISOR: 

Approved for presentation to the Board of Education:



195
Superintendent of Schools

**Resolution Approving Independent Sources for Investment Training
and Designation of Investment Officers**

Whereas, McAllen Independent School District (“District”) has been legally created and operates pursuant to the general laws of the State of Texas applicable to independent school districts; and

Whereas, the Investment Policy CDA (LOCAL) states the superintendent or other person as designated by the Board resolution shall serve as the investment officer of the District; and

Whereas, the Texas Association of School Administrators (“TASA”), the Texas Association of School Boards (“TASB”), the Texas Association of School Business Officials (“TASBO”) and Affiliate Organizations, Texas Local Government Investment Pool (TexPool), University of North Texas, Hilltop Holdings Inc., Government Treasures Organization of Texas, LOGIC Investment Pool, Affiliate Organizations of Region One and Patterson & Associates – a Meeder Investment Company provide investment training sessions relating to investment responsibilities; and

Whereas, the governing body of this local government wishes to approve these independent sources of instruction to provide investment training sessions required by Section 2256.008(a);

Now, therefore, be it resolved by the governing body of this local government as follows:

Section 1. Approval of Independent Sources of Instruction. TASA, TASB, TASBO and Affiliate Organizations, Texas Local Government Investment Pool (TexPool), University of North Texas, Hilltop Holdings Inc.-formerly First Southwest Company, Government Treasures Organization of Texas, LOGIC Investment Pool, Affiliate Organizations of Region One and Patterson & Associates – a Meeder Investment Company are hereby approved as independent sources of instruction relating to investment responsibilities for the treasurer, the chief financial officer if the treasurer is not the chief financial officer, and the investment officer.

Section 2. Designation of Investment Officers. The following individuals shall serve as the District's Investment Officers: Adel Felix, Assistant Superintendent for Business Operations, Iris Luna, Chief Financial Officer, Dyanira Diaz, Director of Accounting, and Vanessa Arrezola, Coordinator of Accounting. Said individuals are hereby authorized and directed to open and close bank accounts, deposit, withdraw, transfer, invest, and/or manage in any other manner the funds on behalf of MISD, as permitted by the District's Investment Policy (Government Code 2256.005).

Section 3. Public Meeting. It is hereby found, determined and declared that a sufficient written notice of the date, time, place and subject of the meeting of the governing body of this local government at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public at the regular meeting place of the governing body for the time required by law preceding this meeting, as required by Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The governing body further ratifies, approved and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED BY THE BOARD OF TRUSTEES OF THE MCALLEN INDEPENDENT SCHOOL DISTRICT, HIDALGO COUNTY, TEXAS, AT A REGULAR MEETING HELD THIS 8th DAY OF AUGUST, 2022.

By _____
Mr. Tony Forina
President, Board of Trustees

ATTEST:

By _____
Mr. Marco Suarez
Secretary, Board of Trustees

BOARD AGENDA REPORT
McALLEN INDEPENDENT SCHOOL DISTRICT

August 8, 2022

MEETING DATE: _____

SUBJECT: McAllen Independent School District School Safety and Security Committee

REFERENCE: Goal 3: Facility Priorities

According to Texas Education Code section 37.109, which was amended substantially in 2019 by Senate Bill 11, each school district must establish a school safety and security committee. Updated policies related to the committee are included in TASB Policy Service's Update 114 to the Policy Reference Manual. By law, the committee must operate in accordance with guidelines from the Texas School Safety Center (TxSSC).

The trustees as a body corporate have the exclusive power and duty to govern and oversee the management of the public schools of the district. Education Code 11.151(b)

The board may act only by majority vote of the members present at a meeting held in compliance with Government Code Chapter 551(Open Meetings Act), at which a quorum of the board is present and voting. Unless authorized by the board, a member of the board may not, individually, act on behalf of the board. Education Code 11.051(a-1)

When acting in the member's official capacity, a board member has an inherent right of access to information, documents, and records maintained by the district.MISD Policy BBE Legal

BACKGROUND INFORMATION/REASON FOR BOARD CONSIDERATION:

The Board may from time to time as it deems necessary create committees to facilitate the efficient operation of the Board. A committee that includes one or more Board members and has supervision or control over public business or public policy is subject to the Open Meetings Act when it meets to discuss that public business or policy.

A committee that includes less than a quorum of Board members is not subject to the Open Meetings Act if it serves a purely advisory function, with no power to supervise or control public business. However, should the committee actually function as something more than a merely advisory body with the result that it in fact supervises or controls public business or policy, it must comply with the Open Meetings Act to avoid depriving the public of access to the Board's actual decision-making process.

Education Code 11.061(c)(3); Atty. Gen. Op. Nos. DM-284 (1994), JM-1072 (1989), JM-331 (1985), H-3 (1973); see also Atty. Gen. Op. LO-97-058 (1997) [See BE(LEGAL)] BDB Legal

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.

**BOARD AGENDA REPORT
McALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBJECT: McAllen Independent School District School Safety and Security Committee

REFERENCE: Goal 3: Facility Priorities

ADMINISTRATIVE CONSIDERATIONS/FACTS AND ANALYSIS:

Other than saying committee are "subject to Chapter 551," Section 37.109 is silent as to whether committee must be open to the public. Because the statute says committees may rely on closed meeting exceptions, the implication is that committees should be open their meetings in public and announce authority for closed meeting.

In addition, in accordance with the OMA, committee should vote be in open session. Most committees' discussions and recommendation will be confidential. Motions and votes should be made in open meeting but may have to be stated in a way that does not reveal details of the district's multi-hazard Emergency Operations Plan (EOP) or other security plans.

LEGAL REVIEW: None

BUDGETARY CONSIDERATIONS: None

RECOMMENDED BOARD ACTION:

The board of trustees is formally establishing the McAllen Independent School District School Safety and Security Committee in accordance to the Texas Education Code 37.109. The meetings of this committee must be post to give public notice following the established Texas Open Meetings Act used by the Board. Meetings should be identified as meetings of the Safety and Security Committee; however, not as a meeting of the Board. Public comment at the meeting start must be included in the committee agenda and allow for public comment before the committee may go into executive/closed session.

SUBMITTED BY: _____ **SUPERVISOR:** 
Tony Forina (Aug 5, 2022 11:27 CDT)

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Approved for presentation to the Board of Education:



Superintendent of Schools



School Safety and Security Committees

Published online in [TASB School Law eSource](#)

According to Texas Education Code section 37.109, which was amended substantially in 2019 by Senate Bill 11, each school district must establish a school safety and security committee. Updated policies related to the committee are included in TASB Policy Service's Update 114 to the Policy Reference Manual. By law, the committee must operate in accordance with guidelines from the Texas School Safety Center (TxSSC).

1. Who serves on a local school safety and security committee?

The committee, to the greatest extent practicable, must include at least:

- (1) one representative of an office of emergency management in the district's county or city;
- (2) one representative of the local police department or sheriff's office;
- (3) one representative of the district's police department, if applicable;
- (4) the school board president;
- (5) a school board member other than the president;
- (6) the superintendent;
- (7) one or more designees of the superintendent, one of whom must be a classroom teacher in the district;
- (8) if the district partners with an open-enrollment charter school (OECS) to provide instruction to students, a member of the OECS board or board's designee; and
- (9) two parents or guardians of students enrolled in the district.

Tex. Educ. Code § 37.109(a-1).

2. Who appoints the members of the committee?

The statute does not indicate who in the district appoints the committee. Normally when a statute requires action by "the district" (rather than the "the board of trustees") the task may be delegated to the administration. **Although in some districts the board of trustees may wish to appoint the committee members, in most districts this task will be**

delegated to the superintendent or an emergency management coordinator. An administrator tasked with emergency management may be in a better position to establish contact and coordinate with representatives of local first responders and others required to participate in the committee. Individuals unable to continue serving on the committee may also require timely replacements. Thus, a board of trustees may wish to select which board members will serve on the committee and leave other appointments to the administration.

3. What does the committee do?

By law the committee must:

- (1) participate on behalf of the district in developing and implementing emergency plans consistent with the district multihazard emergency operations plan (EOP) to ensure that the plans reflect specific campus, facility, or support services needs;
- (2) periodically provide recommendations to the district's board of trustees and district administrators regarding updating the district multihazard EOP in accordance with best practices identified by TEA, the TxSSC, or a person included in the registry established by the TxSSC (i.e., a safety consultant);
- (3) provide the district with any campus, facility, or support services information required in connection with the safety and security audit, a safety and security audit report, or other reports the district is required to submit to the TxSSC;
- (4) review each report the district is required to submit to the TxSSC to ensure that the report contains accurate and complete information regarding each campus, facility, or support service in accordance with criteria established by the TxSSC; and
- (5) consult with local law enforcement agencies on methods to increase law enforcement presence near district campuses.

Tex. Educ. Code § 37.109(b).

4. How often must the committee meet?

Unless the district operates schools year-round, the committee shall meet at least once during each academic semester and at least once during the summer. A committee established by a school district that operates schools on a year-round system or in accordance with another alternative schedule shall meet at least three times during each calendar year, with an interval of at least two months between each meeting. Tex. Educ. Code § 37.109(c).

5. **What does it mean for the committee to be subject to the Open Meetings Act?**

Texas Education Code section 37.109, as revised by SB 11, states, “The committee is subject to Chapter 551, Government Code [the Texas Open Meetings Act], and may meet in executive session as provided by that chapter. Notice of a committee meeting must be posted in the same manner as notice of a meeting of the district’s board of trustees.” Tex. Educ. Code § 37.109(d).

The Texas Open Meetings Act (OMA) defines *governmental body* (an entity subject to the OMA) in a way that would not include the school safety and security committee. Section 37.109 specifically identifies two aspects of the OMA that will apply: the committee may rely on the OMA’s exceptions for closed meetings (or “executive sessions”), and public notice must be provided of the meetings in the same manner as for board meetings.

The more difficult question is whether other provisions of the OMA apply if the committee is “subject to” the OMA? If the legislature intended all of the OMA to apply, then the statute need not to specifically list the application of notice and closed meeting exceptions. On the other hand, if the committee is only subject to notice and closed meeting exceptions, then the statute need not say the committees are “subject to Chapter 551, Government Code.”

Pending further guidance from the TxSSC, TEA, or the Texas attorney general, TASB Legal Services recommends that committees comply with the OMA in all aspects that reasonably make sense, including opening the meetings in public, announcing authority for any closed meeting, and keeping records of open and closed meetings.

6. **What advance posting is required for meetings?**

A committee meeting must be posted in the same manner as notice of a meeting of the district’s board of trustees. We recommend that committee meetings be posted in the same timeframes and in the same locations as board meeting postings. Meeting notice should include the date, place, time, and subjects to be discussed, including any proposed action that will be taken at the meeting. Meetings should be identified as meetings of the Safety and Security Committee, however, not as meetings of the board.

7. **How specific must a committee posting be about the topics to be discussed or on which action will be taken?**

Considering the confidential and security-sensitive nature of many committee discussions, we suggest that meeting notices be specific enough to allow the committee to make use of the OMA’s closed meeting exceptions. One option would be to post as topics the items listed in Section 37.109(b) as the tasks of the committee.

8. **Would a committee meeting posting ever include a consent agenda?**

A committee might use a consent agenda for routine tasks like approving minutes of prior meetings or calendaring future meetings. For the most part, however, the committee is charged with discussing security matters and reviewing reports to the TxSSC. These tasks will not lend themselves to use of a consent agenda.

9. **Are committee meetings open to the public?**

Other than saying committees are “subject to Chapter 551,” Section 37.109 is silent as to whether committee meetings must be open to the public. Because the statute says committees may rely on closed meeting exceptions, the implication is that committees should open their meetings in public and announce authority for any closed meeting.

In addition, in accordance with the OMA, committees should vote or take any action in open session. Most committee discussions and recommendations will be confidential, however. Motions and votes should be made in an open meeting but may have to be stated in a way that does not reveal details of the district’s multihazard EOP or other security plans.

10. **Are committee discussions confidential?**

To the extent the committee’s discussions fall within an exception to the OMA found in Texas Government Code chapter 551, the committee may meet in closed session. Tex. Educ. Code § 37.109(d). Examples of possible closed meeting exceptions include:

- **Security personnel or devices:** Deliberation about a security audit or the deployment, or specific occasions for implementation, of security personnel or devices, in closed session. Tex. Gov’t Code § 551.076.
- **Security infrastructure:** Deliberation about security assessments or deployments relating to information resources technology; network security information described by Government Code section 2059.055(b); or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices. Tex. Gov’t Code § 551.089.
- **Personnel:** Deliberation about the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. Tex. Gov’t Code § 551.074(a)(1). This provision does not apply to independent contractors. Tex. Att’y Gen. Op. No. MW-0129 (1980). Consequently, it would not apply to the deliberation about an SRO or security officer hired as an independent contractor.

- **Student information:** Deliberation about the discipline of a public school child or about a matter regarding a public school student if personally identifiable information about the student will necessarily be revealed by the deliberation. Tex. Gov't Code §§ 551.082(a)(1), .0821. These exceptions may be applicable if the committee is presented with information about a threat assessment for an individual student.
- **Consultation with attorney:** A school board may also seek legal counsel from the district's school attorney in closed session to the extent the discussion is covered by the attorney-client privilege. Tex. Gov't Code § 551.071.

11. What records should be created of committee meetings?

Although no court or other legal authority has offered a formal interpretation of what it means for a safety and security committee to be "subject to Chapter 551," we think that, to be safe, committees should prepare minutes of their open meetings and either certified agendas or confidential audio recordings of their closed sessions.

12. Are the records created or reviewed by the committee confidential?

Generally, yes, with permission from the attorney general. While the OMA has a specific closed meeting exception for board discussions related to security, the Texas Public Information Act (PIA) does not have a comprehensive exception of that nature for an entire category of documents. Protecting the confidentiality of security documents requires considering the content of each individual document and locating and claiming a legal exception. Then, a request must be submitted to the attorney general's office for an official ruling on the claimed exceptions.

Within the PIA, exceptions include:

- Information held by a law enforcement agency, including a school district police department, the disclosure of which would hinder law enforcement. Tex. Gov't Code § 552.108; *Tex. Appleseed v. Spring Branch Indep. Sch. Dist.*, 388 S.W.3d 775 (Tex. App.—Houston [1st Dist.] no pet.).
- Internal memoranda regarding policy recommendations and deliberations. Tex. Gov't Code § 552.111.
- Information related to an employee or officer if, under the specific circumstances pertaining to the employee or officer, disclosure would subject the employee or officer to a substantial threat of physical harm. Tex. Gov't Code § 552.152.
- Information made confidential by law. Tex. Gov't Code § 552.101.

By citing to Section 552.101 of the PIA, a school district may also assert confidentiality for documents protected by laws other than exceptions provided by the PIA.

There are several sections under the Texas Disaster Act, as previously discussed, that might apply, including Texas Government Code section 418.176 (information relating to emergency response providers), section 418.177 (information relating to risk or vulnerability assessment), and section 418.182 (information related to homeland security and domestic terrorism). *See Tex. Dep't of Pub. Safety v. Abbott*, 310 S.W.3d 670 (Tex. App—Austin 2010, no pet.) (protecting videos recorded by security cameras in a Texas Capitol hallway under Texas Government Code section 418.182). For example, in at least one instance, a school used Texas Government Code section 418.182(a) to successfully argue for protection of camera surveillance. Tex. Att'y Gen. OR2009-04735 (2009). In another, the governor's office relied on Section 418.176 to protect the governor's security staffing requirements as a tactical plan. Tex. Att'y Gen. OR2015-09398 (2015).

Also, Texas Education Code section 37.2071(i) makes any document or information collected, developed, or produced during the review and verification of a multihazard EOP not subject to disclosure under the Texas Public Information Act (PIA).

In addition, a school district may assert that the district's EOP is confidential under Texas Education Code section 37.108 and not subject to disclosure. Tex. Educ. Code § 37.108(c-1). Section 37.108(c-1) provides that any document or information collected, developed, or produced during a safety and security audit conducted under the provision requiring regular safety and security audits of a district's facilities is confidential. At least one school district attorney has successfully argued that a district's EOP was collected, developed, or produced during a safety and security audit of the district's facilities and therefore need not be produced in response to a PIA request. Tex. Att'y Gen. OR2011-16616 (2011) (cautioning that the ruling is limited to the particular circumstances and may not be relied upon as a previous determination).

Finally, in appropriate instances, a district may be able to rely on Texas Rules of Evidence Rule 503 and Rules of Civil Procedure Rule 192.5 governing attorney-client communications and work product. These are laws that would be a mandatory exception under Section 552.101 of the PIA, and differentiated from the Section 552.107 exception, which is discretionary.

13. Do committee meetings have to be recorded?

We think not. Section 551.128(b-1) of the OMA requires an *elected school district board of trustees for a school district* that has a student enrollment of 10,000 or more to make a video and audio recording of reasonable quality of each regularly scheduled open meeting and of each work session or special called meeting if the board votes on any matter or allows public comment or testimony. **Since a safety and security committee is not an elected school district board of trustees, we do not think the recording requirement applies to safety and security committee meetings.**

14. Who serves as presiding officer?

Texas Education Code section 37.109 does not specify who will serve as the committee's presiding officer. **Consequently, the answer is a matter of local choice.** The presiding officer could be decided by the committee itself under Robert's Rules of Order. Or, perhaps because the local board president is part of the committee, the board president could preside. The district's superintendent or emergency management official might also be logical choices.

15. Is a quorum required to call a meeting?

Other than saying committees are "subject to Chapter 551," Texas Education Code section 37.109 is silent as to whether a quorum is required to convene a meeting of the safety and security committee and how many committee members would constitute a quorum. We think establishing a **quorum as a majority of the members of the committee is useful for a number of practical reasons,** including having clear beginnings and endings to meetings, making decisions that are supported by most members of the committee, and establishing voting procedures for recommendations from the committee.

16. Is public comment required?

Other than saying committees are "subject to Chapter 551," Texas Education Code section 37.109 is silent as to whether public comment is required before the committee considers items on the committee's agenda for an open meeting. Public comment at school board meetings is governed by Section 551.007 of the OMA. Section 551.007 applies to specific governmental bodies listed in section 551.007, which includes *a school district board of trustees*; however, the OMA does not include district committees like the safety and security committee under the definition of a *governmental body*. Consequently, we do not believe that Section 551.007 of the OMA requires public comment at safety and security committee meetings. **That said, in passing Education Code section 37.109(d), the legislature clearly wanted school districts to inform the community about meetings of the safety and security committee, and districts are encouraged to create opportunities for public input on security matters.**

17. What training is required for committee members?

A school district must include in its multihazard EOP provisions for supporting the psychological safety of students, district personnel, and the community during the response and recovery phase following a disaster or emergency situation that include training on integrating psychological safety and suicide prevention strategies into the district's plan, such as psychological first aid for schools training, from an approved list

of recommended training established by the commissioner and TxSSC for members of the district's school safety and security committee under Section 37.109, among others. Tex. Educ. Code § 37.108(f)(c)(6)(i).

In addition new committee members will likely need an orientation to the district's existing security plans and personnel, as well as safety and security confidentiality issues. Considering also the fact that the committee is subject to the OMA and will be addressing extensive confidential information, orientation should include basic training on the OMA and PIA. Finally, it may also benefit new committee members to have a basic understanding about privacy issues related to student education records and health information.

18. Where may districts find further guidance on safety and security committees?

Districts should monitor the [TxSSC's](#) website for additional guidance on implementing district safety and security committees. The TxSSC offers [sample procedures](#) for establishing and training behavioral threat assessment teams, as well as a comprehensive [Safety and Security Audit Toolkit](#).

This document is continually updated at tasb.org/services/legal-services/tasb-school-law-essource/business/documents/school-safety-and-security-committees.pdf. For more information on school law topics, visit TASB School Law eSource at schoollawesource.tasb.org.

This document is provided for educational purposes and contains information to facilitate a general understanding of the law. References to judicial or other official proceedings are intended to be a fair and impartial account of public records, which may contain allegations that are not true. This publication is not an exhaustive treatment of the law, nor is it intended to substitute for the advice of an attorney. Consult your own attorney to apply these legal principles to specific fact situations.

Published May 2022

Board Authority

The trustees as a body corporate have the exclusive power and duty to govern and oversee the management of the public schools of the district. *Education Code 11.151(b)*

The board may act only by majority vote of the members present at a meeting held in compliance with Government Code Chapter 551 (Open Meetings Act), at which a quorum of the board is present and voting. Unless authorized by the board, a member of the board may not, individually, act on behalf of the board. *Education Code 11.051(a-1)*

Access to Information

When acting in the member's official capacity, a board member has an inherent right of access to information, documents, and records maintained by the district.

"Official capacity" means all duties of office and includes administrative decisions or actions.

The district shall provide the information, documents, and records to the board member without requiring the board member to submit a public information request under Texas Government Code Chapter 552 (Public Information Act) and without regard to whether the requested items are the subject of or relate to an item listed on an agenda for an upcoming meeting.

A district shall provide a board member with information, documents, and records requested not later than the 20th business day after the date the district receives the request. The district may take a reasonable additional period of time, not to exceed the 30th business day after the date the district receives the request, to respond to a request if compliance by the 20th business day would be unduly burdensome given the amount, age, or location of the requested information. The district shall inform the board member of the reason for the delay and the date by which the information will be provided.

If a district does not provide requested information to a board member in the time required, the member may bring suit against the district for appropriate injunctive relief. A member who prevails in a suit is entitled to recover court costs and reasonable attorney's fees. The district shall pay the costs and fees from the budget of the superintendent's office.

Confidential Information

The district may withhold or redact information, a document, or a record requested by a board member to the extent that the item is excepted from disclosure or is confidential under the Public Information Act or other law [see GBA].

A board member shall maintain the confidentiality of information, documents, and records received from the district as required by

the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) and any other applicable privacy laws. [See FL]

Report of Requests

A district shall post, in a place convenient to the public, the cost of responding to one or more requests submitted by a board member under Education Code 11.1512(c) if the requests are for 200 or more pages of material in a 90-day period.

A district shall report annually to the Texas Education Agency not later than September 1 of each year:

1. The number of requests submitted by a board member under Education Code 11.1512(c) during the preceding school year; and
2. The total cost to the district for that school year of responding to the requests.

Education Code 11.1512(c)–(f)

Access to Student
Records

Personally identifiable information in education records may be released, without the written consent of the student's parents, only to a school official who has a legitimate educational interest in the education records. *34 C.F.R. 99.31* [See FL]

Offenses Regarding
Records and
Information

A person commits an offense if the person:

1. Willfully destroys, mutilates, removes without permission as provided by Government Code Chapter 552 (the Public Information Act), or alters public information; or
2. Distributes information considered confidential under the terms of Government Code Chapter 552.

Gov't Code 552.351, .352

[For information regarding the offenses of destruction or alienation of record and tampering with governmental record, see CPC(LEGAL). For information regarding misuse of official information, see BBFB(LEGAL).]

**Visits to District
Facility**

A district shall create a policy on visits to a district campus or facility by a member of the board. *Education Code 11.1512(g)*

**Protections for
Legislative Activity**

A local officer, including a school board member, may not be subject to disciplinary action or a sanction, penalty, disability, or liability for:

1. An action permitted by law that the officer takes in the officer's official capacity regarding a legislative measure;

2. Proposing, endorsing, or expressing support for or opposition to a legislative measure or taking any action permitted by law to support or oppose a legislative measure;
3. The effect of a legislative measure or of a change in law proposed by a legislative measure on any person; or
4. A breach of duty, in connection with the board member's practice of or employment in a licensed or regulated profession or occupation, to disclose to any person information, or to obtain a waiver or consent from any person, regarding the officer's actions relating to a legislative measure; or the substance, effects, or potential effects of a legislative measure.

Gov't Code 572.059

**Board Member
Immunities**

The statutory immunity detailed below is in addition to and does not preempt the common law doctrine of official and governmental immunity. *Education Code 22.051(b)*

State Law
Immunities

A board member is not personally liable for any act that is incident to or within the scope of the duties of the board member's position and that involves the exercise of judgment or discretion. *Education Code 22.0511(a)*

Federal Law
Immunities

Except as provided in 20 U.S.C. Section 7946(b), no board member shall be liable for harm caused by an act or omission of the board member on behalf of a district if the conditions of the Paul D. Coverdell Teacher Protection Act of 2001 are met. *20 U.S.C. 7943, 7946(a)* [See also DGC]

A board may act only by majority vote of the members present at a meeting held in compliance with Government Code Chapter 551, at which a quorum of the board is present and voting. A majority vote is generally determined from a majority of those present and voting, excluding abstentions, assuming a quorum is present. *Education Code 11.051(a-1); Atty. Gen. Op. GA-689 (2009)*

Definitions

Meeting

“Meeting” means a deliberation among a quorum of a board, or between a quorum of the board and another person, during which public business or public policy over which the board has supervision or control is discussed or considered, or during which the board takes formal action. “Meeting” also means a gathering:

1. That is conducted by a board or for which a board is responsible;
2. At which a quorum of members of a board is present;
3. That has been called by a board; and
4. At which board members receive information from, give information to, ask questions of, or receive questions from any third person, including an employee of a district, about the public business or public policy over which the board has supervision or control.

Gov’t Code 551.001(4)

A communication or exchange of information between board members about public business or public policy over which the board has supervision or control does not constitute a meeting or deliberation for purposes of the Texas Open Meetings Act if the communication is posted to an online message board or similar internet application in compliance with Government Code 551.006. *Gov’t Code 551.006 [See BBI]*

Deliberation

“Deliberation” means a verbal or written exchange between a quorum of a board, or between a quorum of a board and another person, concerning an issue within the jurisdiction of the board. *Gov’t Code 551.001(2)*

Recording

“Recording” means a tangible medium on which audio or a combination of audio and video is recorded, including a disc, tape, wire, film, electronic storage drive, or other medium now existing or later developed. *Gov’t Code 551.001(7)*

Videoconference
Call

“Videoconference call” means a communication conducted between two or more persons in which one or more of the partici-

pants communicate with the other participants through duplex audio and video signals transmitted over a telephone network, a data network, or the internet. *Gov't Code 551.001(8)*

Social Function, Convention, or Candidate Event

The term "meeting" does not include the gathering of a quorum of a board at a social function unrelated to the public business that is conducted by the board, the attendance by a quorum of the board at a regional, state, or national convention or workshop, ceremonial event, or press conference, or the attendance by a quorum of a board at a candidate forum, appearance, or debate to inform the electorate, if formal action is not taken and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event, press conference, forum, appearance, or debate. *Gov't Code 551.001(4)*

Legislative Committee or Agency Meeting

The attendance by a quorum of a board at a meeting of a committee or agency of the legislature is not considered to be a meeting of a board if the deliberations at the meeting by the board members consist only of publicly testifying, publicly commenting, and publicly responding to a question asked by a member of the legislative committee or agency. *Gov't Code 551.0035(b)*

Superintendent Participation

A board shall provide a superintendent an opportunity to present at a meeting an oral or written recommendation to the board on any item that is voted on by the board at the meeting. *Education Code 11.051(a-1)*

Open to Public

Every meeting of a board shall be open to the public. A board may, however, exclude a witness from a hearing during the examination of another witness in a matter being investigated and may enter into a closed meeting, as provided by law. *Gov't Code 551.002, .084, Ch. 551, Subch. D* [See BDB and BEC]

Parental Access

A parent, as defined in Education Code 26.002, is entitled to complete access to any meeting of a board, other than a closed meeting held in compliance with the Open Meetings Act. *Education Code 26.007(a)*

Recording

All or any part of an open meeting may be recorded by any person in attendance by means of a recorder, video camera, or any other means of aural or visual reproduction. A board may adopt reasonable rules to maintain order at a meeting, including rules related to the location of recording equipment and the manner in which the recording is conducted. These rules shall not prevent or unreasonably impair a person from exercising the right to record a meeting that is open to the public. *Gov't Code 551.023*

Minutes

A board shall prepare and keep minutes or make a recording of each open meeting. The minutes shall state the subject matter of

BOARD MEETINGS

BE
(LEGAL)

each deliberation and indicate each vote, order, decision, or other action taken. *Gov't Code 551.021*

Board Member
Attendance

The minutes or recording, as applicable, of a regular or special meeting of a board must reflect each member's attendance at or absence from the meeting. *Education Code 11.0621*

Availability

The minutes and recording are public records and shall be available for public inspection and copying on request to a superintendent or designee. *Gov't Code 551.022; Education Code 11.0621*

Note: For website posting requirements regarding the record of a board meeting, see CQA.

Notice Required

A board shall give written notice of the date, hour, place, and subject(s) of each meeting it holds. *Gov't Code 551.041*

Continued Meeting

If a board recesses an open meeting to the following regular business day, the board is not required to post notice of the continued meeting if the action is taken in good faith and not to circumvent Government Code Chapter 551. If an open meeting is continued to the following regular business day and, on that following day, a board continues the meeting to another day, the board must give the required written notice of the meeting continued to that other day. *Gov't Code 551.0411(a)*

Inquiry During Meeting

If a member of the public or of a board inquires at a meeting about a subject for which notice has not been given, the notice provisions do not apply to a statement of specific factual information given in response to the inquiry or a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda of a subsequent meeting. *Gov't Code 551.042*

Location

A board must hold each public meeting within the boundaries of the district, except:

1. As otherwise required by law; or
2. To hold a joint meeting with another district or with another governmental entity if the boundaries of the governmental entity are in whole or in part within the boundaries of the district.

Education Code 26.007(b)

Time of Notice and Accessibility

Notice of a board meeting shall be posted on a bulletin board at a place convenient to the public in the central administration office for at least 72 hours before the scheduled time of the meeting. That notice or a notice posted at another board-designated place shall at all times be readily accessible to the public for at least 72 hours

before the scheduled time of the meeting. *Gov't Code 551.043(a), .051; City of San Antonio v. Fourth Court of Appeals, 820 S.W. 2d 762 (Tex. 1991)*

If a district is required to post notice of a meeting on the internet, the district satisfies the requirement that the notice must be posted in a place readily accessible to the general public at all times by making a good-faith attempt to continuously post the notice on the internet during the prescribed period.

A district must still comply with the duty to physically post the notice in the central administration office and if the district makes a good-faith attempt to continuously post the notice on the internet during the prescribed period, the physically posted notice must be readily accessible to the general public during normal business hours.

Gov't Code 551.043(b)

Internet Posting

If a district maintains an internet website, in addition to the other place at which notice is required to be posted, a board must also concurrently post notice of a meeting on the internet website.

A district that contains all or part of the area within the corporate boundaries of a municipality with a population of 48,000 or more must also, concurrently with the notice, post on the district's internet website the agenda for a board meeting, if the agenda differs from the posted notice.

The validity of a posting of a district that made a good-faith attempt to comply with the internet posting requirements is not affected by a failure to comply that is due to a technical problem beyond the control of the district.

Gov't Code 551.056 [See CQA for website posting requirements regarding notice of board meetings.]

Specificity of Agenda / Notice

Agendas for all meetings shall be sufficiently specific to inform the public of the subjects to be deliberated at the meeting, setting out any special or unusual matters to be considered or any matter in which the public has a particular interest. Deliberations or actions pertaining to a superintendent and principals are of particular public interest, and notice of those subjects must be worded with such clarity that the public will understand what a board proposes to discuss or accomplish. *Cox Enterprises, Inc. v. Austin Indep. Sch. Dist.*, 706 S.W.2d 956 (Tex. 1986); *Point Isabel Indep. Sch. Dist. v. Hinojosa*, 797 S.W.2d 176 (Tex. App.—Corpus Christi 1990, writ denied); *Atty. Gen. Ops. M-494 (1969), H-419 (1974), H-662 (1975), H-1045 (1977)*

The terms “employee briefing” or “staff briefing” do not give adequate notice of the subject matter to be presented to a board by employees or staff members. *Atty. Gen. Op. JC-169 (2000)*

The subject of a report or update by district staff or a member of the board must be set out in the notice in a manner that informs a reader about the subjects to be addressed. *Atty. Gen. Op. GA-668 (2008)*

**Emergency Meeting
or Emergency
Addition to Agenda**

In an emergency or when there is an urgent public necessity, the notice of a meeting to deliberate or take action on the emergency or urgent public necessity, or the supplemental notice to add the deliberation or taking of action on the emergency or urgent public necessity as an item to the agenda for a meeting for which notice has been posted in accordance with the Open Meetings Act, is sufficient if the notice or supplemental notice is posted for at least one hour before the meeting is convened.

A board may not deliberate or take action on a matter at a meeting for which notice or supplemental notice is posted as described above other than:

1. A matter directly related to responding to the emergency or urgent public necessity identified in the notice or supplemental notice of the meeting; or
2. An agenda item listed on a notice of the meeting before the supplemental notice was posted.

An emergency or urgent public necessity exists only if immediate action is required because of:

1. An imminent threat to public health and safety, including a threat described in item 2, below, if imminent; or
2. A reasonably unforeseeable situation, including:
 - a. Fire, flood, earthquake, hurricane, tornado, or wind, rain, or snow storm;
 - b. Power failure, transportation failure, or interruption of communication facilities;
 - c. Epidemic; or
 - d. Riot, civil disturbance, enemy attack, or other actual or threatened act of lawlessness or violence.

The board shall clearly identify the emergency or urgent public necessity in the notice of an emergency meeting or supplemental notice.

The sudden relocation of a large number of residents from the area of a declared disaster to a district's jurisdiction is considered a reasonably unforeseeable situation for a reasonable period immediately following the relocation.

Gov't Code 551.045

Catastrophe

A board prevented from convening an open meeting that was otherwise properly posted under Government Code Section 551.041 because of a catastrophe may convene the meeting in a convenient location within 72 hours pursuant to Government Code Section 551.045 if the action is taken in good faith and not to circumvent Government Code Chapter 551. If a board is unable to convene the open meeting within those 72 hours, the board may subsequently convene the meeting only if the board gives the required written notice of the meeting.

"Catastrophe" means a condition or occurrence that interferes physically with the ability of a board to conduct a meeting, including:

1. Fire, flood, earthquake, hurricane, tornado, or wind, rain, or snow storm;
2. Power failure, transportation failure, or interruption of communication facilities;
3. Epidemic; or
4. Riot, civil disturbance, enemy attack, or other actual or threatened act of lawlessness or violence.

Gov't Code 551.0411(b), (c)

**Special Notice to
News Media**

A district shall provide special notice of each meeting by telephone, facsimile transmission, or electronic mail to any news media that has requested special notice and agreed to reimburse the district for the cost of providing the special notice. *Gov't Code 551.052*

The board president or board member who calls an emergency meeting or adds an emergency item to the agenda of a board meeting shall notify the news media of the emergency meeting or emergency item. The president or member is required to notify only those members of the news media that have previously filed a request containing all pertinent information for the special notice and agreed to reimburse the board for the cost of providing the special notice. The president or member shall give the notice by telephone, facsimile transmission, or electronic mail at least one hour before the meeting is convened. *Gov't Code 551.047*

Quorum

A majority of a board (e.g., four members of a seven-member board or five members of a nine-member board, regardless of the number of vacancies) constitutes a quorum for meetings of the board. *Gov't Code 551.001(6), 311.013(b)*

Disaster

Notwithstanding any other law, a quorum is not required for a board to act if:

1. The district's jurisdiction is wholly or partly located in the area of a disaster declared by the president of the United States or the governor; and
2. A majority of the members of the board are unable to be present at a board meeting as a result of the disaster.

Gov't Code 418.1102

Secret Ballot

No vote shall be taken by secret ballot. *Atty. Gen. Op. H-1163 (1978)*

Meeting by Telephone Conference Call

A board may hold a meeting by telephone conference call if an emergency or public necessity exists within the meaning of Government Code 551.045 and the convening at one location of a quorum of the board is difficult or impossible, or if the meeting is held by an advisory board.

Each part of the telephone conference call meeting that is required to be open shall be audible to the public at the location specified in the notice of the meeting. The location designated in the notice as the location of the meeting shall provide two-way communication during the entire telephone conference call meeting and the identification of each party to the telephone conference shall be clearly stated prior to speaking.

Notice

The telephone conference call meeting is subject to the notice requirements applicable to other meetings. The notice must specify as the location of the meeting, the location where meetings of the governmental body are usually held.

Recording

The conference call meeting shall be recorded and made available to the public.

Gov't Code 551.125

Meeting by Videoconference Call

A board member or district employee may participate remotely in a board meeting by means of a videoconference call if the video and audio feed of the board member's or employee's participation, as applicable, is broadcast live at the meeting and complies with the provisions below. A board member who participates by videoconference call shall be counted as present at the meeting for all purposes. A board member who participates in a meeting by video

conference call shall be considered absent from any portion of the meeting during which audio or video communication with the member is lost or disconnected. The board may continue the meeting only if a quorum remains present at the meeting location or, if applicable, continues to participate in a meeting conducted as specified at Multiple Counties, below. *Gov't Code 551.001(8), .127(a-1)-(a-3)*

Quorum A meeting may be held by videoconference call only if a quorum of the board is physically present at one location of the meeting, except as provided at Multiple Counties, below.

Multiple Counties A meeting of a board of a district that extends into three or more counties may be held by videoconference call only if the board member presiding over the meeting is physically present at one location of the meeting that is open to the public during the open portions of the meeting.

Notice A meeting held by videoconference call is subject to the notice requirements applicable to other meetings in addition to the notice requirements applicable to meetings by videoconference call.

The notice of a meeting to be held by videoconference call must specify as a location of the meeting the location where a quorum of the board will be physically present and specify the intent to have a quorum present at that location; the notice of a meeting held by videoconference call described above at Multiple Counties must specify as a location of the meeting the location where the board member presiding over the meeting will be physically present and specify the intent to have that member present at that location.

Gov't Code 551.127(b)-(e)

Quality of Audio and Video Signals Each portion of a meeting held by videoconference call that is required to be open to the public shall be visible and audible to the public at the location specified in the notice. If a problem occurs that causes a meeting to no longer be visible and audible to the public at that location, the meeting must be recessed until the problem is resolved. If the problem is not resolved in six hours or less, the meeting must be adjourned.

The location specified in the notice, and each remote location from which a member of the board participates, shall have two-way audio and video communication with each other location during the entire meeting. The face of each participant in the videoconference call, while that participant is speaking, shall be clearly visible, and the voice audible, to each other participant and, during the open portion of the meeting, to the members of the public in attendance

at the physical location described by the notice and at any other location of the meeting that is open to the public.

The quality of the audio and video signals perceptible at each location of the meeting must meet or exceed standards specified by the Department of Information Resources. The audio and video signals perceptible by members of the public at the location of the meeting described by the notice and at each remote location from which a member participates must be of sufficient quality so that members of the public at each location can observe the demeanor and hear the voice of each participant in the open portion of the meeting.

Gov't Code 551.127(f), (h)–(j); 1 TAC 209.10–.11

Recording

A board shall make at least an audio recording of the meeting. The recording shall be made available to the public.

Remote
Participation by the
Public

A board may allow a member of the public to testify at a meeting from a remote location by videoconference call even if a board member is not participating in the meeting from a remote location.

Gov't Code 551.127(g), (k)

**Video and Audio
Recording of
Meeting**

A board for a district that has a student enrollment of 10,000 or more shall make a video and audio recording of reasonable quality of each:

1. Regularly scheduled open meeting that is not a work session or a special called meeting; and
2. Open meeting that is a work session or special called meeting at which the board votes on any matter or allows public comment or testimony. [See BED for requirements regarding public testimony.]

The board shall make available an archived copy of the video and audio recording of each meeting on the internet not later than seven days after the date the recording was made. The board shall maintain the archived recording on the internet for not less than two years after the date the recording was first made available. A board is exempt from the requirements in this paragraph if the board's failure to make the required recording of a meeting available is the result of a catastrophe, as defined by Government Code 551.0411 [see Catastrophe, above], or a technical breakdown. Following a catastrophe or breakdown, the board must make all reasonable efforts to make the required recording available in a timely manner.

The board may make the archived recording available on an existing internet site, including a publicly accessible video-sharing or

social networking site. The board is not required to establish a separate internet site and provide access to archived recordings of meetings from that site.

A district that maintains an internet site shall make available on that site, in a conspicuous manner, the archived recording of each meeting or an accessible link to the archived recording of each such meeting.

A board may broadcast a regularly scheduled open meeting on television.

Gov't Code 551.128(b-1)–(b-6)

Internet Broadcast

A board that is not subject to the provisions above at Video and Audio Recording of Meeting may broadcast an open meeting over the internet. If a board broadcasts a meeting over the internet, it shall establish an internet site and provide access to the broadcast from that site. A board shall provide on the internet site the same notice of the meeting, within the time required for posting that notice, that the board is required to post under the Open Meetings Act. *Gov't Code 551.128(b), (c)*

Attorney Consultation

A board may use a telephone conference call, videoconference call, or communications over the internet to conduct a public consultation with its attorney in an open meeting of the board or a private consultation with its attorney in a closed meeting of the board. [See BEC]

Each part of a public consultation by a board with its attorney in an open meeting must be audible to the public at the location specified in the notice of the meeting as the location of the meeting.

Exception

This does not apply to a consultation with an attorney who is an employee of a district. An attorney who receives compensation for legal services performed, from which employment taxes are deducted by a district, is an employee of the district.

Gov't Code 551.129

Persons with Hearing Impairments

In a proceeding before a board in which the legal rights, duties, or privileges of a party are to be determined by the board after an adjudicative hearing, the board shall supply for a party who is deaf or hearing impaired an interpreter who has qualifications approved by the Texas Commission for the Deaf and Hard of Hearing.

“Deaf or hearing impaired” means having a hearing impairment, regardless of the existence of a speech impairment, that inhibits

comprehension of an examination or proceeding, or communication with others.

Gov't Code 558.001, .003

Prohibited Series of Communications

A board member commits an offense if the member:

1. Knowingly engages in at least one communication among a series of communications that each occur outside of a meeting authorized by the Open Meetings Act and that concern an issue within the jurisdiction of the board in which the members engaging in the individual communications constitute fewer than a quorum of members but the members engaging in the series of communications constitute a quorum of members; and
2. Knew at the time the member engaged in the communication that the series of communications:
 - a. Involved or would involve a quorum; and
 - b. Would constitute a deliberation once a quorum of members engaged in the series of communications.

Gov't Code 551.143

The Board may from time to time as it deems necessary create committees to facilitate the efficient operation of the Board.

A committee that includes one or more Board members and has supervision or control over public business or public policy is subject to the Open Meetings Act when it meets to discuss that public business or policy.

A committee that includes less than a quorum of Board members is not subject to the Open Meetings Act if it serves a purely advisory function, with no power to supervise or control public business. However, should the committee actually function as something more than a merely advisory body with the result that it in fact supervises or controls public business or policy, it must comply with the Open Meetings Act to avoid depriving the public of access to the Board's actual decision-making process.

Education Code 11.061(c)(3); Atty. Gen. Op. Nos. DM-284 (1994), JM-1072 (1989), JM-331 (1985), H-3 (1973); see also Atty. Gen. Op. LO-97-058 (1997) [See BE(LEGAL)]

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.

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE MCALLEN INDEPENDENT
SCHOOL DISTRICT REGARDING DELEGATION OF AUTHORITY DURING THE
COVID-19 EMERGENCY**

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a statewide emergency, and, later that same day, the President of the United States declared a national emergency regarding COVID-19;

WHEREAS, the Board recognizes that COVID-19 is an unforeseen and unavoidable emergency of urgent public necessity, that the World Health Organization has declared COVID-19 a pandemic, and that additional emergency declarations may follow in the coming days and weeks;

WHEREAS, the Board has a substantial public interest in protecting the health and safety of its students, staff, and community and therefore desires to ensure that the school district and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19;

WHEREAS, the Board seeks to retain its employees, reduce turnover, increase morale, help employees focus on work-related matters while at work, and facilitate the return to duty of employees if schools are closed and believes that an additional public purpose exists in doing so; and

WHEREAS, the Board believes the public purposes described above are fulfilled by efficiently and effectively making certain delegations, as described more fully herein, to the Superintendent to address this ever-changing emergency situation in the best interest of the health, safety, and well-being of its students, staff, community, and the citizenship at-large.


IT IS THEREFORE RESOLVED THAT the Board of Trustees of the McAllen Independent School District finds a substantial public purpose exists in protecting the health and safety of its students, staff, and community and therefore in ensuring that the school district and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19.

In furtherance of the public purposes so stated in this Resolution, the Board of Trustees of the McAllen Independent School District makes the following delegations to the Superintendent and designee(s) in order to efficiently and effectively prepare the school district in response to the declarations of emergency announced by the Governor, State of Texas and the President of the United States as well as in preparation for the potential declarations of emergencies by other local, state, and/or national and international officials:

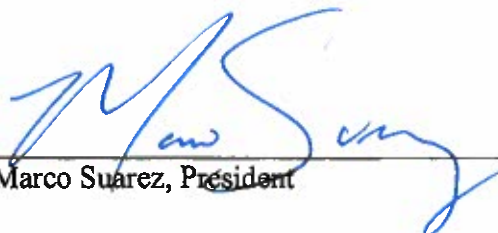
1. The authority to act in the place of the Board under Board Policy DEA(LOCAL) and thus make all decisions regarding payment of employees during an emergency closure, to implement the provisions of Board Policy DEA(LOCAL), and to make determinations regarding the purpose and parameters of any such payments;

2. The authority to make decisions regarding the compensation of exempt employees during an emergency closure, including premium payments to certain employees, and to implement those decisions;
3. The authority to alter the McAllen Independent School District 2019-2020 school calendar by changing and/or adding school/instructional hours and work/school days as necessitated by any emergency closure or related concerns;
4. The authority to create guidelines and make determinations regarding absences, leave time, leave days, and compensation of any employee who is quarantined as a result of COVID-19 and/or who tests positive for COVID-19 and who presents appropriate medical documentation regarding themselves and/or an immediate family member, in the sole discretion of the Superintendent or designee(s), in compliance with Texas and federal law;
5. The authority to seek any necessary waivers from the Texas Education Agency without further action of the Board of Trustees regarding missed instructional days, low attendance, or any matters related to the emergency closures as part of this Resolution;
6. The authority to declare a catastrophe and take all actions as appropriate in accordance with Texas Government Code Section 552.233 regarding temporary suspension of the Texas Public Information Act;
7. The authority to procure, negotiate, and execute contracts for goods and services that are necessary to mitigate, prevent, restore, and repair damage caused to McAllen Independent School District equipment, personal property, and facilities or to protect the safety of McAllen Independent School District students and staff, given that the emergency of COVID-19 and its potential spread constitutes an unforeseen emergency/matter of urgent public necessity, and the delays posed by competitive procurement of contracts necessary to restore, replace, and/or repair equipment, personal property, and/or school facilities will prevent or substantially impair the conduct of classes or other essential school activities; and
8. In the event other waivers or immediate action is needed, the Superintendent is authorized to take other action and to submit/apply for other waivers in accordance with guidance and instructions from the national and state authorities and/or agencies.

Adopted on this the 16th day of March, 2020, by the McAllen Independent School District Board of Trustees.



Conrado Alvarado, Secretary



Marco Suarez, President



Minutes of Emergency Meeting

The Board of Trustees McAllen Independent School District

VISION	The McAllen Independent School District is a multicultural community in which students are enthusiastically and actively engaged in the learning process. Students demonstrate academic excellence in a safe, nurturing and challenging environment enhanced by technology and the contributions of the total community.
MISSION	The mission of the McAllen Independent School District is to educate all students to become lifelong learners and productive citizens in a global society through a program of educational excellence utilizing technology and actively involving parents and the community.
GOALS	<ol style="list-style-type: none"> 1. Student Achievement/Student Focus 2. People Development 3. Facility Priorities 4. Financial Priorities
STRATEGIES	<ol style="list-style-type: none"> 1. Branding 2. Attract/Retain High Quality Staff 3. Engaging Learning Environment 4. Rigorous/World Class Standards Customized for Every Learner 5. Partnerships with Business/Civic/Education Organizations 6. Future Ready Students 7. Financial Priorities

An Emergency of the Board of Trustees of McAllen Independent School District was held Monday, March 16, 2020, beginning at 5:30 PM in the Board Room/Administration Building of the McAllen Independent School District, 2000 North 23rd Street, McAllen, Texas.

MEMBERS PRESENT:

Mr. Marco Suarez, President; Mr. Sam Saldivar, Vice-President; Mr. Conrado Alvarado, Secretary; Mrs. Debbie Crane Aliseda, Trustee; Mr. Larry Esparza, Trustee; Mr. Tony Forina, Trustee; Mr. Daniel Vela, Trustee

MEMBERS ABSENT:

OTHERS PRESENT:

Dr. Jose A. Gonzalez, Superintendent; Dr. Silvia Ibarra, Assistant Superintendent Instructional Services; Ms. Arely Benavides, Assistant Superintendent for District Operations; Mr. Todd Miller, Assistant Superintendent for Human Resources; Mrs. Cynthia Medrano Richards, Assistant Superintendent Business Operations; Mrs. Bridgette Vieh, Associate Superintendent Instructional Leadership; Steve Crain, Legal Counsel

1. CALL MEETING TO ORDER

The meeting was called to order at 5:30 p.m.

2. PUBLIC COMMENTS

No community members signed up for public comments.

3. INVOCATION

Trustee Saldivar gave the invocation.

4. PLEDGE OF ALLEGIANCE

Trustee Esparza led the Pledge of Allegiance

5. RESOLUTION OF THE BOARD OF TRUSTEES OF THE MCALLEN INDEPENDENT SCHOOL DISTRICT REGARDING DELEGATION OF AUTHORITY DURING THE COVID-19 EMERGENCY

Trustee Saldivar made a motion to approve the resolution of the Board of Trustee of the McAllen Independent School District regarding delegation of authority during the Covid-19 Emergency and Trustee Vela seconded. The vote was 6-1, with Trustee Aliseda voting against, Motion Passed.

6. ADJOURNMENT

Trustee Saldivar made a motion to adjourn at 5:35 pm and Trustee Alvarado seconded, the vote was 7-0, motion passes.

READ AND APPROVED:


MARCO SUAREZ (Apr 24, 2020)

BOARD PRESIDENT

Apr 24, 2020

DATE

ATTEST:


Conrado Alvarado (May 11, 2020)

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBJECT: Discussion and Consideration of Endorsement of Candidate for Texas Association of School Boards (TASB) Board of Directors, District 1, Position B

REFERENCE: N/A

BACKGROUND INFORMATION/REASON FOR BOARD CONSIDERATION:

Incumbent, Sylvia Sanchez Garza, Ph.D. Board Member, South Texas Independent School District, is requesting that the McAllen ISD Board of Trustees endorse her candidacy for re-election to the TASB Board of Directors, District 1, Position B.

ADMINISTRATIVE CONSIDERATIONS/FACTS AND ANALYSIS:

A letter requesting support and a resume of Trustee Sylvia Sanchez, Ph.D. attached.

LEGAL REVIEW: None

BUDGETARY CONSIDERATIONS: None

RECOMMENDED BOARD ACTION:

The Board may choose to endorse Trustee Sylvia Sanchez, Ph.D. of South Texas ISD to the Texas Association of School Boards (TASB) Board of Directors, District 1, Position B.

SUBMITTED BY: *Natalia Goza*

SUPERVISOR: _____

For further information contact:

Name: Natalia Goza

Office: 956-618-6094

eMail: natalie.goza@mcallenisd.net

Approved for presentation to the Board of Education:

227 _____

Superintendent of Schools

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: July 19, 2022

SUBJECT: Approval of Travel for Board of Trustees

REFERENCE: Goal 2: People Development

BACKGROUND INFORMATION/REASON FOR BOARD CONSIDERATION:

Policy requires Board Members to submit travel requests to the Board in advance when practical. The Board plans to attend the Texas Association of School Administrators (TASA)/Texas School Board Association (TASB) Convention, September 23-25, 2022 in San Antonio, Texas.

- TASA/TASB Convention-September 23-25, 2022 San Antonio, Texas

ADMINISTRATIVE CONSIDERATIONS/FACTS AND ANALYSIS:

The Board of Trustees will report on the following trip(s):

LEGAL REVIEW:

None

BUDGETARY CONSIDERATIONS:

Funds for this trip have been allocated through the Board of Trustees' Budget.

RECOMMENDED BOARD ACTION:

That the Board of Trustees approve the travel request for Board of Trustees to attend the TASA/TASB Convention, September 23-25, 2022, in San Antonio, Texas.

SUBMITTED BY: *Natalia Goza*

SUPERVISOR: _____

For further information contact:

Name: Natalia Goza

Office: (956) 618-6094

Email: natalie.goza@mcallenisd.net

Approved for presentation to the Board of Education:

228 _____

Superintendent of Schools

**BOARD AGENDA REPORT
MCALLEN INDEPENDENT SCHOOL DISTRICT**

MEETING DATE: August 8, 2022

SUBJECT: Appointment of Board Member(s) to serve as Delegate and Alternate at the Annual Texas Association of School Boards (TASB) Delegate Assembly Meeting

REFERENCE: None

BACKGROUND INFORMATION/REASON FOR BOARD CONSIDERATION:

The Texas Association of School Boards (TASB) Delegate Assembly meets annually, in conjunction with the TASA/TASB Convention. The Assembly, is the foundation of the Association's governance structure and provides critical direction as the Association represents members' interests before state and national policy makers. The Assembly is scheduled to meet on Saturday, September 24, 2022. Prior to the meeting, delegates and alternates in each region will meet with TASB Directors to discuss the issues coming before the assembly and to clarify Delegate Assembly processes. Caucuses will begin and end just before the opening of the Assembly meeting.

The representation of each school district within the state of Texas is of the utmost importance to both the local school board and to TASB. It is vital that each representative and/or alternate understand the processes and the issues that come before the Assembly for action. The decisions made by the Assembly will set the course for the TASB organization for the coming year.

ADMINISTRATIVE CONSIDERATIONS/FACTS AND ANALYSIS:

A Delegate Designation form is attached.


LEGAL REVIEW: None

BUDGETARY CONSIDERATIONS: None

RECOMMENDED BOARD ACTION:

The Board may choose to appoint two (2) board members to serve as Delegate and Alternate at the Annual Texas Association of School Boards (TASB) Delegate Assembly Meeting on September 24, 2022.

SUBMITTED BY: *Natalia Goza*

SUPERVISOR: 
Tony Forina (Jul 27, 2022 16:21 CDT)


For further information contact:

Name: Natalia Goza

Office: 956-618-6094

eMail: natalie.goza@mcallsisd.net

Approved for presentation to the Board of Education:


229

Superintendent of Schools

Jul 27, 2022










Appt of Board Members to Serve as Delegate Alternate at Assembly Mtg (08 08 22)2

Final Audit Report

2022-07-27

Created:	2022-07-27
By:	Natalia Goza (natalie.goza@mcallenisd.net)
Status:	Signed
Transaction ID:	CBJCHBCAABAAcLjfvxiCH6wYLrdo9RVKMgEWm7wGbvjN

"Appt of Board Members to Serve as Delegate Alternate at Assembly Mtg (08 08 22)2" History

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