



## **Agenda of Regular Meeting**

### **The Board of Trustees Belton Independent School District**

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A Regular Meeting of the Board of Trustees of Belton Independent School District will be held August 19, 2024, beginning at 6:15 PM in the Pittenger Fine Arts Center, 400 N. Wall Street, Belton, TX 76513. One or more trustees may participate via video conference.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on the meeting notice.

- 1. Call to Order, Moment of Silence and Pledge of Allegiance**
- 2. Recognitions** **5**
  - A. Student Pledges - Joe M. Pirtle Elementary School
  - B. Student Showcase - CPR Demonstration
  - C. SkillsUSA National Champions
  - D. Department Showcase - Transportation Services
  - E. New Administrator Introductions
  - F. Community Partner Recognition - UMHB Event Services
- 3. Public Comments Regarding Items on the Agenda**
- 4. Action Items**
  - A. Public Hearing Regarding 2024-2025 Budget and Proposed Tax Rate **9**

1. Consider, Discuss, and Take Appropriate Action Regarding Adoption of the Budget for Accelerated Instruction for the 2024-2025 School Year	22
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D. Expenditures over \$50,000	100
1. Renewal of Amergis Healthcare Staffing for Special Programs Evaluation and Academic Services	
2. Renewal of Growing Places for Therapy Services	
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4. Renewal of Integrated Systems for Skyward Hosting	
5. Addendum to Solution Tree for Professional Development	
6. Agreement with Finalsite for Website Hosting Services	
7. Agreement with DBR Engineering Consultants for Commissioning Services for Southwest, LBMS, and BHS Bond Projects	
8. Grant Funded Vehicle Purchase for Project Heartbeat	
E. Renewal of Interlocal Agreement with Armed Services YMCA Killeen for Before and After-School Daycare	103
F. Interlocal Agreement with YMCA of Central Texas for After-School Daycare at Belton Early Childhood School	110
G. Renewal of Memorandum of Understanding with Central Counties Services for School-Based Children's Mental Health Services	116
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1. BE(LOCAL) - Board Meetings - 2nd Reading	239
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<b>8. Public Comments Regarding Non-Agenda Items</b>	
<b>9. Closed Session (Texas Government Code, Subchapters D and E)</b>	
A. Consultation with Attorney - Texas Government Code, Section 551.071	
B. Personnel - Texas Government Code, Section 551.074	
1. Personnel Matters	
2. Formative Evaluation of the Superintendent	
C. Student Disciplinary Matter - Texas Government Code, Section 551.082	

**10. Reconvene in Open Session**

**11. Adjourn**

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**  
**August 19, 2024**

**Item:** Recognitions

**Contact Person:** Candice Griffin

**Presented for:**  Action  Report Only

**Supporting Documents:**  None  Attached  Provided Later

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**District Goal or Objective Addressed:**

Goal 2: Ensure exceptional learning experiences for each and every student.

Goal 4: Develop a district-wide culture of value, support, and growth amongst all students and staff.

**Background Information:**

**Student Pledges – Joe M. Pirtle Elementary**

Tonight, students from Joe M. Pirtle Elementary led the pledges. Second grader Karley Smith is passionate about science fairs and enjoys dancing with the Pirtle Dance Team.

Third grader Anniston Villegas loves camping with her Girl Scout troop. She also enjoys drawing axolotls, participating in cheer competitions, and practicing Brazilian Jiu Jitsu, where she competes in local tournaments.

**Student Showcase – CPR Program**

Tonight's featured student program is the CPR Program. Campus nurses provided training in hands-only cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED), which is a requirement for Texas students in grades seven through twelve. Each student must receive this instruction at least once before graduation. Belton ISD school nurses offer this vital training both during the school year and in the summer.

The CPR demonstration was conducted by Lakewood Elementary student Dillon Kruppa, Lake Belton Middle School students Jenna Taylor and Mackenzie Hicks, and Belton High School students Natalie Jones and Marlon Bluntson. They were guided by registered nurses Cherry Hill from Hubbard Branch Elementary, Caprice Burnley from Southwest Elementary, and Marylisa Fanning, the Director of Health Services.

### **SkillsUSA - National Champions**

Belton ISD is proud to recognize the 2024 Teamworks SkillsUSA National Champions for their outstanding achievement. The team demonstrated exceptional talent and collaboration in constructing a complex and sophisticated tiny home. This skilled team of four members, a carpenter, electrician, plumber, and mason, showcased their expertise against the nation's top construction programs.

Their project was meticulously judged by industry experts, who assessed their technical knowledge, adherence to building codes, and workplace skills. This accomplishment underscores the team's commitment to excellence and their seamless teamwork, setting a high standard for the future of the Belton High School Construction Careers Program. The students earned career opportunities upon graduation and a \$10,000 scholarship to Texas State Technical College.

The SkillsUSA team is advised by Michael Carrillo, the Belton High School Construction Careers Instructor. Their industry partners include Morton Builders, RK Bass, Michael Ming IEC, ABC Supply, and Temple Winnelson Supply.

### **Department Showcase - Transportation**

Tonight's department showcase is the BISD Transportation Department. The 160-member team is led by Vickie Tubbs. This group includes the district's bus drivers and monitors, mechanics and office staff. They manage a fleet of 134 school buses and 22 SUVs that travel over 1.5 million miles annually to support our students and staff.

For many of our students, their day begins with a warm greeting from our transportation staff. We appreciate these employees for their hard work and dedication to transporting our almost 14,000 students so they can have exceptional learning experiences. This dedicated 160-member team is led by Vickie Tubbs.

### **New Administrator Introductions**

Tammie Baggerly, Principal of the BISD Delta Program

Tammie Baggerly started the new school year as the principal of the Delta Program. With 16 years of experience in education, including 15 years with Belton ISD, Baggerly is deeply connected to the BISD community. She holds a Bachelor of Arts in Psychology from the University of Texas at Austin and a Master of Educational Administration from Texas A&M University—Central Texas.

Kathleen (Kitty) Corsi, Director of Special Programs

Kathleen “Kitty” Corsi has been appointed as the new Director of Special Programs for Belton ISD. With nearly 30 years of experience as a school psychologist, Corsi has served as the district's Special Programs Coordinator since 2020. She holds a Bachelor of Science in Psychology from Virginia Tech and a Master of Arts in Clinical and Counseling Psychology from Southern Methodist University.

Christine Parks, Chief Communications Officer

Belton ISD is thrilled to announce the appointment of Christine Parks as the new Chief Communications Officer. With over 24 years of experience in public education, Parks brings a wealth of knowledge and expertise to our district. She holds a Bachelor of Science in Education from Baylor University and a Master of Educational Administration from Tarleton State University.

Dr. Cassandra Spearman, Assistant Superintendent of Operations

Belton ISD is pleased to announce the appointment of Dr. Cassandra Spearman as the new Assistant Superintendent of Operations. With over 26 years of experience in education, Dr. Spearman is a seasoned administrator. She earned her Bachelor of Science in Early Childhood Education Pre-K through 5 from Armstrong Atlantic University, her Master of Arts in Administrative Leadership and a Master of Arts in Curriculum and Instruction from the University of Phoenix, and her Doctorate of Education in Curriculum, Instruction, and Assessment from Walden University.

**Community Partner Recognition - UMHB Event Services**

Belton ISD is celebrating our partnership with the University of Mary Hardin-Baylor Event Services. UMHB has generously provided access to various campus facilities for leadership meetings and, most recently, hosted our convocation. We are particularly thankful to UMHB, as more than 20 percent of our staff are proud UMHB alumni. We extend our heartfelt gratitude to the Cru for their ongoing dedication and generosity.

**Fiscal Implications:**

None.

**Administrative Recommendation(s):**

None.

**Belton Independent School District**  
***Board of Trustee Meeting Agenda Item***

***August 19, 2024***

**Item:** Public Hearing Regarding 2024-2025 Budget and Proposed Tax Rate

**Contact Person:** Melissa Lafferty

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

The Texas Education Code requires school districts to hold a public hearing at a meeting that is open to the public when discussing the proposed budget and tax rates. The notice of public hearing must be published prior to the open meeting. This gives taxpayers the opportunity to voice their opinions on the proposed budget and tax rates. The meeting must be posted in compliance with the Texas Open Meetings Act.

**Fiscal Implications:**

These budgets will support District operations throughout the 2024-2025 fiscal year.

**Administrative Recommendation(s):**

Conduct the public hearing as required.

# Public Hearing: 2024-2025 Budget and Tax Rate

**BELTON ISD BOARD OF TRUSTEES**  
REGULAR BOARD MEETING  
August 19, 2024

# Purpose

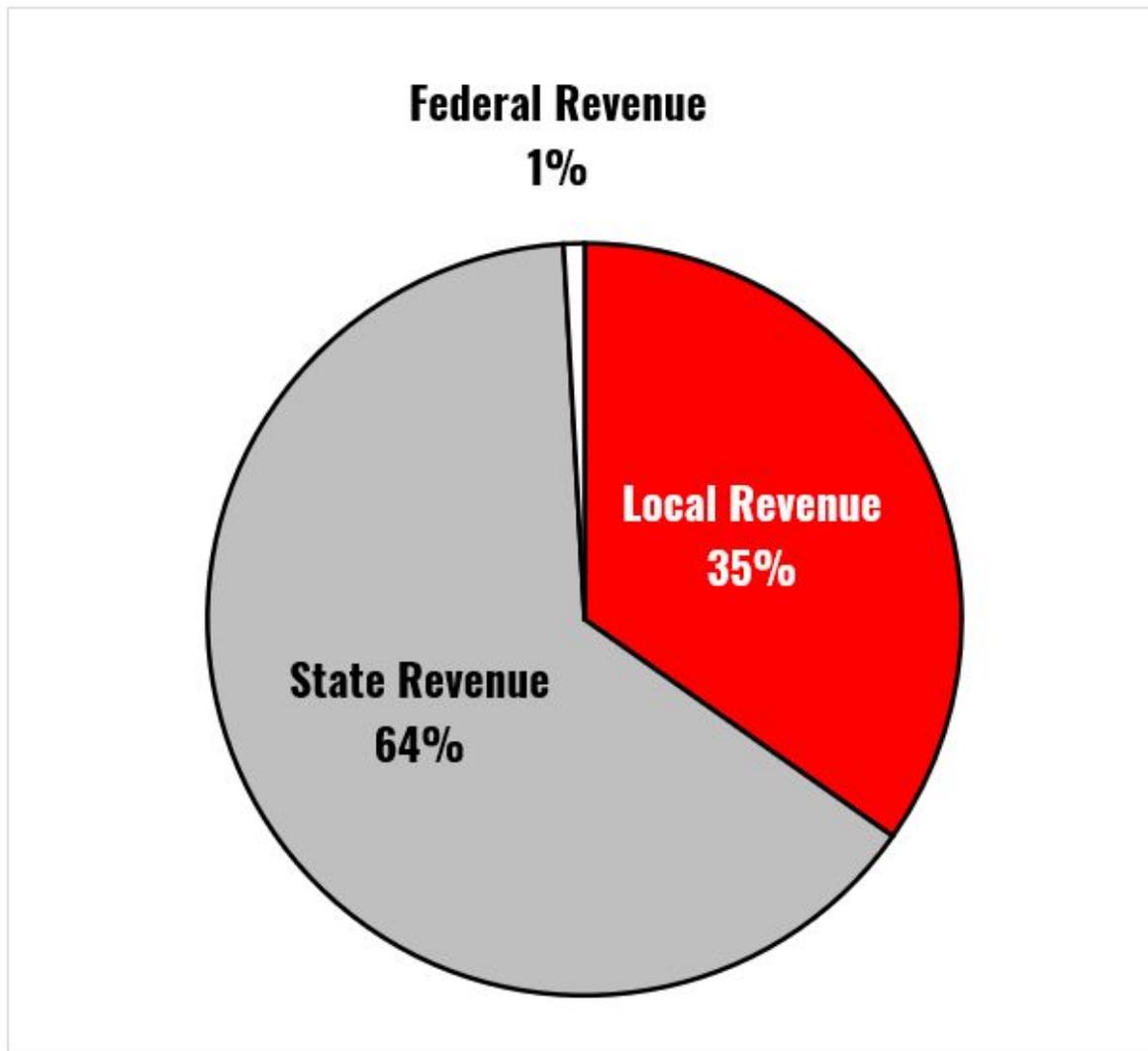
Hold a public hearing to discuss the proposed budget and tax rate for adoption.

# Impact to General Fund

<b>1.2%</b>	Student enrollment increase
<b>12%</b>	Taxable property values increase = tax collections↑ state funding↓
<b>\$4.9M</b>	Expenditure reductions
<b>50%</b>	Medicaid services revenue decrease
<b>\$3.3M</b>	Absorption of positions paid from COVID stimulus funding (ESSER)
<b>\$780K</b>	Insurance and utilities increase
<b>1%</b>	Salary increase for all staff

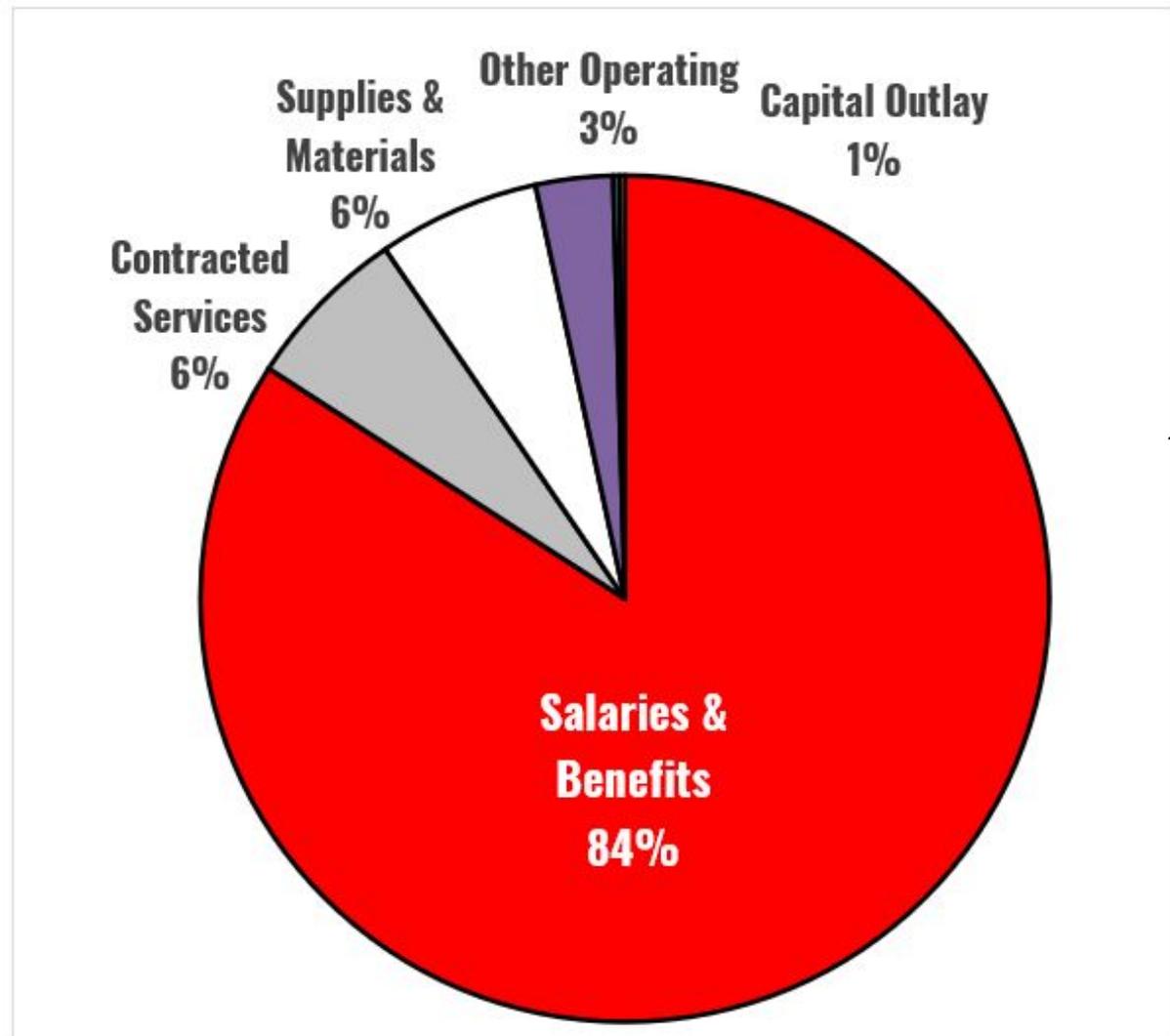
# General Fund Revenues

Tax Collections	\$	47,158,740
Tuition and Fees		375,000
Interest Income		1,600,000
Other Local Revenue		505,000
<b>5700 Local Revenue</b>	<b>\$</b>	<b>49,638,740</b>
Foundation School Program		84,054,414
Other State		7,734,634
<b>5800 State Revenue</b>	<b>\$</b>	<b>91,789,048</b>
SHARS/MAC		800,000
Impact Aid		100,000
Other Federal		375,000
<b>5900 Federal Revenue</b>	<b>\$</b>	<b>1,275,000</b>
<b>Total Revenue</b>	<b>\$</b>	<b>142,702,788</b>



# General Fund Expenditures

Salaries & Benefits	\$	126,943,356
Campus/Department Budgets		23,916,335
<b>Total Expenditures</b>	<b>\$</b>	<b>150,859,691</b>



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# Accelerated Instruction

\$634,175 in compensatory education funds is budgeted for accelerated instruction:

<b>Resources</b>	<b>Services</b>	<b>Budgeted</b>
Personnel	Intervention (math, reading, science, bilingual)	\$343,705
Instructional Materials	Lessons and supplies	\$5,095
Contracted Services	Professional learning	\$18,195
Software Subscriptions	Targeted student data & instructional resources	\$267,180

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# General Fund Budget

<u>General Fund</u>	
Local	\$ 49,638,740
State	91,789,048
Federal	<u>1,275,000</u>
<b>Total Revenue</b>	<b>142,702,788</b>
Salaries & Benefits	126,950,883
Contracted Services	9,510,924
Supplies & Materials	9,293,491
Operating Costs	4,439,160
Principal & Interest	354,683
Capital Outlay	<u>310,550</u>
<b>Total Expenditures</b>	<b>150,859,691</b>
<b>Change to Fund Balance</b>	<b><u>\$ (8,156,903)</u></b>

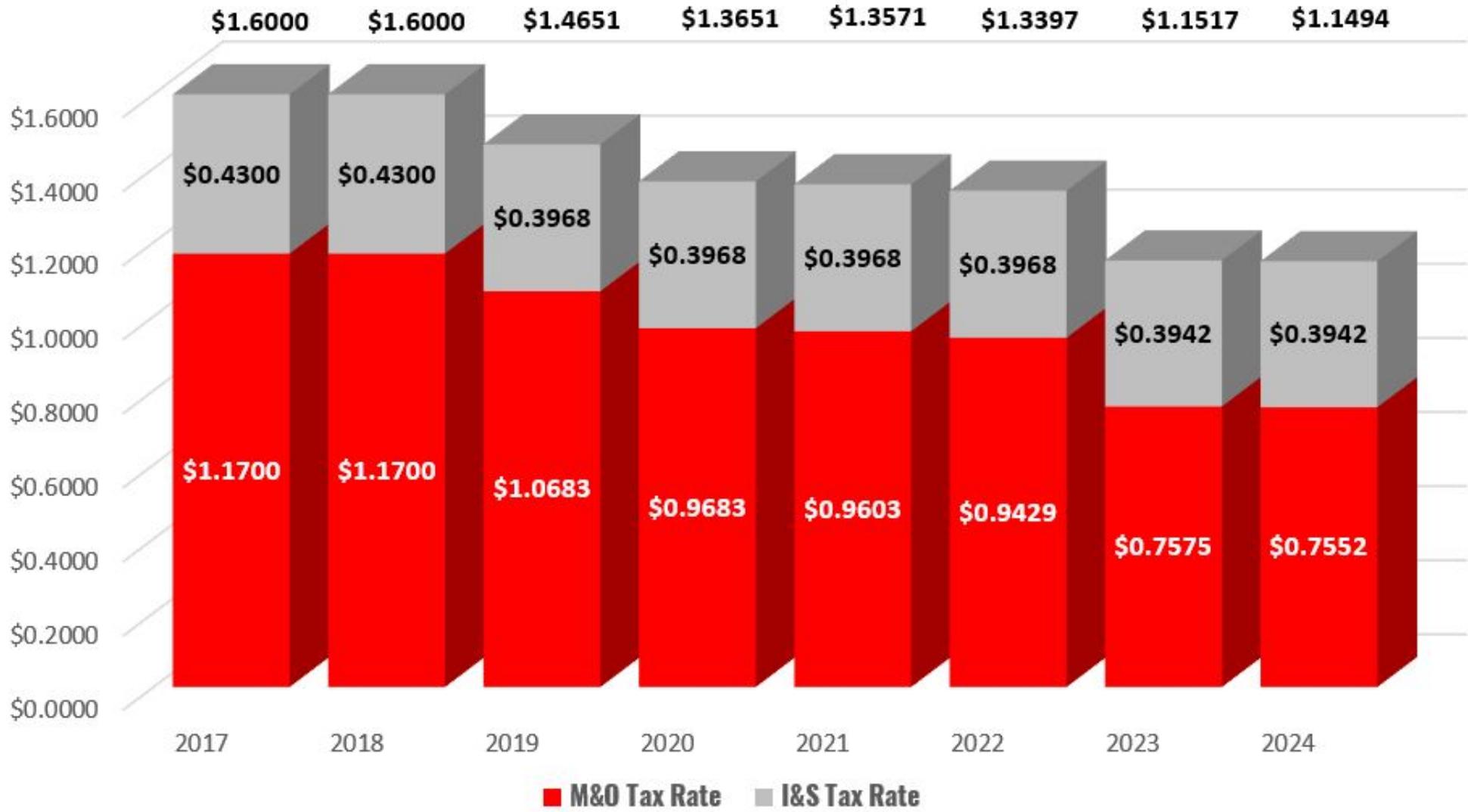
# School Nutrition Budget

<u>School Nutrition</u>	
Local	\$ 2,450,000
State	135,000
Federal	<u>5,540,000</u>
<b>Total Revenue</b>	<b>8,125,000</b>
Salaries & Benefits	4,672,477
Contracted Services	337,000
Supplies & Materials	4,265,500
Operating Costs	32,000
Principal & Interest	-
Capital Outlay	<u>800,000</u>
<b>Total Expenditures</b>	<b>10,106,977</b>
<b>Change to Fund Balance</b>	<b><u>\$ (1,981,977)</u></b>

# Debt Service Budget

<u>Debt Service</u>	
Local	\$ 24,939,661
State	3,769,627
Federal	-
<b>Total Revenue</b>	<b>28,709,288</b>
Principal & Interest	25,233,238
<b>Total Expenditures</b>	<b>25,233,238</b>
<b>Change to Fund Balance</b>	<b>\$ 3,476,050</b>

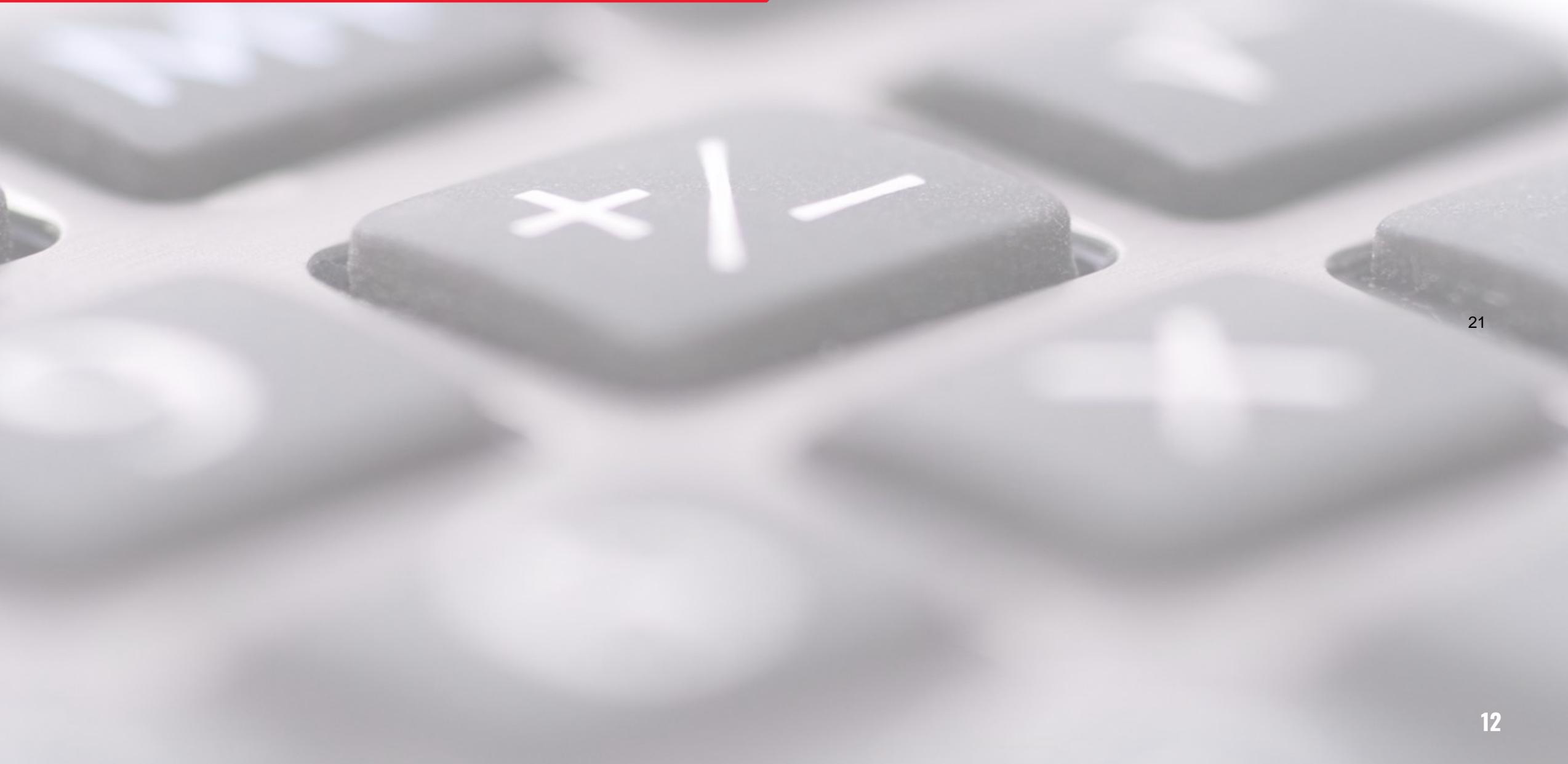
# Historical Rates



# Proposed Tax Rate

	<u>Adopted</u> <u>2023-24</u>	<u>Proposed</u> <u>2024-25</u>	<u>Decrease</u>
M&O	\$ 0.7575	\$ 0.7552	\$ 0.0023
I&S	<u>\$0.3942</u>	<u>\$0.3942</u>	<u>\$ -</u>
Tax Rate	<u>\$ 1.1517</u>	<u>\$ 1.1494</u>	<u>\$ 0.0023</u>

# Public Hearing



**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**

**August 19, 2024**

**Item:** Consider, Discuss, and Take Appropriate Action Regarding Adoption of the Budget for Accelerated Instruction for the 2024-2025 School Year

**Contact Person:** Melissa Lafferty

**Presented for:**  Action     Report Only

**Supporting Documents:**  None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 2: Ensure exceptional learning experiences for each and every student.

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

Texas Education Code, Section 28.0217 requires school districts to provide accelerated instruction in the applicable subject area each time a student fails to perform satisfactorily on an assessment instrument. Section 29.081 also requires districts to separately budget sufficient funds for that purpose. Districts must adopt state compensatory education funds to support accelerated instruction prior to using them for other purposes.

**Fiscal Implications:**

\$634,175 of state compensatory education funds are set aside in the 2024-2025 budget to support accelerated instructional practices and interventions.

**Administrative Recommendation(s):**

The administration recommends the adoption of \$634,175 for accelerated instructional services for the 2024-2025 school year as presented.

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**

**August 19, 2024**

**Item:** Consider, Discuss, and Take Appropriate Action Regarding Adoption of the Budget for the 2024-2025 School Year

**Contact Person:** Melissa Lafferty

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

**District Goal or Objective Addressed:**

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

Each year school districts adopt their budgets and tax rates under Texas Education Code section 44.001 through 44.006. The Texas Education Agency (TEA) requires the budget to be adopted at the function level for the General Fund, the Child Nutrition Fund, and the Debt Service Fund. Amendments that reallocate funds between functions must be approved by the Board.

These budgets will support District operations for the 2024-2025 fiscal year.

**Fiscal Implications:**

The General fund budgeted revenues and expenditures are \$142,702,788 and \$150,859,691 respectively, resulting in a \$8,156,903 deficit.

The School Nutrition fund budgeted revenues and expenditures are \$8,125,000 and \$10,106,977, respectively, resulting in a \$1,981,977 deficit.

Lastly, the Debt Service fund budgeted revenues and expenditures are \$28,709,288 and \$25,233,238 respectively, resulting in a \$3,476,050 surplus.

**Administrative Recommendation(s):**

The administration recommends the adoption of the 2024-2025 school year budgets for the General Operating, School Nutrition, and Debt Service funds as presented.

**2024-25 Budgets Proposed For Adoption By The Board Of Trustees  
Belton ISD**

Function		Budgets Proposed for Adoption		
		199 General Fund	240 School Nutrition Fund	599 Debt Service Fund
<b>REVENUES</b>				
Local		\$ 49,638,740	\$ 2,450,000	\$ 24,939,661
State		91,789,048	135,000	3,769,627
Federal		1,275,000	5,540,000	-
		<b>142,702,788</b>	<b>8,125,000</b>	<b>28,709,288</b>
<b>INSTRUCTIONAL EXPENDITURES</b>				
11	Instruction	82,799,213		
12	Library & Media Services	1,681,820		
13	Curriculum & Staff Development	3,493,446		
21	Instructional Leadership	2,585,959		
23	School Leadership	8,926,278		
31	Guidance and Counseling Services	6,493,757		
32	Social Work Services	190,642		
33	Health Services	2,317,384		
34	Student Transportation	7,445,559		
35	Food Services	-	10,106,977	
36	Co-curricular Activities	5,772,042		
41	General Administration	4,234,706		
51	Facilities Maintenance & Operations	15,320,734		
52	Security and Monitoring	2,873,362		
53	Data Processing Services	4,805,106		
61	Community Services	-		
71	Debt Service	354,683		25,233,238
81	Facilities Acquisition & Construction	-		
91	Chapter 41 Payments	-		
95	Payments to JJAEP Programs	15,000		
97	Increment Fund Payments	750,000		
99	Other Intergovernmental Charges	800,000		
<b>Total Expenditures</b>		<b>\$ 150,859,691</b>	<b>\$ 10,106,977</b>	<b>\$ 25,233,238</b>
<b>Revenues Over (Under) Expenditures</b>		<b>(8,156,903)</b>	<b>(1,981,977)</b>	<b>3,476,050</b>
<b>Budgeted Expenditure for legally-required newspaper notices:</b>				
Object code	6491 (public notices)	\$ 6,800		
<b>Budgeted Expenditure for lobbying activities:</b>				
Object code	6495 (applicable portion of membership dues)	\$ 2,420		

Budgets for these funds are required to be adopted by the Board of Trustees. Budgets for other funds are prepared in accordance with the appropriate fiscal requirements.

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**

**August 19, 2024**

**Item:** Consider, Discuss, and Take Appropriate Action Regarding an Ordinance Adopting the Tax Rate for the 2024-2025 School Year

**Contact Person:** Melissa Lafferty

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

**District Goal or Objective Addressed:**

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

The tax rate is adopted each year according to the State Comptroller's Truth in Taxation guidelines. The proposed tax rates have been published in the Notice of Public Meeting to Discuss Budget and Proposed Tax Rate. The tax rate is adopted separately following the adoption of the budget.

**Fiscal Implications:**

The proposed Maintenance and Operations (M&O) tax rate is \$0.7552. This is a \$0.0023 tax rate decrease from the previous year because of further tax rate compression from Senate Bill 2 of the 88th Texas Legislature. The debt service tax rate is \$0.3942.

**The total proposed tax rate for the 2024-2025 fiscal year is \$1.1494.** This is a .2% decrease compared to last year's total tax rate of \$1.1517.

Specific language is added to the tax rate ordinance since the proposed tax rate will raise more tax revenue than last year's rate.

In addition, specific language is required in the motion to adopt the tax rate since the proposed rate is more than the no-new-revenue tax rate of \$1.1166. The no-new-revenue tax rate is the tax rate that would produce the same amount of tax revenue if applied to the same properties in both the current and prior year.

**Administrative Recommendation(s):**

A motion stating: "I move that the property tax rate be increased by the adoption of a tax rate of \$1.1494, which is effectively a 2.9% increase in the tax rate."

## **ORDINANCE TO SET TAX RATE**

On this date, we, the Board of Trustees of the Belton Independent School District, hereby levy or set the tax rate on \$100 valuation for the district for the tax year 2024 at a total tax rate of \$1.1494, to be assessed and collected by the duly specified assessor and collector as follows:

\$0.7552 for the purpose of maintenance and operations, and

\$0.3942 for the purpose of payment of principal and interest on debts.

Such taxes are to be assessed and collected by the tax officials designated by the District.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**ADOPTED THIS 19<sup>th</sup> DAY OF AUGUST 2024** by the Belton ISD Board of Trustees.

**BELTON INDEPENDENT SCHOOL DISTRICT**

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Manuel Alcozer, President

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Erin Bass, Secretary

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**

**August 19, 2024**

**Item:** Consider, Discuss, and Take Appropriate Action Regarding the Adoption of a Budget Advisory Committee Charter

**Contact Person:** Michael Morgan

**Presented for:**  Action     Report Only

**Supporting Documents:**    None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

The Budget Advisory Committee Charter is being established to discuss solutions for the efficient and effective allocation of resources within our district. The Committee's primary objectives are to enhance understanding, gather input collaborate on budget optimization, and facilitate communication.

**Fiscal Implications:**

N/A

**Administrative Recommendation(s):**

Adopt the Budget Advisory Committee Charter as presented.



# Action: Adoption of a Budget Advisory Committee Charter

**BELTON ISD BOARD OF TRUSTEES**  
REGULAR BOARD MEETING  
AUGUST 19, 2024



# Purpose

Discuss the development of a Budget Advisory Committee.



# Outcome of the Budget Advisory Committee

P1500594

**The Budget Advisory Committee aims to help prioritize budget reduction strategies while prioritizing student success, staff well-being, and community trust.**

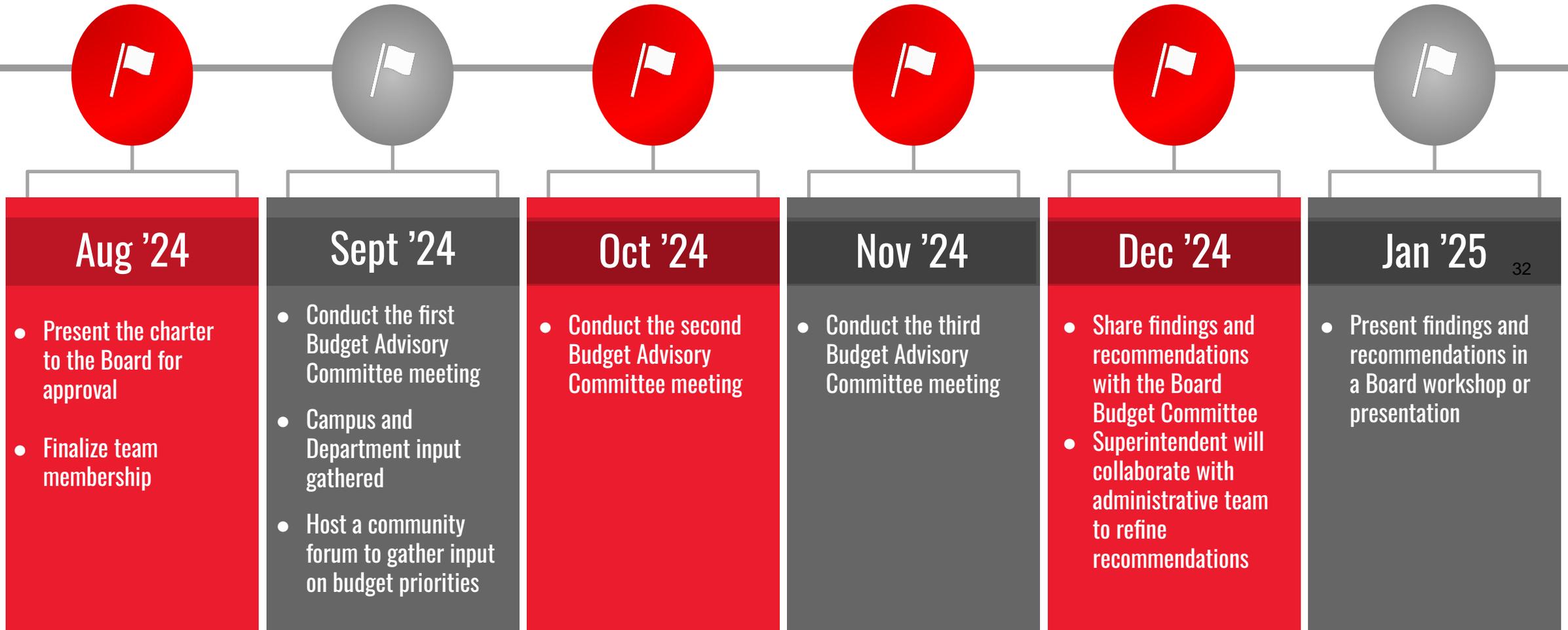
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# Membership

A diverse group of community stakeholders to include:

- Financial Ambassadors Committee representatives
- Board representatives
- Parents and community members
- Campus and department staff members

# Timeline



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# Discussion



## Budget Advisory Committee Charter

### I. Purpose

The Budget Advisory Committee is established to discuss solutions for the efficient and effective allocation of resources within our school district. The team's primary objectives are:

1. **Enhance Understanding:** To foster a comprehensive understanding of the budget process, including the intricacies of Texas school finance structures, challenges, and implications.
2. **Gather Input:** To inform the budget development and revision process, we will actively solicit input from diverse stakeholders, including staff, community members, and board representatives.
3. **Collaborate on Budget Optimization:** Partner to explore budget optimization strategies that minimize the potential impact on students and staff while upholding the district's core values and beliefs.
4. **Facilitate Communication:** To serve as a conduit for transparent and ongoing communication regarding budget discussions with staff, community members, and other stakeholders.

### II. Outcome

The Budget Advisory Committee aims to help prioritize budget reduction strategies while prioritizing student success, staff well-being, and community trust. The team's efforts will result in:

- A well-informed and engaged school community.
- Recommended priorities that optimize resources.

### III. Membership

The Budget Advisory Committee will consist of a diverse group of representatives, ensuring stakeholder perspectives are considered. Members will include:

- Representatives from the Financial Ambassadors Committee
- Board Representatives
- Parents and Community Members
- Campus and Department Staff Members

### IV. Action and Milestones

The Budget Advisory Committee will follow a structured timeline to achieve its objectives:

- **August:**
  - Discuss the team's formation and purpose in the Board Budget Committee.
  - Hold a budget workshop to discuss.
  - Present the charter to the Board for approval.
  - Finalize team membership.
- **September:**
  - Conduct the first Budget Advisory Committee meeting.
  - Campus and Department input gathered.
  - Host a community forum to gather input on budget priorities
- **October:**
  - Conduct the second Budget Advisory Committee meeting.
- **November:**
  - Conduct the third Budget Advisory Committee meeting.
  - Superintendent will collaborate with the administrative team to refine recommendations.
- **December**
  - Share the team's findings and recommendations with the Board Budget Committee.
- **January:**
  - Present the team's findings and recommendations in a Board workshop or presentation.

**V. Additional Considerations**

- The Budget Advisory Committee will operate under the principles of transparency, collaboration, and respect for diverse perspectives.
- The team will regularly review its progress and adjust its strategies as needed to ensure the achievement of its objectives.
- The team will seek feedback from stakeholders throughout the process to ensure that its work is relevant and impactful.

**VI. Approval**

This charter is hereby approved by the Board of Belton ISD on August 19, 2024.

**Signature:**

**Date:**

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Board President  
Belton Independent School District

**Belton Independent School District**  
***Board of Trustee Meeting Agenda Item***  
***August 19, 2024***

**Item:** Consider, Discuss, and Take Appropriate Action Regarding Adoption of the 2024-2025 Campus Objectives

**Contact Person:** Michael Morgan

**Presented for:**  Action     Report Only

**Supporting Documents:**    None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 1: Strengthen and support the engagement of all stakeholders in the pursuit of the BISD vision.

Goal 2: Ensure exceptional learning experiences for each and every student.

Goal 3: Attract, retain, and support a world-class team of employees.

Goal 4: Develop a district-wide culture of value, support, and growth amongst all students and staff.

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

Texas Education Code 11.251(a) requires the district to develop, review, and revise district and campus goals and objectives each year. The Board of Trustees approved the Key Progress Measures aligned to the District goals during the July 15, 2024 Board meeting. Campus staff have developed objectives and outlined actions aligned to the District's goals. The administration will ask the Board to consider, discuss and take appropriate action on the campus objectives.

[Campus Objectives](#)

**Fiscal Implications:**

N/A

**Administrative Recommendation(s):**

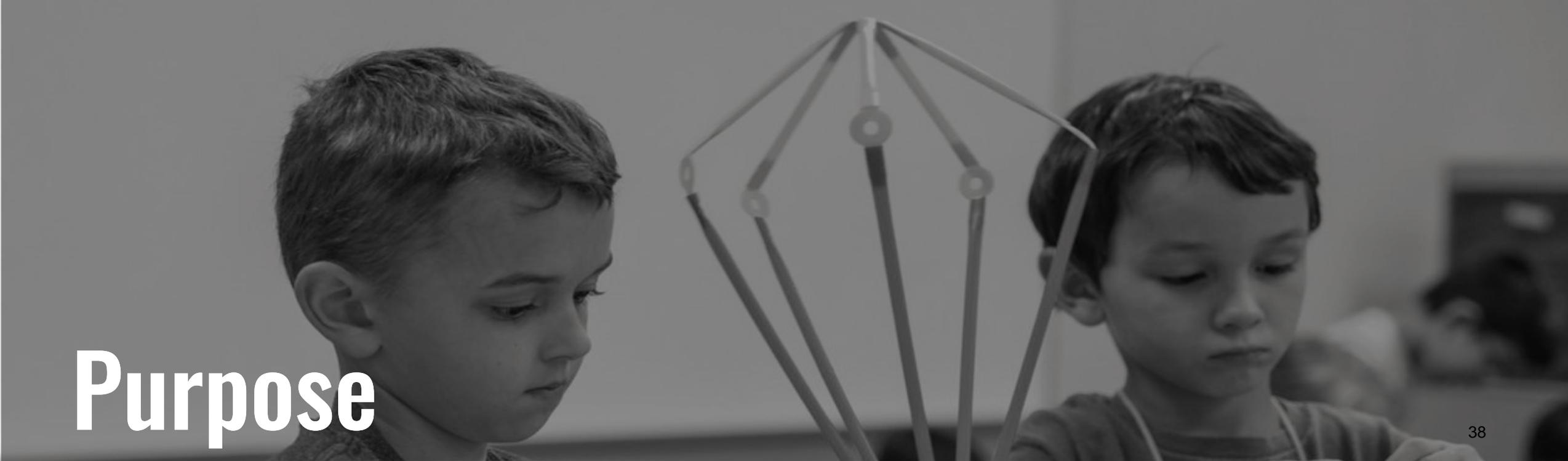
To adopt the 2024-2025 campus objectives as presented.



# Action: Adoption of the 2024-2025 Campus Objectives

**BELTON ISD BOARD OF TRUSTEES**  
REGULAR BOARD MEETING  
August 19, 2024





# Purpose

38

Discuss and request approval of the 2024-2025 Campus Objectives.



# System Alignment

District Goals

KPMs

Campus Objectives

39

# Campus Objectives

**Belton Independent School District  
Belton High School  
2024-2025 Performance Objectives**



**Goal 2:** Ensure exceptional learning experiences for each and every student.

Key Progress Measure: Increase the level of critical thinking in Belton ISD as measured by classroom observations using the Journey of a Graduate Competency Rubric from 63% to 70% by May 2025.

Key Progress Measure: Meet all House Bill 3 Goals and progress measures.

**Performance Objective 1:** Increase the level of critical thinking from 50% to 80% as measured by classroom observations and the Critical Thinking Rubric by May 2025.

**Performance Objective 2:** By end of September, 100% of staff understand and utilize the instructional framework, to decrease the variability of instruction across the campus, as measured by lesson plans and PLCs.

**Performance Objective 3:** By June 2025, the percentage of graduates who meet the criteria for CCMR will increase by three percent.

# Discussion



**Belton Independent School District**  
***Board of Trustee Meeting Agenda Item***

***August 19, 2024***

**Item:** Consider, Discuss, and Take Appropriate Action Regarding Naming a Delegate and Alternate to the 2024 TASB Delegate Assembly

**Contact Person:** Manuel Alcozer

**Presented for:**  Action     Report Only

**Supporting Documents:**  None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 1: Engage the community in setting direction for the future of Belton ISD.

**Background Information:**

TASB's Delegate Assembly gives school boards a direct voice in advocating for Texas public schools and in the overall direction of the Association. The Board may appoint one delegate and one alternate to serve as its representatives. The 2024 Delegate Assembly will be held September 28 during the TASA/TASB Convention in San Antonio.

**Fiscal Implications:**

None.

**Administrative Recommendation(s):**

Recommend the Board appoint a delegate and an alternate.

# Academic Progress Report

43

**BELTON ISD BOARD OF TRUSTEES**

REGULAR BOARD MEETING

August 19, 2024

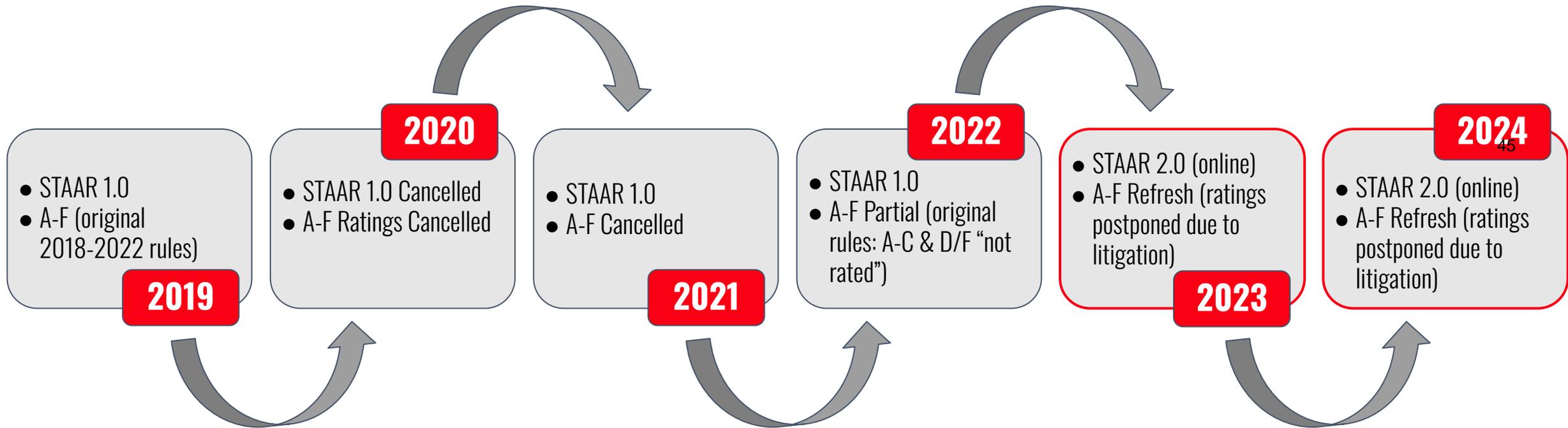


# Purpose

Provide a report on TEA accountability system changes over time and BISD instructional response.



# TEA STAAR Accountability Timeline <sup>3</sup>



# STAAR Accountability Structure

<b>District Rating</b> Represents weighting of each campus Student Population	Elementary		100%	
	Middle School		100%	
	High School		STAAR CCMR Grad Rates	   

# STAAR Accountability Structure

## A-F Accountability System: 3 Domains

Better of Achievement or Progress: 70%

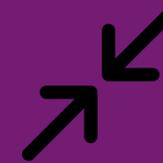


Student Achievement



School Progress

30%



Closing the Gaps

Overall Rating



# BISD A-F Rating Over Time

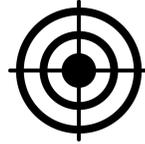
2022 Overall Rating (2018-2022 Rules)	2022 "What if" Overall Rating (2023 Rules)	2023 Rating (2023-2024 Rules)	2024 Rating (2023-2024 Rules)
87 B	76 C	Pending	Pending



**-11**

# Priority Improvement Areas

BISD Overtime STAAR Results										
RLA - Grades 3-8										
RLA	Performance	Spring 2019	Spring 2020	Spring 2021	Spring 2022	Spring 2023	Spring 2024	Change		
3	Approaches	79%	COVID	71%	79%	79%	76%	-3%		
	Meets	48%		41%	50%	50%	47%	-3%		
	Masters	33%		21%	29%	18%	18%	0%		
4	Approaches	77%		67%	79%	78%	81%	3%		
	Meets	47%		42%	54%	46%	49%	3%		
	Masters	27%		21%	28%	19%	19%	0%		
5	Approaches	89%		76%	79%	83%	79%	79%	-4%	
	Meets	55%		48%	55%	60%	54%	54%	-6%	
	Masters	34%		34%	34%	32%	26%	26%	-6%	
6	Approaches	69%		65%	66%	75%	75%	75%	0%	
	Meets	39%		34%	39%	49%	56%	56%	7%	
	Masters	18%		15%	21%	18%	23%	23%	5%	
7	Approaches	76%	67%	81%	79%	71%	71%	-8%		
	Meets	49%	44%	58%	52%	52%	52%	0%		
	Masters	28%	24%	39%	24%	28%	28%	4%		
8	Approaches	87%	71%	82%	85%	81%	81%	-4%		
	Meets	56%	44%	56%	59%	54%	54%	-5%		
	Masters	29%	18%	36%	30%	31%	31%	1%		

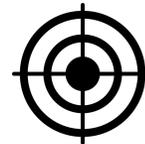


Ensure growth for each and every learner



Middle School Math

BISD Overtime STAAR Results										
Math - Grades 3-8										
Math	Performance	Spring 2019	Spring 2020	Spring 2021	Spring 2022	Spring 2023	Spring 2024	Change		
3	Approaches	81%	COVID	65%	67%	70%	72%	2%		
	Meets	51%		30%	36%	39%	41%	2%		
	Masters	27%		15%	16%	16%	14%	-2%		
4	Approaches	80%		66%	71%	65%	65%	65%	0%	
	Meets	55%		42%	44%	42%	43%	43%	1%	
	Masters	36%		26%	25%	19%	19%	19%	0%	
5	Approaches	93%		75%	75%	82%	77%	77%	-5%	
	Meets	54%		50%	42%	52%	49%	49%	-3%	
	Masters	37%		28%	21%	24%	19%	19%	-5%	
6	Approaches	81%		70%	69%	72%	70%	70%	-2%	
	Meets	48%		33%	33%	33%	34%	34%	1%	
	Masters	19%		12%	10%	11%	10%	10%	-1%	
7	Approaches	62%	34%	46%	51%	34%	34%	-17%		
	Meets	17%	5%	11%	17%	11%	11%	-6%		
	Masters	1%	1%	2%	1%	1%	1%	0%		
8	Approaches	89%	64%	67%	76%	69%	69%	-7%		
	Meets	59%	36%	32%	42%	36%	36%	-6%		
	Masters	16%	7%	9%	14%	10%	10%	-4%		



Writing Across Content

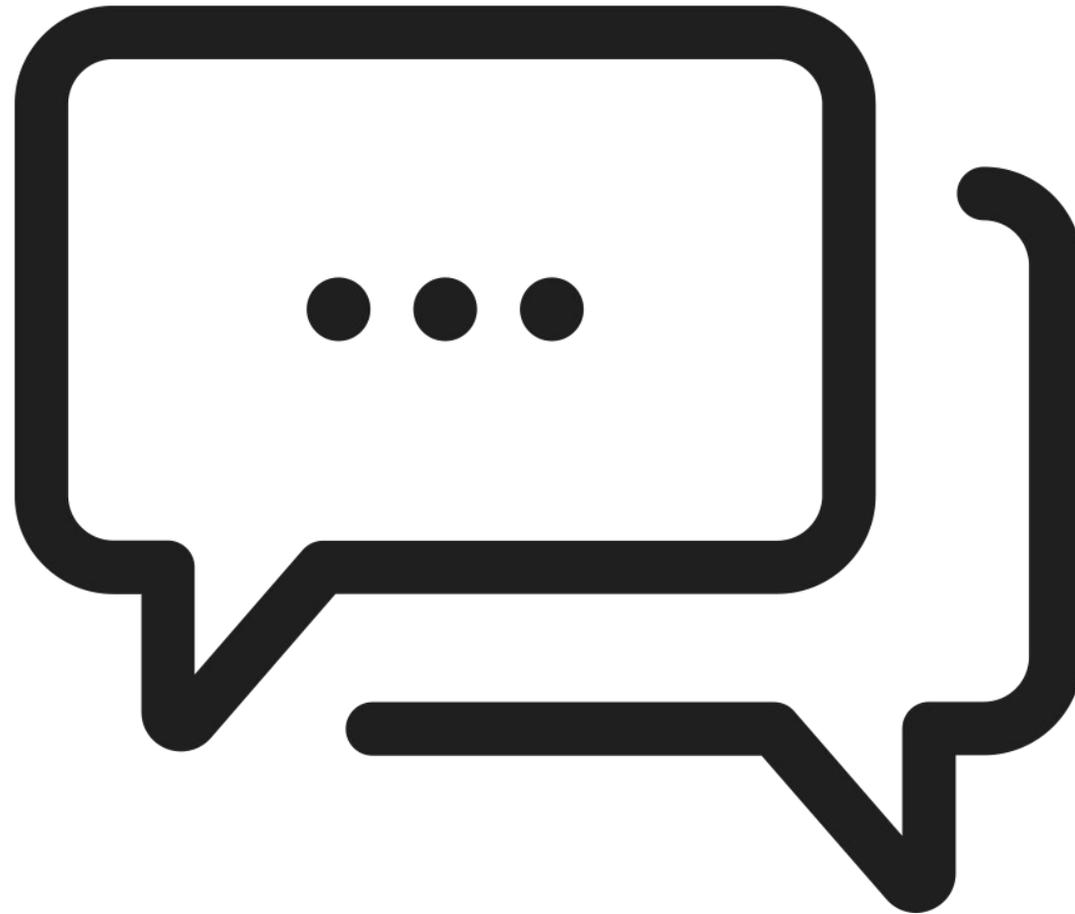


Elementary Science

BISD Overtime STAAR Results										
Science and Social Studies										
Grade/Subject	Performance	Spring 2019	Spring 2020	Spring 2021	Spring 2022	Spring 2023	Spring 2024	Change		
5 Science	Approaches	83%	COVID	69%	65%	67%	56%	-11%		
	Meets	58%		36%	36%	36%	26%	-10%		
	Masters	33%		18%	17%	17%	9%	-8%		
8 Science	Approaches	87%		71%	71%	76%	70%	70%	-6%	
	Meets	56%		48%	43%	49%	44%	44%	-5%	
	Masters	27%		24%	21%	17%	17%	17%	0%	
8 Social Studies	Approaches	71%		66%	59%	64%	55%	55%	-9%	
	Meets	73%		29%	30%	34%	25%	25%	-9%	
	Masters	48%		47%	46%	18%	11%	11%	-7%	

\* Data Presented - 6.17.24 Regular Board of Trustee Meeting, 7.15.24 Board of Trustee Workshop

# Questions



# Cell Phone Feedback Report

51

**BELTON ISD BOARD OF TRUSTEES**  
REGULAR BOARD MEETING  
August 19, 2024



# Purpose

Update the Board on teacher and parent feedback and discuss next steps in our stakeholder discussion of cell phones in our classrooms.

52





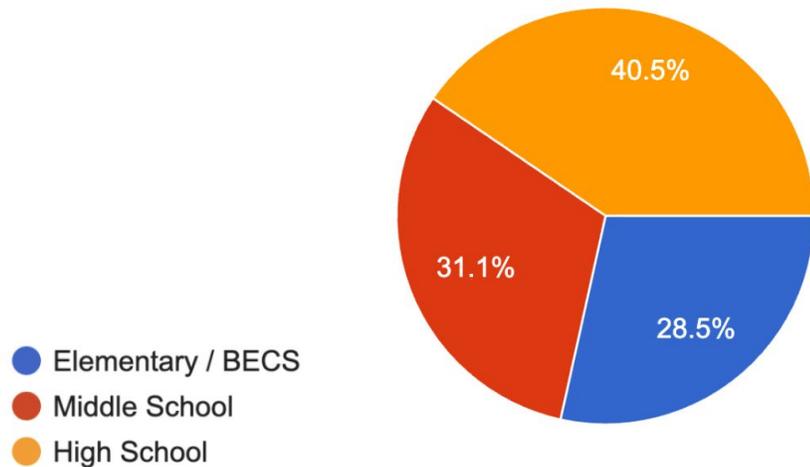
# Current Language from Parent and Student Handbook

## **Possession and Use of Personal Telecommunications Devices, Including Cell Phones, and Other Electronic Devices**

The district permits students to possess personal cell phones for safety purposes; however, these devices must remain turned off during the instructional day, including during all testing, unless they are being used for approved instructional purposes. (p.63)

# Teacher Survey

## Breakdown of Participants by Group



**382 Total Responses**

**Overall Response Rate: 38.62%**

54

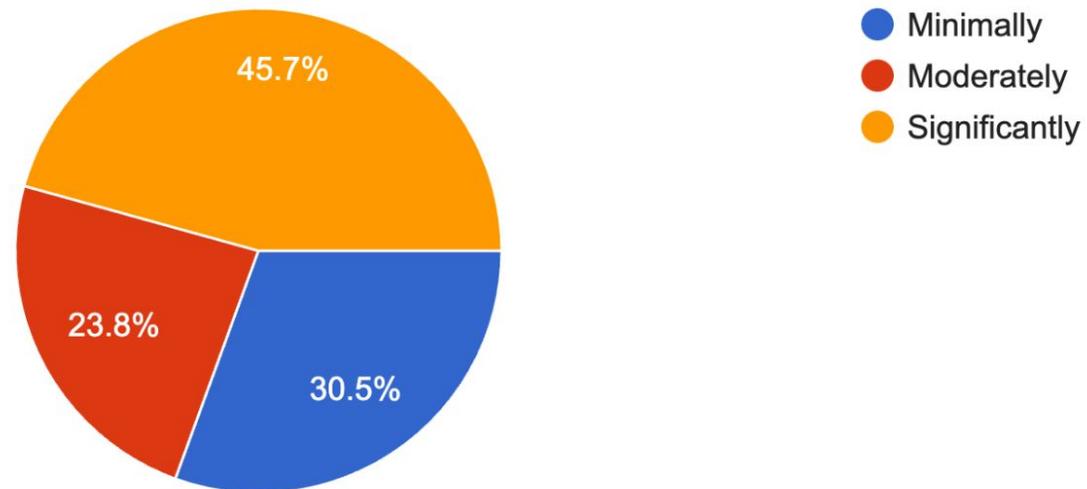
## Response by Age Group

<b>Elementary / BECS</b>	<b>23.29%</b>
<b>Secondary</b>	<b>52.19%</b>

# Teacher Survey

To what extent do you believe student cell phone use in your classroom disrupts instructional time and student learning?

383 responses

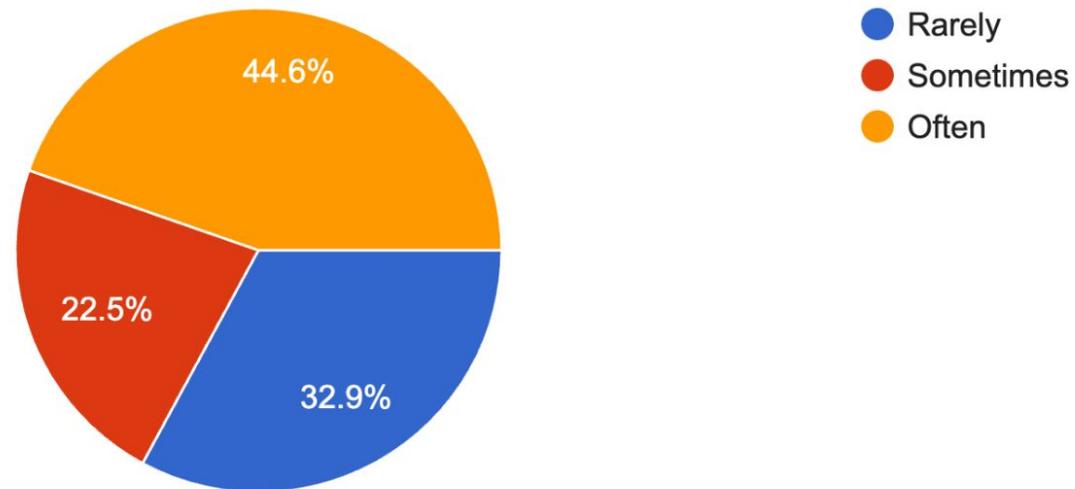


55

# Teacher Survey

How often do you have to address student cell phone use during class time (e.g., asking students to put phones away, confiscating phones)?

383 responses



56



# Top Suggestions from Teacher Survey

- 1 District-Wide Consistent Policy & Enforcement
- 2 Complete Ban / No Cellphones in Class
- 3 Designated Storage / Collection Spaces
- 4 Stricter Consequences / Admin Support
- 5 Technology Solutions

# Parent Survey

1866 Total Responses

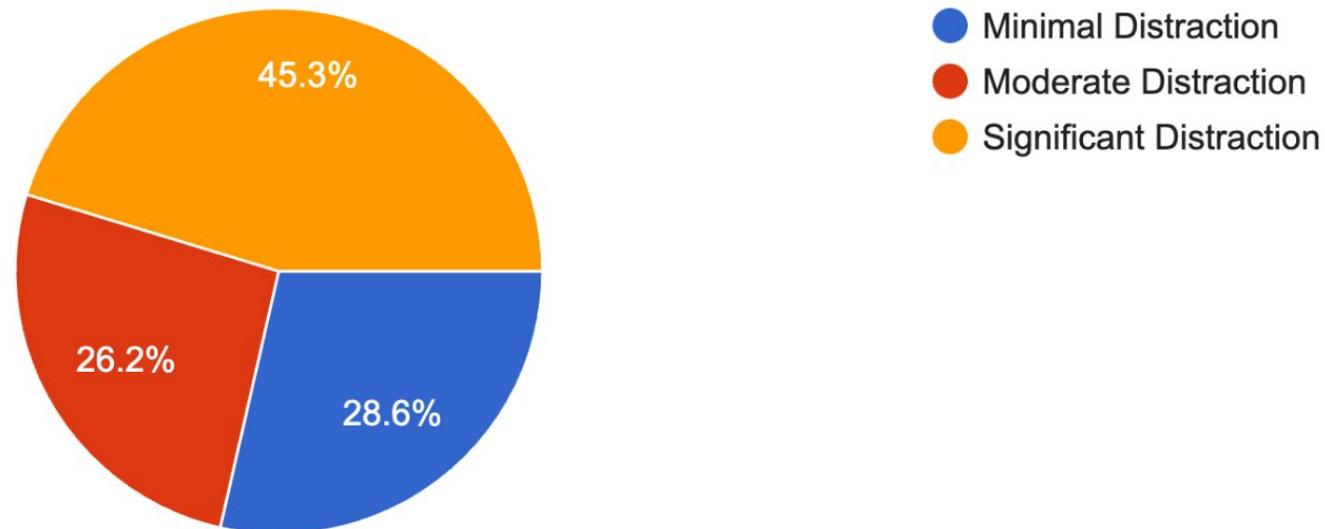
Overall Response Rate: 11.12%



# Parent Survey

To what extent do you believe cell phones impact your child's learning and engagement in school?

1,866 responses

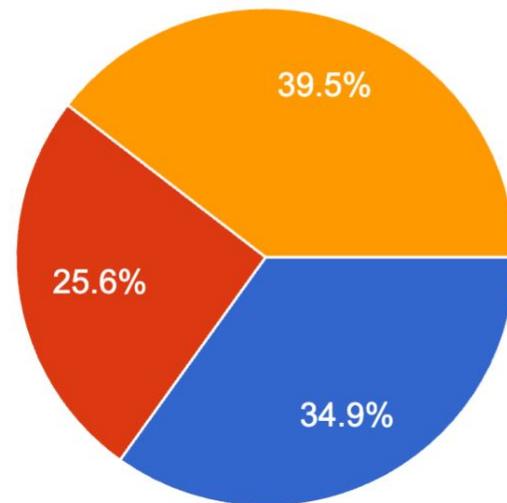


59

# Parent Survey

How concerned are you about the impact of cell phone use on your child's focus and attention in the classroom?

1,866 responses



- Not Concerned / Slightly Concerned
- Moderately Concerned
- Very Concerned

# Top Suggestions from Parent Survey

- 1 Complete Ban / No Cellphones in Class**
- 2 Designated Storage / Collection Spaces**
- 3 District-Wide Consistent Policy & Enforcement**
- 4 Allowing Phones Only During Specific Times (e.g., Lunch or Passing Periods)**
- 5 Incorporating Phones into Learning or Using Incentives**



# Intended Outcomes of the Process

## To Determine:

- How do our teachers, parents, and students perceive the impact of cell phone use in our classrooms?
- What barriers are keeping us from enforcing current guidelines?
- What is our recommended pathway forward to managing cell phone use in the classroom?

# Next Steps



1

**Student Survey and Secondary Focus Groups: Week of August 26**

2

**Teacher Focus Groups:  
August 27 and August 29**

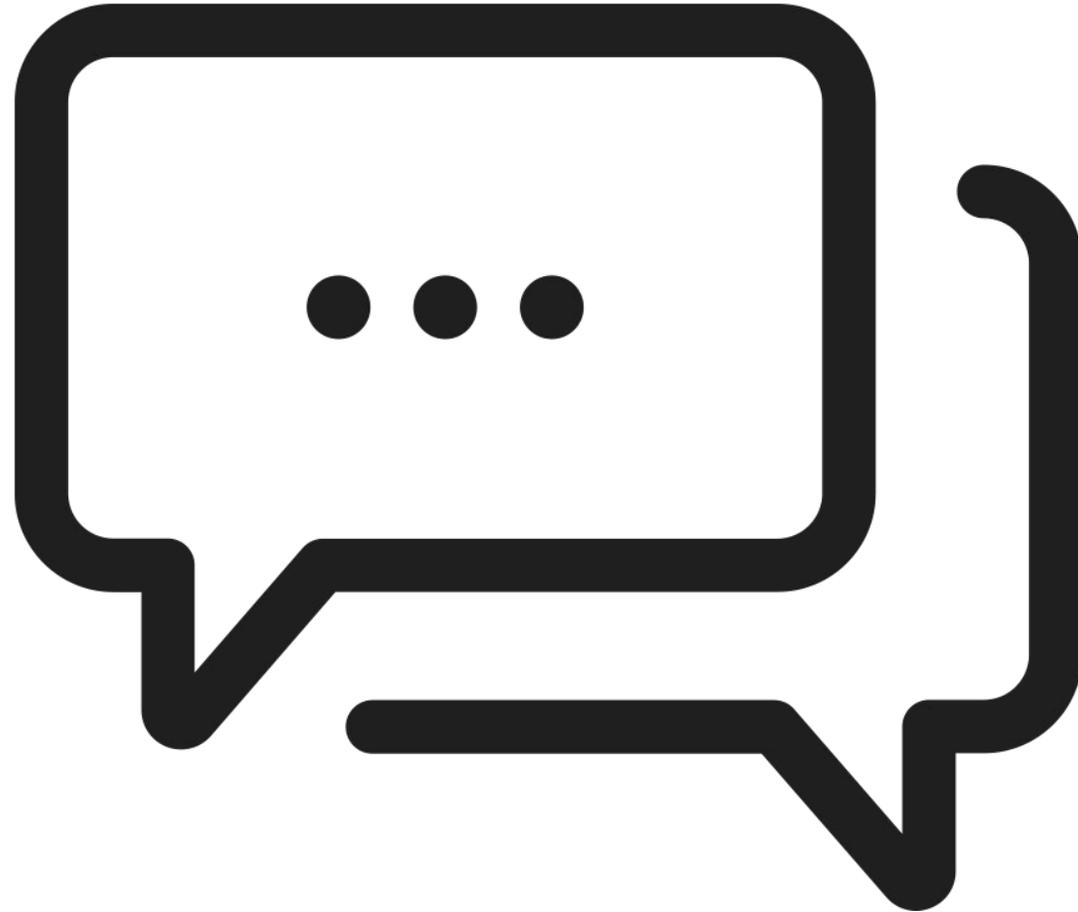
3

**Leadership Team Discussion of Data and Strategies: September 3**

4

**Recommendations based on Stakeholder Feedback**

# Questions





# SUPERINTENDENT'S REPORT

65



**Belton ISD Board of Trustees**  
Regular Board Meeting  
Monday, August 19, 2024

# Vision

Empower each and every learner to pursue their dreams and enrich their communities.



# CONTINUOUS IMPROVEMENT

Leadership Retreat ♦ Student Services Summit ♦ Safety Summit ♦ Principal Learning ♦



# NEW STAFF



# COMMUNITY ENGAGEMENT



# CONVOCAATION



# FIRST DAY OF SCHOOL





# SUPERINTENDENT'S REMARKS

# Belton Independent School District

## Special Meeting Minutes

Special Board Meeting, July 22, 2024 - 5:30 p.m.

Bronco Room, 400 N. Wall St Belton, TX 76513

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**Board Members Present:**

Manuel Alcozer  
Chris Flor  
Suzanne McDonald  
Erin Bass  
Jeff Norwood

**Board Members Absent:**

Janet Leigh  
Rucker Preston

**1. Call to Order:**

Manuel Alcozer, Board President, called the special meeting of the Belton Independent School District Board of Trustees to order at 5:00 p.m. He stated that a quorum of Board Members was present, noted Ms. Janet Leigh and Mr. Rucker Preston were absent, that the meeting had been duly called, and that notice of the meeting had been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

**2. Public Comments:**

None.

At 5:00 p.m., Mr. Alcozer announced that the Board would go into closed session under the authority of Texas Government Code Sections 551.074 and 551.071 for the purposes of hearing a grievance by a member of the public and consulting with its attorney regarding the complaint.

**3. Closed Session****A. Level III Parent FNG Grievance Against Employees - Texas Government Code, Sections 551.074; 551.071**

At 7:08 p.m. the Board reconvened in open session. Mr. Alcozer indicated the Board did not take any vote or other action in closed meeting and has heard the complaint of Mr. Calvin Itz and Mrs. Aubrey Brook Itz.

There were no questions or discussion from the Board. Ms. Bass made a motion that the Board of Trustees take no action at this time, instructed Legal Council to contact the grievants to discuss potential resolution on or before the deadline of August 19, 2024, the date of the regularly scheduled Board meeting. The motion was seconded by Mr. Norwood. The motion carried by a vote of 5-0.

**Adjourn:** There being no further business, the meeting was adjourned at 7:09 p.m.

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Manuel Alcozer, President

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Erin Bass, Secretary

# Belton Independent School District

## Workshop Meeting Minutes

Board Workshop Meeting, July 15, 2024 - 5:00 p.m.

Dragon Room, 400 N. Wall Street, Belton TX 76513

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### **Board Members Present:**

Manuel Alcozer

Chris Flor

Erin Bass

Suzanne McDonald

Rucker Preston

### **Board Members Absent:**

Janet Leigh

Jeff Norwood

### **1. Call to Order:**

Manuel Alcozer, Board President, called the workshop meeting of the Belton Independent School District Board of Trustees to order at 5:03 p.m. He stated that a quorum of Board Members was present, noting that Janet Leigh and Jeff Norwood were absent, Chris Flor was present remotely, that the meeting had been duly called, and notice of the meeting had been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

### **2. Public Comments:**

None.

### **3. Academic Progress Workshop:**

Dr. Malinda Golden introduced Gabi Nino, Assistant Superintendent of Teaching & Learning, who provided an update on academic data to include STAAR assessment updates, analysis of 3-8 STAAR outcomes, proposed House Bill 3 goals, and the Districts planned response.

Key takeaways include:

- 100% Online
- Automated Scoring Engine
- Increase in Rigor
- New Question Types
- Cross Curricular Pathways
- Constructed Responses
- Tools and Accommodations

Ms. Nino shared a comparative writing sample from two students who answered the same essay question and engaged the board in evaluation and scoring of the writing samples. The Board shared what they would consider and how they would score each writing

sample. Ms. Nino went on to reveal the actual score the automated scoring engine gave each student, one being significantly lower and other significantly higher than the consensus due to the lack of human element.

STAAR 2023 and 2024 extended creative writing style changes were reviewed and compared. Ms. Nino reported a style change at every grade level except fifth, and how this significantly impacts curriculum and teaching strategies. State and local data was reviewed and compared as well.

Ms. Nino provided a recap of the data highlights and priority areas for the upcoming year, as well as the recently developed tools put in place to support this work.

**Adjourn:** There being no further business, the meeting was adjourned at 6:03 p.m.

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Manuel Alcozer, President

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Erin Bass, Secretary

# Belton Independent School District

## Board Meeting Minutes

Regular Board Meeting, July 15, 2024 - 6:15 p.m.

Pittenger Fine Arts Center, 400 N. Wall Street, Belton, TX 76513

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### Board Members Present:

Manuel Alcozer  
Chris Flor  
Erin Bass  
Suzanne McDonald  
Rucker Preston

### Board Members Absent:

Janet Leigh  
Jeff Norwood

### 1. Call to Order, Moment of Silence and Pledge of Allegiance

Manuel Alcozer, Board President, called the regular meeting of the Belton Independent School District Board of Trustees to order at 6:25 pm. He stated that a quorum of Board Members was present, noting that Janet Leigh and Jeff Norwood were absent, Chris Flor was present remotely, that the meeting had been duly called, and notice of the meeting had been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

### 2. Recognitions

#### **Student Pledges — Charter Oak Elementary & Lake Belton Middle School**

Lake Belton Middle School sixth-grader Kenneth Carroll and Joe M. Pirtle Elementary second-grader Elly Conner led the pledges.

#### **Student Showcase — Gifted & Talented Family Passion Project**

The student showcase highlighted participants from BISD's Gifted & Talented Family Passion Project. Passion projects included gardening, cooking, volunteering, or creative arts, these projects offer opportunities for bonding, learning, and making meaningful contributions to the community.

#### **Department Showcase — Custodial Services**

The Board recognized the Custodial Services team for their hard work preparing our buildings for the coming school year. BISD's 126 custodians diligently clean every facility, covering over 2 million square feet each day. The Custodial Department is overseen by Custodial Director Maria Garcia and Custodial Supervisor Francisca Guzman.

#### **Community Partner Recognition - Walmart**

The Board honored the team at Walmart on West Adams in Temple, TX for demonstrating their support of our school district and staff during the severe weather in May. Their generosity and assistance continues to be invaluable in helping the community recover and ensure the safety and well-being of BISD students and staff.

#### **Community Partner Recognition - Belton Educational Enrichment Foundation (BEEF)**

The Board celebrated the District's partnership with BEEF, as the Foundation serves the district through generous grants and scholarships, fostering educational excellence and innovation. Their commitment helps fund numerous projects, including classroom initiatives, student enrichment programs, and professional development for teachers.

### 3. Public Comments Regarding Items on the Agenda

None.

#### **4. Action Items**

##### **A. Consider, Discuss, and Take Appropriate Action Regarding Adoption of the 2024-2025 District Key Progress Measures**

Dr. Malinda Golden introduced Michael Morgan, Deputy Superintendent, to discuss the proposed 2024-2025 Key Progress Measures.

Mr. Morgan informed the Board about the purpose of the Key Progress Measures (KPMs), its connection to continuous improvement, and serves as the system to provide alignment between District level work and campus level work. He reviewed the following KPMs:

**Goal 1:** 100% of Belton ISD departments and campuses will collect and analyze baseline customer service satisfaction data using the District measurement tool and develop and implement data-driven improvement plans by January 2025.

**Goal 2:** Increase the level of critical thinking in Belton ISD as measured by classroom observations using the Journey of a Graduate Competency Rubric from 63% to 70% by June 2025. Meet all House Bill 3 targets.

**Goal 3:** By June 2025, 100% of new employees' onboarding plans will be formally assessed at 30, 60 & 90 days post-hire and year-end, with documented feedback used to identify and implement improvements.

**Goal 4:** By June 2025, the District will increase the number of staff and student recognitions and celebrations by 25%. Baseline data will be established by October 2024.

**Goal 5:** Two prioritized District programs will be identified and evaluated for improvement and resource optimization by June 2025.

Erin Bass inquired about Goal 1 and the tools the District uses to measure customer service. Mr. Morgan shared that both internal and external survey tools are being developed for the upcoming school year. Ms. Bass asked for clarification around Goal 4. Mr. Morgan shared that increased recognition will be developed from baseline and historical data and intentionally tracked for the upcoming school year with a focus on equity across primary and secondary campuses and students and staff.

Suzanne McDonald made a motion, seconded by Erin Bass, to approve the 2024-2025 Key Progress Measures as presented. The motion carried by a vote of 5-0-0.

#### **5. Reports**

##### **A. Belton Educational Enrichment Foundation (BEEF) Annual Report**

Dr. Golden introduced Ellen Burnett, President of BEEF, who gave an overview of the Foundation's activities during 2023-2024 that included the following information:

**Teacher Campus Grants:** Awarded 400 grants totaling over \$700,000 to 400 applicants to date;  
**Scholarships Awarded:** 194 scholarships were awarded to students across Belton High School, Belton New Tech @Waskow and Lake Belton High School totaling \$495,400.

Mr. Preston expressed his sincere thanks to BEEF and its contribution to students and community and thanked Ms. Burnett for her leadership.

##### **B. Annual Gifted & Talented Report**

Dr. Deanna Lovesmith, Director of Gifted & Talented Services (GT), provided an update to the Board on the continued engagement and growth of the Gifted & Talented program showing nearly 200 additional students in 2023-2024, whereas the whole school District grew by 400 students over the school year. Dr.

Lovesmith shared the service models for kindergarten through twelfth grade along with the Gifted & Talented Strategic Plan designed to foster growth and continued advanced learning for students, staff and families. There has been increased efforts to engage parents in GT learning that include parent night, the Parent Advisory Committee and GT Showcases on campus. Dr. Lovesmith also spoke to the continuous improvement that will build GT leadership capacity, improve identification process, advance curriculum writing, onboarding and expanding grade-level learning experiences.

### **C. 2022 Bond Projects Report**

Mr. Morgan, Deputy Superintendent, provided an update on the 2022 bond projects. He informed the Board of the current bond project timeline and that projects are on target. Mr. Morgan provided the completion data below:

James L. Burrell - 97%	Hubbard Branch - 91%
Belton High School - 72%	Lake Belton Middle School - 79%
Southwest Elementary - 70%	Agricultural Facility - 41%
Delta Facility - 15%	

### **D. Superintendent's Report**

Dr. Golden shared highlights from across the District tied to the Belton ISD Vision, exceptional learning experiences and Journey of a Graduate competencies. These highlights included summer programs, SkillsUSA National Champions, school and community involvement in the Belton Fourth of July parade, and the West Belton T.B. Harris 142nd Reunion. Dr. Golden closed with upcoming events and the start of the 2024-2025 school year.

### **E. Board Highlights**

Rucker Preston participated in the CGI Summer Camp and gave credit to CGI for supporting such a fun, high-level course. Chris Flor shared a recap of student events and looks forward to the upcoming school year.

## **6. Consent Agenda: Consider and Take Appropriate Action**

### **A. Minutes of Previous Meetings:**

1. June 10, 2024 Special Meeting
2. June 17, 2024 Workshop Meeting
3. June 17, 2024 Regular Meeting

### **B. Unaudited Financial Report for the Month Ending June 30, 2024**

### **C. Budget Amendment #10 for 2023-2024**

### **D. Expenditures over \$50,000**

1. Renewal of STAR Early Literacy & Reading Software Licenses
2. Renewal of Freckle Math Software License for Renaissance Learning
3. Renewal of Goalbook Toolkit for Special Programs Student Education Plans
4. Renewal of Nearpod, LLC for Software Licenses

### **E. Supply, Equipment, and Service Bids**

1. RFP #2403-525-351 Moving Services and Supplies
2. RFP# 2403-800-340 Charter Bus Services
3. RFP #2404-375-357 Fine Arts Equipment, Supplies, Materials & Misc. Services (Supplemental II)
4. RFP #2404-775-360 Fleet Vehicle Pre-Qualified Dealerships
5. RFP #2406-400-367 Cafeteria Tables for Joe Pirtle Elementary

### **F. Memorandums of Understanding**

1. Renewal of Memorandum of Understanding for OnRamps with the University of Texas at Austin

- 2. Renewal of Memorandum of Understanding for Dual Credit - University of Texas Permian Basin
- 3. Renewal of Memorandum of Understanding for Dual Credit - Temple College
- G. Renewal of Interlocal Agreement with City of Temple After-School Daycare
- H. Renewal of School Resource Officer (SRO) Interlocal Agreement between the City of Belton, Texas and the Belton Independent School District
- I. Renewal of School Resource Officer (SRO) Interlocal Agreement between the City of Temple, Texas and the Belton Independent School District
- J. Renewal of Resolution Regarding the Extracurricular Status of 4-H Organizations
- K. County Extension Agents as Adjunct Staff Members
- L. Renewal of Education Service Center Region 20 Purchasing Cooperative Commitment for 2024-2025
- M. Designate Officer to Calculate District Tax Rates
- N. Texas Association of School Boards Insurance Renewal
- O. Agricultural Property-Use Agreement for River Farms Property

Rucker Preston made a motion, seconded by Suzanne McDonald, to approve the consent agenda as presented. The motion carried by a vote of 5-0-0.

**7. Board Requests for New Information and/or Reports**

None.

**8. Public Comments Regarding Non-Agenda Items**

None.

**9. Closed Session (Texas Government Code, Subchapters D and E)**

The Board went into closed session at 7:54 p.m.

- A. Student Disciplinary Matter - Texas Government Code, Section 551.082
- B. Personnel - Texas Government Code, Section 551.074
  - 1. Personnel Matters
  - 2. Formative Evaluation of the Superintendent
- C. Consultation with Attorney - Texas Government Code, Section 551.071

**10. Reconvene in Open Session**

The Board reconvened in Open Session at 8:33 p.m.

**11. Adjourn**

There being no further business, the meeting was adjourned at 8:33 p.m

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Manuel Alcozer, President

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Erin Bass, Secretary

**Belton Independent School District**  
***Board of Trustee Meeting Agenda Item***  
***August 19, 2024***

**Item:** Unaudited Financial Report for the Month Ending July 31, 2024

**Contact Person:** Melissa Lafferty

**Presented for:**  Action     Report Only

**Supporting Documents:**  None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

Attached are the Monthly Financial and Investment Reports for the District. The reports represent the financial activity as of the close of the prior month for the General Fund 199, the Child Nutrition Fund 240, the Debt Service Fund 599, and the 2022 Bond Fund 622. These are unaudited figures, and an independent financial audit will be performed for the period ending August 31, 2024, and presented under separate cover.

The monthly investment report provides information on the district's cash and investment accounts including balances and investment transactions as of the close of the noted month. CDA(LEGAL).

**Fiscal Implications:**

For informational purposes only.

**Administrative Recommendation(s):**

Accept the monthly financial and investment reports as presented.



# FINANCIAL STATEMENTS & INVESTMENT REPORT

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### Description

- Financials - Unaudited Statements of Revenues and Expenditures
  - General Operating - 199
  - School Nutrition - 240
  - Debt Service - 599
  
- Project Summary for 2022 Bond Fund
  
- Investment Report - Monthly

**BELTON ISD**  
**Statement of Unaudited Revenues and Expenditures Budget VS. Actual**  
**General Fund (199)**  
**As of July 31, 2024**

		Adopted Budget	Amended 2023-24	Y-T-D Actual	Balance	Percent of Total
<b>Revenues</b>						
5700	Local Sources	\$ 48,347,413	\$ 45,949,023	\$ 45,942,009	\$ 7,014	100.0%
5800	State Sources	93,505,385	92,431,324	80,929,547	11,501,777	87.6%
5900	Federal Sources	2,475,000	1,316,437	1,550,191	(233,754)	117.8%
	<b>Total Revenues</b>	<b>\$ 144,327,798</b>	<b>\$ 139,696,784</b>	<b>\$ 128,421,748</b>	<b>\$ 11,275,036</b>	<b>91.9%</b>
<b>Expenditures</b>						
11	Instruction	\$ 81,038,178	\$ 80,972,962	\$ 74,492,922	\$ 6,480,040	92.0%
12	Instructional resources & media	1,824,126	1,823,729	1,568,067	255,662	86.0%
13	Curriculum & staff development	3,623,503	3,957,850	3,554,633	403,217	89.8%
21	Instructional leadership	2,606,057	2,576,965	2,336,952	240,013	90.7%
23	School leadership	8,909,952	8,887,544	8,304,169	583,375	93.4%
31	Guidance, counseling, & evaluation	6,684,883	6,683,482	5,956,703	726,779	89.1%
32	Social work services	407,637	407,987	334,410	73,577	82.0%
33	Health services	2,413,880	2,368,739	2,133,987	234,752	90.1%
34	Student transportation	7,015,234	7,014,782	5,876,018	1,138,764	83.8%
35	School Nutrition	-	108,274	93,029	15,245	85.9%
36	Cocurricular/extracurricular	6,032,627	6,006,849	5,216,197	790,652	86.8%
41	General administration	4,363,461	4,412,369	3,970,946	441,423	90.0%
51	Plant maintenance and operations	14,878,484	14,961,988	12,983,293	1,978,695	86.8%
52	Security and monitoring services	3,199,814	3,277,797	2,934,257	343,540	89.5%
53	Data processing services	4,791,275	4,697,680	4,078,502	619,178	86.8%
61	Community services	-	-	-	-	0.0%
71	Debt Service	-	300,000	245,924	54,076	0.0%
81	Facilities acquisition & construction	-	663,435	164,846	498,589	0.0%
93	Payments to fiscal agent	-	-	-	-	0.0%
95	Payments to JJAEP	15,000	3,000	-	3,000	0.0%
97	Tax Increment	800,000	500,000	478,695	21,305	95.7%
99	Intergovernmental Charges	739,078	888,078	709,772	178,306	79.9%
	<b>Total Expenditures</b>	<b>\$ 149,343,189</b>	<b>\$ 150,513,510</b>	<b>\$ 135,433,323</b>	<b>\$ 15,080,187</b>	<b>90.0%</b>
<b>Other Sources &amp; Uses</b>						
	Other sources	-	779,385	817,949		
	Other uses	-	(19,564)	(19,564)		
	<b>Total Other Sources (Uses)</b>	<b>-</b>	<b>759,821</b>	<b>798,385</b>		
	<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>(5,015,391)</b>	<b>(10,056,905)</b>	<b>(6,213,190)</b>		
	<b>Fund Balance (audited), 8-31-2023</b>	<b>\$ 40,124,844</b>	<b>\$ 40,124,844</b>	<b>\$ 40,124,844</b>		
	<b>Fund Balance, Ending</b>	<b>\$ 35,109,453</b>	<b>\$ 30,067,939</b>	<b>\$ 33,911,654</b>		

**BELTON ISD**  
**Statement of Unaudited Revenues and Expenditures Budget VS. Actual**  
**Child Nutrition (240)**  
**As of July 31, 2024**

	Adopted Budget	Amended 2023-24	Y-T-D Actual	Balance	Percent of Total	
<b>Revenues</b>						
5700	Local Sources	\$ 2,220,000	\$ 2,652,292	\$ 2,504,533	\$ 147,759	94.4%
5800	State Sources	195,000	193,897	129,571	64,326	66.8%
5900	Federal Sources	5,700,000	5,585,480	5,064,810	520,670	90.7%
	<b>Total Revenues</b>	<b>\$ 8,115,000</b>	<b>\$ 8,431,669</b>	<b>\$ 7,698,913</b>	<b>\$ 732,756</b>	<b>91.3%</b>
<b>Expenditures</b>						
35	Food Services, Child Nutrition	\$ 9,111,101	\$ 9,198,605	\$ 7,536,861	\$ 1,661,744	81.9%
	<b>Total Expenditures</b>	<b>\$ 9,111,101</b>	<b>\$ 9,198,605</b>	<b>\$ 7,536,861</b>	<b>\$ 1,661,744</b>	<b>81.9%</b>
<b>Other Sources &amp; Uses</b>						
	Other sources	-	19,564	19,564		
	Other uses	-	-	-		
	<b>Total Other Sources (Uses)</b>	<b>-</b>	<b>19,564</b>	<b>19,564</b>		
	<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>(996,101)</b>	<b>(747,372)</b>	<b>181,617</b>		
	<b>Fund Balance (audited), 8-31-2023</b>	<b>\$ 4,604,495</b>	<b>\$ 4,604,495</b>	<b>\$ 4,604,495</b>		
	<b>Fund Balance, Ending</b>	<b>\$ 3,608,394</b>	<b>\$ 3,857,123</b>	<b>\$ 4,786,112</b>		

**BELTON ISD**  
**Statement of Unaudited Revenues and Expenditures Budget VS. Actual**  
**Debt Service Fund (511 and 515)**  
**As of July 31, 2024**

		Adopted Budget	Amended 2023-24	Y-T-D Actual	Balance	Percent of Total
<b>Revenues</b>						
5700	Local Sources	\$ 24,677,318	\$ 22,902,288	\$ 23,092,126	\$ (189,838)	100.8%
5800	State Sources	457,907	4,285,855	3,372,992	912,863	78.7%
5900	Federal Sources	-	-	-	-	0.0%
	<b>Total Revenues</b>	<u>\$ 25,135,225</u>	<u>\$ 27,188,143</u>	<u>\$ 26,465,118</u>	<u>\$ 723,025</u>	<u>97.3%</u>
<b>Expenditures</b>						
71	Debt Service	\$ 24,750,088	\$ 24,750,088	\$ 16,831,651	\$ 7,918,437	68.0%
	<b>Total Expenditures</b>	<u>\$ 24,750,088</u>	<u>\$ 24,750,088</u>	<u>\$ 16,831,651</u>	<u>\$ 7,918,437</u>	<u>68.0%</u>
<b>Other Sources &amp; Uses</b>						
	Other sources	-	-	-		
	Other uses	-	(779,385)	(779,385)		
	<b>Total Other Sources (Uses)</b>	<u>-</u>	<u>(779,385)</u>	<u>(779,385)</u>		
	<b>Excess (Deficiency) of Revenues over Expenditures</b>	385,137	1,658,670	8,854,083		
	<b>Fund Balance (audited), 8-31-2023</b>	<u>\$ 11,024,346</u>	<u>\$ 11,024,346</u>	<u>\$ 11,024,346</u>		
	<b>Fund Balance, Ending</b>	<u>\$ 11,409,483</u>	<u>\$ 12,683,016</u>	<u>\$ 19,878,429</u>		

**BELTON ISD**  
**Bond Project Summary**  
**Bond Fund (622)**  
**As of July 31, 2024**

<b>Local</b>	<b>Project</b>	<b>Proposition Budget</b>	<b>Expenditures as 7/31/2024</b>	<b>Open Purchase Orders</b>	<b>Available Budget</b>
E12	Elementary #12	\$ 40,064,028	\$ 38,345,194	\$ 78,704	\$ 1,640,130
E13	Elementary #13	\$ 43,567,482	\$ 37,674,054	\$ 4,072,902	\$ 1,820,526
DPF	Delta Program Facility	\$ 2,500,000	\$ 956,926	\$ 3,550,618	\$ (2,007,544)
SWE	Southwest Elementary Addition	\$ 13,300,000	\$ 11,524,284	\$ 4,878,479	\$ (3,102,763)
MEP	MEP, Roofing and Interior Finishes	\$ 8,942,812	\$ 4,212,904	\$ 1,320,910	\$ 3,408,998
SAF	Campus Safety + Security Upgrades	\$ 6,041,040	\$ 6,507,766	\$ 931,618	\$ (1,398,345)
BHS	BHS Additions & Renovations	\$ 28,524,414	\$ 21,360,702	\$ 8,684,223	\$ (1,520,510)
BNT	BNT Facility Upgrades	\$ 2,000,000	\$ -		\$ 2,000,000
LND	Land Acquisition	\$ 7,000,897	\$ 2,847,113	\$ 550	\$ 4,153,234
LBM	Fine Arts & Locker Room Addition	\$ 8,582,703	\$ 8,096,070	\$ 2,137,042	\$ (1,650,408)
TEC	Technology Infrastructure	\$ 676,624	\$ -		\$ 676,624
BUS	New Buses	\$ 5,625,000	\$ 2,630,915	\$ 1,499,602	\$ 1,494,483
AGR	Agriculture Facility	\$ 2,000,000	\$ 2,591,968	\$ 1,226,302	\$ (1,818,270)
		<b>\$ 168,825,000</b>	<b>\$ 136,747,896</b>	<b>\$ 28,380,949</b>	<b>\$ 3,696,155</b>
DEV	Technology Devices	\$ 5,000,000	\$ 3,438,349	\$ 725,874	\$ 835,777
		<b>\$ 173,825,000</b>	<b>\$ 140,186,245</b>	<b>\$ 29,106,823</b>	<b>\$ 4,531,932</b>

Belton ISD

# Investment Report

As of July 31, 2024



- Market and the Fed are positioning for a September 18th rate cut
- The unemployment rate remains historically low, but is climbing
- The Fed's preferred inflation metric is progressing to their 2% target
- Intermediate-term rates are nearing the lowest levels of the year

## Fed Tees Up a September Rate Cut

87

- With recently released economic data, market participants are expecting a 0.25% cut at the September Fed meeting with a 100% probability.
- This probability was much lower earlier in the year when economic metrics were more robust.

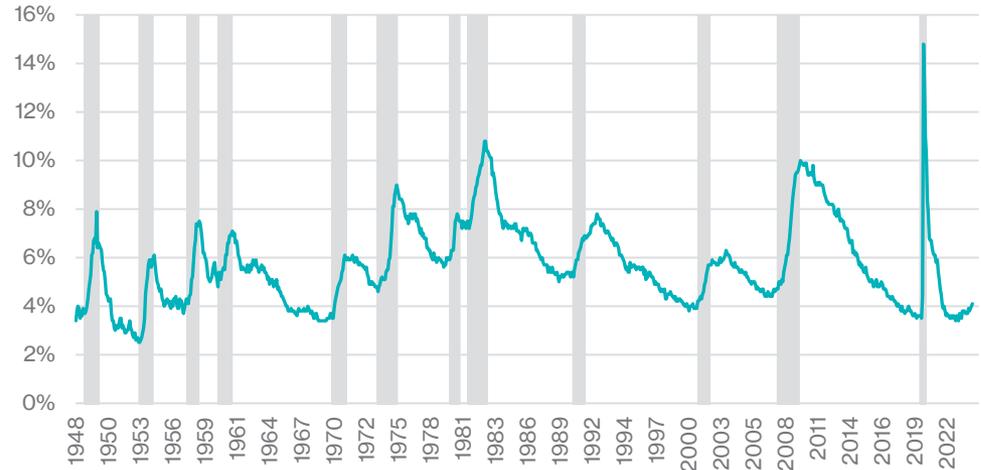


SOURCE: BLOOMBERG, CME

# A Solid Job Market With Signs of Softness

- The U.S. unemployment rate hit a low for this cycle at 3.4% last year.
- The current low rate of near 4% is an extremely low rate by historical standards.
- In the past, when the unemployment rate increased by more than 0.5% from its recent low, the U.S. economy experienced a slow down or recession soon thereafter.

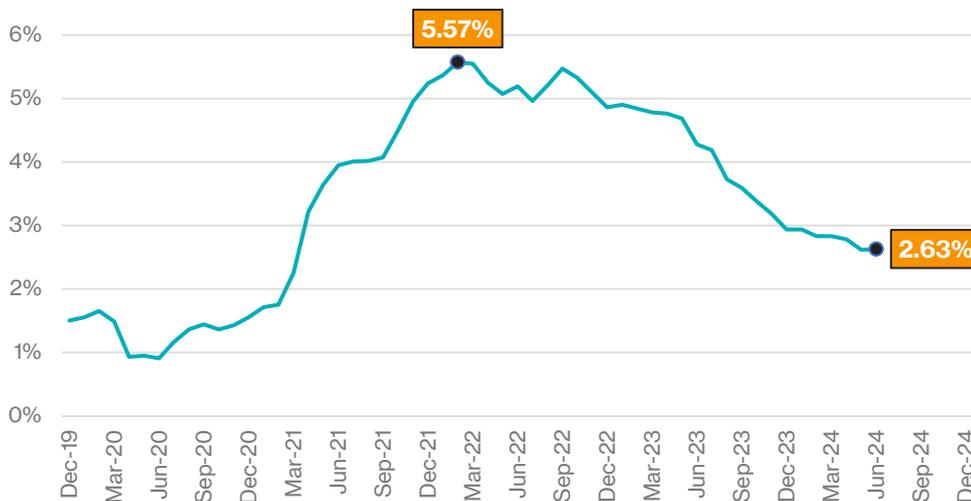
U.S. Unemployment Rate



SOURCE: BLOOMBERG, BUREAU OF LABOR STATISTICS, SHADED AREAS ARE RECESSIONS

# The Fed vs. The Market

PCE Core YoY

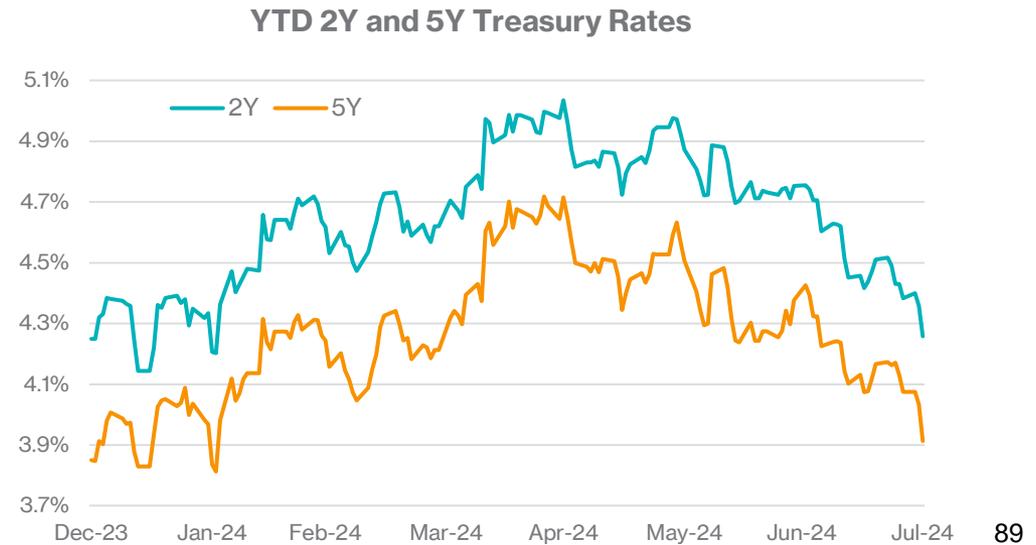


- The Federal Reserve’s favored inflation gauge, the Core Person Consumption Expenditures Price Index, has fallen precipitously from its high in 2022.
- Core PCE YoY is getting close to the Fed’s 2% target, assisting them in their plan to cut rates.

SOURCE: BLOOMBERG, BUREAU OF ECONOMIC ANALYSIS

## Intermediate-Term Rates Dropping the Past Few Months

- Both the 2-year and 5-year U.S. Treasury rates had their cycle peaks last October at 5.22% and 4.96%, respectively.
- Intermediate-term U.S. Treasury rates have fallen materially the past few months, correlated with lower inflation and expectations of a Fed cut



SOURCE: BLOOMBERG

### Takeaways

- With interest rates at or near long-term averages, portfolios should benefit from buying longer dated securities now as rates are expected to fall even more once rate cuts begin.
- Recent economic data are starting to show signs of a slower economy in the future, but not a recession on the near-term horizon.

## Portfolio Summary

**0.01**

Average Yield

**0.00**

Weighted Average Maturity (Years)

**0.00**

Portfolio Effective Duration (Years)

**0.00**

Weighted Average Life (Years)

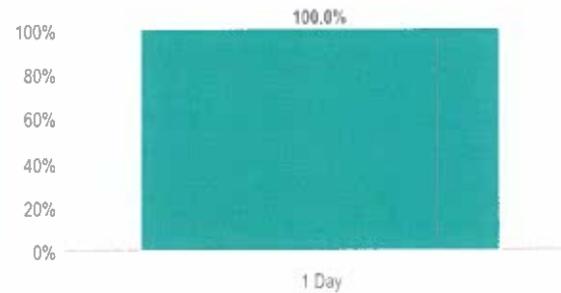
**AAA**

Average Credit Rating

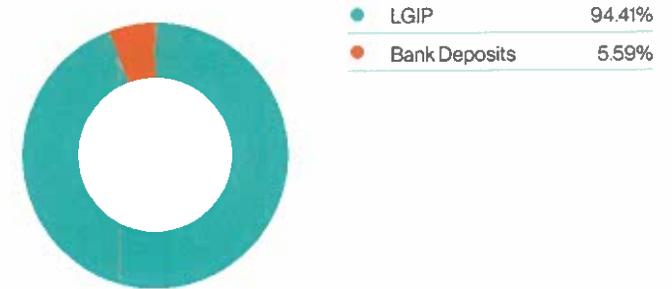
## Portfolio Position

Par Value	\$ 117,198,401
Principal Cost	\$ 117,198,401
Book Value	\$ 117,198,401
Market Value	\$ 117,198,401
Unrealized Gain/Loss	\$ 0 <sup>90</sup>
Accrued Interest	\$ 0

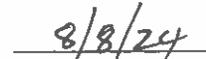
## Maturity Distribution



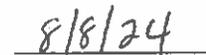
## Sector Allocation



  
Melissa Lafferty, Chief Financial Officer

  
8/8/24

  
Kerri Pridemore, Director of Finance

  
8/8/24

## Summary by Type

SECURITY TYPE	# OF SECURITIES	PAR VALUE	BOOK VALUE	% OF PORTFOLIO	YIELD	DAYS TO FINAL MATURITY
<b>2022 BOND FUND</b>						
Bank Deposits	1	178,824.83	178,824.83	0.15	0.00	1
LGIP	3	51,671,448.51	51,671,448.51	44.09		1
<b>TOTAL</b>	<b>4</b>	<b>51,850,273.34</b>	<b>51,850,273.34</b>	<b>44.24</b>	<b>0.00</b>	<b>1</b>
<b>CONSTRUCTION FUNDS</b>						
Bank Deposits	2	613.25	613.25	0.00	0.00	1
LGIP	1	10,153.98	10,153.98	0.01	5.32	1
<b>TOTAL</b>	<b>3</b>	<b>10,767.23</b>	<b>10,767.23</b>	<b>0.01</b>	<b>5.01</b>	<b>1</b>
						91
<b>DEBT SERVICE FUNDS</b>						
Bank Deposits	1	34,277.88	34,277.88	0.03	0.00	1
LGIP	2	20,325,023.07	20,325,023.07	17.34		1
<b>TOTAL</b>	<b>3</b>	<b>20,359,300.95</b>	<b>20,359,300.95</b>	<b>17.37</b>	<b>0.00</b>	<b>1</b>
<b>GENERAL FUND</b>						
Bank Deposits	2	6,342,105.38	6,342,105.38	5.41	0.00	1
LGIP	6	38,635,954.28	38,635,954.28	32.97		1
<b>TOTAL</b>	<b>8</b>	<b>44,978,059.66</b>	<b>44,978,059.66</b>	<b>38.38</b>	<b>0.00</b>	<b>1</b>
<b>GRAND TOTAL</b>	<b>18</b>	<b>117,198,401.18</b>	<b>117,198,401.18</b>	<b>100.00</b>	<b>0.01</b>	<b>1</b>

## Earnings by Fund

CUSIP	DESCRIPTION	ENDING PAR VALUE	BEGINNING BOOK VALUE	ENDING BOOK VALUE	FINAL MATURITY	COUPON RATE	YIELD	INTEREST EARNED	NET AMORTIZATION/ ACCRETION INCOME	NET REALIZED GAIN/LOSS	ADJUSTED INTEREST EARNINGS
<b>2022 BOND FUND</b>											
46-8635-0176	PNC Government Checking Account	178,824.83	501,432.30	178,824.83	07/31/2024	0.00	0.00	0.00	0.00	0.00	0.00
LSCOP	Lone Star Invest Pool - Corp Overnight Plus Fund	11,881,230.76	24,744,382.67	11,881,230.76	07/31/2024	0.00		86,848.09	0.00	0.00	86,848.09
TEXSTAR	TexSTAR	19,373,735.03	21,030,584.35	19,373,735.03	07/31/2024	5.30		93,150.68	0.00	0.00	93,150.68
TXCLASS	Texas CLASS	20,416,482.72	20,322,507.31	20,416,482.72	07/31/2024	0.00		93,975.41	0.00	0.00	93,975.41
<b>TOTAL</b>		<b>51,850,273.34</b>	<b>66,598,906.63</b>	<b>51,850,273.34</b>		<b>1.98</b>	<b>0.00</b>	<b>273,974.18</b>	<b>0.00</b>	<b>0.00</b>	<b>273,974.18</b>
<b>CONSTRUCTION FUNDS</b>											
49-4234-4745	PNC Corporate Business Account	8.00	0.00	8.00	07/31/2024	0.00	0.00	0.00	0.00	0.00	0.00
49-5257-2338	PNC Corporate Business Account	605.25	603.85	605.25	07/31/2024	0.00	0.00	1.40	0.00	0.00	92 1.40
TEXPOOL	TexPool	10,153.98	10,108.35	10,153.98	07/31/2024	5.34	5.32	45.63	0.00	0.00	45.63
<b>TOTAL</b>		<b>10,767.23</b>	<b>10,712.20</b>	<b>10,767.23</b>		<b>5.03</b>	<b>5.01</b>	<b>47.03</b>	<b>0.00</b>	<b>0.00</b>	<b>47.03</b>
<b>DEBT SERVICE FUNDS</b>											
49-4026-8128	PNC Corporate Business Account	34,277.88	34,277.88	34,277.88	07/31/2024	0.00	0.00	0.00	0.00	0.00	0.00
TEXPRIME	TexPool Prime	17,994,256.91	17,911,206.70	17,994,256.91	07/31/2024	4.50		83,050.21	0.00	0.00	83,050.21
TEXSTAR	TexSTAR	2,330,766.16	894,422.48	2,330,766.16	07/31/2024	5.30		8,404.68	0.00	0.00	8,404.68
<b>TOTAL</b>		<b>20,359,300.95</b>	<b>18,839,907.06</b>	<b>20,359,300.95</b>		<b>4.58</b>	<b>0.00</b>	<b>91,454.89</b>	<b>0.00</b>	<b>0.00</b>	<b>91,454.89</b>
<b>GENERAL FUND</b>											
49-4026-8101	PNC Corporate Business Account	3,383,787.38	2,533,470.04	3,383,787.38	07/31/2024	0.00	0.00	0.00	0.00	0.00	0.00
49-4026-8136	PNC Corporate Business Account	2,958,318.00	1,884,781.90	2,958,318.00	07/31/2024	0.00	0.00	0.00	0.00	0.00	0.00
LSCOP	Lone Star Invest Pool - Corp Overnight Plus Fund	26,543,680.87	24,260,920.95	26,543,680.87	07/31/2024	0.00		109,524.20	0.00	0.00	109,524.20
LSGO	Lone Star Invest Pool - Government Overnight	68.09	67.78	68.09	07/31/2024	0.00		0.31	0.00	0.00	0.31
TEXPOOL	TexPool	1,094,591.93	1,089,670.93	1,094,591.93	07/31/2024	5.34		4,921.00	0.00	0.00	4,921.00
TEXPRIME	TexPool Prime	1,189,336.29	3,783,847.09	1,189,336.29	07/31/2024	4.50		5,489.20	0.00	0.00	5,489.20
TEXSTAR	TexSTAR	9,808,276.07	11,190,088.24	9,808,276.07	07/31/2024	5.30		46,126.83	0.00	0.00	46,126.83



## Earnings by Fund

CUSIP	DESCRIPTION	ENDING PAR VALUE	BEGINNING BOOK VALUE	ENDING BOOK VALUE	FINAL MATURITY	COUPON RATE	YIELD	INTEREST EARNED	NET AMORTIZATION/ ACCRETION INCOME	NET REALIZED GAIN/LOSS	ADJUSTED INTEREST EARNINGS
TXCLASS	Texas CLASS	1.03	1.03	1.03	07/31/2024	0.00		0.00	0.00	0.00	0.00
<b>TOTAL</b>		<b>44,978,059.66</b>	<b>44,742,847.96</b>	<b>44,978,059.66</b>		<b>1.40</b>	<b>0.00</b>	<b>166,061.54</b>	<b>0.00</b>	<b>0.00</b>	<b>166,061.54</b>
<b>GRAND TOTAL</b>		<b>117,198,401.18</b>	<b>130,192,373.85</b>	<b>117,198,401.18</b>		<b>2.21</b>	<b>0.01</b>	<b>531,537.64</b>	<b>0.00</b>	<b>0.00</b>	<b>531,537.64</b>

## Disclosure

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**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**  
**August 19, 2024**

**Item:** Final Budget Amendment #11 for 2023-2024

**Contact Person:** Melissa Lafferty

**Presented for:**  Action  Report Only

**Supporting Documents:**  None  Attached  Provided Later

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**District Goal or Objective Addressed:**

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

The TEA Financial Accountability System Resource Guide sets forth guidelines on budget amendments. Budget amendments are required by the State to reclassify appropriations at the level at which the budget is adopted. Belton ISD adopts budgets for the required funds at the functional level. Amendments which reclassify appropriations from one functional level to another should be approved by the Board. The budget may also be amended by the Board for changes in the level of its Revenue and Expenditures, CE(Legal/Local). Amendments are recorded in the District's Board minutes.

Budget amendments are presented monthly, as needed. The changes are described below.

**Fiscal Implications:**

**General Fund**

Revenues

- **Local (5700): \$96,496**
  - \$96,496: Increase in tax collections
- **State (5800): \$4,419,561**
  - \$1,762,247: Increase due to state value protest
  - \$1,271,005: Increase due to additional state funding
  - \$1,118,043: Increase due to hold harmless provision
  - \$268,266: Increase due to safety allotment
- **Federal (5900): \$25,952**
  - \$25,952: Increase for SHARs reimbursement
- **Other Sources: \$38,564**
  - \$38,564: Increase for auction proceeds

The effect of these amendments to revenue is an increase of \$4,580,573.

Expenditures

- **Instruction (11): \$564,025**
- **Library & Media Services (12): (\$100,000)**
- **Curriculum & Staff Development (13): \$115,465**

- **Instructional Leadership (21): \$60,000**
- **School Leadership (23): \$307,203**
- **Guidance and Counseling Services (31): (\$50,000)**
- **Social Work Services (32): (\$45,000)**
- **Student Transportation (34): (\$570,000)**
- **Co-curricular Activities (36): (\$250,000)**
- **Facilities Maintenance & Operations (51): (\$300,000)**
- **Security and Monitoring (52): \$20,000**
- **Debt Service (71): \$655,000**
- **Payments to Tax Increment Fund (97): (\$20,000)**
- **Other Governmental Charges (99): (\$178,000)**

Expenditures were adjusted based on projected final amounts.

The effect of these amendments to expenditures is an increase of \$208,693.

The net effect of these amendments to the fund balance is an increase of \$4,371,880.

### **School Nutrition Fund**

#### Revenues

- **State (5800): (\$63,587)**
  - (\$63,587): Decrease in state revenue to projected actual amounts
- **Federal (5900): \$301,834**
  - \$301,834: Increased revenue for supply chain assistance funding

The net effect of these amendments to the fund balance is an increase of \$238,247.

### **Debt Service Fund**

#### Revenues

- **Local (5700): \$195,076**
  - \$195,076: Increased local collections to projected actual
- **State (5800): (\$251,493)**
  - (\$251,493): Reduced hold harmless revenue to projected actual amounts

The net effect of these amendments to the fund balance is a decrease of \$56,417.

### **Administrative Recommendation(s):**

Approve amendments as presented.

**2023-24 Budget Amendment Proposed For Adoption By The Board Of Trustees**  
**Belton ISD - August 19, 2024**

Function	General Fund			
	Original Adopted Budget	Previously Amended Budget	Summary of Proposed Amendments	Proposed Amended Budget
<b>REVENUES</b>				
Local	\$ 48,347,413	\$ 45,949,023	96,496	\$ 46,045,519
State	93,505,385	92,431,324	4,419,561	\$ 96,850,885
Federal	2,475,000	1,316,437	25,952	\$ 1,342,389
	<b>144,327,798</b>	<b>139,696,784</b>	<b>4,542,009</b>	<b>144,238,793</b>
<b>EXPENDITURES</b>				
11 Instruction	81,038,178	80,972,962	564,025	81,536,987
12 Library & Media Services	1,824,126	1,823,729	(100,000)	1,723,729
13 Curriculum & Staff Development	3,623,503	3,957,850	115,465	4,073,315
21 Instructional Leadership	2,606,057	2,576,965	60,000	2,636,965
23 School Leadership	8,909,952	8,887,544	307,203	9,194,747
31 Guidance and Counseling Services	6,684,883	6,683,482	(50,000)	6,633,482
32 Social Work Services	407,637	407,987	(45,000)	362,987
33 Health Services	2,413,880	2,368,739	-	2,368,739
34 Student Transportation	7,015,234	7,014,782	(570,000)	6,444,782
35 School Nutrition	-	108,274	-	108,274
36 Co-curricular Activities	6,032,627	6,006,849	(250,000)	5,756,849
41 General Administration	4,363,461	4,412,369	-	4,412,369
51 Facilities Maintenance & Operations	14,878,484	14,961,988	(300,000)	14,661,988
52 Security and Monitoring	3,199,814	3,277,797	20,000	3,297,797
53 Data Processing Services	4,791,275	4,697,680	-	4,697,680
61 Community Services	-	-	-	-
71 Debt Service	-	300,000	655,000	955,000
81 Facilities Acquisition & Construction	-	663,435	-	663,435
93 Payments to fiscal agent	-	-	-	-
95 Payments to JJAEP	15,000	3,000	-	3,000
97 Tax Increment	800,000	500,000	(20,000)	480,000
99 Other Intergovernmental Charges	739,078	888,078	(178,000)	710,078
<b>Total Expenditures</b>	<b>149,343,189</b>	<b>150,513,510</b>	<b>208,693</b>	<b>150,722,203</b>
<b>Revenues Over (Under) Expenditures</b>	<b>(5,015,391)</b>	<b>(10,816,726)</b>	<b>4,333,316</b>	<b>(6,483,410)</b>
Other Sources	-	779,385	38,564	817,949
Other Uses	-	19,564	-	19,564
<b>Budgeted/Estimated Change in Fund Balance</b>	<b>\$ (5,015,391)</b>	<b>\$ (10,056,905)</b>	<b>\$ 4,371,880</b>	<b>\$ (5,685,025)</b>

Budget amendments for these funds are required to be adopted by the Board of Trustees.

**2023-24 Budget Amendment Proposed For Adoption By The Board Of Trustees**  
**Belton ISD - August 19, 2024**

Function	School Nutrition			
	Original Adopted Budget	Previously Amended Budget	Summary of Proposed Amendments	Proposed Amended Budget
<b>REVENUES</b>				
Local	\$ 2,220,000	\$ 2,652,292	-	\$ 2,652,292
State	195,000	193,897	(63,587)	\$ 130,310
Federal	5,700,000	5,585,480	301,834	\$ 5,887,314
	<b>8,115,000</b>	<b>8,431,669</b>	<b>238,247</b>	<b>8,669,916</b>
<b>EXPENDITURES</b>				
35 School Nutrition	9,111,101	9,198,605	-	9,198,605
<b>Total Expenditures</b>	<b>9,111,101</b>	<b>9,198,605</b>	<b>-</b>	<b>9,198,605</b>
<b>Revenues Over (Under) Expenditures</b>	<b>(996,101)</b>	<b>(766,936)</b>	<b>238,247</b>	<b>(528,689)</b>
Other Resources	-	19,564	-	19,564
Other Uses	-	-	-	-
<b>Budgeted/Estimated Change in Fund Balance</b>	<b>\$ (996,101)</b>	<b>\$ (747,372)</b>	<b>\$ 238,247</b>	<b>\$ (509,125)</b>

*Budget amendments for these funds are required to be adopted by the Board of Trustees.*

**2023-24 Budget Amendment Proposed For Adoption By The Board Of Trustees**  
**Belton ISD - August 19, 2024**

Function	Debt Service			
	Original Adopted Budget	Previously Amended Budget	Summary of Proposed Amendments	Proposed Amended Budget
<b>REVENUES</b>				
Local	\$ 24,677,318	\$ 22,902,288	195,076	\$ 23,097,364
State	457,907	4,285,855	(251,493)	\$ 4,034,362
Federal	-	-	-	\$ -
	<b>25,135,225</b>	<b>27,188,143</b>	<b>(56,417)</b>	<b>27,131,726</b>
<b>EXPENDITURES</b>				
71 Debt Service	24,750,088	24,750,088	-	24,750,088
<b>Total Expenditures</b>	<b>24,750,088</b>	<b>24,750,088</b>	<b>-</b>	<b>24,750,088</b>
<b>Revenues Over (Under) Expenditures</b>	<b>385,137</b>	<b>2,438,055</b>	<b>(56,417)</b>	<b>2,381,638</b>
Other Resources	-			
Other Uses	-	(779,385)		(779,385)
<b>Budgeted/Estimated Change in Fund Balance</b>	<b>\$ 385,137</b>	<b>\$ 1,658,670</b>	<b>\$ (56,417)</b>	<b>\$ 1,602,253</b>

*Budget amendments for these funds are required to be adopted by the Board of Trustees.*

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**

**August 19, 2024**

**Item:** Expenditures over \$50,000

**Contact Person:** Melissa Lafferty

**Presented for:**  Action     Report Only

**Supporting Documents:**  None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

Board Policy CH(LOCAL) requires that any single budgeted purchase of goods or services that costs \$50,000 or more shall require Board approval before a transaction may take place. The following list of proposed purchases is submitted for consideration:

**Renewal of Amergis Healthcare Staffing for Evaluation and Academic Services**

Amergis Healthcare Staffing provides staffing support for assessment and provision of services including school psychologists, diagnosticians, speech therapists, teachers, and paraprofessionals. The cost for staffing services is not expected to exceed \$150,000. Amergis Healthcare Staffing is an approved vendor.

**Renewal of Growing Places for Therapy Services**

Growing Places Therapy Services, PLLC, is a pediatric therapy practice providing physical, occupational, and speech therapy. Growing Places provides physical therapy, occupational therapy, and speech therapy to students in special programs who are eligible for related services as required by Individual Education Plans (IEPs). The cost for professional services is not expected to exceed \$150,000. Growing Places Therapy Services is an approved vendor.

**Renewal of Candor Consulting and Diagnostics, LLC**

Candor Consulting and Diagnostics provides staffing support for assessment and provision of services including school psychologists, diagnosticians, speech therapists, teachers, and paraprofessionals. Candor Consulting and Diagnostics is an approved vendor. The cost for staffing services is not expected to exceed \$200,000. Candor Consulting and Diagnostics is an approved vendor.

**Renewal of Integrated Systems for Skyward Hosting**

Integrated System Corporation (ISCorp) is Skyward's private secure cloud computing service that provides hosting and support for Belton ISD Skyward servers. ISCorp provides all aspects of Skyward server support including software installation, compatibility performance, security upgrades and disaster recovery. In addition, ISCorp provides optimized performance, 99.5% uptime guarantee, off-hour software updates, server monitoring, fail safe backups, and enhanced security. This allows Belton Skyward servers to run in a secure environment that utilizes the industry's latest "security best practices." This cost is approximately \$57,500 for a one-year subscription based on projected enrollment and will be paid with funds allocated in the general fund budget. Integrated System corporation (ISCorp) is an approved vendor.

#### Addendum to Solution Tree for Professional Development

An addendum is needed for Professional Learning for the Instructional Coaches Academy that consists of 4 days of comprehensive learning. The amended cost is \$127,434.29, a \$16,500 increase. Solution Tree is an approved vendor.

#### Agreement with Finalsight for Website Hosting Services

Finalsite purchased Blackboard, the District's current core communications platform for website services. Finalsite will provide content migration of the current site. This contract allows us to pick 1 of 20 themed designs and allows for customization based on District needs. Campus sites will have their own specific content. All Finalsite designs are ADA compliant and provide training measures. The cost is \$215,491 over a five-year period beginning September 2024 through August 2029. Final Site participates in the TIPS Contract.

#### Agreement with DBR Engineering Consultants for Commissioning Services for Southwest, LBMS and BHS Bond Projects

DBR Engineering Services will provide Building Commissioning Services for the Southwest Elementary additions, Lake Belton Middle School additions and renovations and Belton High School additions and renovations to meet the requirements of Section C408 of the 2015 IECC as adopted by the State of Texas. The cost is \$112,400. DBR Engineering Consultants is an approved vendor.

#### Don Ringler Chevrolet-Toyota Vehicle Purchase for Project Heartbeat

The Project Heartbeat team provides services for McKinney-Vento Students to address the unique transportation challenges faced by students experiencing homelessness. Some of these challenges include accessing school, attending appointments, and securing essential resources. We are committed to providing transportation options to ensure basic needs are met that will support academic and social success. This additional vehicle will allow the District to remove barriers for the Project Heartbeat students. The cost is \$58,059.26. Don Ringler Chevrolet-Toyota is an approved vendor.

#### **Fiscal Implications:**

Don Ringler Chevrolet-Toyota is funded by the 2021-2024 ARP Homeless II Federal Grant, Integrated Systems Corporation, Amergis Healthcare Staffing, Candor Consulting and Diagnostics, Growing Places Therapy, Solution Tree and Finalsite are funded by the General fund, and DBR Engineering Consultants is funded by Bond funds.

**Administrative Recommendation(s):**

Approve the requested expenditures as presented.

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**

**August 19, 2024**

**Item:** Renewal of Interlocal Agreement with Armed Services YMCA Killeen for Before and After-School Daycare

**Contact Person:** Michael Morgan

**Presented for:**  Action     Report Only

**Supporting Documents:**  None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 4: Develop a district-wide culture of value, support, and growth amongst all students and staff.

**Background Information:**

The Armed Services YMCA Killeen offers state licensed low cost, high quality before and after-school care for elementary school aged students at Chisholm Trail Elementary, Southwest Elementary and Sparta Elementary. The ASYMCA is trained to offer competent, creative, and concerned supervision. Financial assistance is also available for qualifying families.

The District wishes to renew the daycare agreement for the 2024-2025 school year.

**Fiscal Implications:**

None

**Administrative Recommendation(s):**

Approve the attached agreement as presented.

**BELTON ISD AND ARMED SERVICES YMCA**

**CHILDCARE AGREEMENT**

**2024-2025**

This agreement is made the \_\_\_\_ day of \_\_\_\_\_ 20\_\_, by and between Belton Independent School District (BISD) and the Armed Services YMCA Killeen (ASYMCA) for the purposes,

WHEREAS, a need has been identified in the BISD for a day care program; and

WHEREAS, the ASYMCA has proposed a method of fulfilling that needs; and

WHEREAS, students and parents in the BISD would benefit from such a day care program;

NOW THEREFORE, the BISD and the ASYMCA agree as follows:

**I. PROGRAM**

- A. The ASYMCA shall sponsor, conduct and provide, and the BISD shall allow and cooperate in the provisions of a Before School and an After School Care program at all BISD Elementary Facilities.
- B. After School Care: In consideration for the ASYMCA's provision of the services, the BISD hereby waives all fees from the ASYMCA during the times the After School Day Care program is conducted at the BISD Facilities.

**II. HOURS**

- A. After-School Care: The After-School Day Care program shall be conducted at the following BISD facilities: Sparta Elementary, Chisholm Elementary and Southwest Elementary each school day between the time that school is dismissed and 6:00pm. The program shall continue until 6:30pm each day if five (5) or more children are at a facility.
- B. Before-School Care: The Before-School Day Care program shall be conducted at the following BISD campuses: Sparta Elementary, Chisholm Elementary and Southwest Elementary each school day between 6:00am and the time that school begins.
- C. The ASYMCA shall be responsible for securing all areas used at each facility at closing each day that the day care program is held at a BISD facility.
- D. The ASYMCA shall provide the following equipment, services, and/or facilities, if necessary:
  - 1. Movable storage unit (s)

2. Custodial Services
  3. Building Security
- E. The BISD shall designate an area in each facility for the placement of the ASYMCA provided equipment and/or facilities.

### **III. HOLIDAYS**

Programs sponsored and conducted for the day care program participants during school holidays and during the summer months shall be held at locations other than the BISD facilities unless previously scheduled and approved by the campus principal or designee.

### **IV. CHILD CARE FEE**

- A. The ASYMCA shall be responsible for the cost, charge or collection of any fees for participation in the ASYMCA childcare programs, and shall be responsible for the granting or denial of full or partial fee waivers.
- B. The BISD shall not be responsible for the cost, charge or collection of any fees for participation in the childcare program, nor shall the BISD be responsible for the granting or denial of full or partial fee waivers.

### **V. AVAILABLE SPACE**

A. The spaces to be used by the ASYMCA for providing childcare services shall be as agreed to by the ASYMCA and the Principal at each facility. In the event that the ASYMCA and the facility Principal are unable to agree, the Principal shall determine the space to be used by the ASYMCA, provided however, the following areas of the specified BISD facilities shall be included in the space made available to the ASYMA during the program hours of the childcare program:

1. Outdoor Play Area
2. Indoor program area which shall include space for table activities and interest centers
3. Restroom Facilities
4. Water Fountains
5. Storage Space (if available)
6. Telephone Line Access (to be paid by the ASYMCA)
7. Flow Area between Above-Specified Spaces

B. The BISD reserves the right to utilize the foregoing areas, for either school purposes or for other childcare programs and the ASYMCA understands that this agreement does not constitute an exclusive license to the ASYMCA for the use of said areas.

C. The ASYMCA shall be responsible for keeping the available areas in a neat and orderly condition, and shall replace, at the expense of the ASYMCA, any damaged

equipment or any damage to a BISD facility as a result of the negligence of the ASYMCA.

D. The ASYMCA shall be responsible for securing all areas used at each facility at closing each day that the childcare program is held at a BISD facility.

E. The ASYMCA shall provide the following equipment, services, and/or facilities, if necessary:

1. Moveable Storage Unit (s)
2. Custodial Services
3. Building Security

F. The BISD shall designate an area in each facility for the placement of the ASYMCA provided equipment and/or supplies

#### VI. COSTS

- A. The ASYMCA shall bear all costs associated with initiation and provision of the day care program, including, without limitation, the cost of obtaining necessary licenses, materials and staff.
- B. The ASYMCA shall pay for the installation of an additional telephone jack at each facility and shall provide a telephone to be used only at the direction of the ASYMCA. The location of the telephone jack at each facility shall be designated by the Principal at each facility.

#### VII. STANDARDS AND LICENSING

Each day care program at each specified site shall be licensed the Texas Department of Protective Services (TDPRS) as a licensed day care center. The ASYMCA shall initiate and proceed with the application process and all other procedures necessary to obtain licensing by the TDPRS. The Principal of each BISD facility participating in the day care program shall cooperate with the ASYMCA in the licensing process by providing documents and information necessary to secure licensing. The ASYMCA shall adhere to all licensing requirements and regulations. In accordance with Senate Bill 9, all employees of the ASYMCA are required to submit to a national criminal background fingerprint check prior to employment.

#### VIII. STUDENTS

##### A. PARTICIPATION

1. Each student participating in the day care program shall participate at the BISD facility at which the student normally attends school, unless specifically designated otherwise. The BISD shall not be responsible for transporting participating students from on BISD facility to another BISD facility.

2. The number of students permitted to participate in the day care program at each facility may be limited by the TDPRS licensed space allotted. Access to the day care program shall in no event be denied because of race, color, sex, national origin, or handicapping condition.

3. Each student's participation in the day care program shall be completely voluntary. Neither the BISD nor the ASYMCA shall coerce parents or students to participate in the program.

#### **B.DAILY RESPONSIBILITIES**

1. The ASYMCA shall take complete charge of the students participating in the program upon the students' arrival at the day care area.

2. The ASYMCA shall abide by and shall enforce standard school rules, including, without limitation, rules requiring walking in the halls and keeping the facilities clean. The ASYMCA shall also establish rules for behavior for students participating in the day care program.

3. The ASYMCA shall take attendance each day of the program

4. The ASYMCA shall keep all students participating in the day care program in the areas designated unless such students are accompanied by staff.

#### **IX.PROMOTION AND PUBLIC RELATIONS**

A. The ASYMCA shall be responsible for promoting the day care program and recruiting students to participate in the program. The BISD shall assist the ASYMCA by allowing information to be distributed through the schools. All distributed information shall specify that the BISD is neither sponsoring nor operating the program and that the BISD is not responsible for the care of treatment of the students participating in the program.

B. The ASYMCA shall contact parents of students as necessary, and shall encourage parent involvement.

C. The ASYMCA shall hold conferences with each Principal on a regular basis to discuss the progress, success and any problems in the program.

#### **X. STAFF**

Training, supervision and compensation of all staff participating in the ASYMCA program shall be the sole responsibility of the ASYMCA.

## **XI. INSURANCE AND INDEMNIFICATION**

**A. During the term of the Agreement, and any extensions thereof, the ASYMCA shall maintain comprehensive general liability insurance in the amount of two million dollars (\$2,000,000). Prior to the initiation of the daycare program, the ASYMCA shall furnish the BISD with a valid current certificate of insurance evidencing the above by a company or companies with a rating of not less than B+ in the last available Best Rating Guide. All such policies shall include clauses whereby each underwriter agrees to waive its rights of subrogation against the BISD. The limits of liability shown for each type of insurance coverage to be provided by the ASYMCA pursuant hereto shall not be deemed to constitute a limitation of the ASYMCA's liability for claims hereunder or otherwise.**

**B. To the fullest extent permitted by law, the ASYMCA shall indemnify, defend and hold harmless the BISD, its' trustees, officers, employees, representatives and agents from and against all suits, demands, claims, causes of action, damages, losses, costs and expenses (including legal fees and court costs) caused by, resulting from, arising out of injury or death to employees, students, or other persons, even though such loss, cost, damage, injury, claim, demand, suit or expense may be attributable to the joint, concurrent, comparative, or contributory negligence of any party indemnified hereby. The liability of the AYSMCA, its agents, servants, employees or sub-contractors hereunder shall not be limited to any minimum insurance limits set forth in the agreement. The BISD may, at its option, participate in the defense of such claim or suit without relieving the ASYMCA of any obligation hereunder. Such obligation shall not be construed to negate, abridge, or reduce any other rights or obligations of indemnity which would otherwise exist as to any party or person described in this paragraph.**

## **XII. TERM OF AGREEMENT**

**This agreement shall begin on the day set forth above, and shall expire on the last school day of the 2024/2025 School Year, at which time the parties may extend or renegotiate the agreement by mutual consent.**

## **XIII. MODIFICAITONS**

**This agreement may be modified by written approval of the Belton Independent School District Board of Trustees, or its designee.**

## **XIV. ENTIRE AGREEMENT**

**This document is the Final Agreement of the parties hereto. There are no representatives or promises between the parties other than those set out herein.**

**XV. APPLICABLE LAW**

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.

**XVI. MULTIPLE ORIGINALS**

This Agreement may be executed in a number of identical counter parts, each of which shall be deemed an original for all purposes.

**XVII. AUTHORITY**

The undersigned warrants that he or she is duly authorized to execute this Agreement on behalf of the entity named.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the dates stated.

**BELTON INDEPENDENT SCHOOL DISTRICT**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Dr. Malinda Golden, Superintendent

**ARMED SERVICES YMCA KILLEEN**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Sheri Yerrington, Executive Director

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**

**August 19, 2024**

**Item:** Interlocal Agreement with YMCA of Central Texas for After-School Daycare at Belton Early Childhood School

**Contact Person:** Michael Morgan

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 4: Develop a district-wide culture of value, support, and growth amongst all students and staff.

**Background Information:**

The YMCA of Central Texas offers state licensed low cost, high quality after-school care for early childhood aged students at Belton Early Childhood School. The YMCA Central Texas is trained to offer competent, creative, and concerned supervision. Financial assistance is also available for qualifying families.

The District wishes to move forward with an agreement with YMCA of Central Texas for after school daycare at Belton Early Childhood School for the 2024-2025 school year.

**Fiscal Implications:**

None

**Administrative Recommendation(s):**

Approve the attached agreement as presented.

**YMCA AFTER SCHOOL CHILD CARE PROGRAM AGREEMENT**  
**YMCA of Central Texas: Belton Independent School District**

This Agreement is made by and between the Belton Independent School District ("BISD") and the YMCA of Central Texas ("YMCA") for the purposes, mutual promises, and consideration expressed herein.

**WHEREAS** a continuing need has been identified in the Belton Independent School District for an after school day care program, enrichment courses, and summer day camp program; and

**WHEREAS** the Young Men's Christian Association is a nationally recognized leader in the provision of childcare programs, athletic programs, and management of recreational facilities; and

**WHEREAS** the YMCA conducts an after-school day care program, an enrichment course instruction, and has facilities to host outdoor and environmental educational programs; and

**WHEREAS** students (also known as "participants") and parents/guardians in BISD would benefit from such a community partnership.

NOW THEREFORE, BISD and YMCA agree as follows:

**1) Term of Agreement and Modifications:**

- a) This Agreement shall become effective on the date signed by both parties. This Agreement shall be for a term of one (1) year.
- b) This Agreement commences on August 1st, 2024 and ends on the Last Day of Summer Day Camp for school year 2024-2025.
- c) Modifications to the Agreement.
  - i) This Agreement may be modified by written addendum with the approval of both parties.
  - ii) Either party reserves the right to propose changes in the contract language and/or fees, After Hours Care and related facility fees, at least sixty (60) days prior to any extension term of this agreement.
  - iii) Discussion of proposed changes shall be considered by the receiving party in good faith and in the best interest of the students and associated programs.
- d) Termination for Cause.
  - i) BISD may terminate the agreement for good cause.
  - ii) BISD shall give written notice of YMCA failure to perform according to the terms of this agreement.
  - iii) If such failures are not cured by the 90th day from the date of written notice the agreement may be terminated.

**2) After Hours School Day Care Program ("After Hours Program"):**

After Hours Program.

- i) YMCA shall sponsor, conduct, and provide, and BISD shall allow and cooperate in provision of an After School Program at BISD elementary schools located in Belton City Limits.
- ii) The After Hours Program shall be conducted each regular school day from the time that school is dismissed until 6:00 p.m.
- iii) The After Hours Program shall start each year on the First Day of School as that term is herein defined and end on the last day of the school year as that term is herein defined.
- iv) The "First Day of School" is defined as the first day of regular student attendance at BISD.
- v) The "Last Day of School" is defined as the last day of regular student attendance at BISD.
- vi) An BISD calendar for the current year shall be attached and replaced as appropriate, as Exhibit A to this Agreement.

**3) Summer Camps Programs ("Summer Camp"):**

The YMCA and BISD agree that the YMCA will conduct a summer day camp at one campus designated by BISD administration each summer during the term of this agreement. YMCA understands that facility maintenance and other extenuating circumstances will determine the campus location. BISD agrees to notify YMCA of selected summer camp location by early spring for the YMCA purposes of marketing and promotion.

**4) All Day Out Program for BISD Staff Development/Prep Days:**

- a) The YMCA shall conduct a full day program similar to the After Hours Program on weekdays during the regular school year when school is not in session due to professional development training days.

- b) The all day out program shall be conducted on staff development and preparation dates from 7:00 a.m. – 6:00 p.m.
- c) Specific dates will be designated by BISD at the time the BISD School Calendar is adopted.
- d) There will be no additional cost to the participants for these days.
- e) BISD facilities are not available for use on the following dates, due to district and custodial holidays as well as YMCA recognized holidays:
  - i) Labor Day
  - ii) Thanksgiving Break
  - iii) Winter Break (see exception below)
  - iv) Good Friday
  - v) Memorial Day
- f) Exception for Winter Break.
  - i) The YMCA will use a designated school site during the Winter Break (Monday – Friday). The site will be determined 60 days prior to the Winter Break.
  - ii) BISD facilities not available for use: December 24 & 31, when applicable.

5) **Available Space:**

- a) The spaces to be used by the YMCA for provision of the programs, at the specified BISD facilities, must be available on a daily basis and will include:
  - i) An outdoor play area,
  - ii) Indoor program area including gym and cafeteria,
  - iii) restroom facilities,
  - iv) water fountains, and
  - v) storage area.
- b) YMCA shall be respectful of all facilities and campus staff, and such, shall be responsible for keeping the available areas in a neat and orderly condition and shall repair or replace at the expense of the YMCA any damaged or missing equipment or damage to the facility, including damaged or lost staff personal items, resulting from any negligence of the YMCA.
- c) YMCA shall be responsible for securing all areas used at each facility at the close of each program day.
- d) BISD and YMCA understand and agree that BISD's use of the cafeteria and/or gym may preempt the YMCA's scheduled use of the facilities, and BISD agrees to give as much notification as possible to the YMCA of such events except in case of emergencies, or other unforeseen events.
- e) At the campus Principal's request, the YMCA shall defer use of said area(s) to the district for school programs or events.
- f) The principal must directly authorize any use by other school groups of the spaces that have been assigned to the YMCA.
- g) The YMCA agrees to notify the Campus Activities department of any such accommodations.
- h) The YMCA will not allow other non-school groups to use space rented by the YMCA for afterschool childcare or programming without direct approval from the Campus Activities department.

6) **Program Campuses:**

- a) Campus Relations. The YMCA administrator(s) should and will conduct regular meeting with principals to ensure the program is functioning as expected.
- b) Locations:
- c) The following BISD facilities shall be available to the YMCA for conduct of the After Hours Program during the above referenced dates.

Belton Early Childhood School

- d) The parties agree other sites will potentially be made available if the YMCA successfully meets the needs of BISD and BISD desires to further extend the partnership with the YMCA in the future.

7) **Program Fees Paid by the YMCA to BISD:**

- a) Facility Use Fees. YMCA agrees to pay BISD \$20 per student per month for the right to operate the afterschool program. YMCA asks that students receiving financial assistance from the YMCA and CCS students be exempted from facility use fees. YMCA agrees to send an invoice at the end of each program month to BISD along with a current afterschool roster. YMCA further agrees to pay BISD facility use fees within 15 business days after the close of each program month.

- b) Subsidized Tuition and Scholarship Program. The YMCA agrees to work with BISD and the campuses in good faith to ensure all students have access to the program through subsidies and/or scholarships based on socio-economic status.
  - c) Summer Camp Program. YMCA agrees to pay \$200 per day for campus use for the summer camp program. YMCA agrees to invoice BISD at the end of each program month. YMCA further agrees to pay BISD summer camp facility use fees within 15 business day after the close of each summer camp program month.
- 8) **Program Fees Charged to Participants by the YMCA:**
- a) Program fees shall be determined by the YMCA with the approval of BISD administrative personnel in March of each year that an agreement is in place for the following school year.
  - b) The Program Fees for the 2024-2025 school year will be:
    - i) \$50 per week.
  - c) BISD Employees.
    - i) BISD full-time employees shall pay a discounted fee per participant for After Hours Care and Summer Camp.
    - ii) The Program Fees for the 2024-2025 school year will be:  
BISD staff: \$30 per week.
    - iii) BISD full time employees will need to produce proof of employment to the YMCA, such as an ID badge or pay stub to receive discounted rate.
  - d) YMCA is solely responsible for billing and collection of fees from parents of children enrolled in any of the programs.
  - e) Financial Need of a Participant.
    - i) The YMCA shall strive to provide access to the After Hours Program, Enrichment Courses, and Summer Camp regardless of a participant's ability to pay.
    - ii) YMCA may waive all or a portion of the established fee for any program participant upon receipt of sufficient proof of financial need.
    - iii) The availability to a program participant of such a full or partial fee waiver may be based on the availability of subsidies from other sources.
- 9) **Program Operational Costs:**
- a) YMCA shall bear all costs associated with initiation and provision of the After Hours Program and Summer Camp.
  - b) YMCA shall specifically bear all costs associated with licensing, staffing and operating the programs.
- 10) **Standards and Licensing:**
- a) The After Hours Program shall be licensed by the Texas Department of Protective and Family Regulatory Services, or any successor agency, as a licensed day care center at each specific campus in which the program operates.
  - b) YMCA shall secure required license prior to operation of program at any school and shall conduct program in such a manner as to comply with on-going requirements of licensure.
  - c) The Principal at each BISD facility covered by this Agreement shall cooperate with YMCA in the licensing process by providing such documents and information as may be required to obtain and maintain licensing.
  - d) Any expense, modifications or other actions required to be taken to receive or comply with any required license shall be taken at the expense of the YMCA and only after permission of the Principal at the school involved.
- 11) **Students/Participants:**
- a) The After Hours Program shall be available to all students regardless of race, color, sex, national origin, or religion, and all reasonable efforts shall be made to accommodate special needs children who are mainstreamed.
  - b) Students will be enrolled at the school where they attend, with the exception of any supplemental program sites and on professional development training days or holidays when sites may be combined. Enrollment may be limited by licensed capacity, space available at each school, and YMCA staffing levels.
  - c) YMCA shall take complete charge of the students participating in the program upon the student's arrival at the designated day care or Summer Camp area, and shall abide by and enforce standard school rules, including, without limitation, rules requiring walking in the halls, keeping school property unmarred and the facility clean.
  - d) YMCA shall also establish rules for behavior for students participating in the After Hours Program, and Summer Camps and will be responsible for any appropriate actions related to the behavior, not the campus staff.

**12) Program Planning / Training:**

- a) The YMCA director shall visit each campus site a minimum of once a week for the purpose of observing the program in place to ensure that the safety and security needs of the children in the program are being met and that the program is proceeding in an orderly fashion.
- b) Students shall be provided 30 to 45 minutes of quiet time daily for homework, when appropriate.
- c) All groups will have time allocated for additional instructional enrichment as needed.
- d) YMCA staff, will at all times, incorporate character education consistent with the campus where located into their programs.
- e) Curriculum.
  - i) Curriculum shall be posted and sent to campus principals and YMCA After Hours Program families a minimum of one (1) week prior to the date the curriculum will be presented to the students.
  - ii) A month-at-a-glance schedule, including but not limited to an overview of the daily schedule and activities should be included in the schedule each week.

**13) Parental Survey:**

- a) Parental Survey.
  - i) YMCA shall monitor program quality by encouraging parental involvement and conducting a semi-annual survey evaluation via an electronic survey.
  - ii) The YMCA will provide the complete results of a semi-annual survey by November 1st and May 1st each school year within 1 day of the survey completion to BISD administrators.
  - iii) The YMCA will provide a draft of the survey to the District representative.
  - iv) BISD agrees to evaluate the survey and meet with the YMCA leadership within twenty (20) business days to determine any potential changes to the program.
  - v) At any time, BISD may choose to survey the parents for the district's own purposes, and the YMCA shall provide the BISD representative a contact email list of the current participants upon request.

**14) Promotion and Public Relations:**

- a) YMCA shall be responsible for promoting all available programs.
- b) BISD shall assist by allowing information to be distributed through the schools' current communication software program, when applicable.

**15) Program Staff:**

- a) Recruiting, hiring, training, supervision and compensation of staff for the After Hours Program, Summer Camp and Staff Development Day Care shall be the sole responsibility of the YMCA.
- b) Staff should know and ensure that students in the YMCA program adhere to campus behavioral rules and expectations.
- c) Staff shall treat students respectfully at all times and be sensitive to cultural differences.
- d) Staff shall never raise their voice in admonishment of any child, and such action may result in disciplinary action by the YMCA leadership team up to and including removal from the program.
- e) Background Checks and Fingerprinting of Employees.
  - i) The YMCA affirms they will accept full responsibility for adhering to any criminal history requirements under Texas state law, including but not limited to Texas Education Code Section 22.0834 and BISD policy CJA (LEGAL) and CJA (LOCAL).
- f) At no time shall the YMCA's employee's, agents or subcontractors have unsupervised contact with students unless the individual has been fingerprinted and cleared for that level of access to the student.
- g) Training of Personnel.
  - i) YMCA will provide staff that are fully trained, properly supervised, and competent to perform childcare duties as contemplated to be provided by YMCA under this Agreement YMCA shall be solely responsible for the provision of trained personnel and for supervision of such personnel.
  - ii) BISD shall have no responsibility for supervision of such personnel provided by YMCA or for supervision of children participating in the day care programs offered by the YMCA.

**16) Insurance:**

- a) During the term of this Agreement and any extension thereof, YMCA shall maintain comprehensive general liability insurance coverage in the amount of two million dollars (\$2,000,000).
- b) All insurance shall be with companies acceptable to BISD and shall name BISD, its trustees, officers, employees and agents as additional named insured.

**17) Applicable Law:** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.

18) **Indemnity and Release:** The YMCA hereby waives, releases and discharges BISD, its trustees, officers and employees, from any claim, demand or cause of action arising out of this Agreement or any activity undertaken pursuant to this Agreement. The YMCA further indemnifies and holds harmless BISD, its trustees, officers and employees from any and all claims for loss, damage, injury or death, including claims for attorney's fees and cost of court, sustained by any person, or for any damages to property, arising out of the activities described in this Agreement or arising out of the use of BISD buildings and facilities as contemplated by this Agreement.

19) **Entire Agreement:**

- a) This document is based on the YMCA response to the BISD Request and the negotiations performed prior to execution of this agreement.
- b) The Final Agreement of the parties hereto and replaces and supersedes all previous Agreements unless this agreement is silent.
- c) There are no representations or promises between the parties other than those set out herein and in the YMCA response to the Request for Proposal.

20) **Authority:** The undersigned warrants that he or she is duly authorized to execute this Agreement on behalf of the named entity.

IN WITNESS WHEREOF, the parties hereto have made and executed per the last signature and date of this Agreement.

**BELTON INDEPENDENT SCHOOL DISTRICT**

**YMCA OF CENTRAL TEXAS**

\_\_\_\_\_  
Dr. Malinda Golden, Superintendent or Designee

\_\_\_\_\_  
Jeff Andresen, President/CEO, or Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Belton Independent School District**  
***Board of Trustee Meeting Agenda Item***

***August 19, 2024***

**Item:** Renewal of Memorandum of Understanding with Central Counties Services for School-Based Children's Mental Health Services

**Contact Person:** Sara Windham

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 2: Ensure exceptional learning experiences for each and every student.

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

Central Counties Services (CCS) provides outpatient mental health services to children and adolescents. The proposed Memorandum of Understanding with CCS will allow CCS to continue to provide these services to students during the school day at the campus. Services will be provided during mutually agreed times that do not interrupt academic time for students, such as during lunch, electives or study skills times. CCS is serving students at the request of parents who have initiated services and met CCS requirements.

**Fiscal Implications:**

None

**Administrative Recommendation(s):**

Approve the Memorandum of Understanding as presented.



# CENTRAL COUNTIES SERVICES

## MEETING BEHAVIORAL AND DEVELOPMENTAL NEEDS

Bell ♦ Coryell ♦ Hamilton ♦ Lampasas ♦ Milam



This Memorandum of Understanding ("MOU" or "Agreement") is entered into between Central Counties Services ("CCS") and Belton Independent School District ("Belton ISD"), jointly referred to as ("Parties"), for the purpose of outlining the process and procedures for the provision of school-based mental health care by CCS to Belton ISD students with mental illness or intellectual and developmental disabilities who are enrolled in or newly referred to Children's Mental Health Services.

WHEREAS, Central Counties Services provides mental health services to children and adolescents in Bell County, who are served by Belton ISD,

WHEREAS, the Parties desire to make available mental health services to District ISD Students with the least amount of disruption to the Students' educational programming,

WHEREAS, Belton ISD believes it is in the best interest of the School District to allow CCS to administer mental health services to the Students on District ISD property,

WHEREAS, it is deemed advisable and in the best interest of the Parties to enter into this Agreement for CCS to provide children's mental health services to the Students of Belton ISD on District Property for the purpose of carrying out these objectives,

NOW THEREFORE, for and in consideration of the foregoing and in further consideration of the mutual benefits, the Parties hereto agree as follows:

### **I. CCS agrees:**

- A. To employ Qualified Mental Health Professional staff, known herein as QMHP's, (Bachelor's degree in the social sciences, plus experience in mental health or a related field) who will be clinically supervised by a Child Mental Health Coordinator who has either a. a master's degree in the counseling field and is a Texas-licensed professional counselor, or b. a master's degree in social work and is a Texas-licensed clinical social worker. These employees are the sole employees of CCS and have no employment relationship of any kind with Belton ISD.
- B. The QMHP's will be capable of providing the following services on Belton ISD campuses:
  - Provision of focused skill-building services for individuals and groups to include reducing maladaptive behaviors, and teaching improved social skills and coping strategies
  - Case management
  - Medication education
  - Engagement activities
  - Other services mutually agreed upon by Belton ISD and CCS

- C. The above specified services will be conducted during a mutually agreeable time that does not interrupt academic time of students (lunch, electives, "Tiger Time").
- D. The QMHP's shall not disclose to any third parties information obtained from confidential educational records created and maintained by Belton ISD.
- E. To cover the QMHP's and services they provide under its general liability/malpractice insurance policy.

**II. Belton ISD agrees:**

- A. To make available in each location, a private space where the QMHP can meet with referred students, their families, and school personnel in a manner that ensures confidentiality of the information exchanged.
- B. To enable the QMHP's to have classroom access to observe the children enrolled in services with CCS in the academic and social environment of their classrooms one time per semester, upon approval by the campus principal.

**III. TERM OF AGREEMENT**

This Agreement is to begin September 1, 2024 and shall terminate August 31, 2025. This Agreement may be terminated by either party at any time for any reason with 30 days written notice to the corresponding party.

**IV. COMPLETE AGREEMENT**

This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties with respect to the subject matter of this Agreement, and contains all of the covenants and agreements between the Parties with respect to such subject matter. Each Party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, that are not set forth in this Agreement, and that no agreement, statement, or promise not contained in this Agreement shall be valid or binding.

Any change, addition or deletion to the terms of this Agreement shall be in writing and executed by both parties. An executed facsimile or electronic copy will be sufficient to evidence the parties' agreement to any change, addition, or deletion to this Agreement. CCS and Belton ISD will review this agreement annually before the anniversary of its effective date for the purpose of determining possible renewal of this Agreement and to consider incorporating changes required by statutes, Executive Orders, or the Federal Acquisition Regulations, such changes to be evidenced by a modification to this agreement or by a superseding agreement. If the parties fail to agree on any such change, the Agreement shall terminate.

**V. CONFIDENTIALITY OF RECORDS OF COVERED INDIVIDUALS SERVED BY THIS AGREEMENT**

The Parties fully agree and acknowledge that all information regarding a student or family will be treated with confidentiality in accordance with the Family Educational Rights and Privacy

Act, 34 C.F.R. part 99 (FERPA), HIPAA and all other state and federal confidentiality laws and regulations to ensure appropriate protection of students' rights.

CCS shall comply with all applicable laws, rules and regulations relating to the confidentiality of information regarding Covered Individuals and shall establish a method to secure the confidentiality of records and other information pertaining to Covered Individuals as required by the applicable provisions of Texas law, the privacy and security regulations promulgated pursuant to Health Information Technology for Economic and Clinical Health Act ("HITECH"), Health Insurance Portability Accountability Act of 1996 ("HIPAA"), 42 CFR, Part 2 and other federal and state laws, including privacy requirements specific to the care of minors.

**VI. NOTICE**

All notices and correspondence given pursuant to this MOU must be in writing and sent to the following individuals and addresses:

Central Counties Services  
Johnnie Wardell, MS  
304 South 22<sup>nd</sup> Street  
Temple, Texas 76501

Belton ISD  
Attn: Board of Trustees President  
400 North Wall Street  
Belton, Texas 76513

NOW, THEREFORE, THE PARTIES TO THIS MOA DO AGREE TO ITS TERMS AND CONDITIONS AND SIGNIFY THEIR AGREEMENT WITH THE SIGNATURES BELOW:

\_\_\_\_\_  
Johnnie Wardell, MS-Executive Director  
Central Counties Services

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Manuel Alcozer-Board of Trustees President  
Belton Independent School District

\_\_\_\_\_  
Date:

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**

**August 19, 2024**

**Item:** Renewal of Memorandum for Juvenile Justice Alternative Education Program (JJAEP)

**Contact Person:** Michael Morgan

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 2: Ensure exceptional learning experiences for each and every student.

**Background Information:**

Bell County operates a Juvenile Justice Alternative Education Program (JJAEP) in collaboration with the educational community, Southwest Key Programs, Inc., and the Bell County Juvenile Services Department. This program is designed for students with severe behavioral issues who require an alternative learning environment.

State law mandates counties with a population of 125,000 or more establish a JJAEP. As such, Bell County has a Memorandum of Understanding (MOU) with the local school district outlining the program's operation and funding. BISD is a partner in this program, providing educational services to students assigned to the JJAEP.

**Fiscal Implications:**

Discretionary expulsion per student per day will be \$370.

The district's budget for JJAEP for the 2024-2025 school year is \$15,000.

**Administrative Recommendation(s):**

Approve JJAEP MOU as presented for the 2024-2025 school year.

## MEMORANDUM OF UNDERSTANDING

The Bell County Juvenile Board (hereinafter called "Juvenile Board"), the Commissioner's Court of Bell County, Texas (hereinafter called "Commissioner's Court"), the Judge of the Juvenile Court in Bell County (hereinafter called "Judge"), and the Board of Trustees of the Killeen Independent School District, the Board of Trustees of Temple Independent School District, the Board of Trustees of Belton Independent School District, the Board of Trustees of Troy Independent School District, the Board of Trustees of the Rogers Independent School District, the Board of Trustees of the Holland Independent School District, the Board of Trustees of the Bartlett Independent School District, the Board of Trustees of the Salado Independent School District and the Board of Trustees of the Academy Independent School District, the Board of Trustees of Florence Independent School District, (hereinafter called "District[s]"), adopt this memorandum of understanding in compliance with the Texas Education Code ("TEC"), Section 37.010 et seq.

The parties agree that the program is a cooperative effort between the educational community and the juvenile justice system with primary goals of the program being education, discipline and rehabilitation. Braination, Inc. will provide for the educational needs of all JJAEP students. Bell County Juvenile Services Department will provide for the discipline and rehabilitation of JJAEP students. The academic mission of the program is to enable students to perform at grade level. The program seeks to provide an alternative classroom site to allow continued education despite severe behavior problems. The program shall be located at The Bell County Juvenile Services Center, 4800 E. Rancier, Killeen, Bell County, Texas.

The parties agree that the daily administration of the Bell County Juvenile Justice Alternative Education Program ("JJAEP") will be conducted by the Bell County Juvenile Services Department (BCJS) under the direction of the Chief Juvenile Probation Officer with educational services provided by Braination, Inc. The parties agree that this Memorandum of Understanding pertains to all students attending school districts with administrative offices in Bell County, Texas or residing within Bell County, Texas.

### Responsibilities of the Juvenile Board

The Board is the governing body of BCJS. The Board shall meet regularly to facilitate communication, establish, and review policies & procedures, ensure conformity to legal and fiscal requirements, and consider implementation of recommended programs, to include the JJAEP.

### Administration

The Juvenile Services Department Director shall be the chief administrative officer of the JJAEP and facility. Subject to the terms of its Agreement with the Bell County Juvenile Services Department, the administrator of Braination Inc. shall be responsible for and have authority regarding the educational services that Braination, Inc. provides and for other courses for which students receive credit at the JJAEP.

## Terms of Placement for Expulsion

Prior to Expulsion and pursuant to the TEC Sec. 37.001 (a) (4), The School District's Student Code of Conduct must specify consideration will be given, as a factor in each decision concerning placement in the JJAEP, regardless of whether the expulsion is mandatory or discretionary, to:

1. Self-Defense;
2. Intent or lack of intent at the time the student engaged in the conduct;
3. A 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; and/or
6. A student's status as a student who is homeless.

For a student to be enrolled at the JJAEP the following prerequisites must be met:

1. Offense Report-The School District must provide to the JJAEP an offense report prepared by a law enforcement agency for the alleged incident upon which the expulsion is based.
2. The Offense or investigation report must be filed by law enforcement with the JJAEP, the probation department, and the County Attorney's Office. Until the offense report is filed the student will not be enrolled at the JJAEP.

A student enrolled in the District but expelled for conduct as provided in TEC Sec. 37.007, paragraphs (a) or (d) shall be expelled for a period of at least 30 *successful* program days but not to exceed 180 *successful* program days as outlined in the Student Code of Conduct. Said students shall report to the JJAEP for orientation at 10:00 a.m. on the first regularly scheduled school day immediately after the District's expulsion hearing, provided said student is not otherwise detained or receiving treatment under the order of the juvenile court. **The parent(s), legal guardian or custodian of the student shall accompany the student to orientation.**

A student enrolled in the District but expelled for conduct as provided in TEC Sec. 37.007 (e) shall be expelled for a period of at least one calendar year (subject to modification of said expulsion by the superintendent or other chief administrative officer of the school district) and shall report to the JJAEP for orientation at 10:00 a.m. on the first regularly scheduled school day immediately after the District's expulsion hearing, provided said student is not otherwise detained or receiving treatment under the order of the juvenile court. **The parent(s) or legal guardian of the student shall accompany the student to orientation.**

Completion of the JJAEP assignment will be based on the *successful* completion of assigned program days.

The principal or their designee at each district shall notify the appropriate law enforcement agency if there is reasonable grounds to believe that any of the following activities has occurred in school, on school property, or at a school-sponsored or school-related activity on or off school property,

whether or not the activity is investigated by school security officers: (1) conduct that may constitute an offense listed under Section 508.149, Government Code, (2) deadly conduct under Section 22.05, Penal Code, (3) a terroristic threat under Section 22.07, Penal Code, (4) the use, sale, or possession of a controlled substance, drug paraphernalia, or marihuana under Chapter 481, Health and Safety Code, (5) the possession of any of the weapons or devices listed under Sections 46.02 or Section 46.05, Penal Code; or (6) conduct that may constitute a criminal offense under Section 71.02, Penal Code.

#### Terms of Placement for Court Order Title 5 Conduct

A student enrolled in the District but expelled for conduct as provided in TEC Sec. 37.0081 (A-G) shall be expelled for a period of *successful* program days as outlined in the Student Code of Conduct. Said period of expulsion shall be at least thirty (30) program days and shall not exceed one hundred eighty (180) program days. Students expelled under these provisions shall report to the JJAEP for orientation at 10:00 a.m. on the first regularly scheduled school day immediately after the District's expulsion hearing provided said student is not otherwise detained or receiving treatment under the order of the juvenile court. **The parent(s) or legal guardian of the student shall accompany the student to orientation on the first day of assignment.**

Any period of expulsion may be extended at the discretion of the JJAEP administrator upon reasonable notice to the student and his/her parent/guardian that the student's behavior does not warrant return to the campus.

#### Terms of Placement for HB 3012 Related Conduct/Felony Terroristic Threat

A student enrolled in the District but expelled for conduct as provided in TEC Sec. 37.007 (b)(1), specifically terroristic threat under section 22.07 (c-1), (d), or (e) Penal Code, shall be expelled for a period of *successful* program days. Said period of expulsion shall be at least thirty (30) program days and shall not exceed one hundred eighty (180) program days. Students expelled under these provisions shall report to the JJAEP for orientation at 10:00 a.m. on the first regularly scheduled school day immediately after the District's expulsion hearing provided said student is not otherwise detained or receiving treatment under the order of the juvenile court. **The parent(s) or legal guardian of the student shall accompany the student to orientation on the first day of assignment.**

#### Terms of Placement for Discretionary Expulsion

A District may pursue an expulsion of a student pursuant to TEC Sec. 37.007 (b)(2)(c), by referring the case to a Case Review Committee comprised of a representative from the District Administration, Juvenile Board, and Juvenile Probation Services Administration. The referral must be submitted prior to a campus disciplinary hearing and directed to the JJAEP Administrator. A student may be accepted or denied discretionary placement at JJAEP under the terms and conditions set forth in this MOU.

For a case to be reviewed by the Case Review Committee the following is required:

1. Completion of the form set in attachment A; and to be filed with the JJAEP Administrator;
  - a. Be filed within five (5) business days the District is made aware of the offense committed. The JJAEP Administrator may deny untimely request.
  - b. State the reason the student is being removed from the home campus.
  - c. State the reason placement at the JJAEP is warranted.
2. The Case Review Committee shall have ten (10) business days upon receipt of the request to make a determination as to whether a student is accepted into the JJAEP.
3. A student will remain at the District of current enrollment until notified of the acceptance of the discretionary placement by the Case Review Committee.

A student enrolled in the District but expelled for conduct as provided in TEC Sec. 37.007 (b)(2)(c), specifically Assault Causing Bodily Injury under section 22.01 (a) (1) Penal Code, against a school district employee or a volunteer as defined in TEC section 22.053, shall be expelled for a period of *successful* program days. Said period of expulsion shall be at least thirty (30) program days and shall not exceed one hundred eighty (180) program days. Students expelled under these provisions shall report to the JJAEP for orientation at 10:00 a.m. on the first regularly scheduled school day immediately after the District's expulsion hearing provided said student is not otherwise detained or receiving treatment under the order of the juvenile court. **The parent(s) or legal guardian of the student shall accompany the student to orientation on the first day of assignment.**

**A period of discretionary expulsion may be terminated if the JJAEP Administrator determines the student's conduct is detrimental to or impeding the educational environment or process.**

#### Capacity

The maximum student enrollment of any combination (mandatory/discretionary) of students is set at 24 at the JJAEP. Mandatory expulsions shall be prioritized over discretionary expulsions. If student enrollment reaches 24, the following rules will apply:

1. JJAEP Administrator will notify the District of current enrollment, allocation of spaces, and number of Mandatory and Discretionary students.
2. When the District expels a Mandatory student, the District must withdraw a Discretionary Student in order to enroll a new student.
3. The District may negotiate directly with other districts for the space of another discretionary student to withdraw. Notification of these arrangements between districts will be communicated in writing to the JJAEP Administrator prior to the withdrawal and enrollment of the student.
4. Final determination of student withdraw as stated in 2-3 shall be made by the JJAEP Administrator.

5. The maximum enrollment may be re-defined from time to time as deemed appropriate by the JJAEP Administrator based on routine safety and security assessments, and the participating districts will be notified.
6. When a District expels a Mandatory student and the District does not have a Discretionary student enrolled, the JJAEP Administrator will determine which Discretionary student will be withdrawn and be returned to their District based on withdrawal and enrollment dates. JJAEP will communicate in writing to the returning District.
7. When at capacity, a Discretionary student approved to be assigned to JJAEP by the Case Review Committee will begin their assignment at the District Alternative Education Program or other alternative placement of the sending district until such time as space becomes available. The students successful days at the DAEP or other alternative placement shall be credited towards their assigned days to the JJAEP.

The intent is there be no material interruption in the provision of educational services.

#### State Assessment Program

In the event that state testing is administered on the day that a student is released from or admitted to the JJAEP, then that student shall be released from or admitted to the JJAEP on the first regularly scheduled school date immediately following the completion of state mandated testing. JJAEP new student orientation will not be held the Monday or Wednesday of the testing week. Sending school districts will provide pre-coded answer documents for all test administrations within five days prior to test administration. In addition, any student requiring an oral administration or modified administration will have a representative from the sending school district present at the JJAEP to administer the test.

#### Attendance

A student shall be counted absent from the JJAEP unless the student is present for 4 hours each day, unless otherwise excused. When a student is deemed truant, the sending school district will be notified and shall utilize all resources it has in place for any truant within that particular school district.

#### Tardies

All students shall report to the JJAEP by 8:00 a.m. on each school day. Any student reporting after that time without legitimate excuse shall be deemed tardy. Any student arriving after 10:00 a.m. shall not receive credit for a program day.

#### Placement After Detention

A student that is released pursuant to Family Code Sec. 53.02 or 54.01, and is expelled under Sec. 37.007, Education Code, shall attend the JJAEP in accordance with the terms of the District's expulsion order. Said release shall not be conditioned upon attendance at the JJAEP pending deferred prosecution or formal court disposition of the student's case.

#### Placement Review

In the event that a District timely receives notice pursuant to Family Code Section 52.04 1(d) (1) that a person referred to juvenile court was not a child, then that person shall be dismissed from the JJAEP and returned to the District for educational services.

In the event that a District timely receives notice pursuant to Family Code Section 52.04 1 (d) that no probable cause existed to believe the child engaged in delinquent conduct or conduct indicating a need for supervision, that no deferred prosecution or formal court proceedings have been or will be initiated involving the child, that the court or jury finds that the child did not engage in delinquent conduct or conduct indicating a need for supervision and the case has been dismissed with prejudice, or that the child was adjudicated but no disposition was or will be ordered by the court, then such student shall be returned to the District for the provision of educational services.

#### Curriculum

The JJAEP shall focus on English language arts, mathematics, science, social studies, and self-discipline. A certified teacher shall oversee the development and implementation of the academic program at the JJAEP. Said course instruction shall be consistent with the essential knowledge and skills of each subject of the foundation curriculum as defined in the rules of the State Board of Education, Texas Education Code Sec. 28.002 (c). Each school district shall consider course credit and grades earned by a student while in the JJAEP as credit and grades earned in a district school. The JJAEP will provide at least 75,600 minutes of instruction for the school year. The JJAEP shall offer a high school equivalency program.

The Juvenile Board through Brination, Inc. as its designee and the parent or guardian of each student shall regularly review the student's academic progress. In the case of a high school student, the Board through Brination Inc. as its designee and parent or guardian shall review the student's progress toward meeting high school graduation requirements and shall establish a specific graduation plan for the student. The sending District shall furnish a specific graduation plan for each high school student referred to the JJAEP. The JJAEP is not required to fulfill a student's high school graduation requirement other than a course specified herein.

#### Transportation

The parties agree that the Districts shall provide transportation to and from the JJAEP for students assigned there. All student disciplinary infractions occurring on District buses shall be reported by bus drivers to the local district, the JJAEP, and the appropriate law enforcement agency where the incident occurred. Students failing to exhibit appropriate behavior on school buses may be

removed from the bus and required to provide private transportation for their transport to and from the JJAEP.

### Early Return

Students enrolled at the JJAEP shall be discharged from the JJAEP and returned to their District upon completion of the term of expulsion. Prior to completion of the term of expulsion, a student expelled from the District for a violation other than TEC Sec. 37.007 (e), may be returned to their District. The JJAEP Program Administrator may allow the early return of a student on a case by case determination after consultation with the district liaison officer. A student may also be returned to the district five (5) days before completion of the term of expulsion if such early return would accommodate STARR testing, semester start or semester end.

A student shall not remain at the JJAEP after completion of the term of expulsion unless otherwise extended, detained or receiving treatment under order of the juvenile court.

### Transition Services

The Districts shall cooperate with any reasonable request of the JJAEP regarding the provision of transition services both prior to placement at the JJAEP and prior to the student's return to the District.

### Admission, Review, and Dismissal

An Admission, Review, and Dismissal (ARD) committee determines whether a student qualifies for special education and related services. The ARD committee develops, reviews, or revises the student's Individualized Education Program (IEP), and determines the student's educational placement in accordance with Title 20, Chapter 33, subchapter I, Sec. 1401(14) and TEC Sec. 29.005.

### Records and Special Education Services

Districts shall cooperate with the JJAEP for the purposes of insuring a prompt and orderly transfer of all student records from the District to the JJAEP. Each ISD shall be responsible for providing the JJAEP the following education records prior to the student's admission to the JJAEP: grades and transcript (current and past semester), immunization records, birth certificate, social security card, special education assessments if applicable, ARD and IEP information if applicable, current information related to state-mandated assessments (copy of the student's latest STARR scores), and attendance. The District sending a student shall furnish the expulsion order and all information necessary to enroll the student in the JJAEP prior to the student's enrollment in the JJAEP and immediately following the ARD for special education students.

Districts shall cooperate with the JJAEP for the purposes of development of an individualized education plan by an Admission Review Dismissal committee for students identified as qualifying for special education services. The home school Districts agree to furnish necessary personnel and

information as deemed necessary or appropriate by the ARD Committee. Such meetings shall be convened at the JJAEP facility in Killeen, Texas. A Juvenile Probation Officer may attend such committee meetings if such attendance serves a legitimate educational interest.

A District shall invite the administrator of the JJAEP or his designee to an ARD committee meeting convened to discuss a student's expulsion under the provision of Texas Education Code Sec. 37.004(e). Reasonable notice of the ARD must be provided consistent with federal statutes relating to Timeline for All Notices and a copy of the student's current individualized education program (IEP) must be provided to the JJAEP administrator or designee with the notice.

All extraordinary expenses incurred as a result of the provision of special education services shall be reimbursed by the District that expelled the student receiving said services. If the JJAEP representative is unable to attend the ARD meeting, the representative must be afforded the opportunity to participate in the meeting through alternative means, including a conference call. The representative may participate in the meeting to the extent the meeting relates to the juvenile's placement in the JJAEP and implementation of the IEP at the JJAEP. After placement at the JJAEP, an ARD shall be convened when the JJAEP administrator or designee provides written notice of specific concerns to the district from which the juvenile was expelled. An ARD meeting must be convened to determine if the conduct was caused by or had a direct and substantial effect related to student disability. The ARD meeting will determine whether to continue the original assignment or that the student shall return to the District for provision of educational services based upon the Texas Education Code, Chapter 29 (Special Education) and Chapter 37 (Discipline). Notice of the ARD must be provided in accordance with federal statutes. If the JJAEP representative is unable to attend the ARD meeting, the representative must be afforded the opportunity to participate in the meeting through alternative means, including a conference call.

All extraordinary expenses incurred as a result of the provision of special services, including but not limited to special education, ESL, and dyslexia, shall be reimbursed by the district that expelled the student receiving said services.

#### Facilities and Equipment

Except for extraordinary equipment or services for Special Education Services, the Juvenile Board and the Commissioner's Court shall be responsible for and shall supply all facilities, utilities, student meals, televisions, desks, video equipment, computers, and county wide phone service. In addition the Juvenile Board and Commissioner's Court shall provide classroom and facility security, probation officer(s), metal detectors, and social services as necessary including but not limited to psychological evaluations and counseling other than as required for educational purposes.

#### Accountability

For purposes of accountability under Chapter 39 of the Texas Education Code, a student enrolled at the JJAEP is reported as if the student were enrolled at the student's assigned campus in the student's regularly assigned education program, including a special education program. Braination, Inc. shall be responsible for complying with a system of accountability consistent with Chapter 39,

where appropriate, to assure that students make progress toward grade level while attending the JJAEP.

#### Funding of Discretionary Expulsions

Students placed in the JJAEP by reason of discretionary expulsions (allowed as provided under Title 5 Section 37.0081 and 37.011 (b) (1) shall be assessed a fee to the sending district of \$370 per student per enrolled day. This fee is payable monthly by the sending school district to the Juvenile Board/Commissioner's Court for the sole purpose of funding the educational expense.

## Liaison Officers

The parties agree that the following person shall act as liaison officer for their District and the Juvenile Board for purposes of facilitating their agreement:

Jennifer Washington  
Killeen Independent School District  
P.O. Box 967  
Killeen, Texas 76540  
336-2780

Eric Haugeberg  
Temple Independent School District  
515 East Ave D  
Temple, Texas 76501  
215-6769

Lee Vi Moses  
Belton Independent School District  
400 North Wall Street  
Belton, Texas 76513  
215-2029

Brad McMurtry  
Troy Independent School District  
P.O. Box 409  
Troy, Texas 76579  
938-2595

Shane Downing  
Holland Independent School District  
P.O. Box 217  
Holland, Texas 76534  
657-0175

Theodore Clevenger  
Bartlett Independent School District  
P.O. Box 170  
Bartlett, Texas 76511  
527-4247

Michael Novotny  
Salado Independent School District  
P.O. Box 98  
Salado, Texas 76571  
947-6905

Darla Nolen  
Academy Independent School District  
602 East Main  
Academy, Texas  
982-4304

Duana Brashear  
Rogers Independent School District  
1 Eagle Dr.  
Rogers, Texas 76569  
642-3802

Rick Kirkpatrick  
Florence Independent School District  
P.O. Box 489  
Florence, Texas 76527  
793-2850, ext. 221

By agreement between a respective District, and the Juvenile Board and with notice to all parties, these designations maybe changed by the District.

## Policy and Procedures

The JJAEP shall adopt the student code of conduct attached hereto and incorporated herein. The student code of conduct outlines staff expectation of students and proper disciplinary actions for violations.

The JJAEP shall be subject to a written operating policy developed by the Bell County Juvenile Services Department with the approval of the Juvenile Board and submitted to the Texas Juvenile Justice Department. A copy is attached hereto and incorporated herein.

## Insurance and Indemnification

To the extent permitted by applicable law, but without waiver or expansion of any limits established by the Texas Tort Claims Act, each party to this agreement shall indemnify and hold harmless the other parties and their officers, employees and agents, from and against any and all claims proximately caused by negligence, breach, or other act or omission by the indemnifying party or its officers, employees, or agents.

The Commissioner's Court shall provide a policy of general liability insurance for liabilities arising from the operation and performance of official duties or duties of employment at the JJAEP.

## Miscellaneous

The Districts, Juvenile Board, Commissioner's Court and Judge agree that this memorandum does not concern the Juvenile Services Department's role in supervising and providing other support services for students in district alternative education programs.

The parties agree that each District shall provide appropriate faculty and facilities for students assigned to the JJAEP who are enrolled or residing in their district below grade level 6.

The parties agree that the effective date of this memorandum is August 1<sup>st</sup>, 2024, and that it shall remain in effect through July 31, 2025, unless modified by agreement in writing.

Attached: Student Code of Conduct, 2024-2025 Calendar

Memorandum of Understanding  
JJAEP

Bell County Juvenile Board



Honorable David Blackburn  
County Judge, Chairman



Honorable Cari Starritt-Burnett  
169<sup>th</sup> District Court



Honorable John Gauntt Sr.  
27<sup>th</sup> District Court



Honorable Steve Duskie  
426<sup>th</sup> District Court

Honorable Jack Jones  
146<sup>th</sup> District Court

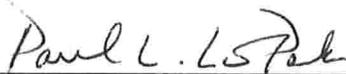


Honorable John Mischtian  
County Court at Law #2

Honorable Paul Motz  
County Court at Law #1



Honorable Wade Faulkner  
478<sup>th</sup> Judicial District



Honorable Paul L. LePak  
264<sup>th</sup> District Court

Honorable Rebecca DePew  
County Court at Law #3  
Juvenile Court Judge

Date Approved 13 Aug 2024

**Memorandum of Understanding**  
**Juvenile Justice Alternative Education Program**

**Belton Independent School District**

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**President, Board of Trustees**  
**Belton Independent School District**

**Attest:**

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**Board Secretary**  
**Belton Independent School District**

**Date Approved:** \_\_\_\_\_

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**  
**August 19, 2024**

**Item:** Adult Meal Prices for 2024-2025

**Contact Person:** Michael Morgan

**Presented for:**  Action     Report Only

**Supporting Documents:**  None     Attached     Provided Later

**District Goal or Objective Addressed:**

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

The District is required to analyze meal prices and raise as needed every year. Student meals do not have to be increased due to a waiver through USDA as long as the Nutrition Department has a positive fund balance, so only adult meal prices are under consideration. School districts operating a non-pricing program such as a Community Eligibility Program (CEP) are required to use Method 2 for calculating adult meal prices in accordance with guidance provided by the Texas Department of Agriculture, National School Lunch Program. See calculations below.

<b>Method 2 Lunch</b>	
<b>Federal Funds/Reimbursement Rate Categories</b>	<b>Amount BISD Receives</b>
Free Reimbursement Rate	\$4.43
Performance-Based Reimbursement	\$0.09
Severe Need Lunch	\$0.02
USDA Foods	\$0.45
Total Federal Funds	\$4.99
<b>Minimum Adult Charge</b>	<b>\$5.00</b>

<b>Method 2 Breakfast</b>	
<b>Federal Funds/Reimbursement Rate Categories</b>	<b>Amount BISD Receives</b>
Free Reimbursement Rate	\$2.37
Severe Need Breakfast	\$0.47
USDA Foods	\$0.45
Total Federal Funds	\$3.29
<b>Minimum Adult Charge</b>	<b>\$3.50</b>

We recommend the adult lunch price be increased from \$4.50 to \$5.00 and adult breakfast price be increased from \$3.00 to \$3.50 to be in compliance with federal regulations.

**Fiscal Implications:**

In order to comply with the new pricing regulations as currently written, our adult meal lunch and breakfast prices must continue to increase.

**Administrative Recommendation(s):**

Approve the increase in adult meal prices as indicated.

**Belton Independent School District**  
***Board of Trustee Meeting Agenda Item***

***August 19, 2024***

**Item:** Resolution Regarding Designation of 2025 Non-Business Days for the Texas Public Information Act

**Contact Person:** Michael Morgan

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 1: Strengthen and support the engagement of all stakeholders in the pursuit of the BISD vision.

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

In accordance with House Bill 3033, which took effect September 1, 2023, business days are defined as any day other than Saturday or Sunday or a state or national holiday as defined by Section 662.003. The Board may elect 10 non-business days per calendar year to cover locally recognized breaks. The non-business days in the resolution are days BISD will be closed or operating with minimal staffing. The administration recommends using 10 days for the 2025 calendar year.

These dates will be posted on the District's Public Information Act website by January 1, 2025:

- March 11, 12, 2025
- July 3, 2025
- November 24, 25, 26, 2025
- December 22, 23, 29, 30, 2025

**Fiscal Implications:**

None.

**Administrative Recommendation(s):**

Approve the 10 designated non-business days as presented.

## **Belton ISD Nonbusiness Days for the Texas Public Information Act Calendar**

### **I. Locally designated nonbusiness days by the Board of Trustees for the 2025 calendar year:**

March 11, 12, 2025

July 3, 2025

November 24, 25, 26, 2025

December 22, 23, 29, 30, 2025

### **II. Statutorily defined non-business days:**

#### **A. Saturdays and Sundays**

#### **B. National Holidays**

1. The 1st day of January; New Year's Day
2. The 3rd Monday of January; Martin Luther King, Jr. Day
3. The 3rd Monday of February; Presidents' Day
4. The last Monday of May; Memorial Day
5. The 4th of July
6. The 1st Monday of September; Labor Day
7. The 11th day of November; Veterans Day
8. The fourth Thursday in November; Thanksgiving Day
9. The 25th day of December; Christmas Day

#### **C. State Holidays**

10. The 19th day of January; Confederate Heroes Day
11. The 2nd day of March; Texas Independence Day
12. The 21st day of April; San Jacinto Day
13. The 19th day of June; Emancipation Day in Texas
14. The 27th day of August; Lyndon Baines Johnson Day
15. The Friday after Thanksgiving
16. The 24th day of December
17. The 26th day of December

#### **D. Friday or Monday observations of state or national holidays occurring on Saturday or Sunday**

#### **E. Optional state holidays when observed**

- A. Yom Kippur, Rosh Hashanah, and Good Friday will not be considered business days so long as the officer for public information observes the holiday.

**Resolution of the Belton ISD Board of Trustees  
Regarding Designation of Non-Business Days for 2025 Calendar Year**

WHEREAS, Belton ISD is a public school district located in the State of Texas who is subject to the laws of the Texas Government Code; and

WHEREAS, Belton ISD acknowledges that the Texas Public Information Act (“TPIA”) located in Chapter 552 of the Texas Government Code authorizes governmental bodies to annually designate up to ten “non-business days,” when its administrative offices are closed or operating with minimum staffing for the purposes of calculating timelines to respond to public information requests; and

WHEREAS, Belton ISD believes that its official designation of “non-business days” will improve its staff’s ability to timely respond to public information requests, taking into account scheduled days when its administrative offices are closed or operating with minimum staffing; and now

THEREFORE, BE IT RESOLVED THAT Belton ISD designates the following dates as “non-business days” within the meaning of Texas Government Code 552.0031 for the 2025 calendar year:

March 11, 12, 2025  
July 3, 2025  
November 24, 25, 26, 2025  
December 22, 23, 29, 30, 2025

APPROVED BY A VOTE OF \_\_\_ TO \_\_\_ ON AUGUST 19, 2024.

Board President

Board Secretary

**Belton Independent School District**  
***Board of Trustee Meeting Agenda Item***  
***August 19, 2024***

**Item:** 2024-2025 Student Code of Conduct

**Contact Person:** Michael Morgan

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 2: Ensure exceptional learning experiences for each and every student.

**Background Information:**

To align with legal requirements and best practices, BISD incorporated specific procedures for questioning and taking statements from students into its Student Code of Conduct. These procedures provide clarification of language written in FNF(LOCAL) and GRA(LOCAL). FO(LEGAL) requires all changes to the Student Code of Conduct to be approved by the board.

**Fiscal Implications:**

N/A

**Administrative Recommendation(s):**

Approve the Student Code of Conduct as presented.

BELTON ISD  
STUDENT CODE OF CONDUCT



2024-2025

[www.bisd.net](http://www.bisd.net)

If you have difficulty accessing this Student Code of Conduct because of a disability, please contact:  
Communications Department at [communication@bisd.net](mailto:communication@bisd.net) or at (254) 215-2000.

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## Student Code of Conduct

### Accessibility

If you have difficulty accessing the information in this document because of disability, please contact the Communications Department at [www.communication@bisd.net](mailto:www.communication@bisd.net) or at (254) 215-2000.

### Purpose

The Student Code of Conduct (“Code of Conduct”), 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 Code of Conduct has been adopted by the Belton ISD 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 of Conduct 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 of Conduct shall be posted at each school campus or shall be available for review at the campus principal’s office. Additionally, the Code of Conduct shall be available at the campus behavior coordinator’s office and can be found at [www.bisd.net](http://www.bisd.net). 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 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 of Conduct and the Student Handbook, the Code of Conduct 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:

- During the regular school day;
- While the student is traveling on district transportation;
- During lunch periods in which a student is allowed to leave campus;
- At any school-related activity, regardless of time or location;
- For any school-related misconduct, regardless of time or location;
- When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
- When a student engages in cyberbullying, as defined by Education Code 37.0832;
- When criminal mischief is committed on or off school property or at a school-related event;
- For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
- For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
- When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
- 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 (CBC). The designated person may be the principal or any other campus administrator selected by the principal. The CBC 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 CBC. Contact information may be found at <https://www.bisd.net/Page/333>.

### **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.

## **Questioning of Students**

To aid in maintaining a safe and secure campus environment, school personnel have the authority and responsibility to question students and request a written statement regarding their conduct and conduct of others with or without parent permission or the presence of the parent(s). This is per District policies FNF(LOCAL) and GRA(LOCAL). If a student is questioned by law enforcement and/or asked to provide a written statement to law enforcement, a reasonable attempt shall be made to notify the student's parents or guardians promptly. In addition, an administrator will be present at the time of questioning when permitted.

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the principal will cooperate fully regarding the conditions of the interview, including without parental consent, if necessary, if it is part of a child abuse investigation. In other circumstances, the principal will:

Verify and record the identity of the officer or other authority and ask for an explanation of the need to question the student at school.

Ordinarily make reasonable efforts to notify the parents, unless the interviewer raises what the principal considers to be a valid objection.

Ordinarily be present for the questioning or interview, unless the interviewer raises what the principal considers to be a valid objection.

## **Reporting Crimes**

The principal or CBC 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**

The Board utilizes school resource officers (SRO's) and security personnel to ensure the security and protection of students, staff, and property. In accordance with law, the Board has coordinated with the CBC and other district employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the CKE policy series.

## **“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.

## **Revoking Transfers**

Transfer students must follow all rules and regulations of the district, including those for student conduct and attendance. The district reserves the right to revoke both interdistrict and intradistrict transfers for the following reasons:

- Violation of standards contained in the Student Code of Conduct or Student Handbook;
- Unacceptable attendance;
- Space unavailability;
- Any district exigency that would require adjustments in campus enrollment; or
- False information was provided on the interdistrict student transfer form;
- Nonpayment of tuition (interdistrict transfers only).

Campus administrators will review the status of their student transfers throughout the year. Transfer privileges for students with any of the above mentioned violations may be revoked.

A student whose transfer is revoked due to attendance or behavior will not be allowed to apply for a transfer for the upcoming school year.

## **Participating in Graduation Activities**

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

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 graduation.

## **Unauthorized Persons**

In accordance with Education Code 37.105, a school administrator, 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:

- The person poses a substantial risk of harm to any person; or

- 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.

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.

## **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 19, **DAEP Placement** on page 21, **Placement and/or Expulsion for Certain Offenses** on page 28, and **Expulsion** on page 31, 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 18.

### 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.

### 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 28.)
- 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.

## 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 28.)
- 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 28.)
- 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 pocket knife or any other small knife;
- Mace or pepper spray;
- **Nicotine products, including nicotine pouches;**
- Pornographic material;
- Tobacco products, cigarettes, 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 28. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

### **Possession of Telecommunications or Other Electronic Devices**

- For safety and educational purposes, the district permits students to possess personal mobile telephones; however, these devices must remain turned off while students are in class, including during all testing, unless they are being used for approved instructional purposes.
- If a student uses a telecommunications device inappropriately during the school day, the device may be confiscated. District employees may confiscate any electronic communication device if it clearly is not being used as an educational device in the classroom.
- If an electronic communication device is confiscated, it shall be handed over to the campus administration no later than the end of the teacher's workday. The electronic device may be returned to either the parent or the student. Students who violate this policy shall be subject to disciplinary measures.
- In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** and policy FNF.]
- Any disciplinary action will be in accordance with the Code of Conduct. The district is not responsible for damaged, lost, or stolen telecommunications devices.

### **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 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. In addition, any person using technology to record, promote, distribute, or

incite violence on the campus or at any school activity is subject to school consequences in accordance with the Student Code of Conduct.

- 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.

### **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 21 and **Expulsion** on page 31 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.”)
- 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.

### **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.

## **Tardies**

Tardiness means not being in the classroom when the tardy bell rings. Tardiness disrupts instruction for both the tardy student and others in the classroom. Teachers may not excuse any student from the classroom during the first 10 minutes of class and during the last 10 minutes of class. Students are given sufficient time to change class and a warning bell sounds one minute before students are to be in class. Tardies are cumulative, and disciplinary consequences may result from repeated tardiness.

## **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.

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 restorative 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 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 Admission, Review, and Dismissal (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 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 19.
- Placement in a DAEP, as specified in **DAEP** on page 21.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 28.
- Expulsion, as specified in **Expulsion** on page 31.
- 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 CBC 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 CBC 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 CBC shall send written notification by U.S. Mail. If the CBC 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 CBC, 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 CBC's office, or the central administration office or at [www.bisd.net](http://www.bisd.net).

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 [FFH\(LOCAL\)](#).

## **Removal from the School Bus**

A bus driver may refer a student to the principal's office or the CBC's office to maintain effective discipline on the bus. The principal or CBC may 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 CBC 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 CBC's office as a discipline management technique. The CBC 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 of Conduct to maintain effective discipline in the classroom.

### Formal Removal

A teacher may initiate a formal removal from class if:

- 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
- 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 CBC 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 CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.
- 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, or aggravated sexual assault 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 of Conduct 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.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of 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 CBC 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 CBC 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:

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

## **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 CBC shall take into consideration:

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

### **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 of Conduct.

#### **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 CBC **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 a controlled substance or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in Expulsion on page 56.) (See glossary for "under the influence", "controlled substance," and "dangerous drug.")
  - Sells, gives, delivers to another person or possesses, uses, or is under the influence of marijuana or THC. 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.
  - 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,
  - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  - Sells, gives, or delivers to another person or possesses or uses an e-cigarette.
  - 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 six to 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 31.)
- 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:

- 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 CBC.

### **Conference**

When a student is removed from class for a DAEP offense, the CBC 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 CBC 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 CBC shall take into consideration:

- Self-defense (see **glossary**),
- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,

- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
- A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
- A student's status as homeless.

### **Placement Order**

After the conference, if the student is placed in a DAEP, the CBC shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services 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.

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

### **DAEP at Capacity**

If a DAEP is at capacity at the time the CBC is deciding placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS then transferred to a DAEP for the remainder of the period if space becomes available before the expiration of the period of placement.

If a DAEP is at capacity at the time the CBC is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

### **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 CBC 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 CBC 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.

### **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 CBC's office, the central administration office or at [www.bisd.net](http://www.bisd.net).

Appeals shall begin at Level One with the campus principal.

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 co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP may or may not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan.

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 CBC 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 CBC 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:

- 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
- 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.

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 of Conduct 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 CBC 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 CBC 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 decide on a case-by-case basis whether to continue the 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. The district may place the student in the district's DAEP or a regular classroom setting.

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 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:

- Threatens the safety of other students or teachers,
- Will be detrimental to the educational process, or
- 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 DAEP 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 CBC 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 have:

- Received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- 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;
- Been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- 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
- 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:

- The date on which the student's conduct occurred,
- The location at which the conduct occurred,
- Whether the conduct occurred while the student was enrolled in the district, or
- 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:

- Threatens the safety of other students or teachers,
- Will be detrimental to the educational process, or
- 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:

- The student graduates from high school,
- The charges are dismissed or reduced to a misdemeanor offense, or
- 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 CBC 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.

**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 CBC shall take into consideration:

- Self-defense (see **glossary**),
- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
- A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
- 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 21.)

#### 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 any amount of marijuana, a controlled substance, or a dangerous drug. 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.
- 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 controlled substance or dangerous drug offenses, not including THC.
- 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 of Conduct, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

- Deliberate violent behavior that poses a direct threat to the health or safety of others;
- Extortion, meaning the gaining of money or other property by force or threat;
- Conduct that constitutes coercion, as defined by Penal Code 1.07; or
- Conduct that constitutes the offense of:
  - Public lewdness under Penal Code 21.07;
  - Indecent exposure under Penal Code 21.08;
  - Criminal mischief under Penal Code 28.03;
  - Hazing under Education Code 37.152; or
  - 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 a controlled substance or a dangerous drug.
- 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 CBC 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 CBC or other administrator may place the student in:

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

### **Hearing**

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

- 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,
- An opportunity to testify and to present evidence and witnesses in the student's defense, and

- An opportunity to question the witnesses called by the district at the hearing.

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 trustees delegates to the Director of Student Services 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 its designee shall take into consideration:

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

- The student is a threat to the safety of other students or to district employees, or
- 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 CBC 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 CBC 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 decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open-enrollment charter school upon enrollment in the district.

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:

- The out-of-state district provides the district with a copy of the expulsion order, and
- 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:

- The student is a threat to the safety of other students or district employees, or
- 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.

### **Extracurricular Code of Conduct**

Strict academic standards for participation in extracurricular activities exist across the state, and Belton ISD reinforces that expectation with student conduct as well as grades. Participation in extracurricular activities is a privilege, and because students in extracurricular activities become models for younger students as well as their peers, it is extremely important that participants in these activities be drug and alcohol free, as well as passing all classes. An extracurricular code of conduct shall mean setting a good example by being a good role model to other students and avoiding serious misconduct, including but not limited to, the possession, use, sale or purchase of tobacco, drugs or alcohol, participation in criminal mischief, theft, assault, arson, vandalism, vulgar language and obscene gestures.

The object is to instill in students a respect for good citizenship in the form of positive peer pressure. A student's failure to maintain good conduct, regardless of whether the behavior is school-related, may be grounds for immediate suspension or withdrawal of the office, honor, or extracurricular privilege for a period of time to be determined by the campus discipline committee after the investigation. Notice of the alleged violation and an opportunity for the student to tell his/her story will occur before denying participation in an extracurricular activity. The suspension or withdrawal shall not exceed one calendar year. If the behavior leading to the suspension occurs in the last 18 weeks of the school year, then the suspension may be extended to include the fall semester of the following year.

An activity is considered extracurricular if it is sponsored by the UIL, competitive, held in conjunction with another activity considered extracurricular, held off campus, open to the general public, subject to an admission charge; a public performance, contest demonstration or display; or if it is a club activity. Extracurricular activities include, but are not limited to, choir, band, FFA, class officer/club/homecoming elections, athletics, cheerleading, twirling, drill team,

student council, National Honor Society, FHA, BPA, drama, VICA, Challenge, and Teen Involvement. The policy supersedes an individual organization's handbook with regard to conduct.

## 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:

- Causes serious bodily injury to another;
- Uses or exhibits a deadly weapon; or
- 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:
  - 65 years of age or older, or
  - 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:

- Starting a fire or causing an explosion with intent to destroy or damage:
  - Any vegetation, fence, or structure on open-space land; or
  - Any building, habitation, or vehicle:
    - Knowing that it is within the limits of an incorporated city or town,
    - Knowing that it is insured against damage or destruction,
    - Knowing that it is subject to a mortgage or other security interest,
    - Knowing that it is located on property belonging to another,
    - Knowing that it has located within it property belonging to another, or
    - 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.
- 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
- Intentionally starting a fire or causing an explosion and in so doing:
  - Recklessly damaging or destroying a building belonging to another, or
  - 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:

- 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;
- Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
- Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
- Infringes on the rights of the victim at school.

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

- 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;
- 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
- 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** 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:

- Cause action by an official or volunteer agency organized to deal with emergencies;
- Place a person in fear of imminent serious bodily injury; or
- 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:

- 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;
- The frame or receiver of any such weapon;
- Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
- 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:

- Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
- 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
- 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:
  - Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
  - 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;
  - 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;
  - Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
  - Making a telephone call and intentionally failing to hang up or disengage the connection;
  - Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
  - Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
  - 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; or
  - Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

**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:

- Any type of physical brutality;
- 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;
- An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
- 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.

**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.

**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.

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

**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:

- Clothing, purse, or backpack;
- 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;

- Telecommunications or electronic devices; or
- 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:

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 machine gun;
- A short-barrel firearm;
- Armor-piercing ammunition;
- A chemical dispensing device;
- A zip gun;
- A tire deflation device; or
- 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, and must consider the information furnished in 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:

- Deliberate violent behavior that poses a direct threat to the health or safety of others;
- Extortion, meaning the gaining of money or other property by force or threat;
- Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
- Conduct that constitutes the offense of:
  - Public lewdness under Penal Code 21.07;
  - Indecent exposure under Penal Code 21.08;
  - Criminal mischief under Penal Code 28.03;
  - Hazing under Education Code 37.152; or
  - 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:

- Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
- Place any person in fear of imminent serious bodily injury;
- 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;
- Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
- Place the public or a substantial group of the public in fear of serious bodily injury; or
- 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.

BELTON ISD  
STUDENT CODE OF CONDUCT



2024-2025

[www.bisd.net](http://www.bisd.net)

If you have difficulty accessing this Student Code of Conduct because of a disability, please contact:  
Communications Department at [communication@bisd.net](mailto:communication@bisd.net) or at (254) 215-2000.

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## Student Code of Conduct

### Accessibility

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### Purpose

The Student Code of Conduct (“Code of Conduct”), 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 Code of Conduct has been adopted by the Belton ISD 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 of Conduct 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 of Conduct shall be posted at each school campus or shall be available for review at the campus principal’s office. Additionally, the Code of Conduct shall be available at the campus behavior coordinator’s office and can be found at [www.bisd.net](http://www.bisd.net). 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 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 of Conduct and the Student Handbook, the Code of Conduct 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:

- During the regular school day;
- While the student is traveling on district transportation;
- During lunch periods in which a student is allowed to leave campus;
- At any school-related activity, regardless of time or location;
- For any school-related misconduct, regardless of time or location;
- When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
- When a student engages in cyberbullying, as defined by Education Code 37.0832;
- When criminal mischief is committed on or off school property or at a school-related event;
- For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
- For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
- When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
- 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 (CBC). The designated person may be the principal or any other campus administrator selected by the principal. The CBC 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 CBC. Contact information may be found at <https://www.bisd.net/Page/333>.

### **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.

## **Questioning of Students**

To aid in maintaining a safe and secure campus environment, school personnel have the authority and responsibility to question students and request a written statement regarding their conduct and conduct of others with or without parent permission or the presence of the parent(s). This is per District policies FNF(LOCAL) and GRA(LOCAL). If a student is questioned by law enforcement and/or asked to provide a written statement to law enforcement, a reasonable attempt shall be made to notify the student's parents or guardians promptly. In addition, an administrator will be present at the time of questioning when permitted.

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the principal will cooperate fully regarding the conditions of the interview, including without parental consent, if necessary, if it is part of a child abuse investigation. In other circumstances, the principal will:

Verify and record the identity of the officer or other authority and ask for an explanation of the need to question the student at school.

Ordinarily make reasonable efforts to notify the parents, unless the interviewer raises what the principal considers to be a valid objection.

Ordinarily be present for the questioning or interview, unless the interviewer raises what the principal considers to be a valid objection.

## **Reporting Crimes**

The principal or CBC 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**

The Board utilizes school resource officers (SRO's) and security personnel to ensure the security and protection of students, staff, and property. In accordance with law, the Board has coordinated with the CBC and other district employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the CKE policy series.

## **“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.

## **Revoking Transfers**

Transfer students must follow all rules and regulations of the district, including those for student conduct and attendance. The district reserves the right to revoke both interdistrict and intradistrict transfers for the following reasons:

- Violation of standards contained in the Student Code of Conduct or Student Handbook;
- Unacceptable attendance;
- Space unavailability;
- Any district exigency that would require adjustments in campus enrollment; or
- False information was provided on the interdistrict student transfer form;
- Nonpayment of tuition (interdistrict transfers only).

Campus administrators will review the status of their student transfers throughout the year. Transfer privileges for students with any of the above mentioned violations may be revoked.

A student whose transfer is revoked due to attendance or behavior will not be allowed to apply for a transfer for the upcoming school year.

## **Participating in Graduation Activities**

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

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 graduation.

## **Unauthorized Persons**

In accordance with Education Code 37.105, a school administrator, 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:

- The person poses a substantial risk of harm to any person; or

- 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.

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.

## **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 19, **DAEP Placement** on page 21, **Placement and/or Expulsion for Certain Offenses** on page 28, and **Expulsion** on page 31, 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 18.

### 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.

### 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 28.)
- 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.

## 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 28.)
- 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 28.)
- 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 pocket knife or any other small knife;
- Mace or pepper spray;
- **Nicotine products, including nicotine pouches;**
- Pornographic material;
- Tobacco products, cigarettes, 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 28. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

### **Possession of Telecommunications or Other Electronic Devices**

- For safety and educational purposes, the district permits students to possess personal mobile telephones; however, these devices must remain turned off while students are in class, including during all testing, unless they are being used for approved instructional purposes.
- If a student uses a telecommunications device inappropriately during the school day, the device may be confiscated. District employees may confiscate any electronic communication device if it clearly is not being used as an educational device in the classroom.
- If an electronic communication device is confiscated, it shall be handed over to the campus administration no later than the end of the teacher's workday. The electronic device may be returned to either the parent or the student. Students who violate this policy shall be subject to disciplinary measures.
- In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** and policy FNF.]
- Any disciplinary action will be in accordance with the Code of Conduct. The district is not responsible for damaged, lost, or stolen telecommunications devices.

### **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 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. In addition, any person using technology to record, promote, distribute, or

incite violence on the campus or at any school activity is subject to school consequences in accordance with the Student Code of Conduct.

- 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.

### **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 21 and **Expulsion** on page 31 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.”)
- 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.

### **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.

## **Tardies**

Tardiness means not being in the classroom when the tardy bell rings. Tardiness disrupts instruction for both the tardy student and others in the classroom. Teachers may not excuse any student from the classroom during the first 10 minutes of class and during the last 10 minutes of class. Students are given sufficient time to change class and a warning bell sounds one minute before students are to be in class. Tardies are cumulative, and disciplinary consequences may result from repeated tardiness.

## **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.

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 restorative 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 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 Admission, Review, and Dismissal (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 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 19.
- Placement in a DAEP, as specified in **DAEP** on page 21.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 28.
- Expulsion, as specified in **Expulsion** on page 31.
- 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 CBC 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 CBC 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 CBC shall send written notification by U.S. Mail. If the CBC 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 CBC, 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 CBC's office, or the central administration office or at [www.bisd.net](http://www.bisd.net).

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 [FFH\(LOCAL\)](#).

## **Removal from the School Bus**

A bus driver may refer a student to the principal's office or the CBC's office to maintain effective discipline on the bus. The principal or CBC may 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 CBC 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 CBC's office as a discipline management technique. The CBC 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 of Conduct to maintain effective discipline in the classroom.

### Formal Removal

A teacher may initiate a formal removal from class if:

- 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
- 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 CBC 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 CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.
- 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, or aggravated sexual assault 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 of Conduct 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.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of 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 CBC 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 CBC 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:

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

## **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 CBC shall take into consideration:

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

### **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 of Conduct.

#### **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 CBC **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 a controlled substance or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in Expulsion on page 56.) (See glossary for "under the influence", "controlled substance," and "dangerous drug.")
  - Sells, gives, delivers to another person or possesses, uses, or is under the influence of marijuana or THC. 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.
  - 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,
  - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  - Sells, gives, or delivers to another person or possesses or uses an e-cigarette.
  - 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 six to 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 31.)

- 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:

- 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 CBC.

### **Conference**

When a student is removed from class for a DAEP offense, the CBC 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 CBC 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 CBC shall take into consideration:

- Self-defense (see **glossary**),
- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,

- A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
- A student's status as homeless.

### **Placement Order**

After the conference, if the student is placed in a DAEP, the CBC shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services 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.

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

### **DAEP at Capacity**

If a DAEP is at capacity at the time the CBC is deciding placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS then transferred to a DAEP for the remainder of the period if space becomes available before the expiration of the period of placement.

If a DAEP is at capacity at the time the CBC is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

### **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 CBC 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 CBC 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.

### **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 CBC's office, the central administration office or at [www.bisd.net](http://www.bisd.net).

Appeals shall begin at Level One with the campus principal.

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 co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP may or may not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan.

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 CBC 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 CBC 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:

- 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
- 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.

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 of Conduct 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 CBC 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 CBC 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 decide on a case-by-case basis whether to continue the 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. The district may place the student in the district's DAEP or a regular classroom setting.

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 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:

- Threatens the safety of other students or teachers,
- Will be detrimental to the educational process, or
- 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 DAEP 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 CBC 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 have:

- Received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- 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;
- Been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- 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
- 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:

- The date on which the student's conduct occurred,
- The location at which the conduct occurred,
- Whether the conduct occurred while the student was enrolled in the district, or
- 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:

- Threatens the safety of other students or teachers,
- Will be detrimental to the educational process, or
- 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:

- The student graduates from high school,
- The charges are dismissed or reduced to a misdemeanor offense, or
- 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 CBC 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.

**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 CBC shall take into consideration:

- Self-defense (see **glossary**),
- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
- A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
- 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 21.)

#### 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 any amount of marijuana, a controlled substance, or a dangerous drug. 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.
- 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 controlled substance or dangerous drug offenses, not including THC.
- 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 of Conduct, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

- Deliberate violent behavior that poses a direct threat to the health or safety of others;
- Extortion, meaning the gaining of money or other property by force or threat;
- Conduct that constitutes coercion, as defined by Penal Code 1.07; or
- Conduct that constitutes the offense of:
  - Public lewdness under Penal Code 21.07;
  - Indecent exposure under Penal Code 21.08;
  - Criminal mischief under Penal Code 28.03;
  - Hazing under Education Code 37.152; or
  - 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 a controlled substance or a dangerous drug.
- 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 CBC 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 CBC or other administrator may place the student in:

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

### **Hearing**

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

- 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,
- An opportunity to testify and to present evidence and witnesses in the student's defense, and

- An opportunity to question the witnesses called by the district at the hearing.

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 trustees delegates to the Director of Student Services 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 its designee shall take into consideration:

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

- The student is a threat to the safety of other students or to district employees, or
- 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 CBC 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 CBC 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 decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open-enrollment charter school upon enrollment in the district.

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:

- The out-of-state district provides the district with a copy of the expulsion order, and
- 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:

- The student is a threat to the safety of other students or district employees, or
- 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.

### **Extracurricular Code of Conduct**

Strict academic standards for participation in extracurricular activities exist across the state, and Belton ISD reinforces that expectation with student conduct as well as grades. Participation in extracurricular activities is a privilege, and because students in extracurricular activities become models for younger students as well as their peers, it is extremely important that participants in these activities be drug and alcohol free, as well as passing all classes. An extracurricular code of conduct shall mean setting a good example by being a good role model to other students and avoiding serious misconduct, including but not limited to, the possession, use, sale or purchase of tobacco, drugs or alcohol, participation in criminal mischief, theft, assault, arson, vandalism, vulgar language and obscene gestures.

The object is to instill in students a respect for good citizenship in the form of positive peer pressure. A student's failure to maintain good conduct, regardless of whether the behavior is school-related, may be grounds for immediate suspension or withdrawal of the office, honor, or extracurricular privilege for a period of time to be determined by the campus discipline committee after the investigation. Notice of the alleged violation and an opportunity for the student to tell his/her story will occur before denying participation in an extracurricular activity. The suspension or withdrawal shall not exceed one calendar year. If the behavior leading to the suspension occurs in the last 18 weeks of the school year, then the suspension may be extended to include the fall semester of the following year.

An activity is considered extracurricular if it is sponsored by the UIL, competitive, held in conjunction with another activity considered extracurricular, held off campus, open to the general public, subject to an admission charge; a public performance, contest demonstration or display; or if it is a club activity. Extracurricular activities include, but are not limited to, choir, band, FFA, class officer/club/homecoming elections, athletics, cheerleading, twirling, drill team,

student council, National Honor Society, FHA, BPA, drama, VICA, Challenge, and Teen Involvement. The policy supersedes an individual organization's handbook with regard to conduct.

## 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:

- Causes serious bodily injury to another;
- Uses or exhibits a deadly weapon; or
- 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:
  - 65 years of age or older, or
  - 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:

- Starting a fire or causing an explosion with intent to destroy or damage:
  - Any vegetation, fence, or structure on open-space land; or
  - Any building, habitation, or vehicle:
    - Knowing that it is within the limits of an incorporated city or town,
    - Knowing that it is insured against damage or destruction,
    - Knowing that it is subject to a mortgage or other security interest,
    - Knowing that it is located on property belonging to another,
    - Knowing that it has located within it property belonging to another, or
    - 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.
- 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
- Intentionally starting a fire or causing an explosion and in so doing:
  - Recklessly damaging or destroying a building belonging to another, or
  - 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:

- 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;
- Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
- Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
- Infringes on the rights of the victim at school.

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

- 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;
- 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
- 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** 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:

- Cause action by an official or volunteer agency organized to deal with emergencies;
- Place a person in fear of imminent serious bodily injury; or
- 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:

- 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;
- The frame or receiver of any such weapon;
- Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
- 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:

- Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
- 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
- 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:
  - Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
  - 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;
  - 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;
  - Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
  - Making a telephone call and intentionally failing to hang up or disengage the connection;
  - Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
  - Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
  - 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; or
  - Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

**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:

- Any type of physical brutality;
- 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;
- An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
- 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.

**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.

**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.

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

**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:

- Clothing, purse, or backpack;
- 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;

- Telecommunications or electronic devices; or
- 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:

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 machine gun;
- A short-barrel firearm;
- Armor-piercing ammunition;
- A chemical dispensing device;
- A zip gun;
- A tire deflation device; or
- 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, and must consider the information furnished in 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:

- Deliberate violent behavior that poses a direct threat to the health or safety of others;
- Extortion, meaning the gaining of money or other property by force or threat;
- Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
- Conduct that constitutes the offense of:
  - Public lewdness under Penal Code 21.07;
  - Indecent exposure under Penal Code 21.08;
  - Criminal mischief under Penal Code 28.03;
  - Hazing under Education Code 37.152; or
  - 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:

- Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
- Place any person in fear of imminent serious bodily injury;
- 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;
- Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
- Place the public or a substantial group of the public in fear of serious bodily injury; or
- 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.

**Belton Independent School District**  
**Board of Trustee Meeting Agenda Item**

**August 19, 2024**

**Item:** Approval of Resolution Regarding the Annual Review of CDA (LOCAL): Other Revenues - Investments

**Contact Person:** Melissa Lafferty

**Presented for:**  Action     Report Only

**Supporting Documents:**    None    Attached    Provided Later

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**District Goal or Objective Addressed:**

Goal 5: Maximize our use of resources for both current priorities and plans for the future.

**Background Information:**

In accordance with the Public Funds Investment Act, Gov't Code Chapter 2256.005, the board shall review its investment policy and investment strategies annually. CDA(LOCAL) was reviewed at the Policy Committee Meeting on August 12, 2024. The board shall document its review by resolution in writing and record any changes made to the policy.

**Fiscal Implications:**

District funds are invested in accordance with state law and local policy.

**Administrative Recommendation(s):**

Approve the Resolution as presented.

**Investment Authority**

The Superintendent or other person designated by Board resolution shall serve as the investment officer(s) of the District and shall invest District funds as directed by the Board and in accordance with the District's written investment policy and generally accepted accounting procedures.

The District may contract with a non-discretionary, SEC-registered investment adviser to assist in management of the portfolio(s).

All investment transactions except investment pool funds and money market mutual funds shall be settled on a delivery versus payment basis.

**Approved  
Investment  
Instruments**

From those investments authorized by law and described further in CDA(LEGAL) 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, governmental entities as permitted by Government Code 2256.009.
2. Fully insured or collateralized certificates of deposit from Texas banks as permitted by Government Code 2256.010 and collateralized in accordance with this policy.
3. Fully insured share certificates from Texas credit unions as permitted by Government Code 2256.010.
4. Fully collateralized repurchase agreements permitted by Government Code 2256.011.
5. A securities lending program as permitted by Government Code 2256.0115.
6. Prime banker's acceptances as permitted by Government Code 2256.012.
7. A1/P1-rated commercial paper with a maximum stated maturity of 270 days as permitted by Government Code 2256.013.
8. AAA-rated money market mutual funds, which strive to maintain a \$1 net asset value, as permitted by Government Code 2256.014.
9. A guaranteed investment contract as an investment vehicle for bond proceeds, provided it meets the criteria and eligibility requirements established by Government Code 2256.015.

OTHER REVENUES  
INVESTMENTS

CDA  
(LOCAL)

10. Public funds investment pools, which strive to maintain a \$1 net asset value, as permitted by Government Code 2256.016.
11. Fully FDIC-insured or collateralized interest-bearing accounts in Texas banks as permitted by Government Code 2256.010 and collateralized in accordance with this policy.

**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**

Any internally created pool fund group of the District shall have a maximum dollar weighted average maturity of 365 days. The maximum allowable stated maturity of any other individual investment owned by the District shall not exceed three years from the time of purchase.

The District's investment portfolio shall have sufficient liquidity to meet anticipated cash flow requirements.

**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.

**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. The risk benchmark for the total portfolio shall be the six-month treasury bill for the comparable period.

**Monitoring Rating  
Changes**

In accordance with Government Code 2256.005(b), the investment officer shall develop a procedure to monitor changes in investment ratings and to liquidate investments that do not maintain satisfactory ratings. Credit ratings shall be monitored at least monthly and if the credit rating falls, the investment officer or adviser shall notify the chief financial officer with alternatives for prudent liquidation of the securities so down-graded.

**Funds / Strategies**

Investments of the following fund categories shall be consistent with this policy and in accordance with the applicable strategy defined below. 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.

The District may commingle its funds for investment purposes while serving the unique needs of every fund type.

**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 cash flow requirements. Uncertain cash flows shall require a liquidity buffer in order to meet unanticipated cash flow needs.

**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 cash flow requirements.

**Debt Service Funds**

Investment strategies for debt service funds shall have as their primary objective sufficient investment liquidity to timely meet each successive debt service payment obligation in accordance with provisions in the bond documents. No extensions are authorized until each successive debt service debt is fully funded.

**Capital Project  
Funds**

Investment strategies for capital project funds shall have as their primary objective sufficient investment liquidity to timely meet capital project obligations. Maturities shall be planned to meet expenditure expectations.

**Safekeeping and  
Custody**

The District shall retain clearly marked receipts providing proof of the District's ownership. The District may delegate, however, to an investment pool the authority to hold legal title as custodian of investments purchased with District funds by the investment pool. All security transactions shall be cleared delivery versus payment.

Collateral shall be required for all bank time and demand deposits above the FDIC insurance coverage. Collateral terms shall conform to FIRREA. Collateral shall be held by an independent third-party institution and have a market value of 102 percent of the total deposit (110 percent for mortgage-backed securities) in accordance with Government Code 2257. [See BDAE]

**Sellers of Investments**

Prior to handling investments on behalf of the District, brokers/dealers, or a qualified representative of a business organization, defined as a local government pool or discretionary investment adviser, must submit required written documents in accordance with law. [See Sellers of Investments, CDA(LEGAL)]

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). All broker/dealers shall be sent a copy of the Investment Policy as amended. Investment officers shall maintain information regarding the brokers/dealers and the authorized broker/dealer list shall be reviewed annually by the Board or a Board-created investment committee.

**Soliciting Bids**

In order to get the best return on its investments, the District shall solicit competitive bids for all securities in writing, by telephone, or electronically, or by a combination of these methods.

**Interest Rate Risk**

To reduce exposure to changes in interest rates that could adversely affect the value of investments, the District shall comply with maximum maturity and weighted-average-maturity limits and diversify the portfolio.

The District shall monitor interest rate risk against its risk benchmark using weighted average maturity and specific identification.

**Internal Controls**

A system of internal controls shall be established and documented 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 on all transactions;
2. Avoidance of collusion;
3. Custodial safekeeping;
4. Clear delegation of authority;

5. Written confirmation of all transactions; and
6. Documentation of dealer questionnaires, quotations and bids, evaluations, transactions, and rationale.

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

**Annual Review**

The Board shall review this investment policy and investment strategies not less than annually and shall document its review by resolution 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 OF THE BOARD OF TRUSTEES OF THE  
BELTON INDEPENDENT SCHOOL DISTRICT**

**STATE OF TEXAS           §**  
**COUNTY OF BELL         §**

**WHEREAS**, Public Funds Investment Act, Texas Government Code Chapter 2256, requires the Board of Trustees of the Belton Independent School District to review the district’s investment policy and investment strategies not less than annually;

**WHEREAS**, Texas Government Code §2256.005(e) as amended, further requires the governing body to adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies;

**WHEREAS**, the Board of Trustees of the Belton Independent School District did on this date review its investment policy and investment strategies in a properly posted public meeting.

**NOW, THEREFORE, BE IT RESOLVED**

- I. The following policy and investment strategies have been reviewed prior to this date by the Board of Trustees:

CDA(LOCAL), Other Revenues: Investments

- II. The investment policy and investment strategies are hereby ratified with no changes.

**DULY PASSED AND APPROVED THIS 19<sup>th</sup> DAY OF AUGUST 2024.**

AUTHORIZED SIGNATURE:

ATTEST:

BELTON INDEPENDENT SCHOOL DISTRICT

\_\_\_\_\_  
Manuel Alcozer  
President – Board of Trustees

\_\_\_\_\_  
Erin Bass  
Secretary – Board of Trustees

**Belton Independent School District**  
***Board of Trustee Meeting Agenda Item***

***August 19, 2024***

**Item:** BE(LOCAL): Board Meetings

**Contact Person:** Dr. Malinda Golden

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 1: Strengthen and support the engagement of all stakeholders in the pursuit of the BISD vision.

**Background Information:**

BE(LOCAL) defines the procedures and guidelines related to Board Meetings and how they are conducted.

BE(LOCAL) was reviewed at the Policy Committee Meeting on July 10, 2024 and underwent 1<sup>st</sup> reading on August 12, 2024. Changes were recommended to the following sections: Rules of Order, Voting, and Minutes.

The Policy Committee reviewed the proposed Board Operating Procedures on August 12, 2024. The recommended changes have been incorporated and align with policy.

**Fiscal Implications:**

None.

**Administrative Recommendation(s):**

Approve BE(LOCAL): Board Meetings, as presented.

### **Meeting Place and Time**

The notice for a Board meeting shall reflect the date, time, and location of the meeting.

### **Regular Meetings**

Regular meetings of the Board shall normally be held on the third Monday of each month at 6:15 p.m. When determined necessary and for the convenience of Board members, the Board President may change the date, time, or location of a regular meeting with proper notice. Workshop meetings shall be held as needed.

### **Special or Emergency Meetings**

The Board President shall call special meetings at the Board President's discretion or on request by two members of the Board.

The Board President shall call an emergency meeting when it is determined by the Board President or two members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting.

### **Agenda**

#### Deadline

The deadline for submitting items for inclusion on the agenda is the third calendar day before regular meetings and the third calendar day before special meetings.

#### Preparation

In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. Any Board member may request that a subject be included on the agenda for a meeting, and the Superintendent shall include on the preliminary agenda of the meeting all topics that have been timely submitted by two or more Board members.

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

### **Notice to Members**

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

meeting and at least one hour prior to the time of an emergency meeting.

### **Closed Meeting**

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

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

### **Order of Business**

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

### **Rules of Order**

The Board may observe the parliamentary procedures as found in *Robert's Rules of Order, Newly Revised*, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.

#### Voting

Voting shall be by voice vote or show of hands, as directed by the Board President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request. Motions that die for lack of a second are not considered votes/orders/decisions/action and will not be recorded in the minutes. [See BDAA(LOCAL) for the Board President's voting rights]

#### Consent Agenda

When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.

### **Minutes**

Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal

BOARD MEETINGS

BE  
(LOCAL)

record of official Board actions in accordance with BDAA(LOCAL). Written minutes of each Board meeting will reflect the votes, orders, decisions, and other actions taken by the Board at each Board meeting in accordance with BE(LEGAL). Motions that die for lack of a second are not considered votes/orders/decisions/action and will not be recorded in the minutes. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board President and the Board Secretary.

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

**Discussions and Limitation**

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

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

BOARD MEETINGS

BE  
(LOCAL)

**Meeting Place and Time**

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The Board President shall call an emergency meeting when it is determined by the Board President or two members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting.

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

**Closed Meeting**

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

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

**Order of Business**

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

**Rules of Order**

The Board ~~shall~~ may observe the parliamentary procedures as found in *Robert's Rules of Order, Newly Revised*, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.

Voting

Voting shall be by voice vote or show of hands, as directed by the Board President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request. Motions that die for lack of a second are not considered votes/orders/decisions/action and will not be recorded in the minutes. [See BDAA(LOCAL) for the Board President's voting rights]

Consent Agenda

When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.

**Minutes**

Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions in accordance with BDAA(LOCAL). Written minutes of each Board meeting will reflect the votes, orders, decisions, and other actions taken by the Board at each Board meeting in accordance with BE(LEGAL). Motions that die for lack of a second are not considered votes/orders/decisions/action and will not be recorded in the minutes.—The written minutes of all meetings shall be approved by vote of the Board and signed by the Board President and the Board Secretary.

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

**Discussions and Limitation**

Discussions shall be addressed to the Board President and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Board President

shall halt discussion that does not apply to the business before the Board.

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

**Belton Independent School District**  
***Board of Trustee Meeting Agenda Item***

***August 19, 2024***

**Item:** Board Operating Procedures

**Contact Person:** Dr. Malinda Golden

**Presented for:**  Action     Report Only

**Supporting Documents:**     None     Attached     Provided Later

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**District Goal or Objective Addressed:**

Goal 1: Strengthen and support the engagement of all stakeholders in the pursuit of the BISD vision.

**Background Information:**

The Board Operating Procedures outline general procedures and agreements to ensure cooperation and effective processes and systems that advance the goals of the District. In addition, the document assists the Board in addressing areas of effective communication with community members and staff.

The Policy Committee reviewed the proposed Board Operating Procedures on August 12, 2024. The recommended changes have been incorporated and align with policy.

**Fiscal Implications:**

None

**Administrative Recommendation(s):**

Approve the revised Board Operating Procedures as presented.



## BOARD OPERATING PROCEDURES

Belton Independent School District

---

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The Belton ISD Board of Trustees annually reviews these Operating Procedures to effectively communicate with staff and patrons of the District.

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**Manuel Alcozer**, Board President

**Chris Flor**, Vice President

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**Todd Schiller**, Assistant Superintendent for Human Resources

**Dr. Cassandra Spearman**~~Vacant~~, Assistant Superintendent for Operations

**Melissa Lafferty**, Chief Financial Officer

**Shad McGaha**, Chief Technology Officer

**Christine Parks**~~Jennifer Bailey~~, **Chief Communications Officer**~~Executive Director of Communications & Community Engagement~~

# OPERATING PROCEDURE REVIEW

---

The Board Operating Procedures will be reviewed annually by the Board of Trustees.

## BOARD ETHICS

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Board members shall promote the best interests of the District as a whole and shall adhere to the following ethical standards:

### **Respect**

- Be fair, just, and impartial in all decisions and actions.
- Accord others respect.
- Share views while working toward consensus.
- Respect the majority decision as the decision of the Board.
- Encourage expressions of different opinions and listen with an open mind to other's ideas.

### **Accountability**

- Be accountable to the public by accurately representing District policies, programs, priorities, and progress.
- Work to ensure prudent and accountable use of District resources.
- Diligently prepare for and attend Board meetings.

### **Communication**

- Be responsive to the community by seeking its involvement in District affairs and by communicating District priorities and concerns.
- Avoid personal involvement in activities the Board has delegated to the Superintendent.

### **Integrity**

- Make no personal promise or private action that may compromise the Board members' performance or responsibilities.
- Tell the truth.
- Do not disclose information that is confidential by law or that will needlessly harm the District if disclosed.
- Seek continuing education that will enhance the Board members' ability to fulfill their duties effectively.
- Be continuously guided by what is best for all students of the District.
- Fairness
- Base decisions on fact rather than supposition, opinion, or public favor.
- Refuse to surrender judgment to any individual or group at the expense of the District as a whole.

### **Lawfulness**

- Uphold all applicable laws, rules, policies, and governance procedures consistently.
- Focus attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.

# BOARD MEETINGS

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## Agenda Preparation

- The Board President and the Superintendent jointly create the agenda with input from the rest of the Board.
  - The Board President shall ensure that any topics the Board or at least two Board members have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not have authority to remove from the agenda a subject requested by two or more Board members without their specific authorization.
- Three standing agenda items will be at the end of each meeting agenda:
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  - “Board Requests for New Information and/or Reports.”

## Workshops

- Any workshops involving a quorum of Board members or more will be posted in accordance with the Open Meetings Act.

## Opening of Regularly Scheduled Meetings & Maintaining Decorum

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- At the beginning of each regularly scheduled meeting, the Board President will open the meeting by stating, “Please rise for a moment of silent prayer or meditation and remain standing for the pledge of allegiance and honors to the Texas flag.”
- Typically, after the Board President opens the meeting, the Board will allow Public Comments.

## Board Member Response in Public Participation Section of the Board Meeting

- Public Comments will be posted on the Board’s meeting notice twice as separate agenda items. Public Comment on agenda items will occur at the beginning of the meeting and Public Comment on non-agenda items will occur at the end of the meeting. At Regular Meetings, the Board shall permit public comment, regardless of whether the topic is an item on the agenda posted with notice of the meeting. At Special Meetings, public comment shall be limited to items on the

agenda posted with notice of the meeting. An individual's comments shall not exceed three (3) minutes per meeting except as permitted by Board Policy. See BED(LEGAL) and (LOCAL).

- The Board President may limit time and adjust placement of Public Comments if there is a large number of speakers or topics on the agenda. It is within the discretion of the presiding officer to reduce the amount of time allotted to individual speakers. Below is a sample of a sliding scale that may be used by the Board President for effective meeting management:

<b>Number of Speakers</b>	<b>Minutes</b>
1-15	3
16-30	2
31-40	1.5
41 or more	1

- Individuals needing translation services may be allotted additional time in accordance with BED(LEGAL).
- The Board President will share specific expectations/guidance with the Board and the public prior to the public participation segment of the board meeting. The Board President shall inform the audience that the Board cannot engage with the audience during Public Comments.
- Board members will be attentive to speakers who come before the Board in the public participation segment of the meeting.
- Board members will refrain from demonstrating negative non-verbal communications.
- The Board does not allow the use of video, slides, or other electronic presentations during Public Comments. Posters are not allowed at the speaker's podium.
- Speakers must be recognized by the presiding officer and will address the Board from the speaker's podium. No speaker will approach the dais.
- If citizens bring a written statement or support materials, they should provide enough copies for the seven Board Members and the Superintendent. Copies must be provided to the Executive Assistant to the Superintendent at the time the individual signs up to speak in Public Comment.
- When the Board conducts a public hearing during a regular board meeting, individuals may have the opportunity to address the Board during both the public comment portion of the meeting and during the public hearing. However, comments pertaining to the subject of the public hearing are to be reserved for the public hearing. Unless otherwise provided by law or speakers' time is adjusted by the presiding officer, an individual may address the Board for three minutes during a public hearing. Comments to the Board during a public hearing must be directly related to the agenda item for the hearing or the presiding officer will redirect the individual to the applicable topic of the public hearing.
- Citizens may also contact the Board at: Board of Trustees / Board Members (bisd.net)

### **Quorum**

Generally, any time four or more members are gathered and discuss Board business, it is considered a meeting under the Texas Open Meetings Act. See BE(LEGAL).

A "walking quorum" occurs when members of a governmental body gather in numbers that do not physically constitute a quorum at any one time but who, through successive gatherings, secretly discuss a public matter with a quorum of the body with the objective of avoiding an open meeting. A governmental body may be subject to both civil and criminal liability for conducting business by a "walking quorum."

## **Consent Agenda**

A consent agenda will be used for items of routine and/or recurring nature, generally requiring no discussion and grouped together under one heading. The Superintendent will automatically place the following items on the consent agenda.

1. Routine items;
2. Annual renewals (i.e., Region 12 and Texas Education Agency items);
3. Financial items to include, but not limited to, monthly financial reports, budget amendments, expenditures over \$50,000, gifts, grants and bequests, certification of annual tax roll, monthly, quarterly, and annual investment reports, and other financial reports as needed;
4. Minutes of regular and special Board meetings;
5. Updates of Board policy;
6. Routine personnel items; and
7. Routine bid recommendations.

A Board member can request an item be removed from the consent agenda for individual consideration and voting through notice to the Superintendent and Board President as soon as practical prior to the meeting, or in sufficient time, as determined by the Superintendent, to enable staff to present information at the meeting necessary to address a Board member's question or concern.

## **Board Member Requests for Information**

Questions from Board members concerning non-agenda information will be answered, when appropriate, in an administrative report by the Superintendent OR:

- May be placed on a future Board meeting agenda.
- Updates will be provided as needed by the Superintendent. Board members will notify the Superintendent when answers to their questions are not forthcoming from the contact person in the time promised.
- Board members, acting in their official capacity, have the right to seek information through the Superintendent's office. Written questions and corresponding responses will be distributed to all Board members in a timely manner.
- A Board member shall not have access to confidential student records unless there is a legitimate educational interest as defined by Board policy FL(Legal) in the records and the member is acting in his/her official capacity.
- Board members shall make formal information requests directly to the Superintendent. The Superintendent may direct other administrators to respond.
- Board members can e-mail or call the Superintendent or executive staff to ask questions or make informal requests for information.
- If the request requires a material amount of time or resources, the Superintendent shall notify the Board President.
- Board members will keep the Superintendent informed.

## **Closed Sessions**

Closed Meetings shall include only items allowed by law and policy.

- If a Closed Meeting is allowed, the Board shall not conduct the Closed Meeting unless a quorum of the Board first convenes in an Open Meeting for which proper notice has been given and in which the presiding officer has publicly announced the sections of the Open Meetings Act or other applicable law under which the Closed Meeting is held.
- A final action, decision, or vote on a matter deliberated in a Closed Meeting shall be made only in an Open Meeting for which proper notice has been given.
- The Board shall keep a certified agenda of the proceedings of each Closed Meeting.

- No Board member shall participate in a Closed Meeting that is not documented by a certified agenda or a tape recording.
- All information provided and opinions shared in Closed Meeting shall remain confidential unless otherwise agreed upon by the Board. Non-compliance may result in private and or public censure.

### **Parliamentary Procedures**

The Board ~~may~~ shall observe the parliamentary procedures as outlined in Robert's Rules of Order Newly Revised.

## **BOARD ELECTIONS OR APPOINTMENTS**

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Five Board positions are by area and two are at large. In the event of a vacancy prior to the completion of a three-year term, the Board may appoint a replacement to complete the term or may order a special election to fill the vacancy in accordance with Board Policy BBC(LEGAL).

2024-2027

Erin Bass & Chris Flor

2022-2025

Manuel Alcozer, Suzanne McDonald & Jeff Norwood

2023-2026 At-Large

Janet Leigh & Rucker Preston

## **EVALUATION OF THE BOARD**

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- The Board shall conduct a self-evaluation annually.
- The evaluation shall consider such items as role recognition, relationship with others, performance at Board meetings, self-improvement activities and other issues consistent with the Framework for School Board Development.

## **EVALUATION OF THE SUPERINTENDENT**

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The annual evaluation of the Superintendent and review of the Superintendent's contract will typically be done in January.

- The Board President obtains input from all Board members, completes the appraisal document and reviews the document and comments with the Superintendent prior to the next regularly scheduled board meeting.
- The Superintendent's evaluation is generally conducted in closed session but can be conducted in open session at the request of the Superintendent.

## **SELECTION OF BOARD OFFICERS**

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- The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. Each officer should have completed their annual required continuing education hours on time and completed one year of board service.
- Board officers shall serve for a one-year term or until a successor is elected. Officers may remain in the same office up to three (3) consecutive terms.

## MEETING MINUTES

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- The Secretary of the Board shall ensure that an accurate record is kept of the proceedings of each Board meeting in accordance with BDAA(LOCAL). Written minutes of each Board meeting will reflect the votes, orders, decisions, and other actions taken by the Board at each Board meeting in accordance with BE(LEGAL). Motions that die for lack of a second are not considered votes/orders/decisions/action and will not be recorded in the minutes.
- Minutes from previous Board meetings will be placed in the agenda packet for approval at the next Regular Board meeting. If extenuating circumstances exist, minutes will be provided in the following month.
- Approved Board minutes will be posted in BoardBook.

## STANDING BOARD COMMITTEES

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- The Board may divide into standing committees to best serve District needs. When applicable Board members have the option of which committee they wish to serve with up to two trustees serving on each committee. The Board President will not formally be appointed to a standing committee but may choose to attend any or all committee meetings.
- If a quorum of Board members is anticipated, the meeting will be posted and held in accordance with Special Board Meeting procedures.
- The Board President may create additional committees to address special topics.
- Standing Board Committees may be paused or dissolved upon Board action.

## COMMUNICATION ON DISTRICT BUSINESS

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In accordance with Policy BJA(LOCAL), the Superintendent will keep the Board informed of significant issues as they arise. The following items serve as agreed upon criteria and procedures for information dissemination:

- The Superintendent will determine the timing and means of communication depending upon the severity of the situation.
- Issues prompting timely communication from the superintendent may be fact or rumor, but must be important to the function of the District. Such information could be one of District liability, staff or student risk, safety, or other items of significant community interest.
- All information is to be shared equitably with all members of the team in an appropriate/ethical manner.

## BOARD MEMBER COMMUNICATION WITH THE MEDIA

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- The team strives to maintain a positive relationship with the media.
- The Superintendent or his/her designee shall be the official spokesperson for the District to the media on issues of media attention.

- The Board President or his/her designee shall be the official spokesperson for the Board to the media on issues of media attention.
- In speaking as an individual, the Board member should:
- Clarify that he/she is speaking as an individual and not for the Board, and
- Remind the media representative(s) of the position or the action of the Board or the issue in question.

## BOARD DISSENTION

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- Board members shall honor action taken by the Board when making any individual statement related to school business.
- Board members shall not communicate with any other Board members for purposes of soliciting votes with respect to Board business items.
- It is expected that Board members will attempt to informally work out any personal and professional conflicts with each other such that the members continue to work in a collaborative and effective manner.
- If disputes arise between Board members related to Board business or these Board Operating Procedures that cannot be resolved through communications between the members, the Board President will attempt to informally mediate the dispute and achieve resolution. In the event the dispute remains unresolved, the issue may be presented to the Board for resolution in a closed meeting if the item falls under accepted closed meeting topics. If the issue is not resolved during a closed meeting, the Board may take action as allowed by Board policy.

## CITIZEN REQUEST/COMPLAINT TO INDIVIDUAL BOARD MEMBERS

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Parents and community members wishing to contact the School Board regarding a specific school, teacher, or child are encouraged to begin at the level closest to the concern. The Board requests students and parents discuss their concerns and complaints through informal conferences with the appropriate teacher, principal or other campus administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

1. Step One: Contact the teacher, coach, guidance counselor, etc.
2. Step Two: Contact the principal. (If a parent or community member has a school-wide concern, this becomes Step One.)
3. Step Three: Contact the District office responsible for the area of concern.
4. Step Four: Email the Superintendent of Schools, who may begin an investigation or refer the matter to an appropriate administrator.

When a Trustee is contacted with a complaint or concern from a citizen, they will recommend the item be addressed at the appropriate level noted above or will refer the matter to the Superintendent of Schools for an administrative response. As the Superintendent deems it appropriate, the matter may be assigned to a designated administrator to provide the administrative response. In such situations, the Superintendent of Schools (or designee) will respond in lieu of the Trustee.

If an informal conference regarding a complaint fails to reach the outcome requested by the student or parent, the student or parent may initiate the formal process described in the following policies:

- FNG(LOCAL)
- FNG(LEGAL)

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns, and they may withdraw a formal complaint at any time if a resolution has been reached.

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

### **Other Issues**

Citizens wishing to express themselves regarding school district policy, boundaries, finances or other responsibilities of the Board which have not been placed on a regular agenda, are encouraged to use one or more of these alternatives.

- Contact the appropriate school department.
- Speak at the Public Comment section held during each regular board meeting.
- Board members discourage citizens from providing anonymous information and, in general, will not act upon it (except for fraud, unlawful or other questionable Belton ISD activities which can be reported in confidence).
- Writing or speaking to the Board in a disrespectful tone is considered unprofessional and is counterproductive.

## **BUILDING TRUST BETWEEN ADMINISTRATION AND BOARD**

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- As much as possible, staff should be made aware of Board member questions in advance of the Board meeting.
- Care enough to privately address a fellow Board member if he/she is inappropriate.
- Provide the same information to all of the Board and the staff in an appropriate and timely manner.
- Board members will read their packet in advance.
- Staff will provide supportive data for Board decision-making.
- The agenda item cover memo will be used by staff to guide their work in supplying adequate and clear information on agenda items.
- The Board may table an item that does not have supportive data.
- The Board, Superintendent, and staff will be open and respectful of each other.

## **GUIDELINES FOR SKILLFUL TEAM DISCUSSION**

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- Allow equal voice.
- Listen to understand.
- Allow one speaker at a time.
- Be brief and to the point.
- Take responsibility for yourself.
- Strive for consensus.

## **BOARD MEMBER VISITS TO CAMPUSES**

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- Board members may be invited to attend public events, receptions, groundbreakings, dedications, ribbon cuttings, and other campus events. In such cases, notifying the Superintendent is not necessary.

- Board members who wish to visit a campus to view a program or activity in their official capacity shall notify the Superintendent and coordinate the visit with the principal.
- Board members visiting a campus in an unofficial capacity should adhere to campus rules.
- Board members are encouraged to interact with staff members but are never to give staff and other Employees any directives.
- The Superintendent may schedule group Board visits on topics of interest. There must be less than a quorum present.

## BOARD MEMBER ATTENDANCE AT DISTRICT EVENTS

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- The Board will be provided weekly updates of calendar events and sent calendar invitations when available.
- Board members will show support of key events through their attendance at those events as representatives of the Board.

## BOARD TRAINING

---

Candidate workshops: The Board may conduct a training for interested school board candidates each year.

In the first year of service, a Board member shall receive at least 10 hours of continuing education in fulfillment of assessed needs. Up to 5 of the required 10 hours may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor. Newly elected Board member training shall include, but not be limited to:

- Local District Orientation (within 120 days of taking the oath of office, at least 3 hours in length);
- Open Meetings Act (not less than 1 and not more than 2 hours within 90 days of taking the oath of office);
- Public Information Act (not less than 1 and not more than 2 hours within 90 days of taking the oath of office);
- Local Orientation to the Texas Education Code (within 1 year before or 120 days after taking the oath of office at least 3 hours in length); and
- Evaluating and Improving Student Outcomes (formerly SB 1566), within 120 days of taking the oath of office.

After the first year of service, a Board member shall receive at least 5 hours of continuing education annually in fulfillment of assessed needs. A Board member may fulfill the 5 hours of continuing education through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor. Experienced Board members are required to complete training to include:

- Team building with Superintendent including goal setting and review of the State Board of Education's governance framework distributed annually by the Board President to all Board members and the Superintendent (3 hours annually);
- Continuing education in assessed needs (5 hours annually);
- Evaluating and Improving Student Outcomes (formerly SB 1566), 3 hours training every 2 years);

- State Board of Education Safety Training (2 hours every 2 years);
- Post-Legislative Update to the Texas Education Code, following a legislative session;
- Child Abuse Prevention (1 hour every 2 years); and
- Cybersecurity (1 hour annually).

The Board must meet minimum annual training requirements for the period January 1 through December 31.

The Board President shall also receive continuing education related to leadership duties of the Board President as some portion of the annual requirement.

The Texas Education Code requires the President of the Board to announce the status of earned training credits for each member of the Board of Trustees annually. The announcement is a progress report on the training Board members have received to date. This announcement occurs at the last regular Board meeting prior to an election of trustees (typically April).

Board members are encouraged to join the Texas Association of School Boards (TASB) and attend the TASB convention, as well as other relevant conventions, conferences, or clinics.

The Board is committed to attend required training and will strive to annually attend a conference together with the goal of 100% participation by the Board and Superintendent.

## REVIEW AND ADOPTION

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These Operating Procedures were approved at a meeting of the Board of Trustees on the 19th day of August, 2024~~17th day of June, 2024.~~

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Manuel Alcozer, President

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Erin Bass, Secretary



## BOARD OPERATING PROCEDURES

Belton Independent School District

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- Typically, after the Board President opens the meeting, the Board will allow Public Comments.

## Board Member Response in Public Participation Section of the Board Meeting

- Public Comments will be posted on the Board’s meeting notice twice as separate agenda items. Public Comment on agenda items will occur at the beginning of the meeting and Public Comment on non-agenda items will occur at the end of the meeting. At Regular Meetings, the Board shall permit public comment, regardless of whether the topic is an item on the agenda posted with notice of the meeting. At Special Meetings, public comment shall be limited to items on the

agenda posted with notice of the meeting. An individual's comments shall not exceed three (3) minutes per meeting except as permitted by Board Policy. See BED(LEGAL) and (LOCAL).

- The Board President may limit time and adjust placement of Public Comments if there is a large number of speakers or topics on the agenda. It is within the discretion of the presiding officer to reduce the amount of time allotted to individual speakers. Below is a sample of a sliding scale that may be used by the Board President for effective meeting management:

<b>Number of Speakers</b>	<b>Minutes</b>
1-15	3
16-30	2
31-40	1.5
41 or more	1

- Individuals needing translation services may be allotted additional time in accordance with BED(LEGAL).
- The Board President will share specific expectations/guidance with the Board and the public prior to the public participation segment of the board meeting. The Board President shall inform the audience that the Board cannot engage with the audience during Public Comments.
- Board members will be attentive to speakers who come before the Board in the public participation segment of the meeting.
- Board members will refrain from demonstrating negative non-verbal communications.
- The Board does not allow the use of video, slides, or other electronic presentations during Public Comments. Posters are not allowed at the speaker's podium.
- Speakers must be recognized by the presiding officer and will address the Board from the speaker's podium. No speaker will approach the dais.
- If citizens bring a written statement or support materials, they should provide enough copies for the seven Board Members and the Superintendent. Copies must be provided to the Executive Assistant to the Superintendent at the time the individual signs up to speak in Public Comment.
- When the Board conducts a public hearing during a regular board meeting, individuals may have the opportunity to address the Board during both the public comment portion of the meeting and during the public hearing. However, comments pertaining to the subject of the public hearing are to be reserved for the public hearing. Unless otherwise provided by law or speakers' time is adjusted by the presiding officer, an individual may address the Board for three minutes during a public hearing. Comments to the Board during a public hearing must be directly related to the agenda item for the hearing or the presiding officer will redirect the individual to the applicable topic of the public hearing.
- Citizens may also contact the Board at: Board of Trustees / Board Members (bisd.net)

## **Quorum**

Generally, any time four or more members are gathered and discuss Board business, it is considered a meeting under the Texas Open Meetings Act. See BE(LEGAL).

A "walking quorum" occurs when members of a governmental body gather in numbers that do not physically constitute a quorum at any one time but who, through successive gatherings, secretly discuss a public matter with a quorum of the body with the objective of avoiding an open meeting. A governmental body may be subject to both civil and criminal liability for conducting business by a "walking quorum."

## **Consent Agenda**

A consent agenda will be used for items of routine and/or recurring nature, generally requiring no discussion and grouped together under one heading. The Superintendent will automatically place the following items on the consent agenda.

1. Routine items;
2. Annual renewals (i.e., Region 12 and Texas Education Agency items);
3. Financial items to include, but not limited to, monthly financial reports, budget amendments, expenditures over \$50,000, gifts, grants and bequests, certification of annual tax roll, monthly, quarterly, and annual investment reports, and other financial reports as needed;
4. Minutes of regular and special Board meetings;
5. Updates of Board policy;
6. Routine personnel items; and
7. Routine bid recommendations.

A Board member can request an item be removed from the consent agenda for individual consideration and voting through notice to the Superintendent and Board President as soon as practical prior to the meeting, or in sufficient time, as determined by the Superintendent, to enable staff to present information at the meeting necessary to address a Board member's question or concern.

## **Board Member Requests for Information**

Questions from Board members concerning non-agenda information will be answered, when appropriate, in an administrative report by the Superintendent OR:

- May be placed on a future Board meeting agenda.
- Updates will be provided as needed by the Superintendent. Board members will notify the Superintendent when answers to their questions are not forthcoming from the contact person in the time promised.
- Board members, acting in their official capacity, have the right to seek information through the Superintendent's office. Written questions and corresponding responses will be distributed to all Board members in a timely manner.
- A Board member shall not have access to confidential student records unless there is a legitimate educational interest as defined by Board policy FL(Legal) in the records and the member is acting in his/her official capacity.
- Board members shall make formal information requests directly to the Superintendent. The Superintendent may direct other administrators to respond.
- Board members can e-mail or call the Superintendent or executive staff to ask questions or make informal requests for information.
- If the request requires a material amount of time or resources, the Superintendent shall notify the Board President.
- Board members will keep the Superintendent informed.

## **Closed Sessions**

Closed Meetings shall include only items allowed by law and policy.

- If a Closed Meeting is allowed, the Board shall not conduct the Closed Meeting unless a quorum of the Board first convenes in an Open Meeting for which proper notice has been given and in which the presiding officer has publicly announced the sections of the Open Meetings Act or other applicable law under which the Closed Meeting is held.
- A final action, decision, or vote on a matter deliberated in a Closed Meeting shall be made only in an Open Meeting for which proper notice has been given.
- The Board shall keep a certified agenda of the proceedings of each Closed Meeting.

- No Board member shall participate in a Closed Meeting that is not documented by a certified agenda or a tape recording.
- All information provided and opinions shared in Closed Meeting shall remain confidential unless otherwise agreed upon by the Board. Non-compliance may result in private and or public censure.

### **Parliamentary Procedures**

The Board may observe the parliamentary procedures as outlined in Robert’s Rules of Order Newly Revised.

## **BOARD ELECTIONS OR APPOINTMENTS**

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Five Board positions are by area and two are at large. In the event of a vacancy prior to the completion of a three-year term, the Board may appoint a replacement to complete the term or may order a special election to fill the vacancy in accordance with Board Policy BBC(LEGAL).

2024-2027

Erin Bass & Chris Flor

2022-2025

Manuel Alcozer, Suzanne McDonald & Jeff Norwood

2023-2026 At-Large

Janet Leigh & Rucker Preston

## **EVALUATION OF THE BOARD**

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- The Board shall conduct a self-evaluation annually.
- The evaluation shall consider such items as role recognition, relationship with others, performance at Board meetings, self-improvement activities and other issues consistent with the Framework for School Board Development.

## **EVALUATION OF THE SUPERINTENDENT**

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The annual evaluation of the Superintendent and review of the Superintendent’s contract will typically be done in January.

- The Board President obtains input from all Board members, completes the appraisal document and reviews the document and comments with the Superintendent prior to the next regularly scheduled board meeting.
- The Superintendent’s evaluation is generally conducted in closed session but can be conducted in open session at the request of the Superintendent.

## **SELECTION OF BOARD OFFICERS**

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- The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. Each officer should have completed their annual required continuing education hours on time and completed one year of board service.
- Board officers shall serve for a one-year term or until a successor is elected. Officers may remain in the same office up to three (3) consecutive terms.

## MEETING MINUTES

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- The Secretary of the Board shall ensure that an accurate record is kept of the proceedings of each Board meeting in accordance with BDAA(LOCAL). Written minutes of each Board meeting will reflect the votes, orders, decisions, and other actions taken by the Board at each Board meeting in accordance with BE(LEGAL). Motions that die for lack of a second are not considered votes/orders/decisions/action and will not be recorded in the minutes.
- Minutes from previous Board meetings will be placed in the agenda packet for approval at the next Regular Board meeting. If extenuating circumstances exist, minutes will be provided in the following month.
- Approved Board minutes will be posted in BoardBook.

## STANDING BOARD COMMITTEES

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- The Board may divide into standing committees to best serve District needs. When applicable Board members have the option of which committee they wish to serve with up to two trustees serving on each committee. The Board President will not formally be appointed to a standing committee but may choose to attend any or all committee meetings.
- If a quorum of Board members is anticipated, the meeting will be posted and held in accordance with Special Board Meeting procedures.
- The Board President may create additional committees to address special topics.
- Standing Board Committees may be paused or dissolved upon Board action.

## COMMUNICATION ON DISTRICT BUSINESS

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In accordance with Policy BJA(LOCAL), the Superintendent will keep the Board informed of significant issues as they arise. The following items serve as agreed upon criteria and procedures for information dissemination:

- The Superintendent will determine the timing and means of communication depending upon the severity of the situation.
- Issues prompting timely communication from the superintendent may be fact or rumor, but must be important to the function of the District. Such information could be one of District liability, staff or student risk, safety, or other items of significant community interest.
- All information is to be shared equitably with all members of the team in an appropriate/ethical manner.

## BOARD MEMBER COMMUNICATION WITH THE MEDIA

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- The team strives to maintain a positive relationship with the media.
- The Superintendent or his/her designee shall be the official spokesperson for the District to the media on issues of media attention.

- The Board President or his/her designee shall be the official spokesperson for the Board to the media on issues of media attention.
- In speaking as an individual, the Board member should:
- Clarify that he/she is speaking as an individual and not for the Board, and
- Remind the media representative(s) of the position or the action of the Board or the issue in question.

## BOARD DISSENTION

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- Board members shall honor action taken by the Board when making any individual statement related to school business.
- Board members shall not communicate with any other Board members for purposes of soliciting votes with respect to Board business items.
- It is expected that Board members will attempt to informally work out any personal and professional conflicts with each other such that the members continue to work in a collaborative and effective manner.
- If disputes arise between Board members related to Board business or these Board Operating Procedures that cannot be resolved through communications between the members, the Board President will attempt to informally mediate the dispute and achieve resolution. In the event the dispute remains unresolved, the issue may be presented to the Board for resolution in a closed meeting if the item falls under accepted closed meeting topics. If the issue is not resolved during a closed meeting, the Board may take action as allowed by Board policy.

## CITIZEN REQUEST/COMPLAINT TO INDIVIDUAL BOARD MEMBERS

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Parents and community members wishing to contact the School Board regarding a specific school, teacher, or child are encouraged to begin at the level closest to the concern. The Board requests students and parents discuss their concerns and complaints through informal conferences with the appropriate teacher, principal or other campus administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

1. Step One: Contact the teacher, coach, guidance counselor, etc.
2. Step Two: Contact the principal. (If a parent or community member has a school-wide concern, this becomes Step One.)
3. Step Three: Contact the District office responsible for the area of concern.
4. Step Four: Email the Superintendent of Schools, who may begin an investigation or refer the matter to an appropriate administrator.

When a Trustee is contacted with a complaint or concern from a citizen, they will recommend the item be addressed at the appropriate level noted above or will refer the matter to the Superintendent of Schools for an administrative response. As the Superintendent deems it appropriate, the matter may be assigned to a designated administrator to provide the administrative response. In such situations, the Superintendent of Schools (or designee) will respond in lieu of the Trustee.

If an informal conference regarding a complaint fails to reach the outcome requested by the student or parent, the student or parent may initiate the formal process described in the following policies:

- FNG(LOCAL)
- FNG(LEGAL)

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns, and they may withdraw a formal complaint at any time if a resolution has been reached.

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

### **Other Issues**

Citizens wishing to express themselves regarding school district policy, boundaries, finances or other responsibilities of the Board which have not been placed on a regular agenda, are encouraged to use one or more of these alternatives.

- Contact the appropriate school department.
- Speak at the Public Comment section held during each regular board meeting.
- Board members discourage citizens from providing anonymous information and, in general, will not act upon it (except for fraud, unlawful or other questionable Belton ISD activities which can be reported in confidence).
- Writing or speaking to the Board in a disrespectful tone is considered unprofessional and is counterproductive.

## **BUILDING TRUST BETWEEN ADMINISTRATION AND BOARD**

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- As much as possible, staff should be made aware of Board member questions in advance of the Board meeting.
- Care enough to privately address a fellow Board member if he/she is inappropriate.
- Provide the same information to all of the Board and the staff in an appropriate and timely manner.
- Board members will read their packet in advance.
- Staff will provide supportive data for Board decision-making.
- The agenda item cover memo will be used by staff to guide their work in supplying adequate and clear information on agenda items.
- The Board may table an item that does not have supportive data.
- The Board, Superintendent, and staff will be open and respectful of each other.

## **GUIDELINES FOR SKILLFUL TEAM DISCUSSION**

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- Allow equal voice.
- Listen to understand.
- Allow one speaker at a time.
- Be brief and to the point.
- Take responsibility for yourself.
- Strive for consensus.

## **BOARD MEMBER VISITS TO CAMPUSES**

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- Board members may be invited to attend public events, receptions, groundbreakings, dedications, ribbon cuttings, and other campus events. In such cases, notifying the Superintendent is not necessary.

- Board members who wish to visit a campus to view a program or activity in their official capacity shall notify the Superintendent and coordinate the visit with the principal.
- Board members visiting a campus in an unofficial capacity should adhere to campus rules.
- Board members are encouraged to interact with staff members but are never to give staff and other Employees any directives.
- The Superintendent may schedule group Board visits on topics of interest. There must be less than a quorum present.

## BOARD MEMBER ATTENDANCE AT DISTRICT EVENTS

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- The Board will be provided weekly updates of calendar events and sent calendar invitations when available.
- Board members will show support of key events through their attendance at those events as representatives of the Board.

## BOARD TRAINING

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Candidate workshops: The Board may conduct a training for interested school board candidates each year.

In the first year of service, a Board member shall receive at least 10 hours of continuing education in fulfillment of assessed needs. Up to 5 of the required 10 hours may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor. Newly elected Board member training shall include, but not be limited to:

- Local District Orientation (within 120 days of taking the oath of office, at least 3 hours in length);
- Open Meetings Act (not less than 1 and not more than 2 hours within 90 days of taking the oath of office);
- Public Information Act (not less than 1 and not more than 2 hours within 90 days of taking the oath of office);
- Local Orientation to the Texas Education Code (within 1 year before or 120 days after taking the oath of office at least 3 hours in length); and
- Evaluating and Improving Student Outcomes (formerly SB 1566), within 120 days of taking the oath of office.

After the first year of service, a Board member shall receive at least 5 hours of continuing education annually in fulfillment of assessed needs. A Board member may fulfill the 5 hours of continuing education through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor. Experienced Board members are required to complete training to include:

- Team building with Superintendent including goal setting and review of the State Board of Education's governance framework distributed annually by the Board President to all Board members and the Superintendent (3 hours annually);
- Continuing education in assessed needs (5 hours annually);
- Evaluating and Improving Student Outcomes (formerly SB 1566), 3 hours training every 2 years);

- State Board of Education Safety Training (2 hours every 2 years);
- Post-Legislative Update to the Texas Education Code, following a legislative session;
- Child Abuse Prevention (1 hour every 2 years); and
- Cybersecurity (1 hour annually).

The Board must meet minimum annual training requirements for the period January 1 through December 31.

The Board President shall also receive continuing education related to leadership duties of the Board President as some portion of the annual requirement.

The Texas Education Code requires the President of the Board to announce the status of earned training credits for each member of the Board of Trustees annually. The announcement is a progress report on the training Board members have received to date. This announcement occurs at the last regular Board meeting prior to an election of trustees (typically April).

Board members are encouraged to join the Texas Association of School Boards (TASB) and attend the TASB convention, as well as other relevant conventions, conferences, or clinics.

The Board is committed to attend required training and will strive to annually attend a conference together with the goal of 100% participation by the Board and Superintendent.

## REVIEW AND ADOPTION

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These Operating Procedures were approved at a meeting of the Board of Trustees on the 19th day of August, 2024.

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Manuel Alcozer, President

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Erin Bass, Secretary