

Agenda of Regular Meeting

The Board of Trustees Westwood Independent School District

A Regular Meeting of the Board of Trustees of Westwood Independent School District will be held July 12, 2021, beginning at 6:30 PM Westwood Administration Office.

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 this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

Due to health and safety concerns related to COVID-19 coronavirus, the meeting will be conducted by video-conference. At least a quorum of the Board will be participating by videoconference or telephone call in accordance with the provisions of Sections 551.123 or 551.127 of the Texas Government Code that have not been suspended by order of the governor.

An electronic copy of the agenda packet is attached to the online notice www.westwoodisd.net. Members of the public who desire to address the Board regarding an item on this agenda must comply with the following registration procedures: send a request through Zoom Chat from 6:15 pm – 6:30 pm the day of the meeting. Including name and topic.

1. **CALL TO ORDER AND ESTABLISH QUORUM**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE/TEXAS PLEDGE**
5. **ACTION ITEM**
 - A. BOARD TO CONSIDER APPROVAL OF THE AGENDA
6. **PUBLIC COMMENTS**
7. **INFORMATION ITEMS**
 - A. Finance Update
Presenter: Kyle Johnson

Westwood ISD Agenda Item Information

Meeting Date: July 12, 2021

Subject: Finance Update - Fiscal Year To Date (FYTD) Compared to last 2 years

Administrator Responsible: Mr. Johnson

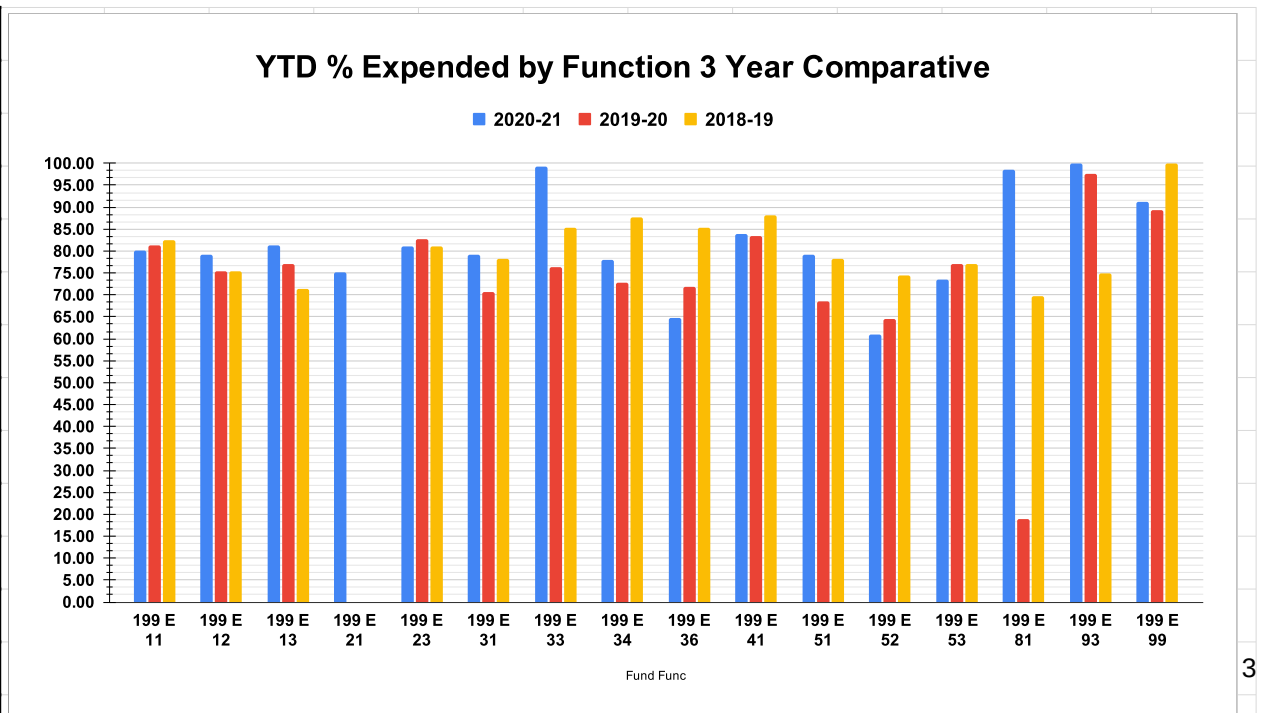
Summary: The presentation will give an update on the FTYD Budget for 20-21 compared to the previous 2 years.

Administration's Recommendation: This is for information purposes only.

Board Approval Required YES NO **X**

Fund Func	2020-21	2019-20	2018-19
199 E 11	80.06	81.19	82.43
199 E 12	79.10	75.34	75.35
199 E 13	81.34	77.02	71.46
199 E 21	75.15	-	-
199 E 23	81.04	82.71	81.10
199 E 31	79.16	70.74	78.25
199 E 33	99.36	76.43	85.21
199 E 34	77.99	72.83	87.67
199 E 36	64.82	71.86	85.30
199 E 41	83.95	83.31	88.08
199 E 51	79.28	68.52	78.27
199 E 52	60.86	64.46	74.38
199 E 53	73.55	77.13	76.99
199 E 81	98.46	19.00	69.66
199 E 93	100	97.52	74.96
199 E 99	91.17	89.39	99.92

10/12 = 83% of budget expensed to be on track



- B. Student handbooks for the 2021-2022
Presenter: Katie Atkins

Westwood ISD



Student Handbook 2021–2022 School Year

If you have difficulty accessing the information in this document because of disability, please contact the district at ask@westwoodisd.net or (903) 729-1776.

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Westwood ISD School Board Members

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Preface Parents and Students:

Welcome to the new school year!

Education is a team effort. Students, parents, teachers, and other staff members working together will make this a successful year.

The Westwood ISD Student Handbook is a general reference guide that is divided into two sections:

Section One: Parental Rights describes certain parental rights as specified in state or federal law.

Section Two: Other Important Information for Parents and Students is organized alphabetically by topic. Where applicable, the topics are further organized by grade level.

Note: Unless otherwise noted, the term “parent” refers to the parent, legal guardian, any person granted some other type of lawful control of a student, or any other person who has agreed to assume school-related responsibility for a student.

The Student Handbook is designed to align with law, board-adopted policy, and the Student Code of Conduct, a board-adopted document intended to promote school safety and an atmosphere for learning. The Student Handbook is not meant to be a complete statement of all policies, procedures, or rules in any given circumstance.

In case of conflicts between board policy (including the Student Code of Conduct) and any Student Handbook provision, the district will follow board policy and the Student Code of Conduct.

Therefore, parents and students should become familiar with the Westwood ISD’s Student Code of Conduct. To review the Code of Conduct, visit the district’s website at www.westwoodisd.net. State law requires that the Code of Conduct be prominently displayed or made available for review at each campus.

The Student Handbook is updated annually; however, policy adoption and revisions may occur throughout the year. The district encourages parents to stay informed of proposed policy changes by attending board meetings and reviewing newsletter and other communications explaining changes in policy or other rules that affect Student Handbook provisions. The district reserves the right to modify the Student Handbook at any time. Notice of revisions will be provided as is reasonably practical.

Although the Student Handbook may refer to rights established through law or district policy, it does not create additional rights for parents and students. It does not, nor is it intended to, represent a contract between any parent or student and the district.

A hard copy of either the Student Code of Conduct or Student Handbook can be requested at any campus and the administration office.

Note: References to board policy codes are included for ease of reference. The hard copy of the district’s official policy manual is available for review in the Westwood ISD Administration Office.

The policy manual includes:

- Legally referenced (LEGAL) policies that contain provisions from federal and state laws and regulations, case law, and other legal authorities that provide the legal framework for school districts.
- Board-adopted (LOCAL) policies that articulate the board's choices and values regarding district practices.

For questions about the material in this handbook, please contact:

Brenda Bing

4524 W. Oak, Palestine, TX 75803

bbing@westwoodisd.net

(903) 729-1776

Complete and return to the student's campus the following forms (provided in the forms packet distributed at the beginning of the year or upon enrollment):

- Electronic Distribution of Student Handbook
- Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information,
- Parent's Objection to the Release of Student Information to Military Recruiters and Institutions of Higher Education (if you choose to restrict the release of information to these entities), and
- Consent/Opt-Out Form for participation in third-party surveys.

[See **Objecting to the Release of Directory Information** and **Consent Required Before Student Participation in a Federally Funded Survey**]

Accessibility

If you have difficulty accessing this handbook because of a disability, please contact the central office at (903) 729-1776 or email ask@westwoodisd.net

Section One: Parental Rights

This section describes certain parental rights as specified in state or federal law.

Consent, Opt-Out, and Refusal Rights

Consent to Conduct a Psychological Evaluation

Unless required under state or federal law, a district employee will not conduct a psychological examination, test, or treatment without obtaining prior written parental consent.

Note: An evaluation may be legally required under special education rules or by the Texas Education Agency for child abuse investigations and reports.

Consent to Provide a Mental-Health Care Service

The district will not provide a mental health care service to a student or conduct a medical screening of a student as part of the district's intervention procedures except as permitted by law.

The district has established procedures for recommending to a parent an intervention for a student with early warning signs of mental health concerns, substance abuse, or suicide risk. The district's mental health liaison will notify the student's parent within a reasonable amount of time after the liaison learns that a student has displayed early warning signs and provide information about available counseling options.

The district has also established procedures for staff to notify the mental health liaison regarding a student who may need intervention.

The mental health liaison can be reached at:

Tiffany Carwell

Director of Federal and Special Programs

4524 W. Oak, Palestine, TX 75803

tncarwell@westwoodisd.net

903-729-1776

The mental health liaison can provide further information regarding these procedures as well as educational materials on identifying risk factors, accessing resources for treatment or support on and off campus, and accessing available student accommodations provided on campus.

For further information, see **Mental Health Support** .

Consent to Display a Student's Original Works and Personal Information

Teachers may display a student's work in classrooms or elsewhere on campus as recognition of student achievement without seeking prior parental consent. These displays may include personally identifiable student information. Student work includes:

- Artwork,
- Special projects,
- Photographs,
- Original videos or voice recordings, and
- Other original works.

However, the district will seek parental consent before displaying a student's work on the district's website, a website affiliated or sponsored by the district (such as a campus or classroom website), or in district publications, which may include printed materials, videos, or other methods of mass communication.

Consent to Receive Parenting and Paternity Awareness Instruction if a Student is under Age 14

A student under age 14 must have parental permission to participate in the district's parenting and paternity awareness program. This program was developed by the Office of the Texas Attorney General and the State Board of Education (SBOE) to be incorporated into health education classes.

Consent to Video or Audio Record a Student when Not Already Permitted by Law

State law permits the school to make a video or voice recording without parental permission when it:

- Is to be used for school safety,
- Relates to classroom instruction or a co-curricular or extracurricular activity,
- Relates to media coverage of the school, or
- Relates to the promotion of student safety as provided by law for a student receiving special education services in certain settings.

In other circumstances, the district will seek written parental consent before making a video or voice recording of a student.

Please note that parents and visitors to a classroom, both virtual and in person, may not record video or audio or take photographs or other still images without permission from the teacher or other school official.

Prohibiting the Use of Corporal Punishment

Corporal punishment—spanking or paddling a student—may be used as a discipline management technique in accordance with the Student Code of Conduct and district policy FO (LOCAL).

However, in accordance with law, the district may not administer corporal punishment if a student's parent submits a signed, written statement prohibiting its use.

A parent who does not want corporal punishment administered to his or her child must return the form included in the registration packet. This signed statement must be submitted each school year. A parent may revoke this prohibition at any time during the school year by providing a signed statement to the campus principal.

Note:

- District personnel may use discipline methods other than corporal punishment if a parent requests that corporal punishment not be used.
- If the district knows that a student is in temporary or permanent custody of the state (through foster care, kinship care, or other arrangements), corporal punishment will not be administered, even when the student's caregiver or caseworker has not submitted a signed statement prohibiting its use.

Limiting Electronic Communications between Students and District Employees

The district permits teachers and other approved employees to use electronic communications with students within the scope of professional responsibilities, as described by district guidelines.

For example, a teacher may create a social networking page for his or her class to relay information regarding class work, homework, and tests. A parent is welcome to access such a page.

However, text messages sent to an individual student are only allowed if a district employee with responsibility for an extracurricular activity must communicate with a student participating in that activity.

A parent who does not want his or her child to receive one-to-one electronic communications from a district employee should contact the campus principal.

Objecting to the Release of Directory Information

The Family Educational Rights and Privacy Act, or FERPA, permits the district to disclose appropriately designated "directory information" from a student's education records without written consent.

"Directory information" is information that, if released, is generally not considered harmful or an invasion of privacy. Examples include:

- A student's photograph (for publication in the school yearbook);
- A student's name and grade level (for communicating class and teacher assignments);
- The name, weight, and height of an athlete (for publication in a school athletic program);
- A list of student birthdays (for generating schoolwide or classroom recognition);
- A student's name and photograph (posted on a district-approved and-managed social media platform); and
- The names and grade levels of students submitted by the district to a local newspaper or other community publication (to recognize the A/B honor roll for a specific grading period.)

Directory information will be released to anyone who follows procedures for requesting it.

However, a parent or eligible student may object to the release of this information. Any objection must be made in writing to the principal within ten school days of the student's first day of instruction for this school year. [See **Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information**, included in the forms packet.]

The district requests that families living in a shelter for survivors of family violence or trafficking notify district personnel that the student currently resides in such a shelter. Families may want to opt out of the release of directory information so that the district does not release any information that might reveal the location of such a shelter.

As allowed by state law, the district has identified two directory information lists—one for school-sponsored purposes and a second for all other requests. For district publications and announcements, the district has designated the following as directory information: student name, address, telephone listing, electronic mail, address, photograph, grade level, enrollment status, honors and awards received, participation in officially recognized activities and sports, and weight and height of members of athletic teams. If a parent does not object to the use of his or her child's information for these school-sponsored purposes, the school will not ask permission each time the district wants to use the information for these purposes.

For all other purposes, the district has identified the following as directory information: student name, telephone listing, photograph, grade level, honors and awards received, participation in officially recognized activities and sports, and weight and height of members of athletic teams. If a parent does not object to the use of the student's information for these purposes, the school **must** release this information when requested by an outside entity or individual.

Note: Review **Authorized Inspection and Use of Student Records**.

Objecting to the Release of Student Information to Military Recruiters and Institutions of Higher Education (Secondary Grade Levels Only)

Unless a parent has advised the district not to release his or her student's information, the Every Student Succeeds Act (ESSA) requires the district to comply with requests from military recruiters or institutions of higher education for the student's:

- Name,
- Address, and

- Telephone listing.

[See **Parent's Objection to the Release of Student Information to Military Recruiters and Institutions of Higher Education**, included in the forms packet.]

Participation in Third-Party Surveys

Consent Required Before Student Participation in a Federally Funded Survey

The Protection of Pupil Rights Amendment (PPRA) provides parents certain rights regarding participation in surveys, the collection and use of information for marketing purposes, and certain physical exams.

A parent has the right to consent before a student is required to submit to a survey funded by the U.S. Department of Education that concerns any of the following protected areas:

- Political affiliations or beliefs of the student or the student's parent;
- Mental or psychological problems of the student or the student's family;
- Sex behavior or attitudes;
- Illegal, antisocial, self-incriminating, or demeaning behavior;
- Critical appraisals of individuals with whom the student has a close family relationship;
- Legally recognized privileged relationships, such as with lawyers, doctors, and ministers;
- Religious practices, affiliations, or beliefs of the student or parent; or
- Income, except when the information is required by law and will be used to determine the student's eligibility for a program.

A parent can inspect the survey or other instrument and any corresponding instructional materials used in connection with such a survey. [See policy EF(LEGAL) for more information.]

"Opting Out" of Participation in Other Types of Surveys or Screenings and the Disclosure of Personal Information

The PPRA gives parents the right to receive notice and an opportunity to opt a student out of:

- Activities involving the collection, disclosure, or use of personal information gathered from the child for the purpose of marketing, selling, or otherwise disclosing that information to others.
- Any nonemergency, invasive physical examination or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of the student.

Exceptions are hearing, vision, or spinal screenings, or any physical examination or screening permitted or required under state law. [See policies EF and FFAA for more information.]

A parent may inspect:

- Protected information surveys of students and surveys created by a third party;
- Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- Instructional material used as part of the educational curriculum.

The ED provides extensive information about the [Protection of Pupil Rights Amendment](#), including a [PPRA Complaint Form](#).

Removing a Student from Instruction or Excusing a Student from a Required Component of Instruction

Human Sexuality Instruction

As a part of the district's curriculum, students receive instruction related to human sexuality. The School Health Advisory Council (SHAC) makes recommendations for course materials.

State law requires that the district provide written notice before each school year of the board's decision to provide human sexuality instruction.

State law also requires that instruction related to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS):

- Present abstinence from sexual activity as the preferred choice in relationship to all sexual activity for unmarried persons of school age;
- Devote more attention to abstinence from sexual activity than to any other behavior;
- Emphasize that abstinence, if used consistently and correctly, is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted infections and the emotional trauma associated with adolescent sexual activity;
- Direct adolescents to abstain from sexual activity before marriage as the most effective way to prevent pregnancy and sexually transmitted diseases; and
- If included in the content of the curriculum, teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates.

Per state law, here is a summary of the district's curriculum regarding human sexuality instruction:

Westwood ISD requires Health, of all students at the 8th grade level, for high school credit.

A parent is entitled to review the curriculum materials. In addition, a parent may remove his or her child from any part of the human sexuality instruction without academic, disciplinary, or other penalties. A parent may also choose to become more involved with the development of this curriculum by becoming a member of the district's SHAC. (See the campus principal for details.)

Reciting a Portion of the Declaration of Independence in Grades 3–12

State law designates the week of September 17 as Celebrate Freedom Week and requires all social studies classes provide:

- Instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, and
- A specific recitation from the Declaration of Independence for students in grades 3–12.

Per state law, a student may be excused from recitation of a portion of the Declaration of Independence if:

- A parent provides a written statement requesting that his or her child be excused,
- The district determines that the student has a conscientious objection to the recitation, or
- A parent is a representative of a foreign government to whom the U.S. government extends diplomatic immunity.

[See policy EHBK(LEGAL) for more information.]

Reciting the Pledges to the U.S. and Texas Flags

A parent may request that his or her child be excused from participation in the daily recitation of the Pledge of Allegiance to the U.S. flag and the Pledge of Allegiance to the Texas flag. The request must be made in writing.

State law, however, requires that all students participate in one minute of silence following recitation of the pledges.

[See **Pledges of Allegiance and a Minute of Silence** and policy EC(LEGAL) for more information.]

Religious or Moral Beliefs

A parent may remove his or her child temporarily from the classroom if a scheduled instructional activity conflicts with the parent's religious or moral beliefs.

The removal may not be used to avoid a test and may not extend for an entire semester. Further, the student must satisfy grade-level and graduation requirements as determined by the school and by state law.

Tutoring or Test Preparation

A teacher may determine that a student needs additional targeted assistance for the student to achieve mastery in state-developed essential knowledge and skills based on:

- Informal observations,
- Evaluative data such as grades earned on assignments or tests, or

- Results from diagnostic assessments.

The school will always attempt to provide tutoring and strategies for test-taking in ways that prevent removal from other instruction as much as possible.

In accordance with state law and policy EC, districts must obtain parental permission before removing a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the days the class is offered.

Under state law, students with grades below 70 for a reporting period are required to attend tutorial services—if the district offers these services.

[For questions about school-provided tutoring programs, contact the student's teacher and see policies EC and EHBC.]

Right of Access to Student Records, Curriculum Materials, and District Records/Policies

Instructional Materials

A parent has the right to review teaching materials, textbooks, and other teaching aids and instructional materials used in the curriculum, and to examine tests that have been administered.

A parent is also entitled to request that the school allow the student to take home instructional materials the student uses. The school may ask the student to return the materials at the beginning of the next school day.

A school must provide printed versions of electronic instructional materials to a student if the student does not have reliable access to technology at home.

Notices of Certain Student Misconduct to Noncustodial Parent

A noncustodial parent may request in writing that he or she be provided, for the remainder of the school year, a copy of any written notice usually provided to a parent related to his or her child's misconduct that may involve placement in a disciplinary alternative education program (DAEP) or expulsion. [See the Student Code of Conduct and policy FO(LEGAL) for more information.]

Participation in Federally Required, State-Mandated, and District Assessments

In accordance with the Every Student Succeeds Act (ESSA), a parent may request information regarding any federal, state, or district policy related to his or her child's participation in required assessments.

Student Records

Accessing Student Records

A parent may review his or her child's records. These records include:

- Attendance records,
- Test scores,
- Grades,
- Disciplinary records,
- Counseling records,
- Psychological records,
- Applications for admission,
- Health and immunization information,
- Other medical records,
- Teacher and school counselor evaluations,
- Reports of behavioral patterns,
- Records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child, as the term "intervention strategy" is defined by law,
- State assessment instruments that have been administered to the child, and
- Teaching materials and tests used in the child's classroom.

Authorized Inspection and Use of Student Records

The Family Educational Rights and Privacy Act (FERPA) affords parents and eligible students certain rights regarding student education records.

For purposes of student records, an "eligible" student is anyone age 18 or older or who attends a postsecondary educational institution. These rights, as discussed here and at **Objecting to the Release of Directory Information**, are the right to:

- Inspect and review student records within 45 days after the day the school receives a request for access;
- Request an amendment to a student record the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of FERPA;
- Provide written consent before the school discloses personally identifiable information from the student's records, except to the extent that FERPA authorizes disclosure without consent; and

- File a complaint with the U.S. Department of Education concerning failures by the school to comply with FERPA requirements.

For more information about how to file a complaint, see <https://studentprivacy.ed.gov/file-a-complaint>.

Both FERPA and state laws safeguard student records from unauthorized inspection or use and provide parents and eligible students certain rights of privacy.

Before disclosing personally identifiable information from a student's records, the district must verify the identity of the person, including a parent or the student, requesting the information.

Virtually all information pertaining to student performance—including grades, test results, and disciplinary records—is considered confidential educational records.

Inspection and release of student records is restricted to an eligible student or a student's parent unless the school receives a copy of a court order terminating parental rights or the right to access a student's education records. A parent's rights regarding access to student records are not affected by the parent's marital status.

Federal law requires that control of the records goes to the student as soon as the student:

- Reaches the age of 18,
- Is emancipated by a court, or
- Enrolls in a postsecondary educational institution.

However, the parent may continue to have access to the records if the student is a dependent for tax purposes and, under limited circumstances, when there is a threat to the health and safety of the student or other individuals.

FERPA permits the disclosure of personally identifiable information from a student's education records without written consent of the parent or eligible student when school officials have what federal law refers to as a "legitimate educational interest" in a student's records.

- Legitimate educational interest may include:
 - Working with the student;
 - Considering disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities;
 - Compiling statistical data;
 - Reviewing an educational record to fulfill the official's professional responsibility; or
 - Investigating or evaluating programs.
- School officials may include:
 - Board members and employees, such as the superintendent, administrators, and principals;
 - Teachers, school counselors, diagnosticians, and support staff (including district health or medical staff);

- A person or company with whom the district has contracted or allowed to provide a specific institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist, school resource officer, or volunteer);
- A person appointed to serve on a team to support the district's safe and supportive school program;
- A parent or student serving on a school committee; or
- A parent or student assisting a school official in the performance of his or her duties.

FERPA also permits the disclosure of personally identifiable information without written consent:

- To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General's office, the U.S. Attorney General's office, the U.S. Secretary of Education, the Texas Education Agency, the U.S. Secretary of Agriculture's office, and Child Protective Services (CPS) caseworkers or, in certain cases, other child welfare representatives.
- To individuals or entities granted access in response to a subpoena or court order.
- To another school, district/system, or postsecondary educational institution to which a student seeks or intends to enroll or in which the student already is enrolled.
- In connection with financial aid for which a student has applied or has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for, or on behalf of, the school to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.
- When the district discloses directory information-designated details. [To prohibit this disclosure, see **Objecting to the Release of Directory Information**]

Release of personally identifiable information to any other person or agency—such as a prospective employer or for a scholarship application—will occur only with parental or student permission as appropriate.

The principal or assigned designee is custodian of all records for currently enrolled students at the assigned school. The principal or assigned designee is the custodian of all records for students who have withdrawn or graduated.

A parent or eligible student who wants to inspect the student's records should submit a written request to the custodian of records identifying the records he or she wants to inspect.

Records may be reviewed in person during regular school hours. The records custodian or designee will be available to explain the record and to answer questions.

A parent or eligible student who submits a written request and pays copying costs of ten cents per page may obtain copies. If circumstances prevent inspection during regular school hours and the student qualifies for free or reduced-price meals, the district will either provide a copy of

the records requested or make other arrangements for the parent or student to review the records.

You may contact the custodian of records for currently enrolled students at:

Westwood Primary, 1701 W. Point Tap Rd, Palestine, TX 75803 (903) 729-1774

Westwood Elementary, 2305 Salt Works Rd, Palestine, TX 75803 (903) 729-1771

Westwood Junior High, 1801 Panther Blvd, Palestine, TX 75803 (903) 723-0423

Westwood High School, 1820 Panther Blvd, Palestine, TX 75803 (903) 729-1773

You may contact the custodian of records for students who have withdrawn or graduated at:

Westwood Primary, 1701 W. Point Tap Rd, Palestine, TX 75803 (903) 729-1774

Westwood Elementary, 2305 Salt Works Rd, Palestine, TX 75803 (903) 729-1771

Westwood Junior High, 1801 Panther Blvd, Palestine, TX 75803 (903) 723-0423

Westwood High School, 1820 Panther Blvd, Palestine, TX 75803 (903) 729-1773

A parent or eligible student may inspect the student's records and request a correction or amendment if the records are considered inaccurate, misleading, or otherwise in violation of the student's privacy rights.

A request to correct a student's record should be submitted to the appropriate records custodian. The request must clearly identify the part of the record that should be corrected and include an explanation of how the information is inaccurate. If the district denies the request to amend the records, the parent or eligible student has the right to request a hearing. If after the hearing the records are not amended, the parent or eligible student has 30 school days to place a statement in the student's record.

Although improperly recorded grades may be challenged, contesting a student's grade in a course or on an examination is handled through the complaint process found in policy FNG(LOCAL). A grade issued by a teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district's grading guidelines.

[See **Report Cards/Progress Reports and Conferences, Complaints and Concerns** and **Finality of Grades** at policy FNG(LEGAL).]

The district's student records policy is found at policy FL(LEGAL) and (LOCAL) and is available at the principal's or superintendent's office on the district's website at www.westwoodisd.net.

Note: The parent's or eligible student's right of access to and copies of student records does not extend to all records. Materials that are not considered educational records—such as a teacher's personal notes about a student shared only with a substitute teacher—do not have to be made available.

Teacher and Staff Professional Qualifications

A parent may request information regarding the professional qualifications of his or her child's teachers, including whether the teacher:

- Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction,
- Has an emergency permit or other provisional status for which state requirements have been waived, and
- Is currently teaching in the field of discipline of his or her certification.

The parent also has the right to request information about the qualifications of any paraprofessional who may provide services to the child.

A Student with Exceptionalities or Special Circumstances

Children of Military Families

The Interstate Compact on Educational Opportunities for Military Children entitles children of military families to flexibility regarding certain district and state requirements, including:

- Immunization requirements;
- Grade level, course, or educational program placement;
- Eligibility requirements for participation in extracurricular activities;
- Enrollment in the Texas Virtual School Network (TXVSN); and
- Graduation requirements.

The district will excuse absences related to a student visiting a parent, including a stepparent or legal guardian, who is:

- Called to active duty,
- On leave, or
- Returning from a deployment of at least four months.

The district will permit **no more than five** excused absences per year for this purpose. For the absence to be excused, the absence must occur no earlier than the 60th day before deployment or no later than the 30th day after the parent's return from deployment.

Additional information may be found at [Military Family Resources at the Texas Education Agency](#).

Parental Role in Certain Classroom and School Assignments

Multiple-Birth Siblings

State law permits a parent of multiple-birth siblings (e.g., twins, triplets) assigned to the same grade and campus to request in writing that the children be placed in either the same classroom or separate classrooms.

Written requests must be submitted by the 14th day after the students' enrollment. [See policy FDB(LEGAL) for more information.]

Safety Transfers/Assignments

The board or its designee will honor a parent's request to transfer his or her child to another classroom or campus if the district has determined that the child has been a victim of bullying, including cyberbullying, as defined by Education Code 37.0832.

The board may transfer a student who has engaged in bullying to another classroom. Transportation is not provided for a transfer to another campus. See the superintendent for more information.

[See **Bullying** and policies FDB and FFI for more information.]

The district will honor a parent's request for the transfer of his or her child to a safe public school in the district if the child attends a school identified by the Texas Education Agency as persistently dangerous or if the child has been a victim of a violent criminal offense while at school or on school grounds.

[See policy FDE for more information.]

The board will honor a parent's request for the transfer of his or her child to a neighboring district if the child has been the victim of sexual assault by another student assigned to the same campus, whether the assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for the assault. In accordance with policy FDE, if the victim does not wish to transfer, the board will transfer the assailant.

Student Use of a Service/Assistance Animal

A parent of a student who uses a service/assistance animal because of the student's disability must submit a written request to the principal before bringing the service/assistance animal on campus. The district will try to accommodate a request as soon as possible but will do so within ten district business days.

A Student in the Conservatorship of the State (Foster Care)

A student in the conservatorship (custody) of the state who enrolls in the district after the beginning of the school year will be allowed credit-by-examination opportunities at any point during the year.

The district will assess the student's available records to determine transfer of credit for subjects and courses taken before the student's enrollment in the district.

The district will award partial course credit when the student only passes one half of a two-half course.

A student in the conservatorship of the state who is moved outside the district's or school's attendance boundaries—or who is initially placed in the conservatorship of the state and moved outside the district's or school's boundaries—is entitled to remain at the school the student was attending prior to the placement or move until the student reaches the highest grade level at that particular school.

If a student in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, the student can request a diploma from the previous district if the student meets its graduation criteria.

For a student in the conservatorship of the state who is eligible for a tuition and fee exemption under state law and likely to be in care on the day preceding the student's 18th birthday, the district will:

- Assist the student with the completion of applications for admission or financial aid;
- Arrange and accompany the student on campus visits;
- Assist in researching and applying for private or institution-sponsored scholarships;
- Identify whether the student is a candidate for appointment to a military academy;
- Assist the student in registering and preparing for college entrance examinations, including (subject to the availability of funds) arranging for the payment of examination fees by the Texas Department of Family and Protective Services (DFPS); and
- Coordinate contact between the student and a liaison officer for students formerly in the conservatorship of the state.

[See **Credit by Examination for Advancement/Acceleration, Course Credit, and Students in Foster Care**]

A Student Who Is Homeless

A student who is homeless will be provided flexibility regarding certain district provisions, including:

- Proof of residency requirements;
- Immunization requirements;

- Educational program placement (if the student is unable to provide previous academic records or misses an application deadline during a period of homelessness);
- Credit-by-examination opportunities at any point during the year (if the student enrolled in the district after the beginning of the school year), per State Board of Education (SBOE) rules;
- Assessment of the student's available records to determine transfer of credit for subjects and courses taken before the student's enrollment in the district;
- Awarding partial credit when a student passes only one half of a two-half course;
- Eligibility requirements for participation in extracurricular activities; and
- Graduation requirements.

Federal law allows a student who is homeless to remain enrolled in the "school of origin" or to enroll in a new school in the attendance area where the student is currently residing.

If a student who is homeless in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, state law allows the student to request a diploma from the previous district if the student meets the criteria to graduate from the previous district.

A student or parent who is dissatisfied by the district's eligibility, school selection, or enrollment decision may appeal through policy FNG(LOCAL). The district will expedite local timelines, when possible, for prompt dispute resolution.

[See **Credit by Examination for Advancement/Acceleration, Course Credit, and Students who are Homeless**]

A Student Who Has Learning Difficulties or Who Needs Special Education or Section 504 Services

For those students who are having difficulty in the regular classroom, all school districts must consider tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on Response to Intervention (RtI). The implementation of RtI has the potential to have a positive impact on the ability of districts to meet the needs of all struggling students.

If a student is experiencing learning difficulties, his or her parent may contact the individuals listed below to learn about the school's overall general education referral or screening system for support services.

This system links students to a variety of support options, including making a referral for a special education evaluation or for a Section 504 evaluation to determine whether the student needs specific aids, accommodations, or services. A parent may request an evaluation for special education or Section 504 services at any time.

Special Education Referrals

If a parent makes a written request for an initial evaluation for special education services to the director of special education services or to a district administrative employee of the school district, the district must respond no later than **15 school days** after receiving the request. At that time, the district must give the parent prior written notice of whether it agrees or refuses to evaluate the student, along with a copy of the *Notice of Procedural Safeguards*. If the district agrees to evaluate the student, it must also give the parent the opportunity to give written consent for the evaluation.

Note: A request for a special education evaluation may be made verbally; it does not need to be made in writing. Districts must still comply with all federal prior-written notices and procedural safeguard requirements as well as the requirements for identifying, locating, and evaluating children who are suspected of having a disability and in need of special education. However, a verbal request does not require the district to respond within the 15 school-day timeline.

If the district decides to evaluate the student, it must complete the student's initial evaluation and evaluation report no later than 45 school days from the day it receives a parent's written consent. However, if the student is absent from school during the evaluation period for three or more school days, the evaluation period will be extended by the number of school days equal to the number of school days that the student is absent.

There is an **exception** to the 45-school-day timeline. If the district receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30 due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

Upon completing the evaluation, the district must give the parent a copy of the evaluation report at no cost.

Additional information regarding special education is available from the school district in a companion document titled *Parent's Guide to the Admission, Review, and Dismissal Process*.

Contact Person for Special Education Referrals

The designated contact person regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is Anderson County Special Education Co-op (903) 876-3685.

For questions regarding post-secondary transitions, including the transition from education to employment, for students receiving special education services, contact the district's transition and employment designee: Anderson County Special Education Co-op (903) 876-3685.

Section 504 Referrals

Each school district must have standards and procedures in place for the evaluation and placement of students in the district's Section 504 program. Districts must also implement a system of procedural safeguards that includes:

- Notice,
- An opportunity for a parent or guardian to examine relevant records,
- An impartial hearing with an opportunity for participation by the parent or guardian and representation by counsel, and
- A review procedure.

Contact Person for Section 504 Referrals

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is:

Westwood Primary School: Counselor – (TBA) at (903)729-1774

Westwood Elementary School: Counselor – Amber Linam at (903)729-1771

Westwood Junior High: Counselor – Debbie Coates at (903)723-0423

Westwood High School: Counselor – Jeffery Tauber at (903)729-1773

[See **A Student with Physical or Mental Impairments Protected under Section 504**]

Visit these websites for information regarding students with disabilities and the family:

- [Legal Framework for the Child-Centered Special Education Process](#)
- [Partners Resource Network](#)
- [Special Education Information Center](#)
- [Texas Project First](#)

Notification to Parents of Intervention Strategies for Learning Difficulties Provided to Students in General Education

In accordance with state law, the district will annually notify parents if their child receives assistance for learning difficulties. Details of such assistance can include intervention strategies. This notice is not intended for those students already enrolled in a special education program.

A Student Who Receives Special Education Services with Other School-Aged Children in the Home

If a student is receiving special education services at a campus outside his or her attendance zone, state law permits the parent or guardian to request that other students residing in the household be transferred to the same campus—if the grade level for the transferring student is offered on that campus.

The student receiving special education services would be entitled to transportation; however, the district is not required to provide transportation to other children in the household.

The parent or guardian should contact the school principal regarding transportation needs prior to requesting a transfer for other children in the home. [See policy FDB(LOCAL) for more information.]

A Student Who Speaks a Primary Language Other than English

A student may be eligible to receive specialized support if his or her primary language is not English, and the student has difficulty performing ordinary class work in English.

If the student qualifies for these services, the Language Proficiency Assessment Committee (LPAC) will determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments.

[See **English Learners** and **Special Programs**]

A Student with Physical or Mental Impairments Protected under Section 504

A student with a physical or mental impairment that substantially limits a major life activity, as defined by law—and who does not otherwise qualify for special education services—may qualify for protections under Section 504 of the Rehabilitation Act.

Section 504 is a federal law designed to prohibit discrimination against individuals with disabilities.

When an evaluation is requested, a committee will be formed to determine whether the student needs services and supports under Section 504 in order to receive a free appropriate public education (FAPE), as defined in federal law.

[See **A Student Who Has Learning Difficulties or Who Needs Special Education or Section 504 Services** and policy FB for more information.]

Section Two: Other Important Information for Parents and Students

This section contains important information on academics, school activities, and school operations and requirements.

It is organized alphabetically to serve as a quick-reference guide. Where applicable, the topics are further organized by grade level.

This section contains important information on academics, school activities, and school operations and requirements.

It is organized alphabetically to serve as a quick-reference guide. Where applicable, the topics are further organized by grade level.

Parents and children should take a moment together to become familiar with the issues addressed in this section. For guidance on a particular topic, please contact the campus principal.

Absences/Attendance

Regular school attendance is essential. Absences from class may result in serious disruption of a student's education. The student and parent should avoid unnecessary absences.

Two important state laws—one dealing with compulsory attendance and the other with how attendance affects the award of a student's final grade or course credit—are discussed below.

Compulsory Attendance

Prekindergarten and Kindergarten

Students enrolled in kindergarten are required to attend school and are subject to the compulsory attendance requirements as long as they remain enrolled.

Ages 6–18

State law requires that a student who is at least six years of age, or who is younger than six years of age and has previously been enrolled in first grade, and who has not yet reached their 19th birthday, shall attend school, as well as any applicable accelerated instruction program, extended-year program, or tutorial session, unless the student is otherwise excused from attendance or legally exempt.

State law requires a student in kindergarten–grade 2 to attend any assigned accelerated reading instruction program. Parents will be notified in writing if their child is assigned to an accelerated reading instruction program based on a diagnostic reading instrument.

A student will be required to attend any assigned accelerated instruction program before or after school or during the summer if the student does not meet the passing standards on the state assessment for his or her grade level and/or applicable subject area.

Age 19 and Older

A student who voluntarily attends or enrolls after his or her 19th birthday is required to attend each school day until the end of the school year. If the student incurs more than five unexcused absences in a semester, the district may revoke the student's enrollment. The student's presence on school property thereafter would be unauthorized and may be considered trespassing. [See policy FEA for more information.]

Compulsory Attendance—Exemptions

All Grade Levels

State law allows exemptions to the compulsory attendance requirements for the following activities and events, as long as the student makes up all work:

- Religious holy days;
- Required court appearances;
- Activities related to obtaining U.S. citizenship;
- Documented health-care appointments for the student or a child of the student, including absences related to autism services, if the student returns to school on the same day of the appointment and brings a note from the health-care provider;
- For students in the conservatorship of the state;
 - An activity required under a court-ordered service plan; or
 - Any other court-ordered activity, provided it is not practicable to schedule the student's participation in the activity outside of school hours.

For children of military families, absences of up to five days will be excused for a student to visit a parent, stepparent, or legal guardian going to, on leave from, or returning from certain deployments. [See **Children of Military Families** for more information.]

Secondary Grade Levels

The district will allow junior and senior students to be absent for up to two days per year to visit a college or university, provided this:

- Has been authorized by the board under policy FEA(LOCAL) and the student receives approval from the campus principal;
- Follows campus procedures to verify the visit; and
- Makes up any work missed.

The district will allow a student 17 years old or older to be absent for up to four days during the period the student is enrolled in high school to pursue enlistment in the U.S. armed services or Texas National Guard, provided the student verifies these activities to the district.

The district will allow a student to be absent for up to two days per school year to serve as:

- An early voting clerk, provided the district's board has authorized this in policy FEA(LOCAL), the student notifies his or her teachers, and the student receives approval from the principal prior to the absences; or
- An election clerk, if the student makes up any work missed.

The district will allow a student in grades 6–12 to be absent for the purpose of sounding “Taps” at a military honors funeral for a deceased veteran.

Compulsory Attendance—Failure to Comply

All Grade Levels

School employees must investigate and report violations of the compulsory attendance law.

A student absent without permission from school, any class, any required special program, or any required tutorial will be considered in violation of the compulsory attendance law and subject to disciplinary action.

Students with Disabilities

If a student with a disability is experiencing attendance issues, the student's ARD or Section 504 committee will determine whether the attendance issues warrant an evaluation, a reevaluation, and/or modifications to the student's individualized education program or Section 504 plan, as appropriate.

Ages 6–18

When a student ages 6–18 incurs three or more unexcused absences within a four-week period, the law requires the school to send notice to the parent.

The notice will:

- Remind the parent of his or her duty to monitor the student's attendance and require the student to attend school;
- Request a conference between school administrators and the parent; and
- Inform the parent that the district will initiate truancy prevention measures, including a behavior improvement plan, school-based community service, referrals to counseling or other social services, or other appropriate measures.

The truancy prevention facilitator for the district is:

Westwood Primary School: Ashlee Richardson (903) 729-1774

Westwood Elementary School: Amanda Kizer (903) 729-1771

Westwood Junior High: Kay Drees (903) 723-0423

Westwood High School: Edna Stanhope (903) 729-1773

For any questions about student absences, parents should contact the facilitator or any other campus administrator.

A court of law may impose penalties against the parent if a school-aged student is deliberately not attending school. The district may file a complaint against the parent if the student incurs ten or more unexcused absences within a six-month period in the same school year.

If a student age 12–18 incurs ten or more unexcused absences within a six-month period in the same school year, the district, in most circumstances, will refer the student to truancy court.

[See policies FEA(LEGAL) and FED(LEGAL) for more information.]

Age 19 and Older

After a student age 19 or older incurs a third unexcused absence, the district is required by law to send the student a letter explaining that the district may revoke the student's enrollment for the remainder of the school year if the student has more than five unexcused absences in a semester. As an alternative to revoking a student's enrollment, the district may implement a behavior improvement plan.

Attendance for Credit or Final Grade (All Grade Levels)

To receive credit or a final grade in a class, a student must attend the class at least 90 percent of the days it is offered. A student who attends at least 75 percent but fewer than 90 percent of the days may receive credit or a final grade if he or she completes a plan, approved by the principal, that allows the student to fulfill the class's instructional requirements. If a student is involved in a criminal or juvenile court proceeding, the judge presiding over the case must also approve the plan before the student receives credit or a final grade.

If a student attends fewer than 75 percent of the class days or does not complete the principal-approved plan, then the attendance review committee will determine whether there are extenuating circumstances for the absences and how the student can regain credit or a final grade. [See policy FEC for more information.]

All absences, excused or unexcused, may be held against a student's attendance requirement. To determine whether there were extenuating circumstances for any absences, the attendance committee will use the following guidelines:

- If makeup work is completed, absences listed under **Compulsory Attendance—Exemptions** will be considered extenuating circumstances.
- A transfer or migrant student incurs absences only after he or she has enrolled in the district.
- Absences incurred due to the student's participation in board-approved extracurricular activities will be considered by the attendance committee as extenuating circumstances if the student makes up the work missed in each class.
- The committee will consider the acceptability and authenticity of documented reasons for the student's absences

- The committee will consider whether the student or student's parent had any control over the absences.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- The student or parent will be given an opportunity to present any information to the committee about the absences and discuss ways to earn or regain credit or a final grade.

The student or parent may appeal the committee's decision to the board by following policy FNG(LOCAL).

Official Attendance-Taking Time (All Grade Levels)

The district will take official attendance every day at 9:30 A.M.

A student absent for any portion of the day, should follow the procedures below to provide documentation of the absence.

Documentation after an Absence (All Grade Levels)

A parent must provide an explanation for any absence upon the student's arrival or return to school. The student must submit a note signed by the parent. The campus may accept a phone call from the parent but reserves the right to require a written note.

A note signed by the student will not be accepted unless the student is age 18 or older or is an emancipated minor under state law.

The campus will document in its attendance records whether the absence is excused or unexcused.

Note: The district is not required to excuse any absence, even if the parent provides a note explaining the absence, unless the absence is an exemption under compulsory attendance laws.

Doctor's Note after an Absence for Illness (All Grade Levels)

Within 3 days of returning to school, a student absent for more than 3 consecutive days because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the absence. Otherwise, the absence may be considered unexcused and in violation of compulsory attendance laws.

Should the student develop a questionable pattern of absences, the principal or attendance committee may require a statement from a doctor or health clinic verifying the illness or condition that caused the absence to determine whether an absence will be excused or unexcused.

[See policy FEC(LOCAL) for more information.]

Driver License Attendance Verification (Secondary Grade Levels Only)

A currently enrolled student seeking a driver's license shall submit the Texas Department of Public Safety Verification of Enrollment and Attendance Form (VOE), signed by the parent, to the campus central office at least 10 days before it is needed. The district will issue a VOE only if the student meets class credit or attendance requirements. The VOE form is available at: <https://www.tdlr.texas.gov/driver/forms/VOE.pdf>.

Further information may be found on the Texas Department of Public Safety website: <https://www.dps.texas.gov/section/driver-license>.

Accountability under State and Federal Law (All Grade Levels)

Westwood ISD and each of its campuses are held to certain standards of accountability under state and federal law. A key component of accountability is the dissemination and publication of certain reports and information, including:

- The Texas Academic Performance Report (TAPR) for the district, compiled by the Texas Education Agency (TEA), based on academic factors and ratings;
- A School Report Card (SRC) for each campus in the district, compiled by TEA;
- The district's financial management report, which includes the financial accountability rating assigned to the district by TEA; and
- Information compiled by TEA for the submission of a federal report card that is required by federal law.

Accountability information can be found on the district's website at www.westwoodisd.net. Hard copies of any reports are available upon request to the district's administration office.

TEA maintains additional accountability and accreditation information at TEA Performance Reporting Division.

Armed Services Vocational Aptitude Battery Test (Grades 10–12)

A student in grades 10–12 will be offered an opportunity to take the Armed Services Vocational Aptitude Battery test and consult with a military recruiter.

Contact the principal for information about this opportunity.

Awards and Honors (All Grade Levels)

Westwood High School publishes three documents each year that are given to each student. The Student Handbook and the Student Code of Conduct are published prior to the start of school. The Course Selection Guide will be published during the spring semester, which contains the bulk of information regarding academics for high school students. The following topics may be found in the Westwood High School Course Selection Guide.

1. Advanced Courses

2. Special Programs
3. Academic Awards
4. Career and Technology Education
5. Credit by Exam
6. Grade Point Equivalency Scale
7. Grading System
8. Grade Classification
9. Grade Point Averages
10. Transfer Grades
11. Grade points for Modified Classes
12. Eighth Grade Courses for High School Credit
13. Dual Credit Enrollment
14. Concurrent Enrollment
15. Correspondence Courses
16. Graduation
17. Top Ten Requirements
18. Valedictorian and Salutatorian
19. Honor Graduates
20. Class Ranking

Academic Programs

The school counselor provides students and parent's information regarding academic programs to prepare for higher education and career choices. [For more information, see **Academic Counseling** and policy EIF.]

National Honor Society/National Junior Honor Society/Elementary

Membership is open to any student in the 10th, 11th and 12th grade enrolled in a school with a National Honor Society Chapter. Students in the 8th grade may also be eligible for the National Junior Honor Society. Students must be enrolled in the school for a period equivalent to one semester prior to being inducted into the society, and must meet the scholarship requirement. The minimum grade point average of 85 is required for membership. The grade point average used to determine eligibility usually includes the cumulative total of those, which count toward graduation from High School. A faculty council elects members to the National Honor Society/Junior Honor Society, which consist of five faculty members appointed by the campus principal. The NHS/NJHS faculty council may remove students who do not fulfill the duties of

the National Honor Society or the Junior Honor Society. A criterion for membership is based on scholarship, service, leadership, and character.

At Westwood Elementary, the following is required:

- A student enrolled in grade 4, 5 or 6 for a minimum of one semester (fall)
- A minimum or higher score on all previous STAAR tests
- A grade of 90% or higher in all subject areas during each grading period for the previous semester
- A satisfactory or better conduct grade in all classes
- A completed essay which addresses the prompt, "My Future as a Leader"
- A teacher recommendation
- A completed parent permission form

The NEHS faculty council may remove students who do not fulfill the duties of the National Elementary Honor Society. A criterion for membership is based on scholarship, service, leadership, and character.

Bullying (All Grade Levels)

Bullying is defined in state law 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 of 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. Cyberbullying is defined in state law 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
- Any other internet-based communication tool.

Bullying is prohibited by the district and could include:

- Hazing
- Threats
- Taunting
- Teasing
- Confinement
- Assault
- Demands for money
- Destruction of property
- Theft of valued possessions
- Name-calling
- Rumor-spreading
- Ostracism.

If a student believes that he or she has experienced bullying or witnesses the bullying of another student, the student or parent should notify a teacher, school counselor, principal, or another district employee as soon as possible. Procedures for reporting allegations of bullying may be found on the district's website.

A student may anonymously report an alleged incident of bullying by submitting a message on the district tip line on the www.westwoodisd.net website.

The administration will investigate any allegations of bullying and related misconduct. The district will also provide notice to the parent of the alleged victim and the parent of the student alleged to have engaged in bullying.

If an investigation determines that bullying occurred, the administration will take appropriate disciplinary action and may, in certain circumstances, notify law enforcement. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying.

Available counseling options will be provided to the affected individuals, including any student who witnessed the bullying.

Any retaliation against a student who reports an incident of bullying is prohibited.

Upon recommendation of the administration, the board may transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student's parent, the board may transfer the student to another campus in the district.

The parent of a student who has been determined to be a victim of bullying may request that the student be transferred to another classroom or campus within the district. [See **Safety Transfers/Assignments**]

A copy of the district's bullying policy is available in the principal's office, superintendent's office, and on the district's website, and is included at the end of this handbook as an appendix.

A student or parent who is dissatisfied with the outcome of an investigation may appeal through policy FNG(LOCAL).

[See **Safety Transfers/Assignments, Dating Violence, Discrimination, Harassment, and Retaliation, Hazing**, policy FFI, the district's Student Code of Conduct, and the district improvement plan, a copy of which can be viewed in the campus office.]

Career and Technical Education (CTE) Programs (Secondary Grade Levels Only)

The district offers career and technical education programs in the following areas:

- Agriculture
- Food & Natural Resources
- Arts
- Audio Video Technology and Communication
- Business Management, Administration, and Finance
- Education and Training
- Health Science
- Hospitality and Tourism
- Human Services

WISD provides opportunities for all students to develop and demonstrate the knowledge and skills necessary to read, write, compute, solve problems, think critically, apply technology, and communicate across all subject areas, through a rigorous Career and Technology Education (CTE) program. Through a selected career pathway students will have the opportunity to take courses to earn college credit while preparing them for chosen careers. Students are encouraged to follow a coherent sequence of courses for a specific career pathway beginning in the 8th grade and continuing through the 12th grade to a two or four-year college. WHS offers several career clusters and programs of study in each of the career clusters that students can choose from to prepare for high skill, high demand, and high wage jobs beyond high school. A career cluster is a grouping of occupations based on commonalities, helps students choose courses that can prepare them for careers in the future. A program of study is a recommended sequence of coursework based on a student's interest or career goal.

District policy prohibits discrimination on the basis of race, color, national origin, sex, or handicap in its vocational programs, services, or activities, as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

District policy also prohibits discrimination on the basis of race, color, national origin, sex, handicap, or age in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

The district will take steps to assure that lack of English language skills will not be a barrier to admission or participation in all educational and vocational programs.

For information about your rights or grievance procedures, contact the Title IX coordinator and the ADA/Section 504 coordinator.

[See **Nondiscrimination Statement** for the name and contact information for the Title IX coordinator and ADA/Section 504 coordinator.]

Celebrations (All Grade Levels)

Although a parent or grandparent may provide food to share for a school-designated function or for a student's birthday, please be aware that children in the school may have severe allergies to certain food products. Therefore, it is imperative to discuss any classroom allergies with the teacher before bringing food to share.

Occasionally, the school or a class may host functions or celebrations tied to the curriculum that involve food. The school or teacher will notify students and parents of any known food allergies when soliciting potential volunteers to provide food.

[See **Food Allergies**]

Child Sexual Abuse, Trafficking, and Other Maltreatment of Children (All Grade Levels)

The district has established a plan for addressing child sexual abuse, trafficking, and other maltreatment of children, which may be accessed at www.westwoodisd.net. Trafficking includes both sex and labor trafficking.

Warning Signs of Sexual Abuse

Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. A person who compels or encourages a child to engage in sexual conduct commits abuse. It is illegal to make or possess child pornography or to display such material to a child.

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

A child who has been or is being sexually abused may exhibit physical, behavioral, or emotional warning signs, including:

- Difficulty sitting or walking, pain in the genital areas, and claims of stomachaches and headaches;
- Verbal references or pretend games of sexual activity between adults and children, fear of being alone with adults of a particular gender, or sexually suggestive behavior; or
- Withdrawal, depression, sleeping and eating disorders, and problems in school.

Be aware that children and adolescents who have experienced dating violence may show similar physical, behavioral, and emotional warning signs. [See **Dating Violence, Discrimination, Harassment, and Retaliation**]

Warning Signs of Trafficking

Child trafficking of any sort is prohibited by the Penal Code. Sex trafficking involves forcing a person, including a child, into sexual abuse, assault, indecency, prostitution, or pornography. Labor trafficking involves forcing a person, including a child, to engage in forced labor or services.

Traffickers are often trusted members of a child's community, such as friends, romantic partners, family members, mentors, and coaches, although traffickers frequently make contact with victims online.

Possible warning signs of sexual trafficking in children include:

- Changes in school attendance, habits, friend groups, vocabulary, demeanor, and attitude;
- Sudden appearance of expensive items (for example, manicures, designer clothes, purses, technology);
- Tattoos or branding;
- Refillable gift cards;
- Frequent runaway episodes;
- Multiple phones or social media accounts;
- Provocative pictures posted online or stored on the phone;
- Unexplained injuries;
- Isolation from family, friends, and community; and
- Older boyfriends or girlfriends.

Additional warning signs of labor trafficking in children include:

- Being unpaid, paid very little, or paid only through tips;
- Being employed but not having a school-authorized work permit;
- Being employed and having a work permit but clearly working outside the permitted hours for students;
- Owning a large debt and being unable to pay it off;

- Not being allowed breaks at work or being subjected to excessively long work hours;
- Being overly concerned with pleasing an employer and/or deferring personal or educational decisions to a boss;
- Not being in control of his or her own money;
- Living with an employer or having an employer listed as a student's caregiver; and
- A desire to quit a job but not being allowed to do so.

Reporting and Responding to Sexual Abuse, Trafficking, and Other Maltreatment of Children

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

A child who has experienced sexual abuse or any other type of abuse or neglect should be encouraged to seek out a trusted adult. Children may be more reluctant to disclose sexual abuse than physical abuse and neglect and may only disclose sexual abuse indirectly. As a parent or trusted adult, it is important to be calm and comforting if your child or another child confides in you. Reassure the child that he or she did the right thing by telling you.

If your child is a victim of sexual abuse, trafficking, or other maltreatment, the school counselor or principal will provide information on counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (DFPS) also manages early intervention counseling programs.

To find out what services may be available in your county, see [Texas Department of Family and Protective Services, Programs Available in Your County](#).

Reports of abuse, trafficking, or neglect may be made to the CPS division of the DFPS at 1-800-252-5400 or on the web at [Texas Abuse Hotline Website](#).

Further Resources on Sexual Abuse, Trafficking, and Other Maltreatment of Children

The following websites might help you become more aware of child abuse and neglect, sexual abuse, trafficking, and other maltreatment of children:

- [Child Welfare Information Gateway Factsheet](#)
- [KidsHealth, For Parents, Child Abuse](#)
- [Office of the Texas Governor's Child Sex Trafficking Team](#)
- [Human Trafficking of School-aged Children](#)
- [Child Sexual Abuse: A Parental Guide from the Texas Association Against Sexual Assault](#)
- [National Center of Safe Supportive Learning Environments: Child Labor Trafficking](#)

Class Rank/Highest-Ranking Student (Secondary Grade Levels Only)

Information regarding class rank/highest ranking student may be found in the WISD Course Description Guide which is located online at www.westwoodisd.net. [For further information, see policy EIC.]

Class Schedules (Secondary Grade Levels Only)

All students are expected to attend school for the entire school day and maintain a full class schedule. Exceptions may be made occasionally by the campus principal for students in grades 9–12 who meet specific criteria and receive parental consent to enroll in less than a full-day schedule.

[See **Schedule Changes** for information related to student requests to revise their course schedule.]

College and University Admissions and Financial Aid (All Grade Levels)

For two school years following graduation, a district student who graduates as valedictorian or in the top ten percent of his or her class is eligible for automatic admission into four-year public universities and colleges in Texas if the student:

- Completes the distinguished level of achievement under the foundation graduation program (a student must graduate with at least one endorsement and must have taken Algebra II as one of the four required math courses); or
- Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT.

The student is ultimately responsible for meeting the admission requirements of the university or college, including timely submission of a completed application.

Should a college or university adopt an admissions policy that automatically accepts the top 25 percent of a graduating class, the provisions above will also apply to a student ranked in the top 25 percent of his or her class.

The University of Texas at Austin may limit the number of automatically admitted students to 75 percent of the University's enrollment capacity for incoming resident freshmen. During the summer and fall 2021 terms and spring 2022 term, the University will admit the top six percent of a high school's graduating class who meet the above requirements. Additional applicants will be considered by the University through a holistic review process.

As required by law, the district will provide written notice concerning automatic college admission, the curriculum requirements for financial aid, and the benefits of completing the requirements for automatic admission and financial aid. Parents and students will be asked to sign an acknowledgment that they received this information.

Students and parents should contact the school counselor for further information about automatic admissions, the application process, and deadlines.

[See **Class Rank/Highest-Ranking Student** for information specifically related to how the district calculates a student's rank in class, and requirements for **Graduation** for information associated with the foundation graduation program.]

[See **Students in the Conservatorship of the State (Foster Care)** for information on assistance in transitioning to higher education for students in foster care.]

College Credit Courses (Secondary Grade Levels Only)

Students in grades 9–12 may earn college credit through the following opportunities:

- Certain courses taught at the high school campus, which may include courses termed dual credit, Advanced Placement (AP), International Baccalaureate (IB), or college preparatory;
- Enrollment in AP or dual credit courses through the Texas Virtual School Network (TXVSN);
- Enrollment in courses taught in conjunction and in partnership with Trinity Valley Community College, which may be offered on or off campus;
- Enrollment in courses taught at other colleges or universities; and
- Certain Career and Technical Education (CTE) courses.

All these methods have eligibility requirements and must be approved prior to enrollment in the course. Please see the school counselor for more information. Depending on the student's grade level and the course, a state-mandated end-of-course assessment may be required for graduation.

Not all colleges and universities accept credit earned in all dual credit or AP courses taken in high school for college credit. Students and parents should check with the prospective college or university to determine if a particular course will count toward the student's desired degree plan.

Communications—Automated (All Grade Levels)

Emergency

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. An emergency situation may include early dismissal, delayed opening, or restricted access to the campus due to severe weather, another emergency, or a security threat. It is crucial to notify your child's school when a phone number changes.

[See **Safety** for information regarding contact with parents during an emergency situation.]

Non Emergency

Your child's school will request that you provide contact information for the school to send information specific to your child, your child's school, or the district. If you provide a phone

number for this purpose, please notify the school's administration office immediately if your number changes.

The district or school may generate automated or pre-recorded messages, text messages, or real-time phone or email communications that are closely related to the school's mission, so prompt notification of any change in contact information will be crucial.

Standard messaging rates of your wireless phone carrier may apply.

If you have specific requests or needs related to how the district contacts you, please contact your child's principal. [See **Safety** for information regarding contact with parents during an emergency.]

Complaints and Concerns (All Grade Levels)

Usually student or parent complaints or concerns can be addressed informally by a phone call or a conference with the teacher or principal.

For those complaints and concerns that cannot be resolved informally, the board has adopted a Student and Parent Complaints/Grievances policy FNG(LOCAL). This policy can be viewed in the district's policy manual, available online at www.westwoodisd.net. The complaint forms can be accessed www.westwoodisd.net, campus principal's office, or the superintendent's office.

To file a formal complaint a parent or student should complete and submit the complaint form. In general, the written complaint form should be completed and submitted to the campus principal in a timely manner.

If the concern is not resolved, a parent or student may request a conference with the superintendent.

If the concern is still unresolved, the district provides a process for parents and students to appeal to the board of trustees.

Conduct (All Grade Levels)

The Texas Association of School Boards (TASB) issues updates to Student Code of Conduct requirements. On July 12, 2021, TASB will provide further updates. Following these updates, the District will review and amend the Code of Conduct in alignment with TASB updates.

Applicability of School Rules

~~The board has adopted a Student Code of Conduct that defines standards of acceptable behavior—on and off campus, during remote and in-person instruction, and on district vehicles—and outlines consequences for violation of these standards. The district has disciplinary authority over a student in accordance with the Student Code of Conduct. Students and parents should be familiar with the standards set out in the Student Code of Conduct, as well as campus and classroom rules.~~

~~During summer instruction, the Student Handbook and Student Code of Conduct in place for the school year immediately preceding the summer period shall apply, unless the district amends either or both documents for the purposes of summer instruction.~~

Campus Behavior Coordinator

Each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The contact information for each campus behavior coordinator is available on the district's website at www.westwoodisd.net and the coordinator for this campus is listed below:

Assistant Principal, Westwood Primary School, (903) 729-1774

Assistant Principal, Westwood Elementary, (903) 729-1771

Assistant Principal, Westwood Junior High, (903) 723-0423

Assistant Principal, Westwood High School, (903) 729-1773

Deliveries

Except in emergencies, delivery of messages or packages to students will not be allowed during instructional time. A parent may leave a message or a package, such as a forgotten lunch, for the student to pick up from the front office during a passing period or lunch.

Disruption of School Operations

Disruption of school operations is not tolerated and may constitute a misdemeanor offense. As identified by state law, disruptions include the following:

- Interference with the movement of people at an exit, entrance, or hallway of a district building without authorization from an administrator.
- Interference with an authorized activity by seizing control of all or part of a building.
- Use of force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or an entrance to district property.
- Use of force, violence, or threats in an attempt to prevent people from entering or leaving district property without authorization from an administrator.

Disruption of classes or other school activities while on or within 500 feet of district property includes:

- Making loud noises;
- Trying to entice a student away from, or to prevent a student from attending, a required class or activity; and
- Entering a classroom without authorization and disrupting the activity with loud or profane language or any misconduct.

Interference with the transportation of students in vehicles owned or operated by the district is also considered a disruption.

Social Events

School rules apply to all school social events. Guests attending these events are expected to observe the same rules as students, and a student inviting a guest will share responsibility for the conduct of his or her guest.

A student attending a social event will be asked to sign out when leaving before the end of the event and will not be readmitted.

A parent interested in serving as a chaperone for any school social events should contact the campus principal.

Counseling

The district has a comprehensive school counseling program that includes:

- A guidance curriculum to help students develop their full educational potential, including the student's interests and career objectives;
- A responsive services component to intervene on behalf of any student whose immediate personal concerns or problems put the student's continued educational, career, personal, or social development at risk;
- An individual planning system to guide a student as the student plans, monitors, and manages the student's own educational, career, personal, and social development; and
- Systems to support the efforts of teachers, staff, parents, and other members of the community in promoting the educational, career, personal, and social development of students.

The district will make a preview of the program, including all materials and curriculum, available to parents to review during school hours.

Academic Counseling

Elementary and Junior High School Grade Levels

The school counselor will provide information to students and parents about college and university admissions and the importance of planning for postsecondary education, including appropriate coursework and financial aid availability and requirements.

In either grade 7 or 8, each student will receive instruction on how best to prepare for high school, college, and a career.

High School Grade Levels

High school students and their parents are encouraged to talk with a school counselor, teacher, or principal to learn more about course offerings, graduation requirements, and early graduation procedures.

Each year, high school students will be provided information on anticipated course offerings for the next school year, how to make the most of academic and career and technical education (CTE) opportunities, and the importance of postsecondary education.

The school counselor will also provide information each year a student is enrolled in high school regarding:

- The importance of postsecondary education;
- The advantages of earning an endorsement and completing the foundation program with the distinguished level of achievement;
- The disadvantages of pursuing a high school equivalency exam (GED) as opposed to earning a high school diploma;
- Financial aid eligibility and how to apply for financial aid;
- Automatic admission to state-funded Texas colleges and universities;
- Eligibility requirements for the TEXAS Grant;
- Availability of district programs that allow students to earn college credit;
- Availability of tuition and fee assistance for postsecondary education for students in foster care; and
- Availability of college credit awarded by institutions of higher education to veterans and military service members for military experience, education, and training.

Additionally, the school counselor can provide information about workforce opportunities after graduation or technical and trade school opportunities, including opportunities to earn industry-recognized certificates and licenses.

Personal Counseling (All Grade Levels)

The school counselor is available to assist students with a wide range of personal, social, and family concerns, including emotional or mental health issues and substance abuse. A student who wishes to meet with the school counselor should stop by the campus counselor's office to request an appointment. As a parent, if you are concerned about your child's mental or emotional health, please speak with the school counselor for a list of resources that may be of assistance.

If your child has experienced trauma, contact the school counselor for more information.

[See Mental Health Support and Child Sexual Abuse, Trafficking, and Other Maltreatment of Children and Dating Violence]

Course Credit (Secondary Grade Levels Only)

A student at any grade level enrolled in a high school course will earn credit for the course only if the final grade is 70 or above. For a two-part (two-semester, 1-credit course), the student's grades from both halves (semesters) will be averaged and credit will be awarded if the combined average is 70 or above. If the student's combined average is less than 70, the student will be awarded credit only for the half (semester) with the passing grade.

Credit by Examination—If a Student Has Taken the Course/Subject (Grades 6–12)

A student who has previously taken a course or subject but did not receive credit or a final grade for it may, in circumstances determined by the principal or attendance committee, be permitted to earn credit or a final grade by passing an examination approved by the district's board of trustees on the essential knowledge and skills defined for that course or subject.

Examples of prior instruction include incomplete coursework due to a failed course or excessive absences, homeschooling, or coursework by a student transferring from a nonaccredited school. The opportunity to earn credit by examination after the student has had prior instruction is sometimes referred to as "credit recovery."

The attendance review committee may also offer a student with excessive absences an opportunity to earn credit for a course by passing an examination.

If a student is granted approval to take an examination for credit, the student must score at least 70 on the examination to receive credit for the course or subject.

[See the school counselor and policy EHDB(LOCAL) for more information.]

Credit by Examination for Advancement/Acceleration—If a Student Has Not Taken the Course/Subject

A student will be permitted to earn credit by examination for an academic course or subject area for which the student had no prior instruction for advancement or to accelerate to the next grade level.

The examinations offered by the district are approved by the district's board of trustees. Testing windows for these examinations will be published in district publications and on the district's website. A student may take a specific examination only once per testing window.

The only exceptions to the published testing windows will be for examinations administered by another entity or to accommodate a student experiencing homelessness or a student involved in the foster care system.

When another entity administers an examination, the student and the district must comply with the testing schedule of the other entity.

If a student plans to take an examination, the student or parent must register with the school counselor no later than 30 days prior to the scheduled testing date. [See policy EHDC for more information.]

Acceleration

Students in Grades 1–5

A student in elementary school is eligible to accelerate to the next grade level if:

- The student scores at least an 80 on each examination in the subject areas of language arts, mathematics, science, and social studies;
- A district administrator recommends that the student be accelerated; and
- The student's parent gives written approval of the grade advancement.

Students in Grades 6–12

A student in grade 6 or above is eligible to earn course credit with:

- A passing score of at least 80 on an examination approved by the board; or
- A scaled score of 50 or higher on an examination administered through the College Level Examination Program (CLEP), or
- A score of 3 or higher on an AP examination, as applicable.

A student may take an examination to earn high school course credit no more than twice. If a student fails to achieve the designated score on the applicable exam before the beginning of the school year in which the student would need to enroll in the course according to the school's high school course sequence, the student must complete the course.

Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels)

Students learn best, and their welfare is best served, in a school environment that is free from dating violence, discrimination, harassment, and retaliation.

Students are expected to treat peers and district employees with courtesy and respect, avoid offensive behaviors, and stop those behaviors as directed. District employees are likewise expected to treat students with courtesy and respect.

The board has established policies and procedures to prohibit and promptly address inappropriate and offensive behaviors that are based on a person's race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. A copy of the district's policy is available in the principal's office and in the superintendent's office www.westwoodisd.net [See policy FFH for more information.]

Dating Violence

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 the other person in the relationship or any of the person's past or subsequent partners. This type of conduct is

considered harassment if it is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance.

Examples of dating violence against a student may include, but are not limited to:

- Physical or sexual assaults;
- Name-calling;
- Put-downs;
- Threats to hurt the student, the student's family members, or members of the student's household;
- Destroying property belonging to the student;
- Threats to commit suicide or homicide if the student ends the relationship;
- Threats to harm a student's past or current dating partner;
- Attempts to isolate the student from friends and family;
- Stalking; or
- Encouraging others to engage in these behaviors.

Discrimination

Discrimination is defined as any conduct directed at a student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law that negatively affects the student.

Harassment

Harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance.

Examples of harassment may include, but are not limited to:

- Offensive or derogatory language directed at a person's religious beliefs or practices, accent, skin color, or need for accommodation;
- Threatening, intimidating, or humiliating conduct;
- Offensive jokes, name-calling, slurs, or rumors;
- Physical aggression or assault;
- Graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or

- Other kinds of aggressive conduct such as theft or damage to property.

Sexual Harassment and Gender-Based Harassment

Sexual harassment and gender-based harassment of a student by an employee, volunteer, or another student are prohibited.

Examples of sexual harassment may include, but are not limited to:

- Touching private body parts or coercing physical contact that is sexual in nature;
- Sexual advances;
- Jokes or conversations of a sexual nature; and
- Other sexually motivated conduct, communications, or contact.

Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact that a reasonable person would not construe as sexual in nature, such as comforting a child with a hug or taking the child's hand. However, romantic, sexual, and other inappropriate social relationships between students and district employees are prohibited, even if consensual.

Gender-based harassment includes physical, verbal, or nonverbal conduct based on a student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity.

Gender-based harassment can occur regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity. Examples of gender-based harassment directed against a student may include, but are not limited to:

- Offensive jokes, name-calling, slurs, or rumors;
- Physical aggression or assault;
- Threatening or intimidating conduct; or
- Other kinds of aggressive conduct such as theft or damage to property.

Retaliation

Retaliation against a person who makes a good-faith report or participates in an investigation of discrimination, harassment, or dating violence is prohibited. A person who makes a false claim, offers false statements, or refuses to cooperate with a district investigation, however, may be subject to appropriate discipline. Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

Reporting Procedures

Any student who believes that he or she has experienced dating violence, discrimination, harassment, or retaliation should immediately report the problem to a teacher, school counselor, principal, or other district employee. The report may be made by the student's parent. [See policy FFH(LOCAL) and (EXHIBIT) for other appropriate district officials to whom to make a report.]

Upon receiving a report, the district will determine whether the allegations, if proven, constitute prohibited conduct as defined by policy FFH. If not, the district will refer to policy FFI to determine whether the allegations, if proven, constitute bullying, as defined by law and policy FFI. If the alleged prohibited conduct also meets the statutory and policy definitions for bullying, an investigation of bullying will also be conducted. [See **Bullying**]

The district will promptly notify the parent of any student alleged to have experienced prohibited conduct involving an adult associated with the district. In the event alleged prohibited conduct involves another student, the district will notify the parent of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation as defined by policy FFH.

Investigation of Report

Allegations of prohibited conduct, which includes dating violence, discrimination, harassment, and retaliation, will be promptly investigated.

To the extent possible, the district will respect the privacy of the student. However, limited disclosures may be necessary to conduct a thorough investigation and comply with law.

If a law enforcement or other regulatory agency notifies the district that it is investigating the matter and requests that the district delay its investigation, the district will resume its investigation at the conclusion of the agency's investigation.

During the course of an investigation and when appropriate, the district will take interim action to address the alleged prohibited conduct.

If the district's investigation indicates that prohibited conduct occurred, appropriate disciplinary action and, in some cases, corrective action will be taken to address the conduct. The district may take disciplinary and corrective action even if the conduct was not unlawful.

All involved parties will be notified of the outcome of the district investigation within the parameters and limits allowed under the Family Educational Rights and Privacy Act (FERPA).

A student or parent who is dissatisfied with the outcome of the investigation may appeal in accordance with policy FNG(LOCAL).

Discrimination

[See **Dating Violence, Discrimination, Harassment, and Retaliation**]

Distance Learning (All Grade Levels)

Distance learning and correspondence courses include courses that encompass the state-required essential knowledge and skills but are taught through multiple technologies and alternative methodologies such as mail, satellite, internet, video-conferencing, and instructional television. The distance learning opportunities that the district makes available to district students are varied by campus so please contact each campus office for specific details per grade level.

If a student wishes to enroll in a correspondence course or a distance learning course that is not provided through the Texas Virtual School Network (TXVSN), as described below, to earn credit in a course or subject, the student must receive permission from the principal prior to enrolling in the course or subject. If the student does not receive prior approval, the district may not recognize and apply the course or subject toward graduation requirements or subject mastery.

[See **Remote Instruction**]

Texas Virtual School Network (TXVSN) (Secondary Grade Levels)

The Texas Virtual School Network (TXVSN) has been established by the state as one method of distance learning. A student has the option, with certain limitations, to enroll in a course offered through the TXVSN to earn course credit for graduation.

Depending on the TXVSN course in which a student enrolls, the course may be subject to the “no pass, no play” rules. [See **Extracurricular Activities, Clubs, and Organizations**] In addition, a student who enrolls in a TXVSN course for which an end-of-course (EOC) assessment is required must still take the corresponding EOC assessment.

A parent may ask questions or request that their child be enrolled in a TXVSN course by contacting the school counselor. Unless an exception is made by the campus principal, a student will not be allowed to enroll in a TXVSN course if the school offers the same or a similar course.

A copy of policy EHDE addressing distance learning will be distributed to parents of middle and high school students at least once each year. If you do not receive a copy or have questions about this policy, please contact the campus principal.

Distribution of Literature, Published Materials, or Other Documents **(All Grade Levels)**

School Materials

Publications prepared by and for the school may be posted or distributed, with the prior approval of the principal, sponsor, or teacher. Such items may include school posters, newspapers, yearbooks, brochures, flyers, etc.

All school publications are under the supervision of a teacher, sponsor, and the principal.

Non School Materials

From Students

Students must obtain prior approval from the campus principal before selling, posting, circulating, or distributing more than 10 copies of written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials that were not developed under the oversight of the school. To be considered, any nonschool material must include the name of the sponsoring person or organization. Approval will be granted or denied within two school days.

The campus principal will designate the location for approved non school materials to be placed for voluntary viewing or collection by students. [See policy FNAA for more information.]

A student may appeal a decision in accordance with policy FNG(LOCAL). Any student who sells, posts, circulates, or distributes nonschool material without prior approval will be subject to disciplinary action in accordance with the Student Code of Conduct. Materials displayed without approval will be removed.

[See policy FNG(LOCAL) for student complaint procedures.]

From Others

No person or group will sell, circulate, distribute, or post on any district premises written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials that is not sponsored by the district or by a district-affiliated school-support organization, except as permitted by policy GKDA.

To be considered for distribution, any nonschool material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted to the campus principal for prior review. The campus principal will approve or reject the materials within two school days of the time the materials are received. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies DGBA or GF for more information.] The campus principal will designate a location for approved non school materials to be placed for voluntary viewing or collection.

Prior review will not be required for:

- Distribution of materials by an attendee to other attendees of a school-sponsored meeting intended for adults and held after school hours.
- Distribution of materials by an attendee to other attendees of a community group meeting held after school hours in accordance with policy GKD(LOCAL) or a non curriculum-related student group meeting held in accordance with policy FNAB(LOCAL).
- Distribution for electioneering purposes during the time a school facility is being used as a polling place, in accordance with state law.

All nonschool materials distributed under these circumstances must be removed from district property immediately following the event at which the materials are distributed.

Dress and Grooming (All Grade Levels)

The district's dress code teaches grooming and hygiene, prevents disruption, minimizes safety hazards, and maintains a positive learning climate. Students and parents may determine a student's personal dress and grooming standards, provided that they comply with the following:

Westwood ISD Dress Code

Due to ongoing conversations regarding dress code, further decisions will be made at a later date. Following a finalized decision, details pertaining to dress code will be included in this handbook.

~~SHIRTS AND BLOUSES:~~

- ~~1. Collared polo, oxford style shirt, or WISD Spirit shirt. Short or long sleeve. No sheer material.~~
- ~~2. Male students must wear shirts tucked in with belts at all times~~
- ~~3. Logos are restricted to manufacturer's professional embroidered logos.~~
- ~~4. No exposed midriffs or cleavage~~
- ~~5. Undershirts must be any solid color~~
- ~~6. No crop tops, halter tops or blouses that reveal skin at the midriff or cleavage, spaghetti straps less than a 2 inches, or "see through"/"see in" clothing~~
- ~~7. No clothing items with pictures, emblems, and/or writings that are lewd, offensive, vulgar, obscene, or racial in origin or clothing that exhibits connotations that allude to the aforementioned.~~
- ~~8. No clothing items that advertise or depict tobacco products, alcoholic beverages, drugs, or any substance prohibited by policy.~~
- ~~9. No clothing item or style that may be construed as gang related~~
- ~~10. No muscle shirts or tank tops. Sleeves are required for boy's shirts~~
- ~~11. No clothing that is excessively tight~~

~~SWEATSHIRTS, VESTS, SWEATERS AND HOODIES~~

- ~~1. Must be appropriately sized in the shoulders, sleeves and length and must be worn over an approved shirt or blouse and collar must be visible~~
- ~~2. Approved WISD or college logo are also permissible~~

~~OUTERWEAR~~

- ~~1. Coats and jackets must fit and not be excessively long~~
- ~~2. No wearing of caps, hats, bandannas, curlers, sweatbands, hoods, "do rags", picks or combs or other head ornaments inside the building. These items can be confiscated by the principal/assistant principal.~~

~~PANTS, SHORTS AND CAPRIS~~

- ~~1. Must be solid: black, navy, denim, khaki~~
- ~~2. Worn at waistline~~
- ~~3. No wind shorts, spandex shorts or basketball shorts~~
- ~~4. No clothing that is excessively tight~~
- ~~5. No clothing with holes, shredded, or frayed areas~~

~~SKORTS, SKIRTS, JUMPERS AND POLO DRESSES~~

- ~~1. Must be solid: black, navy, denim, khaki~~
- ~~2. Worn at waistline~~
- ~~3. Shorts, dresses, or skirt length must fall not shorter than a dollar bill width from the knee when standing or walking in both the front and the back~~
- ~~4. No clothing that is excessively tight~~
- ~~5. No clothing with holes, shredded, or frayed areas~~

~~FOOTWEAR~~

- ~~1. Tennis shoes, western boots, loafers, sandals, flats, brown or black leather like shoes and boots are permitted. All footwear must have a back.~~
- ~~2. Shoes must be a matching pair and worn appropriately~~
- ~~3. No combat boots, shoes with wheels, flip flops, sliders, cleats, house shoes, moccasins, steel toed boots, or slippers~~

~~BELTS~~

- ~~1. Belts are appropriate in any style or color~~
- ~~2. Belts must be worn with belt loops and must be visible and have no excessive length~~

- ~~3. No pants, skirts, and shorts worn below or above the natural waistline. No (baggy, big bottom type), sagging pants or shorts. Material will be provided to hold pants or shorts at natural waistline. The shoes must be visible~~

FACIAL COVERINGS, Mask, and/or Gators

- ~~1. Shall only cover the nose and mouth. Must not cover the forehead or eyes~~
- ~~2. No style shall have items with pictures, emblems, and/or writings that are lewd, offensive, vulgar, obscene, or racial in origin or clothing that exhibits connotations that allude to the aforementioned.~~
- ~~3. No style should advertise or depict tobacco products, alcoholic beverages, drugs, or any substance prohibited by policy.~~
- ~~4. No style should be construed as gang-related~~
- ~~5. Logos are restricted to manufacturer's professional embroidered logos or WISD spirit emblem (see campus principal for additional guidance~~
- ~~6. The facial covering and/or masks must not be made of sheer material~~
- ~~7. Facial coverings and/or masks must be brought to school daily.~~

DISTRICT PROHIBITS:

- ~~1. Any clothing associated with sleepwear, including house shoes, pillows, and pajamas~~
- ~~2. Earrings worn by male students~~
- ~~3. Earrings that are distracting or disruptive to the educational setting worn by female students~~
- ~~4. Visible decorative body scars, or tattoos must be covered while the student is in attendance at Westwood schools or any school-related activity~~
- ~~5. Accessories that may be worn which are disruptive, draws inordinate attention to the individual student, or which presents a health or safety hazard to the student or others, including spike jewelry or chains~~
- ~~6. Students wearing any jewelry associated with the fad of body piercing while in attendance at Westwood Schools or any school-related activity. Nose rings, nose studs, tongue spikes, eyelid rings, or any other jewelry associated with body piercing is forbidden~~
- ~~7. Facial hair (mustaches, beards, goatees, etc.) will be allowed as long as it is kept neatly trimmed—sideburns must not exceed the bottom of the earlobe~~
- ~~8. Hairstyles deemed a distraction or inappropriate by administration, including, but not limited to ponytails, tails, Mohawks, man buns, colored hair, hair beyond the top of the collar, below the ears, and below the eyebrows for male students and outrageous hair styles. Hair shall be clean and well-groomed and must be a natural shade. Hair must not be an obstruction to sight. All styles considered to be potentially inappropriate cannot be covered; therefore, the school administration will determine a particular style as approved or not approved.~~

~~9. Dark glasses inside the building, with the exception of prescription glasses~~

~~10. Pacifiers of any type~~

~~If the principal determines that a student's grooming or clothing violates the school's dress code, the student will be given an opportunity to correct the problem at school and return to the classroom. If the problem cannot be corrected at school, the principal will work with the student and parent to obtain an acceptable change of clothing for the student in a way that minimizes loss of instructional time.~~

~~Repeated or severe offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct.~~

Electronic Devices and Technology Resources (All Grade Levels)

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. [For graphing calculator applications on computing devices, see **Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials**]

A student must have approval to possess other personal telecommunications devices on campus such as laptops, tablets, or other portable computers.

Without such permission, teachers will collect the items and turn them in to the principal's office. The principal will determine whether to return items to students at the end of the day or to contact parents to pick up the items.

The use of cell phones or any device capable of capturing images is strictly prohibited in locker rooms or restroom areas while at school or at a school-related or school-sponsored event.

If a student uses a telecommunications device without authorization during the school day, the device will be confiscated. The student or parent may pick up the confiscated telecommunications device from the principal's office for a fee of \$15.

Confiscated telecommunications devices that are not retrieved by the student or the student's parent will be disposed of after the notice required by law. [See policy FNCE for more information.]

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 for more information.]

Any disciplinary action will be in accordance with the Student Code of Conduct. The district is not responsible for damaged, lost, or stolen telecommunications devices.

Instructional Use of Personal Telecommunications and Other Electronic Devices

Students must obtain prior approval to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must also sign a user agreement that contains applicable rules for use (separate from this handbook).

All personal devices must be turned off during the instructional day when not in use for approved instructional purposes. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Acceptable Use of District Technology Resources

District-owned technology resources may be issued to individual students for instructional purposes. Use of the district's network systems and equipment is restricted to approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these district resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Unacceptable and Inappropriate Use of Technology Resources

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition also applies to conduct off school property, whether on district-owned or personally owned equipment, if it results in a substantial disruption to the educational environment.

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content—commonly referred to as “sexting”—will be disciplined in accordance with the Student Code of Conduct, may be required to complete an educational program related to the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement.

This type of behavior may constitute bullying or harassment, as well as impede future endeavors of a student. We encourage parents to review with their child the ["Before You Text" Sexting Prevention Course](#), a state-developed program that addresses the consequences of sexting.

Any student who engages in conduct that results in a breach of the district's computer security will be disciplined in accordance with the Student Code of Conduct. In some cases, the consequence may be expulsion.

End-of-Course (EOC) Assessments

[See **Graduation** and **Standardized Testing**]

English Learners (All Grade Levels)

A student who is an English learner is entitled to receive specialized services from the district. A Language Proficiency Assessment Committee (LPAC), consisting of both district personnel and at least one parent representative, will determine whether the student qualifies for services. The student's parent must consent to any services recommended by the LPAC. However, pending the receipt of parental consent or denial of services, an eligible student will receive the services to which the student is entitled and eligible.

To determine a student's level of proficiency in English, the LPAC will use information from a variety of assessments. If the student qualifies for services, and once a level of proficiency has been established, the LPAC will designate instructional accommodations or additional special programs that the student will require to eventually become proficient at grade level work in English. Ongoing assessments will be conducted to determine a student's continued eligibility for the program.

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR Spanish, as mentioned at **Standardized Testing**, may be administered to an English learner up to grade 5. In limited circumstances, a student's LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to English learners who qualify for services.

If a student is considered an English learner and receives special education services because of a qualifying disability, the student's ARD committee will make instructional and assessment decisions in conjunction with the LPAC.

Extracurricular Activities, Clubs, and Organizations (All Grade Levels)

Participation in school-sponsored activities is an excellent way for a student to develop talents, receive individual recognition, and build strong friendships.

Some extracurricular activities may include off-campus events. Students are required to use transportation provided by the district to and from the events. Exceptions may only be made with the approval of the activity's coach or sponsor. [See **Transportation**]

Eligibility for many of these activities is governed by state law and the rules of the University Interscholastic League (UIL), a statewide association overseeing interdistrict competition. If a student is involved in an academic, athletic, or music activity governed by UIL, the student and parent are expected to know and follow all rules of the UIL organization. Students and parents can access the UIL Parent Information Manual at [UIL Parent Information Manual](#). A hard copy can be provided by the coach or sponsor of the activity on request.

To report alleged noncompliance with required safety training or an alleged violation of safety rules required by law and the UIL, please contact the curriculum division of TEA at (512) 463-9581 or curriculum@tea.texas.gov.

[See [UIL Texas](#) for additional information on all UIL-governed activities.]

Generally, a student who receives a grade below 70 at the end of a grading period in any academic class may not participate in extracurricular activities for at least three school weeks.

However, if a student receives a grade below 70 at the end of a grading period in an Advanced Placement (AP) or International Baccalaureate (IB) course, or an honors or dual credit course in English language arts, mathematics, science, social studies, economics, or languages other than English, the student remains eligible for participation in all extracurricular activities.

In addition, the following applies to all extracurricular activities:

- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but may not participate in any competitive activity.
- A student is allowed in a school year up to 10 absences not related to post-district competition, a maximum of 5 absences for post-district competition prior to state, and a maximum of 2 absences for state competition. All extracurricular activities and public performances, whether UIL activities or other activities approved by the board, are subject to these restrictions.
- An absence for participation in an activity that has not been approved will be considered an unexcused absence.

Standards of Behavior

Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior—that are stricter than those for students in general. If a violation is also a violation of school rules, the consequences specified by the Student Code of Conduct or by board policy will apply in addition to any consequences specified by the organization's standards of behavior.

Offices and Elections

Certain clubs, organizations, and performing groups will hold elections for student officers.

Fees (All Grade Levels)

Basic educational program materials are provided at no charge to a student. However, a student is expected to provide his or her own supplies, such as pencils, paper, erasers, and notebooks. A student may also be required to pay certain other costs, fees, or deposits, including:

- Materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations.
- Admission fees to extracurricular activities.

- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student health and accident insurance.
- Musical instrument rental and uniform maintenance when uniforms are provided by the district.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards.
- Fees for lost, damaged, or overdue library books.
- Fees for driver training courses.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.
- Summer school for courses that are offered tuition-free during the regular school year.
- A reasonable fee for providing transportation to a student who lives within two miles of the school. [See **Buses and Other School Vehicles**]
- A fee not to exceed \$50 for an educational program outside of regular school hours for a student who has lost credit or has not been awarded a final grade because of absences and whose parent chooses the program for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.
- In some cases, a fee for a course taken through the Texas Virtual School Network (TXVSN).

Any required fee or deposit may be waived if the student and parent are unable to pay. Application for such a waiver may be made to the assistant superintendent of curriculum and instruction. [See policy FP for more information.]

Fundraising (All Grade Levels)

Student groups or classes and/or parent groups may be permitted to conduct fundraising drives for approved school purposes in accordance with administrative regulations. [See policies FJ and GE for more information.]

Gang-Free Zones (All Grade Levels)

Certain criminal offenses, including gang-related crimes, will be enhanced to the next-highest category of offense if they are committed in a gang-free zone. Gang-free zones include a school bus and any location in, on, or within 1,000 feet of any district-owned or leased property or campus playground.

Gender-Based Harassment

[See **Dating Violence, Discrimination, Harassment, and Retaliation**]

Grade-Level Classification (Grades 9–12 Only)

After the ninth grade, students are classified according to the number of credits earned toward graduation.

Credits Earned	Classification
6	Grade 10 (Sophomore)
13	Grade 11 (Junior)
20	Grade 12 (Senior)

Grading Guidelines (All Grade Levels)

Approved grading guidelines for each grade level or course will be communicated to students and their parents by the classroom teacher. These guidelines establish:

- The minimum number of assignments, projects, and examinations required for each grading period;
- How the student's mastery of concepts and achievement will be communicated (i.e., letter grades, numerical averages, checklist of required skills, etc.);
- Circumstances under which a student will be allowed to redo an assignment or retake an examination the student originally failed; and
- Procedures for a student to follow after an absence.

[See **Report Cards/Progress Reports and Conferences** for additional information on grading guidelines.]

Grading- Honor Roll

All A Honor Roll: To be eligible for this distinction on a six weeks basis:

The student must receive A's in all core content area courses (Language Arts, Math, Reading, Science and Social Studies). In grades 7-12 a student must maintain an A average in all classes.

The student must have an "S" in the following areas: Art, Music, Physical Education, Technology Applications and Conduct.

To be eligible for the end of the year award, a student must have all A's and S's every six weeks. In grades 7-12 a student must maintain an A average in all classes every six weeks.

A & B Honor Roll: To be eligible for this distinction on a six weeks basis:

The student must receive A's and B's in all core content area courses (Language Arts, Math, Reading, Science and Social Studies). In grades 7-12 a student must receive all A's and B's in all classes.

The student must have an "S" in the following areas: Art, Music, Physical Education, Technology Applications and Conduct.

To be eligible for the end of the year award, a student must have made the A/B Honor Roll and received S's in all other areas each six weeks. In grades 7-12 a student must maintain an A or B average in all classes every six weeks.

Graduation (Secondary Grade Levels Only)

Requirements for a Diploma

A student must meet the following requirements to receive a high school diploma from the district:

- Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute assessments, unless specifically waived as permitted by state law;
- Complete the required number of credits established by the state and any additional credits required by the district;
- Complete any locally required courses in addition to the courses mandated by the state;
- Demonstrate proficiency, as determined by the district, in the specific communication skills required by the State Board of Education (SBOE); and
- Complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA).

Testing Requirements for Graduation

Students are required, with limited exceptions and regardless of graduation program, to perform satisfactorily on EOC assessments in:

- English I
- English II
- Algebra I
- Biology
- U.S. History

A student who does not achieve a sufficient score will have opportunities to retake an assessment.

State law allows a student to meet EOC requirements by substituting satisfactory performance on approved national standardized assessments or on the state-developed assessment used

for entrance into Texas public universities. [See the school counselor for more information on the state testing requirements for graduation.]

If a student fails to perform satisfactorily on an EOC assessment, the district will provide remediation in the applicable content area. This may require the student's participation outside normal school operating times.

In limited circumstances, a student who fails to demonstrate proficiency on two or fewer of the required assessments may still be eligible to graduate if an individual graduation committee, formed in accordance with state law, unanimously determines that the student is eligible to graduate.

[See **Standardized Testing**]

Foundation Graduation Program

Every Texas public school student will graduate under the foundation graduation program. The foundation graduation program features endorsements, which are paths of interest that include:

- Science, Technology, Engineering, and Mathematics (STEM);
- Business and Industry;
- Public Service;
- Arts and Humanities; and
- Multidisciplinary Studies.

Endorsements earned by a student will be noted on the student's transcript.

A student can complete the foundation graduation program with a "distinguished level of achievement," which reflects the completion of at least one endorsement and Algebra II as one of the required advanced mathematics credits.

A Personal Graduation Plan will be completed for each high school student.

State law prohibits a student from graduating solely under the foundation graduation program without an endorsement unless, after the student's sophomore year, the student and student's parent are advised of the specific benefits of graduating with an endorsement and submit written permission to the school counselor for the student to graduate without an endorsement. A student who wishes to attend a four-year university or college after graduation must carefully consider whether graduation under the foundation program without an endorsement will satisfy the admission requirements of the student's desired college or university.

A student graduating under the foundation graduation program can also earn performance acknowledgments on his or her transcript. Performance acknowledgments are available for outstanding performance in bilingualism and biliteracy, in a dual credit course, on an AP or IB examination, on certain national college preparatory and readiness or college entrance examinations, or for earning a license or certificate recognized at the state, national, or international level. The school counselor can provide more information about these acknowledgments.

A student is not required to complete an Algebra II course to graduate under the foundation graduation program, and the district will annually notify a student's parent of this fact. However, not taking Algebra II will make a student ineligible for automatic admission to four-year public universities and colleges in Texas and for certain financial aid and grants while attending those institutions.

A school district will permit a student to satisfy the curriculum requirements for graduation under the foundation program with the distinguished level of achievement, including an endorsement, by successfully completing courses in the core curriculum of a public Texas institution of higher education. Please see your counselor for more information.

Credits Required

The foundation graduation program requires completion of the following credits:

Course Area	Number of Credits: Foundation Graduation Program	Number of Credits: Foundation Graduation Program with an Endorsement
English/Language Arts	4	4
Mathematics	3	4
Science	3	4
Social Studies, including Economics	3	3
Physical Education	1	1
Languages other than English	2	2
Fine Arts	1	1
Speech or other proficiency	0.5	0.5
Electives	5	7
Total	22 credits	26 credits

Additional considerations apply in some course areas, including:

- **Mathematics.** To obtain the distinguished level of achievement under the foundation graduation program, a student must complete an endorsement and take Algebra II as one of the 4 mathematics credits. A student's completion of the distinguished level of achievement is a requirement to be considered for automatic admission to a Texas four-year college or university and will be included on a student's transcript.
- **Physical education.** A student who is unable to participate in physical activity due to a disability or illness may be able to substitute a course in English language arts,

mathematics, science, social studies, or another locally determined credit-bearing course for the required credit of physical education. This determination will be made by the student's ARD committee, Section 504 committee, or other campus committee, as applicable.

- **Languages other than English.** Students are required to earn 2 credits in the same language other than English to graduate. Any student may substitute computer programming languages for these credits.
 - A student may satisfy one of the two required credits by successfully completing in elementary school a dual language immersion program or a course in American Sign Language.
 - In limited circumstances, a student may be able to substitute this requirement with other courses, as determined by a district committee authorized by law to make these decisions for the student.

Available Endorsements

A student must specify upon entering grade 9 which endorsement he or she wishes to pursue. Available Endorsements are:

- Science
- Technology
- Engineering
- Mathematics
- Business and Industry
- Public Services
- Arts and Humanities
- Multidisciplinary Studies

FAFSA or TASFA

Before graduating from high school, each student must complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA). The high school counselor is available to assist students in completing the application.

A student is not required to complete and submit a FAFSA or TASFA if:

- The student's parent submits a form provided by the district indicating that the parent authorizes the student to opt out;
- A student who is 18 years of age or older or a legally independent minor submits a form provided by the district indicating that the student opts out; or
- A school counselor authorizes the student to opt out for good cause.

Please contact the school counselor for more information.

Personal Graduation Plans

A personal graduation plan will be developed for each high school student.

The district encourages all students to pursue a personal graduation plan that includes the completion of at least one endorsement and to graduate with the distinguished level of achievement. Attainment of the distinguished level of achievement entitles a student to be considered for automatic admission to a public four-year college or university in Texas, depending on his or her rank in class.

The school will review personal graduation plan options with each student entering grade 9 and his or her parent. Before the end of grade 9, a student and his or her parent will be required to sign off on a personal graduation plan that promotes college and workforce readiness, promotes career placement and advancement, and facilitates the transition from secondary to postsecondary education.

The student's personal graduation plan will outline an appropriate course sequence based on the student's choice of endorsement.

Please review [TEA's Graduation Toolkit](#).

A student may, with parental permission, amend his or her personal graduation plan after the initial confirmation.

Available Course Options for All Graduation Programs

Each spring, the district will update students on the courses required or offered in each curriculum area so students can enroll for the upcoming school year.

Note: The district may require the completion of certain courses for graduation even if these courses are not required by the state for graduation.

Not all courses are offered at every secondary campus in the district. A student who wants to take a course not offered at his or her regular campus should contact the school counselor about a transfer or other alternatives. If the parents of at least 22 students request a transfer for a course in the required curriculum other than fine arts or career and technical education (CTE), the district will offer the course the following year either by teleconference or at the school from which the transfers were requested.

Certificates of Coursework Completion

A certificate of coursework completion will be issued to a student who has successfully completed state and local credit requirements for graduation but has not yet demonstrated satisfactory performance on the state-mandated tests required for graduation.

Students with Disabilities

Admission, review, and dismissal (ARD) committees will make instructional and assessment decisions for students with disabilities who receive special education services in accordance

with state law. Upon the recommendation of the ARD committee, a student with a disability who receives special education services may be permitted to graduate under the provisions of his or her individualized education program (IEP) and in accordance with state rules.

A student who receives special education services may earn an endorsement under the foundation program. If the student's curriculum requirements for the endorsement were modified, the student's ARD committee will determine whether the modified curriculum is sufficiently rigorous to earn the endorsement. The ARD committee must also determine whether the student must perform satisfactorily on any end-of-course assessment to earn an endorsement.

A student who receives special education services and has completed four years of high school but has not met the requirements of his or her IEP may participate in graduation ceremonies and receive a certificate of attendance. The student may then remain enrolled to complete the IEP and earn his or her high school diploma but will only be allowed to participate in one graduation ceremony.

[See policy FMH(LEGAL) for more information.]

Graduation Activities

Graduation activities will include:

- the Graduation ceremony
- the Graduation practice
- the Graduation breakfast
- any other district-sponsored events for Graduating seniors

Students who are eligible to graduate but are assigned to a disciplinary alternative education program at the end of the school year will be allowed to participate in the graduation ceremony and related graduation activities.

The following students and student groups shall be recognized at graduation ceremonies:

- Top 10
- National Honor Society

Graduation Speakers

Certain graduating students will be given an opportunity to speak at graduation ceremonies.

A student must meet local eligibility criteria, which may include requirements related to student conduct, to have a speaking role. Students eligible for speaking roles will be notified by the principal and given an opportunity to volunteer.

[See the Student Code of Conduct and policy FNA(LOCAL) for more information.]

[For student speakers at other school events, see **Student Speakers**]

Graduation Expenses

Because students and parents will incur expenses to participate in the traditions of graduation—such as the purchase of invitations, senior ring, cap and gown, and senior picture—both the student and parent should monitor progress toward completion of all requirements for graduation. The expenses often are incurred in the junior year or first semester of the senior year. [See **Fees**]

Scholarships and Grants

Students who have a financial need according to federal criteria and who complete the foundation graduation program may be eligible under the TEXAS Grant Program and the Teach for Texas Grant Program for scholarships and grants toward tuition and fees to Texas public universities, community colleges, and technical schools, as well as to private institutions.

Contact the school counselor for information about other scholarships and grants available to students.

Harassment

[See **Dating Violence, Discrimination, Harassment, and Retaliation**]

Hazing (All Grade Levels)

Hazing is defined 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; and
- 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.

The district will not tolerate hazing. Disciplinary consequences for hazing will be in accordance with the Student Code of Conduct. It is a criminal offense if a person engages in hazing; solicits, encourages, directs, aids, or attempts to aid another in hazing; or has firsthand knowledge of an incident of hazing being planned or having occurred and fails to report this to the principal or superintendent.

[See **Bullying** and policies FFI and FNCC for more information.]

Health—Physical and Mental

Illness (All Grade Levels)

When your child is ill, please contact the school to let us know he or she will not be attending that day.

State rules require schools to exclude students with certain illnesses from school for certain periods of time. For example, if a child has a fever over 100 degrees, he or she must stay out of school until fever-free for 24 hours without use of fever-reducing medications. Students with diarrheal illnesses must stay home until they are diarrhea-free without use of diarrhea-suppressing medications for 24 hours.

A parent should contact the school nurse if a student has been diagnosed with COVID-19 or may have COVID-19.

A full list of conditions for which the school must exclude children can be obtained from the school nurse.

If a student becomes ill during the school day, and the school nurse determines that the child should go home, the nurse will contact the parent.

The district is required to report certain contagious (communicable) diseases or illnesses to the Department of State Health Services (DSHS) or our local/regional health authority. The school nurse can provide information from DSHS on these notifiable conditions.

The school nurse is available to answer any questions for parents who are concerned about whether or not their child should stay home.

Immunization (All Grade Levels)

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical reasons or reasons of conscience, including a religious belief, the student will not be immunized.

For exemptions based on reasons of conscience, only official forms issued by the Texas Department of State Health Services (DSHS), Immunization Branch, can be honored by the district. This form may be obtained online at [Affidavit Request for Exemption from Immunization](#) or by writing the DSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347. The form must be notarized and submitted to the principal or school nurse within 90 days of notarization. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student.

The immunizations required are:

- Diphtheria, tetanus, and pertussis
- Polio
- Measles, mumps, and rubella
- Hepatitis B

- Varicella (chicken pox)
- Meningococcal
- Hepatitis A

The school nurse can provide information on immunization requirements. Proof of immunization may be established by personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. registered and licensed physician stating that, in the doctor's opinion, the immunization required is medically contraindicated or poses a significant risk to the health and well-being of the student or a member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a lifelong condition.

As noted at **Bacterial Meningitis**, entering college students must also, with limited exception, furnish evidence of having received a bacterial meningitis vaccination within the five years prior to enrolling in and attending classes at an institution of higher education. A student wanting to enroll in a dual credit course taken off campus may be subject to this or other vaccination requirements.

[See the DSHS website: [Texas School & Child Care Facility Immunization Requirements](#) and policy FFAB(LEGAL) for more information.]

Lice (All Grade Levels)

Head lice is very common among children. Although not an illness or a disease, it spreads easily through head-to-head contact during play, sports, nap time, and when children share things like brushes, combs, hats, and headphones.

The district does not require or recommend that students be removed from school because of lice or nits.

If careful observation indicates that a student has head lice, the school nurse will contact the student's parent to discuss a treatment plan using an FDA-approved medicated shampoo or cream rinse that may be purchased from any drug or grocery store. After the student undergoes one treatment, the parent should contact the school nurse to discuss the treatment used. The nurse can also offer additional recommendations, including subsequent treatments, how best to get rid of lice, and how to prevent lice from returning.

The district will provide notice to parents of elementary school students in an affected classroom without identifying the student with lice.

More information on head lice can be obtained from the DSHS website [Managing Head Lice in School Settings and at Home](#).

[See policy FFAA for more information.]

Medicine at School (All Grade Levels)

If a student must take medication during school hours, the student's parent must provide the medication. All medication, whether prescription or nonprescription, must be kept in the nurse's office and be administered by the nurse or another authorized district employee. A student may be authorized to possess his or her own medication because of asthma or a severe allergy as described below or as otherwise allowed by law.

The district will not purchase nonprescription medication to give to a student.

In accordance with policy FFAC, authorized employees may administer:

- Prescription medication in the original, properly labeled container, provided by the parent, along with a written request.
- Prescription medication from a properly labeled unit dosage container filled by a registered nurse or another qualified district employee from the original, properly labeled container.
- Nonprescription medication in the original, properly labeled container, provided by the parent along with a written request. **Note:** Insect repellent is considered a nonprescription medication.
- Herbal or dietary supplements provided by the parent only if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities.

Students whose schedules provide for regular time spent outdoors, including for recess and physical education classes, should apply sunscreen before coming to school.

At the elementary level, a student's teacher or other district personnel will apply sunscreen to the student's exposed skin if the student brings the sunscreen to school and asks for help applying it. A student at this level may apply his or her own sunscreen if the student is able to do so.

At the secondary level, a student may possess and apply sunscreen when necessary. If the student needs assistance with sunscreen application, please address the need with the school nurse.

Whether a student is at the elementary or secondary level, if sunscreen needs to be administered to treat any type of medical condition, this should be handled through communication with the school nurse so that the district is made aware of any safety and medical issues.

Asthma and Severe Allergic Reactions

A student with asthma or severe allergic reaction (anaphylaxis) may possess and use prescribed asthma or anaphylaxis medication at school or school-related events only if he or she has written authorization from his or her parent and a physician or other licensed health-care provider. The student must also demonstrate to his or her health-care provider and the school nurse the ability to use the prescribed medication, including any device required to administer the medication.

If the student has been prescribed asthma or anaphylaxis medication for use during the school day, the student and parents should discuss this with the school nurse or principal.

See also **Food Allergies**.

Steroids (All Grade Levels)

State law prohibits students from possessing, dispensing, delivering, or administering an anabolic steroid. Anabolic steroids are for physician-prescribed medical use only.

Bodybuilding, muscle enhancement, or the increase of muscle bulk or strength through the use of an anabolic steroid or human growth hormone by a healthy student is not a valid medical use and is a criminal offense.

Mental Health Support (All Grade Levels)

The district has implemented programs to address the following mental health, behavioral health, and substance abuse concerns:

- Mental health promotion and early intervention;
- Building skills to manage emotions, establish and maintain positive relationships, and engage in responsible decision-making;
- Substance abuse prevention and intervention;
- Suicide prevention, intervention, and postvention (interventions after a suicide in a community);
- Grief, trauma, and trauma-informed care;
- Positive behavior interventions and supports;
- Positive youth development; and
- Safe, supportive, and positive school climates.

All district campuses use Energy Bus, Character Strong, Red Ribbon Week Activities, and College Week Activities to address the above areas. Westwood Junior High additionally does Back to School Transition Camps for incoming 7th graders. Westwood Elementary also does Kindness Week and Hello Week. The Esteem program is used by Westwood Elementary, Westwood Junior High, and Westwood High school. Small group and individual counseling sessions are also available through campus counselors.

If a student has been hospitalized or placed in residential treatment for a mental health condition or substance abuse, the district has procedures to support the student's return to school. Please contact the district's mental health liaison for further information.

Teachers and other district employees may discuss a student's academic progress or behavior with the student's parents or another employee as appropriate; however, they are not permitted to recommend use of psychotropic drugs. A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication that is intended to alter perception, emotion, mood, or behavior.

A district employee who is a registered nurse, an advanced nurse practitioner, a physician, or a certified or credentialed mental health professional can recommend that a student be evaluated by an appropriate medical practitioner, if appropriate. [See policy FFEB for more information.]

For related information, see:

- **Consent to Conduct a Psychological Evaluation and Consent to Provide a Mental Health Care Service** for the district's procedures for recommending a mental health intervention and the mental health liaison's contact information;
- **Counseling** for the district's comprehensive school counseling program;
- **Physical and Mental Health Resources** for campus and community mental and physical health resources; and
- **Policies and Procedures that Promote Student Physical and Mental Health** for board-adopted policies and administrative procedures that promote student health.

Physical Activity Requirements

Primary and Elementary Schools

The district will ensure that students in full-day prekindergarten–grade 5 engage in moderate or vigorous physical activity for at least 30 minutes per day or 135 minutes per week, in accordance with policies at EHAB, EHAC, EHBG, and FFA.

For additional information on the district's elementary school student physical activity programs and requirements, please see the principal.

Junior High

The district will ensure that students in junior high school will engage in at least 225 minutes of moderate or vigorous physical activity within each two-week period for at least four semesters], in accordance with policies at EHAB, EHAC, EHBG, and FFA.

For additional information on the district's junior high and middle school student physical activity programs and requirements, please see the principal.

Temporary Restriction from Participation in Physical Education

Students who are temporarily restricted from participation in physical education will not actively participate in skill demonstration but will remain in class to learn the concepts of the lessons.

Physical Fitness Assessment (Grades 3–12)

Annually, the district will conduct a physical fitness assessment of students in grades 3–12 who are enrolled in a physical education course or a course for which physical education credit is awarded. At the end of the school year, a parent may submit a written request to the athletic director to obtain the results of his or her child's physical fitness assessment conducted during the school year.

Physical Health Screenings/Examinations

Athletics Participation (Secondary Grade Levels Only)

For certain extracurricular activities, a student must submit certification from an authorized health-care provider. The certification must state that the student has been examined and is physically able to participate in the relevant program, including:

- A district athletics program.
- District marching band.
- Any district extracurricular program identified by the superintendent.

The district follows the UIL guidelines for physicals. This examination is required in the first year of middle school competition and the first and third years of high school competition. During the alternate years, the student must complete a medical appraisal form, and the results of this appraisal may prompt the district to require a physical examination.

Students should be aware of the rare possibility of sudden cardiac arrest, which in athletes is usually caused by a previously unsuspected heart disease or disorder. A student may request an electrocardiogram (ECG or EKG) to screen for such disorders, in addition to his or her required physical examination.

See the UIL's explanation of [sudden cardiac arrest](#) for more information.

Spinal Screening Program

School-based spinal screening helps identify adolescents with abnormal spinal curvature at an early stage when the curve is mild and may go unnoticed. Early detection is key to controlling spinal deformities. Spinal screening is non-invasive and conducted in accordance with the most recent nationally accepted and peer-reviewed standards.

All students who meet the Texas Department of State Health Services criteria will be screened for abnormal spinal curvature before the end of the school year. As appropriate, students will be referred for follow-up with their physician.

For information on spinal screening by an outside professional or exemption from spinal screening based on religious beliefs, contact the superintendent, or see policy FFAA(LEGAL).

Special Health Concerns (All Grade Levels)

Bacterial Meningitis (All Grade Levels)

Please see the district's website at www.westwoodisd.net for information regarding meningitis.

Note: Entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. Please see the school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus. [See **Immunization**]

Diabetes

In accordance with a student's individual health plan for management of diabetes, a student with diabetes will be permitted to possess and use monitoring and treatment supplies and equipment while at school or at a school-related activity. See the school nurse or principal for information. [See policy FFAF(LEGAL) for more information.]

Food Allergies (All Grade Levels)

Parents should notify the district when a student has been diagnosed with a food allergy, especially an allergy that could result in dangerous or life-threatening reactions either by inhalation, ingestion, or skin contact with the particular food. It is important to disclose the food to which the student is allergic as well as the nature of the allergic reaction. Please contact the school nurse or campus principal if your child has a known food allergy or as soon as possible after any diagnosis of a food allergy.

The district has developed and annually reviews a food allergy management plan, based on the Texas Department of State Health Services' (DSHS) "Guidelines for the Care of Students with Food Allergies At-Risk for Anaphylaxis" found on the DSHS website at [Allergies and Anaphylaxis](#).

When the district receives information that a student has a food allergy that puts the student at risk for anaphylaxis, an individual care plan will be developed to assist the student in safely accessing the school environment. The district's food allergy management plan can be accessed at www.westwoodisd.net

[See **Celebrations** and policy FFAF for more information.]

Seizures (All Grade Levels)

To address the care of a student with a seizure disorder while at school or participating in a school activity, a parent may submit a seizure management and treatment plan to the district before the beginning of the school year, upon enrollment of the student, or as soon as practicable following diagnosis of a seizure disorder.

[See **A Student with Physical or Mental Impairments Protected under Section 504** and contact the school nurse for more information.]

Tobacco and E-Cigarettes Prohibited (All Grade Levels and All Others on School Property)

Students are prohibited from possessing or using any type of tobacco product, electronic cigarette (e-cigarette), or any other electronic vaporizing device while on school property or while attending an off-campus school-related activity.

The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device by students and all others on school

property and at school-sponsored and school-related activities. [See the Student Code of Conduct and policies FNCD and GKA for more information.]

Health-Related Resources, Policies, and Procedures

Physical and Mental Health Resources (All Grade Levels)

Parents and students in need of assistance with physical and mental health concerns may contact the following campus and community resources:

- The district full-time nurse, Kim Gilbreath, at Westwood Junior High (903)723-0423. Westwood High School Nurse- Stevie Fields (903)729-1773. Elementary School Nurse -Ginger Morris (903)729-1771, Primary School Nurse- Tiffany Roberson (903)729-1774.
- Counselors: Primary School-(TBA) at (903) 729-1774; Elementary School- Amber Linam at (903)729-1771; Westwood Junior High- Counselor – Debbie Coates at (903) 723-0423; Westwood High School- Jeffrey Tauber at (903) 729-1773
- The local public health authority, City of Palestine Health Department, which may be contacted at (903) 731-8533.
- The local mental health authority, ACCESS, which may be contacted at (903) 723-6136.

Policies and Procedures that Promote Student Physical and Mental Health (All Grade Levels)

The district has adopted board policies that promote student physical and mental health. (LOCAL) policies on the topics below can be found in the district's policy manual, available at <https://pol.tasb.org/Home/Index/122>

- Food and nutrition management: CO, COA, COB
- Wellness and Health Services: FFA
- Physical Examinations: FFAA
- Immunizations: FFAB
- Medical Treatment: FFAC
- Communicable Diseases: FFAD
- School-Based Health Centers: FFAE
- Care Plans: FFAF
- Crisis Intervention: FFB
- Trauma-informed Care: FFBA
- Student Support Services: FFC
- Student Safety: FFF

- Child Abuse and Neglect: FFG
- Freedom from Discrimination, Harassment, and Retaliation: FFH
- Freedom from Bullying: FFI

In addition, the District Improvement Plan details the district's strategies to improve student performance through evidence-based practices that address physical and mental health.

- Ensure each campus has a trained Crisis Prevention Intervention core team.
- The School Health Advisory Council (SHAC) will continue to meet regularly to address district-wide health and safety concerns and report to the school board annually.

The district has developed administrative procedures as necessary to implement the above policies and plans.

For further information regarding these procedures and access to the District Improvement Plan, please contact:

Please contact Tiffany Carwell at (903) 729-1776 for further information regarding these procedures and access to the District Improvement Plan.

School Health Advisory Council (SHAC) (All Grade Levels)

During the preceding school year, the district's School Health Advisory Council (SHAC) held 4 meetings. Additional information regarding the district's SHAC is available from Tiffany Carwell at (903) 729-1776.

[See **Human Sexuality Instruction** and policies BDF and EHAA. for more information.]

Student Wellness Policy/Wellness Plan (All Grade Levels)

To encourage healthy habits in our students, the district has developed a board-adopted wellness policy at FFA(LOCAL) and corresponding plans and procedures to implement it. For questions about the content or implementation of the district's wellness policy and plan, please contact Tiffany Carwell at (903) 729-1776 with questions about the content or implementation of the district's wellness policy and plan.

Homework (All Grade Levels)

Homework deserves special attention to ensure its value in the learning process and to avoid frustrating the student, teacher, or parent. The assignment should serve as reinforcement of learning at the level of independent practice. The review of grading of the work should provide immediate feedback to the student and inform the teacher of student progress toward mastery. Failure to complete an assignment in a class will result in the student having one additional day to complete the assignment with a maximum grade of a 70. It is the responsibility of all students involved in extracurricular activities, to make arrangements in advance with the teacher for any

work/tests he/she will miss during a school sponsored activity. The purpose of the homework/assignment policy is to encourage students to become responsible for their work ethic in preparation for college and the workforce after graduation.

Reasons for Homework:

1. To expand, reinforce or enrich regular class work
2. To build interests in reading and learning
3. To hold students accountable for work missed due to absence
4. To encourage parent-awareness of student learning
5. To provide an opportunity to pursue special interest or ability areas
6. To increase learning time
7. To establish independent study skills
8. To complete work started in class

Procedures to Request Assignments

When a student is absent from school for more than three (3) days a parent may request assignments from each teacher. This should be done through the office and the parent will be given time to pick up assignments. Assignments need not be requested unless the student will miss at least 3 days of school. Requests for assignments should be made before 9:00 a.m.

Law Enforcement Agencies (All Grade Levels)

Questioning of Students

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.

Students Taken into Custody

State law requires the district to permit a student to be taken into legal custody:

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.

- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
- By a law enforcement officer to obtain fingerprints or photographs for comparison in an investigation.
- By a law enforcement officer to obtain fingerprints or photographs to establish a student's identity where the child may have engaged in conduct indicating a need for supervision, such as running away.
- By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
- By an authorized representative of Child Protective Services (CPS), Texas Department of Family and Protective Services (DFPS), a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in the Family Code relating to the student's physical health or safety.
- To comply with a properly issued directive from a juvenile court to take a student into custody.

Before a student is released to a legally authorized person, the principal will verify the person's identity and, to the best of his or her ability, will verify the person's authority to take custody of the student.

The principal will immediately notify the superintendent and will attempt to notify the parent, unless the legally authorized person raises what the principal considers to be a valid objection to notifying the parents. Because the principal does not have the authority to prevent or delay a student's release to a legally authorized person, any notification will most likely be after the fact.

Notification of Law Violations

The district is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been taken into custody, arrested, or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors that occur in school, on school property, or at a school-sponsored or school-related activity on or off school property. These personnel will also be notified if the principal has reasonable grounds to believe the student has engaged in certain conduct.
- All appropriate district personnel regarding a student who is required to register as a sex offender.

[See policy GRAA(LEGAL) for more information.]

Leaving Campus (All Grade Levels)

Remember that student attendance is crucial. Appointments should be scheduled outside of school hours if possible. Absent extenuating circumstances, students will not regularly be released before the end of the school day.

State rules require parental consent before any student leaves campus for any part of the school day. For students in elementary and middle school, a parent or authorized adult must come to the office and show identification to sign the student out. A campus representative will ask the student to report to the office. For safety purposes and stability of the learning environment, we cannot allow any unescorted adult to go to the classroom or other area to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student's return. Documentation regarding the reason for the absence will also be required.

The same process applies to students in high school if a parent picks the student up from campus. If the student's parent authorizes the student to leave campus unaccompanied, a note provided by the parent must be submitted to the main office no later than two hours prior to the student's need to leave campus. A phone call from the parent may be accepted, but the school may ultimately require a note for documentation purposes. The student must sign out through the main office and sign in upon his or her return, if the student returns the same day.

If a student becomes ill during the school day and the school nurse or other district personnel determines that the student should go home, the nurse will contact the student's parent and document the parent's wishes regarding release from school.

Unless the parent directs district personnel to release the student unaccompanied, the parent or other authorized adult must follow the sign-out procedures listed above. If a student is permitted by his or her parent to leave campus unaccompanied, the nurse will document the time of day the student was released. Under no circumstances will a student in elementary or middle school be released unaccompanied.

If a student is 18 years of age or is an emancipated minor, the student may sign him- or herself out of school. Documentation regarding the reason for the absence will be required.

During Lunch

All Westwood ISD campuses are closed. Students are not permitted to leave campus during lunch. Family visitors (immediate family) are permitted to eat lunch with their children.

At Any Other Time during the School Day

Students are not authorized to leave campus during regular school hours for any other reason, except with the permission of the principal.

Students who leave campus in violation of these rules will be subject to disciplinary action in accordance with the Student Code of Conduct.

Lost and Found (All Grade Levels)

A lost and found collection box is located in the campus office. A student who loses an item should check the lost and found box. The district discourages bringing personal items of high monetary value to school, as the district is not responsible for lost or stolen items. The campus will dispose of lost and found items at the end of each semester.

Makeup Work

Makeup Work Because of Absence (All Grade Levels)

A teacher may assign makeup work to a student who misses class based on instructional objectives and the needs of the student in mastering the essential knowledge and skills or meeting subject or course requirements. The student will be responsible for obtaining and completing the makeup work within the time specified by the teacher. A student who does not make up assigned work within the time allotted by the teacher will receive a grade of zero for the assignment.

The student is encouraged to speak with his or her teacher if the student knows of an absence ahead of time so that the teacher and student may plan any makeup work. Please remember the importance of student attendance at school and that, even though absences may be excused or unexcused, all absences account for the 90 percent threshold regarding the state laws surrounding “attendance for credit or final grade.” [See **Attendance for Credit or Final Grade**]

A student involved in an extracurricular activity must notify his or her teachers ahead of time about any absences.

A student will be permitted to make up tests and turn in projects due in any class missed because of absence. Teachers may assign a late penalty to any long-term project in accordance with timelines approved by the principal and previously communicated to students.

DAEP Makeup Work (Grades 7–12)

If a junior high or high school student is enrolled in a foundation curriculum course at the time of removal to a disciplinary alternative education program (DAEP), he or she will have an opportunity to complete the course before the beginning of the next school year. The district may provide the opportunity to complete the course through an alternative method, 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. [See policy FOCA(LEGAL) for more information.]

In-School Suspension (ISS) and Out-of-School Suspension (OSS) **Makeup Work (All Grade Levels)**

Alternative Means to Receive Coursework

While a student is in ISS or OSS, the district will provide the student with all course work for the student's foundation curriculum classes that the student misses as a result of the suspension.

Opportunity to Complete Courses

A student removed from the regular classroom to ISS or another setting, other than a DAEP, will have an opportunity to complete before the beginning of the next school year each course the student was enrolled in at the time of removal from the regular classroom. 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. [See policy FO(LEGAL) for more information.]

Nondiscrimination Statement (All Grade Levels)

In its efforts to promote nondiscrimination and as required by law, the district does not discriminate on the basis of race, religion, color, national origin, gender, sex, age, disability, or any other basis prohibited by law in providing education services, activities, and programs, including Career and Technical Education (CTE) programs. The district provides equal access to the Boy Scouts and other designated youth groups.

In accordance with Title IX, the district does not and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX Coordinator (see below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

Other federal laws that prohibit discrimination include Title VI, Section 504, the Age Discrimination Act, the Boy Scouts Act, and Title II.

In its efforts to promote nondiscrimination and as required by law, the district does not discriminate on the basis of race, religion, color, national origin, gender, sex, disability, age, or any other basis prohibited by law in providing education services, activities, and programs, including Career and Technical Education (CTE) programs. The district provides equal access to the Boy Scouts and other designated youth groups. The following district representatives have been designated to coordinate compliance with these legal requirements:

- Title IX Coordinator for concerns regarding discrimination on the basis of sex, including sexual harassment or gender-based harassment: Katie Atkins, Assistant Superintendent of Curriculum and Instruction, 4524 W Oak, Palestine, TX, 75803, (903) 729-1776.
- ADA/Section 504 Coordinator for concerns regarding discrimination on the basis of disability: Tiffany Carwell, Special Programs Coordinator, 4524 W Oak, Palestine, TX, 75803, (903) 729-1776.

- All other concerns regarding discrimination: See the superintendent, Wade Stanford, (903) 729-1776.

[See policies FB, FFH, and GKD for more information.]

Parent and Family Engagement (All Grade Levels)

Working Together

Experience and research tell us that a child succeeds in education with good communication and a strong partnership between home and school. A parent's involvement and engagement in this partnership may include:

- Encouraging your child to put a high priority on education and working with your child every day to make the most of the educational opportunities the school provides.
- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all your child's school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.
- Monitoring your child's academic progress and contacting teachers as needed. [See **Academic Counseling**]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, school counselor, or principal, please call the Primary School office at (903)729-1774 or Elementary School office at (903)729-1771 or Junior High office at (903) 723-0423 or High School office at (903) 729-1773 for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences**]
- Becoming a school volunteer. [See **Volunteers** and policy GKG for more information.]
- Participating in campus parent organizations. Parent organizations include: Athletic Booster Club, FFA Booster Club, Band Booster Club, and Junior High Parent Support Group.
- Serving as a parent representative on the district-level or campus-level planning committees that develop educational goals and plans to improve student achievement. [Contact campus principal and see policies BQA and BQB, for more information.]
- Serving on the School Health Advisory Council (SHAC) and assisting the district in aligning local community values with health education instruction and other wellness issues. [See **School Health Advisory Council (SHAC)** and policies BDF, EHAA, FFA for more information.]
- Being aware of the school's ongoing bullying and harassment prevention efforts.

- Contact school officials if you are concerned with your child's emotional or mental well-being.
- Attending board meetings to learn more about district operations. Regular board meetings are held on the 2nd Monday of each month at 6:30 p. m. at Westwood High School. An agenda for a regular or special meeting is posted no later than 72 hours before each meeting at the administration office and campuses and online at <https://v3.boardbook.org/Public/PublicHome.aspx?ak=1001715> [See policies BE and BED for more information.]

Parking and Parking Permits (Secondary Grade Levels Only)

A student must present a valid driver's license and proof of insurance to be eligible for a parking permit.

Students must request a parking permit and pay a fee of \$5 to park in a school parking lot. So long as space is available, parking permits may be issued throughout the year.

Students will not be permitted to:

- Speed.
- Double-park.
- Park across a white or yellow line.
- Park in a fire lane.
- Sit in parked cars during school hours.

Students may be subject to disciplinary action for violation of these rules. The district may tow cars that are parked in violation of these rules.

Pledges of Allegiance and a Minute of Silence (All Grade Levels)

Each school day, students will recite the Pledge of Allegiance to the U.S. flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See **Reciting the Pledges to the U.S. and Texas Flags**]

State law requires that one minute of silence follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity during that minute so long as the silent activity does not interfere with or distract others.

In addition, state law requires that each campus provide for the observance of one minute of silence in remembrance of those who lost their lives on September 11, 2001, at the beginning of the first class period when September 11 falls on a regular school day.

[See policy EC for more information.]

Prayer (All Grade Levels)

Each student has a right to pray individually, voluntarily, and silently or to meditate in school in a manner that does not disrupt school activities. The school will not encourage, require, or coerce a student to engage in or refrain from such prayer or meditation during any school activity.

Promotion and Retention

Due to updates stemming from House Bill 4545 and further guidance from the Texas Education Agency (TEA), updates will be made at a later date pertaining to promotion and retention as it relates to performance on standardized testing. In the meantime, the following practices will remain in place as it relates to promotion and retention:

A student will be promoted only on the basis of academic achievement or proficiency. In making promotion decisions, the district will consider:

- Teacher recommendation
- Grades
- Any other necessary academic information as determined by the district

Primary, Elementary and Junior High Grade Levels

In grades 1-8, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for all subject areas and a grade of 70 or above in language arts and mathematics.

A student in grades 9–12 will be advanced a grade level based on the number of course credits earned.

If a student in grade 8 is enrolled in a high-school credit course with a corresponding end-of-course (EOC) assessment, the student will take the corresponding EOC assessment.

If a student in grades 3–8 is enrolled in a class or course intended for students above his or her current grade level in which the student will be administered a state-mandated assessment, the student will be required to take an applicable state-mandated assessment only for the course in which he or she is enrolled, unless otherwise required to do so by federal law.

A student in grades 3–8 shall be assessed at least once in high school with the ACT or the SAT if the student completes the high school end-of-course assessments in mathematics, reading/language arts, or science prior to high school.

[See **Standardized Testing**]

High School Grade Levels

To earn credit in a course, a student must receive a grade of at least 70 based on course-level standards.

A student in grades 9–12 will be advanced a grade level based on the number of course credits earned. [See **Grade-Level Classification**]

Students will also have multiple opportunities to retake EOC assessments. [See **Graduation and Standardized Testing**]

Release of Students from School

[See **Leaving Campus**]

Remote Instruction

The district may offer remote instruction when authorized by TEA. All district policies, procedures, guidelines, rules, and other expectations of student behavior will be enforced as applicable in a remote or virtual learning environment.

Report Cards/Progress Reports and Conferences (All Grade Levels)

Report cards with each student's performance and absences in each class or subject are issued at least once every 6 weeks.

At the end of the first three weeks of a grading period, parents will receive a progress report of their child's performance in any course/subject area is near or below 70 or is below the expected level of performance. If a student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be asked to schedule a conference with the teacher. [See **Working Together** for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the principal pursuant to the board-adopted policy. Grading guidelines are designed to reflect each student's relative mastery of each assignment. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See **Grading Guidelines** and policy EIA(LOCAL) for more information.]

Questions about grade calculation should first be discussed with the teacher. If the question is not resolved, the student or parent may request a conference with the principal in accordance with FNG(LOCAL).

The report card or unsatisfactory progress report will state whether tutorials are required for a student who receives a grade lower than 70.

Report cards and unsatisfactory progress reports must be signed by the parent and returned to the school within 10 days. The district may communicate academic information about a student electronically, including for progress reporting purposes. An electronic signature will be accepted by the district, but parents are entitled to request a handwritten signature of acknowledgment instead.

Retaliation

[See **Dating Violence, Discrimination, Harassment, and Retaliation**]

Safety (All Grade Levels)

Student safety on campus, at school-related events, and in district vehicles is a high priority of the district. The cooperation of students is essential to ensuring school safety. A student is expected to:

- Avoid conduct that is likely to put the student or others at risk.
- Follow all behavioral standards in this handbook and the Student Code of Conduct or set by district employees.
- Remain alert to any safety hazards, such as intruders on campus or threats made by any person toward a student or staff member, and promptly report any incidents to a district employee. A student may make anonymous reports about safety concerns by forms outside the counselor's office or using the district tip line on the www.westwoodisd.net website.
- Know emergency evacuation routes and signals.
- Follow immediately the instructions of teachers, bus drivers, and other district employees who are overseeing the welfare of students.

Accident Insurance

Soon after the school year begins, parents will have the opportunity to purchase low-cost accident insurance that would help meet medical expenses in the event of injury to their child.

Insurance for Career and Technical Education (CTE) Programs

The district may purchase accident, liability, or automobile insurance coverage for students and businesses involved in the district's CTE programs.

Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies

Periodically, the school will conduct preparedness drills of emergency procedures. When the command is given or alarm is sounded, students need to follow the direction of teachers or others in charge quickly, quietly, and in an orderly manner.

Preparedness Training: CPR and Stop the Bleed

The district will annually offer instruction in CPR at least once to students enrolled in grades 7–12. The instruction can be provided as part of any course and is not required to result in CPR certification.

The district will annually offer students in grades 7–12 instruction on the use of bleeding control stations to respond to traumatic injury. For more information, see [Homeland Security's Stop the Bleed](#) and [Stop the Bleed Texas](#).

Emergency Medical Treatment and Information

All parents are asked each year to complete a medical care authorization form, providing written parental consent to obtain emergency treatment and information about allergies to medications or drugs. Parents should contact the school nurse to update emergency care information (name of doctor, emergency phone numbers, allergies, etc.).

The district may consent to medical treatment, which includes dental treatment, if necessary, for a student if:

- The district has received written authorization from a person having the right to consent;
- That person cannot be contacted; and
- That person has not given the district actual notice to the contrary.

The emergency care authorization form will be used by the district when a student's parent or authorized designee is unable to be contacted. A student may provide consent if authorized by law or court order.

Regardless of parental authorization for the district to consent to medical treatment, district employees will contact emergency medical services to provide emergency care when required by law or when deemed necessary, such as to avoid a life-threatening situation.

Emergency School Closing Information

Each year, parents are asked to complete an emergency release form to provide contact information in the event that the district needs to notify parents of early dismissal, delayed opening, or restricted access to a campus because of severe weather, a security threat, or another emergency cause.

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. It is crucial to notify your child's school when a phone number changes.

If the campus must close, delay opening, or restrict access to the building because of an emergency, the district will also alert the community in the following ways: Parent Square, social media, district website, and local radio station.

[See **Communications-Automated, Emergency**]

SAT, ACT, and Other Standardized Tests

[See **Standardized Testing**]

Schedule Changes (Junior High and High School Grade Levels)

Schedule changes are handled in accordance with administrative policy listed in the Course Description Guide.

School Facilities

Asbestos Management Plan (All Grade Levels)

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's asbestos management plan is available in the central administrative office. If you have any questions or would like to examine the district's plan in more detail, please contact the district's designated asbestos coordinator:

Josh Shultz, Director of Maintenance, (903) 723-9386

Food and Nutrition Services (All Grade Levels)

The district participates in the School Breakfast Program and National School Lunch Program and offers students nutritionally balanced meals daily in accordance with standards set forth in state and federal law.

Some students are eligible for free and reduced-price meals based on financial need. Information about a student's participation is confidential. The district may share information such as a student's name and eligibility status to help enroll eligible children in Medicaid or the state children's health insurance program (CHIP) unless the student's parent requests the student's information not be disclosed.

Participating students will be offered the same meal options as their peers and will not be treated differently from their peers.

To apply for free or reduced-price meal services, contact:

Juan Torres, Director of Food Services, (903) 723-9379

[See policy CO for more information.]

Parents should continually monitor their child's meal account balance. When a student's meal account is depleted, the district will notify the parent. The student may continue to purchase meals according to the grace period set by the school board. The district will present the parent with a schedule of repayment for any outstanding account balance and an application for free or reduced meals.

If the district is unable to work out an agreement with the student's parent on replenishment of the meal account and payment of any outstanding balance, the student will receive a meal. The district will make every effort to avoid bringing attention to the student.

Vending Machines (All Grade Levels)

The district has adopted and implemented the state and federal policies for food service, including guidelines to restrict student access to vending machines. For more information regarding these policies and guidelines, see the *director of food services*. [See policy FFA for more information.]

Pest Management Plan (All Grade Levels)

The district is required to follow integrated pest management (IPM) procedures to control pests on school grounds. Although the district strives to use the safest and most effective methods to manage pests, including a variety of non-chemical control measures, periodic indoor and outdoor pesticide use is sometimes necessary to ensure a safe, pest-free school environment.

All pesticides used are registered for their intended use by the U.S. Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area.

Parents who have questions or who want to be notified of the times and types of applications prior to pesticide application inside their child's school assignment area may contact the district's IPM coordinator:

Josh Shultz, Director of Maintenance, (903) 729-9386.

Conduct Before and After School (All Grade Levels)

Teachers and administrators have full authority over student conduct at before- or after-school activities. Whether a school activity is on or off district premises, students are subject to the same rules of conduct that apply during the instructional day. Misbehavior will be subject to consequences established by the Student Code of Conduct or any stricter standards of behavior established by the sponsor for extracurricular participants.

Library (All Grade Levels)

The library is a learning laboratory with books, computers, magazines, and other materials available for classroom assignments, projects, and reading or listening pleasure. The library is open for independent student use during the teacher's class assigned times with teacher permit.

Use of Hallways during Class Time (All Grade Levels)

During class times, loitering or standing in the halls is not permitted, and a student must have a hall pass to be outside the classroom for any purpose. Failure to obtain a pass will result in disciplinary action in accordance with the Student Code of Conduct.

Use by Students Before and After School (All Grade Levels)

Certain areas of the school will be accessible to students before and after school for specific purposes. Students are required to remain in the area where their activity is scheduled to take place.

The following areas are open to students before school, beginning at 7:30 a.m.

- *Office*
- *Gym*
- *Cafeteria*

Unless the teacher or sponsor overseeing an activity gives permission, a student will not be permitted to go to another area of the building or campus.

Students must leave campus immediately after dismissal of school in the afternoon, unless the student is involved in an activity under the supervision of a teacher or other authorized employee or adult.

Meetings of Noncurriculum-Related Groups (Secondary Grade Levels Only)

Student-organized, student-led non curriculum-related groups are permitted to meet during the hours designated by the principal before and after school. These groups must comply with the requirements of policy FNAB(LOCAL). A list of these groups is available in the principal's office.

School-Sponsored Field Trips (All Grade Levels)

The district periodically takes students on field trips for educational purposes.

A parent must provide permission for a student to participate in a field trip.

The district may ask the parent to provide information about a student's medical provider and insurance coverage and may also ask the parent to sign a waiver allowing for emergency medical treatment in the case of a student accident or illness during the field trip.

The district may require a fee for student participation in a field trip to cover expenses such as transportation, admission, and meals; however, a student will not be denied participation because of financial need. The district is not responsible for refunding fees paid directly to a third-party vendor.

Searches

Searches in General (All Grade Levels)

In the interest of promoting student safety and drug-free schools, district officials may occasionally conduct searches.

District officials may search students, their belongings, and their vehicles in accordance with law and district policy. Searches of students will be conducted without discrimination, based on, for example, reasonable suspicion or voluntary consent or pursuant to district policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on district property.

If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a district official may conduct a search in accordance with law and district regulations.

District Property (All Grade Levels)

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice. Students have no expectation of privacy in district property.

Students are responsible for any item found in district property provided to the student that is prohibited by law, district policy, or the Student Code of Conduct.

Metal Detectors (All Grade Levels)

To maintain a safe and disciplined learning environment, the district reserves the right to subject students to metal detector searches when entering a district campus and at off-campus, school-sponsored activities.

Telecommunications and Other Electronic Devices (All Grade Levels)

Use of district-owned equipment and its network systems is not private and will be monitored by the district. [See policy CQ for more information.]

Any searches of personal electronic devices will be conducted in accordance with law, and the device may be confiscated to perform a lawful search. A confiscated device may be turned over to law enforcement to determine whether a crime has been committed.

[See **Electronic Devices and Technology Resources** and policy FNF(LEGAL) for more information.]

Trained Dogs (All Grade Levels)

The district may use trained dogs to screen for concealed, prohibited items, including drugs and alcohol. Screenings conducted by trained dogs will not be announced in advance. The dogs will not be used with students, but students may be asked to leave personal belongings in an area

that is going to be screened, such as a classroom, a locker, or a vehicle. If a dog alerts to an item or an area, it may be searched by district officials.

Drug Testing (Secondary Grade Levels Only)

The district's policy FNF(LOCAL) addresses board authorization for drug testing of students as described in the policy, but specifics of the drug-testing program are addressed in administrative regulations, such as this handbook or your extracurricular conduct guide.

[See **Steroids**]

Vehicles on Campus (Secondary Grade Levels Only)

If a vehicle subject to search is locked, the student will be asked to unlock the vehicle. If the student refuses, the district will contact the student's parents. If the parents also refuse to permit the vehicle to be searched, the district may turn the matter over to law enforcement. The district may contact law enforcement even if permission to search is granted.

Sexual Harassment

[See **Dating Violence, Discrimination, Harassment, and Retaliation**]

Special Programs (All Grade Levels)

The district provides special programs for gifted and talented students, students who are homeless, students in foster care, bilingual students, migrant students, English learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact:

Anderson County Co-op (903) 876-3685

The Texas State Library and Archives Commission's [Talking Book Program](#) provides audiobooks free of charge to qualifying Texans, including students with visual, physical, or reading disabilities such as dyslexia.

Standardized Testing

SAT/ACT (Scholastic Aptitude Test and American College Test)

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. These assessments are usually taken at the end of the junior year. Students are encouraged to talk with the school counselor early during their junior year to learn about these assessments and determine the appropriate examination to take. The Preliminary

SAT (PSAT) and ACT-Aspire are the corresponding preparatory and readiness assessments for the SAT and ACT.

Note: These assessments may qualify a student to receive a performance acknowledgment on the student's transcript under the foundation graduation program and may qualify as a substitute for an end-of-course testing requirement in certain circumstances. A student's performance at a certain level on the SAT or ACT also makes the student eligible for automatic admission to a Texas public institution of higher education.

TSI (Texas Success Initiative) Assessment

Prior to enrollment in a Texas public college or university, most students must take a standardized test called the Texas Success Initiative (TSI) assessment. The TSI assesses the reading, mathematics, and writing skills that freshmen-level students need to perform effectively as undergraduates in Texas public colleges and universities. This assessment may also be required before a student enrolls in a dual credit course offered through the district. Achieving certain benchmark scores on this assessment may also waive certain end-of-course assessment requirements in limited circumstances.

STAAR (State of Texas Assessments of Academic Readiness)

Grades 3–8

In addition to routine tests and other measures of achievement, students at certain grade levels are required to take the state assessment, called STAAR, in the following subjects:

- Mathematics, annually in grades 3–8
- Reading, annually in grades 3–8
- Science in grades 5 and 8
- Social Studies in grade 8

STAAR Alternate 2 is available for eligible students receiving special education services who meet certain state-established criteria as determined by the student's ARD committee.

STAAR Spanish is available for eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

High School Courses End-of-Course (EOC) Assessments

STAAR end-of-course (EOC) assessments are administered for the following courses:

- Algebra I
- English I and English II
- Biology
- U.S. History

Satisfactory performance on the applicable assessments is required for graduation, unless waived or substituted as allowed by state law and rules.

There are three testing windows during the year in which a student may take an EOC assessment. The windows occur in the fall, spring, and summer months. If a student does not meet satisfactory performance, the student will have opportunities to retake the assessment.

STAAR Alternate 2 is available for eligible students receiving special education services who meet certain criteria established by the state as determined by the student's ARD committee.

An admission, review, and dismissal (ARD) committee for a student receiving special education services will determine whether successful performance on the EOC assessments will be required for graduation within the parameters identified in state rules and the student's personal graduation plan (PGP).

[See **Graduation**]

Students in Foster Care (All Grade Levels)

In an effort to provide educational stability, the district will provide enrollment and registration assistance, as well as other educational services throughout the student's enrollment, to any student who is currently placed or newly placed in foster care (temporary or permanent custody of the state, sometimes referred to as substitute care).

If you have questions, please contact the district's foster care liaison:

Tiffany Carwell, Special Programs Coordinator, (903) 729-1776.

[See **A Student in the Conservatorship of the State (Foster Care)**]

Students Who are Homeless (All Grade Levels)

A parent is encouraged to inform the district if his or her child is experiencing homelessness. District staff can share resources that may be able to assist families.

For more information on services for students who are homeless, contact the district's homeless education liaison: Tiffany Carwell, at (903) 729-1776.

[See **A Student Who is Homeless**]

Student Speakers (All Grade Levels)

The district provides students the opportunity to introduce the following school events:

- Football games
- Opening announcements and greetings for the school day
- National Honor Society Induction Ceremonies
- Prom

- Student organizational banquets and other ceremonious events.

If a student meets the eligibility criteria and wishes to introduce one of the school events listed above, the student should submit his or her name in accordance with policy FNA(LOCAL).

[See **Graduation** for information related to student speakers at graduation ceremonies and policy FNA(LOCAL) regarding other speaking opportunities.]

Summer School (All Grade Levels)

Summer school and other credit recovery (or credit acceleration opportunities upon approval by campus principal) will be offered to WISD students. Students in grades 7-12 that do not pass core classes (English, Math, Science, and History) for the year will be required to attend summer school to obtain credit for the class they did not pass.

Tardies (All Grade Levels)

A student who is more than 4 minutes tardy to class may be assigned to detention hall or given another appropriate consequence.

Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials (All Grade Levels)

The district provides textbooks and other approved instructional materials to students free of charge for each subject or class. Students must treat any books with care and place covers on them, as directed by the teacher. The district may also provide electronic textbooks and technological equipment to students, depending on course objectives.

If a student needs a graphing calculator for a course and the district does not provide one, the student may use a calculator application with graphing capabilities on a phone, laptop, tablet, or other computing device.

A student who is issued a damaged item should report the damage to the teacher.

Any student who does not return an item or returns an item in an unacceptable condition loses the right to free textbooks and technological equipment until the item is returned or the damage is paid for by the parent. However, the student will be provided the necessary instructional resources and equipment for use at school during the school day.

Transfers (All Grade Levels)

The principal is authorized to transfer a student from one classroom to another.

The superintendent is authorized to investigate and approve transfers between schools.

[See **Safety Transfers/Assignments, Bullying, and A Student Who Has Learning Difficulties or Who Needs Special Education or Section 504 Services**, for other transfer options.]

Transportation (All Grade Levels)

School-Sponsored Trips

Students who participate in school-sponsored trips are required to use school-provided transportation to and from the event. However, in accordance with campus procedures, a parent may provide written consent for his or her child to ride with or be released after the event to the parent or another adult designated by the parent. [See **School-Sponsored Field Trips**]

Buses and Other School Vehicles

The district makes school bus transportation available to all students living two or more miles from school and to any students who are experiencing homelessness. This service is provided at no cost to students.

Bus routes and stops will be designated annually. Any subsequent changes will be posted at the school and on the district's website. For the safety of the driver and all passengers, students must board district vehicles only at authorized stops and drivers must unload passengers only at authorized stops.

A parent may designate a child-care facility or grandparent's residence as the regular pickup and drop-off location for his or her child. The designated location must be an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, contact transportation at (903) 723-0425.

Students are expected to assist district staff in ensuring that buses and other district vehicles are clean and safe. When riding in district vehicles, students are held to behavioral standards established in this handbook and the Student Code of Conduct. Students must:

- Follow the driver's directions at all times.
- Enter and leave the vehicle in an orderly manner at the designated stop.
- Keep feet, books, instrument cases, and other objects out of the aisle.
- Not deface the vehicle or its equipment.
- Not put head, hands, arms, or legs out of the window, hold any object out of the window, or throw objects within or out of the vehicle.
- Not possess or use any form of tobacco or e-cigarettes in any district vehicle.
- Observe all usual classroom rules.
- Be seated while the vehicle is moving.
- Fasten their seat belts, if available.

- Wait for the driver's signal upon leaving the vehicle and before crossing in front of the vehicle.
- Follow any other rules established by the operator of the vehicle.

Misconduct will be punished in accordance with the Student Code of Conduct, including loss of the privilege to ride in a district vehicle.

[See the Student Code of Conduct for provisions regarding transportation to the DAEP.]

Vandalism (All Grade Levels)

Littering, defacing, or damaging school property is not tolerated. Students will be required to pay for damages they cause and will be subject to criminal proceedings as well as disciplinary consequences in accordance with the Student Code of Conduct.

Video Cameras (All Grade Levels)

For safety purposes, the district uses video and audio recording equipment to monitor student behavior, including on buses and in common areas on campus. Students will not be told when the equipment is being used.

The principal will review the video and audio recordings as needed and document student misconduct. Discipline will be in accordance with the Student Code of Conduct.

In accordance with state law, a parent of a student who receives special education services, a staff member (as this term is defined by law), a principal or assistant principal, or the board may make a written request for the district to place video and audio recording equipment in certain self-contained special education classrooms. The district will provide notice before placing a video camera in a classroom or other setting in which a child receives special education services. For more information or to request the installation and operation of this equipment, speak with the principal. [See policy EHBAF(LOCAL) for more information.]

[For video and other recording by parents or visitors to virtual or in-person classrooms, see **Consent to Video or Audio Record a Student when Not Already Permitted by Law**]

Visitors to the School (All Grade Levels)

General Visitors

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the main office and comply with all applicable district policies and procedures. All visitors should be prepared to show identification.

Individuals may visit classrooms during instructional time only with approval of the principal and teacher. Visitors may not interfere with instruction or disrupt the normal school environment.

All visitors are expected to demonstrate the highest standards of courtesy and conduct. Disruptive behavior or violations of student privacy will not be permitted.

[For video and other recording by parents or visitors to virtual or in-person classrooms, see **Consent to Video or Audio Record a Student when Not Already Permitted by Law**]

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police officer has 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).

[See the Student Code of Conduct.]

Visitors Participating in Special Programs for Students

Business, Civic, and Youth Groups

The district may invite representatives from patriotic societies listed in Title 36 of the United States Code to present information to interested students about membership in the society.

Career Day

On Career Day, the district invites representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

Volunteers (All Grade Levels)

The district invites and appreciates the efforts of volunteers who are willing to serve our district and students.

If you are interested in volunteering, please contact campus offices for more information and to complete an application.

Subject to exceptions in accordance with state law and district procedures, the district requires a state criminal history background check for each volunteer, including parents, guardians, or grandparents of a child enrolled in the district.

Voter Registration (Secondary Grade Levels Only)

A student who is eligible to vote in any local, state, or federal election may obtain a voter registration application at the main campus office.

Withdrawing from School (All Grade Levels)

To withdraw a student under age 18 from school, the parent or guardian must submit a written request to the principal specifying the reasons for withdrawal and the final day the student will be in attendance. Withdrawal forms are available from the principal's office.

A student who is age 18 or older, who is married, or who has been declared by a court to be an emancipated minor may withdraw without parental signature.

Please provide the school at least three days' notice of withdrawal so that records and documents may be prepared.

Glossary

Accelerated instruction is an intensive supplemental program designed to help an individual student acquire the knowledge and skills required at his or her grade level. It is required when a student does not meet the passing standard on a state-mandated assessment.

ACT, or the American College Test, is one of the two most frequently used college or university admissions examinations. The test may be required for admission to certain colleges or universities.

ACT-Aspire is designed as a preparatory and readiness assessment for the ACT. This is usually taken by students in grade 10.

ARD stands for admission, review, and dismissal. The ARD committee convenes for each student who is identified as needing a full and individual evaluation for special education services. The eligible student and his or her parents are members of the committee.

Attendance review committee is responsible for reviewing a student's absences when the student's attendance drops below 90 percent, or in some cases 75 percent, of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit or a final grade lost because of absences.

CPS stands for Child Protective Services.

DAEP stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the Student Code of Conduct.

DFPS stands for the Texas Department of Family and Protective Services.

DPS stands for the Texas Department of Public Safety.

DSHS stands for the Texas Department of State Health Services.

ED stands for the U.S. Department of Education.

EOC (end-of-course) assessments are state-mandated and are part of the STAAR program. Successful performance on EOC assessments are required for graduation. These examinations will be given in English I, English II, Algebra I, Biology, and U.S. History.

ESSA is the federal Every Student Succeeds Act.

FERPA refers to the federal Family Educational Rights and Privacy Act, which grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 years of age or older directs the school not to release directory information.

IEP stands for individualized education program and is the written record prepared by the ARD committee for a student with disabilities who is eligible for special education services.

IGC is the individual graduation committee, formed in accordance with state law, to determine a student's eligibility to graduate when the student has failed to demonstrate satisfactory performance on no more than two of the required state assessments.

ISS refers to in-school suspension, a disciplinary technique for misconduct found in the Student Code of Conduct. Although different from out-of-school suspension and placement in a DAEP, ISS removes the student from the regular classroom.

PGP stands for personal graduation plan, which is required for high school students and for any student in middle school who fails a section on a state-mandated test or is identified by the district as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

PSAT is the preparatory and readiness assessment for the SAT. It also serves as the basis for the awarding of National Merit Scholarships.

SAT refers to the Scholastic Aptitude Test, one of the two most frequently used college or university admissions examinations. The test may be required for admissions to certain colleges or universities.

SHAC stands for School Health Advisory Council, a group of at least five members, a majority of whom must be parents, appointed by the school board to help ensure that local community values and health issues are reflected in the district's health education instruction, as well as assist with other student and employee wellness issues.

Section 504 is the federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for special education services under the Individuals with Disabilities Education Act (IDEA), general education with appropriate instructional accommodations will be provided.

STAAR is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments.

STAAR Alternate 2 is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

STAAR Spanish is an alternative state-mandated assessment administered to eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

State-mandated assessments are required of students at certain grade levels and in specified subjects. Except under limited circumstances, students must perform successfully on some state-mandated assessments to be promoted and students must pass the STAAR EOC assessments to graduate. Students have multiple opportunities to take the tests, if necessary, for promotion or graduation.

Student Code of Conduct is developed with the advice of the district-level committee and adopted by the board and identifies the circumstances, consistent with law, when a student may be removed from a classroom, campus, or district vehicle; sets out the conditions that authorize or require the principal or another administrator to place the student in a DAEP; and outlines conditions for out-of-school suspension and for expulsion. The Student Code of Conduct also addresses notice to the parent regarding a student's violation of one of its provisions.

TAC stands for the Texas Administrative Code.

TEA stands for the Texas Education Agency, which oversees primary and secondary public education in Texas.

TEC stands for the Texas Education Code.

TELPAS stands for the Texas English Language Proficiency Assessment System, which assesses the progress that English learners make in learning the English language and is administered for those who meet the participation requirements in kindergarten–grade 12.

TSI stands for the Texas Success Initiative, an assessment designed to measure the reading, mathematics, and writing skills that entering college-level freshmen students should have if they are to be successful in undergraduate programs in Texas public colleges and universities.

TXVSN stands for the Texas Virtual School Network, which provides online courses for Texas students to supplement the instructional programs of public school districts. Courses are taught by qualified instructors and are equivalent in rigor and scope to a course taught in a traditional classroom setting.

UIL refers to the University Interscholastic League, the statewide, voluntary nonprofit organization that oversees educational extracurricular academic, athletic, and music contests.

Freedom from Bullying Policy

Note: School board policies may be revised at any time. For legal context and the most current copy of the local policy, visit <https://pol.tasb.org/Policy/Code/122?filter=FFI> Below is the text of Westwood ISD's policy FFI(LOCAL) as of the date this handbook was finalized for this school year.

Student Welfare: Freedom from Bullying

Policy FFI(LOCAL) adopted on 10/30/2017

-
1. **Note:** This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.
 - For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.
-

Bullying Prohibited

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Examples

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

Retaliation

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

False Claim

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Timely Reporting

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

Reporting Procedures

Student Report

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

Report Format

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

Notice of Report

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

Prohibited Conduct

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

Investigation of Report

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

Notice to Parents

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

District Action

Bullying

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.

■ Discipline

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

■ Corrective Action

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

■ Transfers

The principal or designee shall refer to FDB for transfer provisions.

■ Counseling

The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

Improper Conduct

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

Confidentiality

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

Appeal

A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

Records Retention

Retention of records shall be in accordance with CPC(LOCAL).

Access to Policy and Procedures

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

Westwood ISD Agenda Item Information

Meeting Date: July 12, 2021

Subject: 2021-2022 Westwood ISD Student Handbook

Administrator Responsible: Katie Atkins, Ed.D

Summary:

The Student Handbook provides students and parents with a general reference guide that is divided into two sections:

Section One: Parental Rights describes certain parental rights as specified in state or federal law.

Section Two: Other Important Information for Parents and Students is organized alphabetically by topic. Where applicable, the topics are further organized by grade level.

The Student Handbook is designed to align with law, board-adopted policy, and the Student Code of Conduct, a board-adopted document intended to promote school safety and an atmosphere for learning. The Student Handbook is not meant to be a complete statement of all policies, procedures, or rules in any given circumstance.

The Student Handbook is updated annually; however, policy adoption and revisions may occur throughout the year. In this case, the following areas are pending:

- Student Code of Conduct: The Texas Association of School Boards (TASB) issues updates to Student Code of Conduct requirements. On July 12, 2021, TASB will provide further updates. Following these updates, the District will review and amend the Code of Conduct in alignment with TASB updates.
- Student Dress Code: Due to ongoing conversations regarding dress code, further decisions will be made at a later date. Following a finalized decision, details pertaining to dress code will be included in this handbook.
- Promotion and Retention: Due to updates stemming from the recent legislation of House Bill 4545 and further guidance from the Texas Education Agency (TEA), updates will be made at a later date pertaining to promotion and retention as it relates to performance on standardized testing.

The district encourages parents to stay informed of proposed policy changes by attending board meetings and reviewing newsletter and other communications explaining changes in policy or other rules that affect Student Handbook provisions. The district reserves the right to modify the Student Handbook at any time. Notice of revisions will be provided as is reasonably practical.

Administration's Recommendation: N/A

Attachments:

2021-2022 Westwood ISD Student Handbook Overview (ppt)

2021-2022 Westwood ISD Student Handbook (pdf)

Board Approval Required YES ☒ NO

2021-2022 Westwood ISD Student Handbook Overview

Dr. Katie Atkins

Assistant Superintendent of Curriculum, Instruction, and Leadership

July 12, 2021

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Purpose of the Student Handbook

The Student Handbook is designed to:

- align with law, board-adopted policy, and the Student Code of Conduct,
- serve as a board-adopted document intended to promote school safety and an atmosphere for learning

The Student Handbook is not meant to be a complete statement of all policies, procedures, or rules in any given circumstance.

The Student Handbook is reviewed and revised each year based upon necessary updates from State and District recommendations and/or requirements.

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Organization of the Student Handbook

The Student Handbook provides students and parents with a general reference guide that is divided into two sections:

Section One: Parental Rights describes certain parental rights as specified in state or federal law.

Section Two: Other Important Information for Parents and Students is organized alphabetically by topic. Where applicable, the topics are further organized by grade level.

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Pending Updates and Revisions

The Student Handbook is updated annually; however, policy adoption and revisions may occur throughout the year. In this case, the following areas are pending:

- Student Code of Conduct
- Student Dress Code
- Promotion and Retention



Student Code of Conduct

- The Texas Association of School Boards (TASB) issues updates to Student Code of Conduct requirements.
- On July 12, 2021, TASB will provide further updates.
- Following these updates, the District will review and amend the Code of Conduct in alignment with TASB updates.

The current Student Code of Conduct may be accessed at the following link: [2020-2021 Student Code of Conduct](#)

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Student Dress Code

- Due to ongoing conversations regarding dress code, further decisions will be made at a later date.
- Following a finalized decision, details pertaining to dress code will be included in this handbook.
- The current Student Dress Code can be accessed at the following link: [Student Dress Code](#)



Promotion and Retention

- Performance on STAAR assessments has been a factor in promotion and retention in grades 5 and 8 previously.
- Due to updates stemming from the recent legislation of House Bill 4545 and further guidance from the Texas Education Agency (TEA), updates will be made at a later date pertaining to promotion and retention as it relates to performance on standardized testing.



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Questions

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- C. Westwood ISD Compensation Plan 2021-2022
 - D. Policy Update 117
- Presenter:** Wade Stanford

Westwood ISD Agenda Item Information

Meeting Date: Jul 12, 2021

Subject: Overview of Board Policy Update 117

Administrator Responsible: Wade Stanford

Summary: Update 117 includes policy revisions in response to revised state and federal rules. In addition, it includes a reorganization of the legally referenced policies in CH and CV regarding purchasing and facilities construction.

Local policy recommendations address revisions to the leaves and absences policy and optional delegation to the superintendent for certain emergency contracts.

This is a First Read and no action will be taken at this meeting. This agenda item will be presented for consideration and possible approval in the August Board Meeting.

Administration's Recommendation: N/A

Board Approval Required

YES

XNO



(LOCAL) Policy Comparison Packet

This packet is generated by an automated process that compares the updated policy to the district's current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; omitted in Word)

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes ~~moved text~~.
- *Revision bars* appear in the right margin, as above.

Note: While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

Contact:	School Districts and Education Service Centers	Community Colleges
	policy.service@tasb.org	colleges@tasb.org
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

PURCHASING AND ACQUISITION

CH
(LOCAL)

**Purchasing
Authority**

The Board delegates to the Superintendent the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services that costs ~~\$50,000~~ ~~\$50,000~~ or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

*Exception for
Emergency
Contracts*

In the event of a catastrophe, emergency, or natural disaster affecting the District, the Board delegates to the Superintendent the authority to contract for the replacement, construction, or repair of school equipment or facilities in accordance with law, if emergency replacement, construction, or repair is necessary for the health and safety of District students and staff. The Superintendent shall report to the Board at the next regular meeting any contract made under this authority. [See Disaster Exception, CH(LEGAL)]

The delegation regarding emergency contracts does not waive competitive purchasing requirements under Education Code Chapter 44. Only the Board is authorized to waive competitive purchasing requirements under limited circumstances in accordance with Education Code 44.031(h). [See Emergency Damage or Destruction, CH(LEGAL)]

**Purchasing
Procedures**

The Superintendent shall develop purchasing procedures to implement the requirements of state and federal law. [See also CB, CBB, CH(LEGAL), and COA]

Purchasing Method

The Board delegates to the Superintendent the authority to determine the method of purchasing in accordance with CH(LEGAL) or CBB(LEGAL), as appropriate.

*Competitive
Bidding*

If competitive bidding is chosen as the purchasing method, the Superintendent shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted rules. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.

The District may reject any and all bids in accordance with state or federal law, as applicable.

*Competitive
Sealed Proposals*

If competitive sealed proposals are chosen as the purchasing method, the Superintendent shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted rules. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time

PURCHASING AND ACQUISITION

CH
(LOCAL)

specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

The District may reject any and all proposals in accordance with state or federal law, as applicable.

**Electronic Bids or
Proposals**

Bids or proposals that the District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.

**Responsibility for
Debts**

The Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the District's purchasing procedures. [See CE] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.

**Purchase
Commitments**

All purchase commitments shall be made by the Superintendent in accordance with administrative procedures, including the District's purchasing procedures.

Personal Purchases

District employees shall not be permitted to make purchases for personal use through the District's business office.

FACILITIES CONSTRUCTION

CV
(LOCAL)

Compliance with Law

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

Construction Contracts

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

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

Note: For provisions regarding delegation of authority for construction contracts in the event of a catastrophe, emergency, or natural disaster affecting the District, see CH(LOCAL).

Change Orders

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

Project Administration

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

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

Final Payment

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

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

**Leave
Administration**

The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

Definitions

The term "immediate family" is defined as:

Immediate Family

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

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

Family Emergency

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

Leave Day

A "leave day" for purposes of earning, ~~using~~**use**, or recording ~~of~~ leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

School Year

A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.

**Catastrophic Illness
or Injury**

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

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

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

Availability

The District shall make state personal leave for the current year available for use at the beginning of the school year. Local leave shall be made available as earned.

Earning Local Leave

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

Deductions

~~Leave Without Pay~~

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

~~Leave~~ Proration

~~Employed for
Less Than Full
Year~~

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

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond his or her pro rata entitlement for the school year.

Recording

~~Leave shall be recorded as follows:~~

- ~~1. Leave shall be recorded in half day increments for all employees.~~
- ~~2. If the employee is taking intermittent FMLA leave, leave shall be recorded in one hour increments.~~

Order of Use

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

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

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

~~Use of sick leave pool days shall be permitted only after all available state and local leave has been exhausted.~~

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Concurrent Use of Leave

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

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

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

Medical Certification

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

1. The employee is absent more than three consecutive work-days because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; **or**
- ~~3.~~ The employee requests FMLA leave for the employee's serious health condition; **a serious health condition** ~~or that of the employee's~~ a spouse, parent, or child; or
- ~~4.3.~~ ~~The employee requests FMLA leave~~ for military caregiver **leave purposes.**

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

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

State Personal Leave

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

Nondiscretionary~~No~~
~~n-Discretionary~~ Use

- ~~4.4.~~ **Nondiscretionary**~~Non-discretionary~~ use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

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

Discretionary Use

- ~~2.5.~~ Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Limitations

Request for
Leave

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

*Duration of
Leave*

Discretionary use of state personal leave shall not exceed three consecutive workdays.

Local Leave

Each employee shall earn four paid local leave days per school year in accordance with administrative regulations.

Local leave shall be noncumulative.

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

Sick Leave Pool

An employee who has exhausted all paid leave as well as any applicable compensatory time and who suffers from a catastrophic illness or injury may request the establishment of a sick leave pool, to which District employees may donate only local leave for use by the eligible employee.

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

The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.

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

1. Procedures to request the establishment of a sick leave pool;
2. The maximum number of days an employee may donate to a sick leave pool;
3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and
4. The return of unused days to donors.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Appeal	An employee may appeal a decision. ~~All decisions~~ regarding the establishment or implementation of the District's sick leave pool ~~may be appealed~~ in accordance with DGBA(LOCAL), beginning with the Superintendent or ~~appropriate administrator~~ ~~designee~~.
Family and Medical Leave	FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable. Note: See DECA(LEGAL) for provisions addressing FMLA.
Twelve-Month Period	For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be July 1 through June 30.
Combined Leave for Spouses	~~When~~ If both spouses are employed by the District, the District shall not limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks, nor shall the District limit military caregiver leave to a combined total of 26 weeks. ~~{See DECA(LEGAL)}~~
Intermittent or Reduced Schedule Leave	The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. ~~{See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.}~~
Certification of Leave	~~When~~ If an employee requests leave, the employee shall provide certification, in accordance with ~~as required by~~ FMLA regulations, of the need for leave. ~~{See DECA(LEGAL)}~~
Fitness-for-Duty Certification	In accordance with administrative regulations, ~~when~~ If an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. ~~If the District will require certification of the employee's ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.~~
Leave at the End of Semester ~~Leave~~	~~When~~ If a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester. ~~{See DECA(LEGAL), LEAVE AT THE END OF A SEMESTER}~~
Failure to Return	~~If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. {See DECA(LEGAL), RECOVERY OF BENEFIT COST}~~

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

**Temporary Disability
Leave**

Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]

An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent ~~or designee~~ as a request for temporary disability leave.

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

**Workers'
Compensation**

Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. ~~[See CRD(LOCAL) regarding payment of insurance contribution during employee absences.]~~

An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

No Paid Leave
Offset

The District shall not permit the option ~~An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.~~

~~An employee eligible~~ for paid leave offset in conjunction with workers' compensation income benefits. [See CRE], ~~and not on assault leave, may elect in writing to use paid leave.~~

Court Appearances

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

**Annual
Payment Reimburse
ment for Unused
Leave**

~~Each employee~~ ~~All employees~~ shall receive an annual ~~payment-~~ ~~reimbursement~~ for unused local leave to a maximum of four days per school year.

The employee ~~Leave~~ shall receive payment for each day of unused local leave ~~be reimbursed~~ at a rate established by the Board.

Days for which the employee received payment ~~that are reimbursed~~ shall not be available to that employee for use in the District.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

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(LOCAL)

The rate established by the Board shall be in effect until a new rate is adopted. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

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AIC(LEGAL)

ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Administrative Code provisions amended effective January 5, 2021, address program performance regarding certain special student populations. The rules address supervision and monitoring reviews and require the commissioner to assign districts an annual determination level based on performance of the special student populations.

BBC(LEGAL)

BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE

We have streamlined the reference to CH(LEGAL) regarding board member removal for purchasing violations.

BBD(EXHIBIT)

BOARD MEMBERS: TRAINING AND ORIENTATION

As approved by the State Board of Education in November 2020, the Framework for School Board Development has been extensively revised.

BJCE(LEGAL)

SUPERINTENDENT: SUSPENSION/TERMINATION DURING CONTRACT

Changes to this legally referenced policy on suspension of the superintendent without pay and termination during the contract term were prompted by Administrative Code revisions effective January 11, 2021.

C(LEGAL)

BUSINESS AND SUPPORT SERVICES

The C Section table of contents has been revised to rename CHE to Vendor Disclosures and Contracts.

CBB(LEGAL)

STATE AND FEDERAL REVENUE SOURCES: FEDERAL

The federal Department of Education issued correcting amendments to the Uniform Guidance for Grants and Agreements, effective February 22, 2021, resulting in a change to the provisions on cooperative purchasing in this legally referenced policy. Citations have also been updated.

CH(LEGAL)

PURCHASING AND ACQUISITION

Update 117 includes a reorganization of the purchasing and facilities construction legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material;
- Added existing provisions on site-based purchasing;
- Reordered and adjusted provisions for clarity and to better match statutory wording;
- Moved to CHE(LEGAL) provisions on required vendor disclosures and contract provisions and lobbying restrictions; and
- Moved detailed provisions on competitive bidding to CVA(LEGAL).

Provisions on purchasing recycled products were added from new Administrative Code rules, effective July 2, 2020.

CH(LOCAL)

PURCHASING AND ACQUISITION

The major winter storms earlier this year caused extensive damage to many district facilities. Based on district requests for additional flexibility in such emergency circumstances, we recommend a new provision delegating authority to the superintendent to contract for the replacement, construction, or repair of equipment or facilities in the event of a catastrophe, emergency, or natural disaster affecting the district if

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emergency replacement, construction, or repair is necessary for the health and safety of district students and staff. The superintendent must report to the board any contracts made under the delegated authority at the next regular meeting.

The recommended text also clarifies that the delegation *does not* permit the superintendent to act under Education Code 44.031(h) to make purchases without following normal competitive purchasing requirements; the board must take action to waive any Chapter 44 provisions in accordance with law.

The recommended delegation provision is optional. Please carefully review the new text to ensure it aligns with the district's practices and contact the district's policy consultant if your district does not wish to add this provision or has other revisions.

TASB Legal Services' eSource article [Emergency Management for Texas Public Schools](#) provides additional information on purchasing in emergency situations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

CHE(LEGAL)

PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS

This legally referenced policy has been reorganized to focus on required vendor disclosures and contract provisions. This material has been moved from CH(LEGAL).

In addition, we have:

- Included references to other pertinent codes and deleted material duplicated at other policy codes; and
- Reordered and adjusted provisions for clarity and to better match statutory wording.

CL(LEGAL)

BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

New Administrative Code rules, effective July 2, 2020, prompted revisions to provisions on recycling programs.

Provisions on pool sanitation and safety standards have been streamlined to refer to the relevant legal guidance.

CV(LEGAL)

FACILITIES CONSTRUCTION

Update 117 includes a reorganization of the purchasing- and construction-related legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material; and
- Reordered and adjusted provisions for flow and to better match statutory wording.

CV(LOCAL)

FACILITIES CONSTRUCTION

For ease of reference and to align with recommended changes at CH(LOCAL) on delegation to the superintendent for emergency contracting, Policy Service recommends adding a Note referring to CH(LOCAL) for those provisions.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

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CVA(LEGAL)

FACILITIES CONSTRUCTION: COMPETITIVE BIDDING

Provisions on identical, competitive bids have been moved from CH(LEGAL). In addition, a provision on making bid evaluations public has been moved to this policy from CV(LEGAL). Other revisions are to delete material duplicated at other policy codes and adjust language for clarity and to better match statutory wording.

CVB(LEGAL)

FACILITIES CONSTRUCTION: COMPETITIVE SEALED PROPOSALS

A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVC(LEGAL)

FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AGENT

Additional detail has been added regarding the construction manager-agent method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVD(LEGAL)

FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AT-RISK

Additional detail has been added regarding the construction manager-at-risk method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVE(LEGAL)

FACILITIES CONSTRUCTION: DESIGN-BUILD

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

CVF(LEGAL)

FACILITIES CONSTRUCTION: JOB ORDER CONTRACTS

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

DEC(LOCAL)

COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

The events of the past year have highlighted the need for additional flexibility regarding administration of leave. TASB Policy, Legal, and HR Services collaborated on the recommended revisions to this policy, which remove administrative details not required to be in board policy and that may be more appropriately addressed elsewhere, such as in the employee handbook.

To support the removal of these administrative details, a new paragraph directs the superintendent to develop administrative regulations to implement the policy. [Remember that BJA(LOCAL) permits the superintendent to delegate this responsibility as appropriate.] In addition, TASB HR Services has:

- Created a corresponding [Framework for Developing Leaves and Absences Procedures](#), with prompts and placeholders for administrative decisions; and
- Revised the 2021–22 *Model Employee Handbook* to address administrative provisions removed from the policy.

Other changes include:

- Updating the definition of *catastrophic illness or injury* to clarify how it applies to the use of leave from the district's sick leave pool.

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- Adding a definition of *school year* that aligns with terminology in the TASB sample contracts and that provides context for references to the term elsewhere in the policy.
- Relocating provisions on concurrent use of leave and compensatory time to the sections addressing temporary disability leave and family and medical leave.
- Streamlining of family and medical leave provisions to eliminate information not necessary in board-adopted policy.
- Adding a clear statement to reflect that the district does not permit paid leave offset in conjunction with workers' compensation benefits.
- Revising terminology from *reimbursement* to *payment* for unused leave to reflect that employees are receiving payment annually for unused leave days.

New recommended provisions on state personal leave clarify that the district will also consider how the duration of the requested absence affects the educational program and district operations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

EHAA(LEGAL)

BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

New Administrative Code rules address the requirement for districts to provide instruction in positive character traits, which can be met through a stand-alone course or by integrating the TEKS into other courses. The rules address the frequency of instruction by grade bands and are effective for the 2021–22 school year.

EHBA(LEGAL)

SPECIAL PROGRAMS: SPECIAL EDUCATION

Revised Administrative Code rules, effective March 14, 2021, address various special education provisions and:

- Provide more detail on instructional arrangements;
- Include a definition of *regular school day* for the purpose of determining the instructional arrangement; and
- Update citations to funding statutes.

EHBAA(LEGAL)

SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

Provisions on a district's obligation to refer for evaluation and the definition of a *child with a disability* have been updated based on revised Administrative Code rules, effective March 14, 2021. Other changes are to better reflect statute.

EHBAB(LEGAL)

SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

As a result of revised Administrative Code rules effective March 14, 2021, we have updated text regarding establishment of the admission, review, and dismissal (ARD) committee and added a provision addressing a district's overall responsibility for all of the functions of the IEP team and ARD committee. Citations have also been updated.

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EHBAC(LEGAL) SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT

From revised Administrative Code rules effective March 14, 2021, we have added a provision requiring the district to notify TEA within 30 calendar days of an ARD committee's decision to place a student in a residential education program.

EHBAD(LEGAL) SPECIAL EDUCATION: TRANSITION SERVICES

Revised Administrative Code rules, effective March 14, 2021, prompted a revision to the graduation provisions and updates to cites throughout this legally referenced policy.

EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES

Revisions regarding approval of an optional flexible school day program are from revised Administrative Code rules, effective December 6, 2020.

EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

Details have been added on the graduation of students receiving special education services who entered grade nine after the 2014–15 school year. The changes come from revised Administrative Code rules effective March 14, 2021.

In addition, we have replaced detailed provisions on graduation of students receiving special education services who entered grade nine before the 2014–15 school year with a reference to the relevant Administrative Code provision. Citations have been updated throughout.

EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT

In accordance with House Bill 3906 (86th Legislative Session) and effective September 1, 2021, the reference to the separate writing assessment in grades 4 and 7 has been removed.

EL(LEGAL) CAMPUS OR PROGRAM CHARTERS

We have added provisions that a district is entitled to additional state aid if the district was under contract during the 2017–18 school year or is under renewal of such a contract to jointly operate a campus or campus program under Education Code 11.157 (Contracts for Educational Services). Details may be found in revised Administrative Code rules, effective March 30, 2021.

FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

New Administrative Code rules, effective February 18, 2021, address maintenance and administration of unassigned asthma medication for districts that choose to implement such a program. Contact your policy consultant if your district has a program but lacks local policy provisions.

See FFAC in the [TASB Regulations Resource Manual](#).

Legal Issues in Update 117

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Legal Issues in Update 117

To the District's Policy Contact:

Each time TASB Policy Service updates the model policies, your district has a new opportunity to review TASB's recommendations and consider, or revisit, your local policy choices. The purpose of this memorandum is to identify to the board potential legal problems and best practices that may arise as a result of the district's unique local choices in the policy codes affected by Update 117.

Please note that your district may not have locally developed provisions in a policy code affected by Update 117 as addressed by this memo. For each policy code in which your district does have locally developed provisions or is considering adopting local changes to the TASB model policy, we suggest you review the recommendations below. You can identify a policy with locally developed provisions by looking at the bottom of the policy. A policy that is unique to the district will be indicated with an "X" by the policy code in the footer ("__(LOCAL)-X," for example). A TASB-recommended policy will be indicated by any letter other than an "X" ("__(LOCAL)-A," for example).

In addition, the last paragraphs of this memorandum address general policy writing tips to keep in mind when making any policy revisions.

If you have any questions or concerns about the guidance in this memo, please contact TASB Legal Services at legal@tasb.org or 800.580.5345.

I. Common Legal Issues in Revising Update 117 Local Policies

CH(LOCAL)—Purchasing and Acquisition

Board Approval of Contracts

- **COMMON ISSUE:** Local policy does not require board approval for contracts at or above a certain amount or creates broad exceptions to board approval.

As a matter of governmental efficiency, school districts typically delegate purchasing authority to the superintendent to enter into most contracts for goods and services. Most district policies include a monetary limit to the superintendent's authority, requiring board approval of any purchase at or above a certain value. Sometimes, however, a district adopts a policy with no monetary limit to the superintendent's purchasing authority. Or a district may create broad exceptions to the requirement for board approval, such as exceptions for budgeted purchases, large purchases made using a statutory procurement method, or purchases discussed by a board committee.

TASB Legal Services recommends that district policy state clearly when board approval is required so that the lines of purchasing authority are clearly established. State law does not specify an appropriate threshold for board approval, but we recommend that policies require

Legal Issues in Update 117

board approval of contracts valued at or above a certain amount as a best practice. Any exceptions to the policy's requirement for board approval should be narrow and specific to avoid arbitrary interpretations.

We also recommend that an amount be stated in policy to avoid an inference that the district's accounting practices are inadequate. The commissioner of education may order members of a board of trustees to file financial statements under certain circumstances, including when the commissioner determines that accounting practices are not adequate to safeguard state and district funds. Tex. Educ. Code § 11.064. The commissioner might consider the delegation of unspecified purchasing authority to the superintendent as evidence that the district's practices are not adequate.

- **LEGAL TIP:** Local policy should specify the parameters of a superintendent's purchasing authority.

Emergency Purchasing

- **COMMON ISSUE:** Local policy provisions related to emergency purchasing may be overbroad.

After an emergency or a disaster, districts sometimes seek to adjust their purchasing policy or procedures to address perceived constraints on administrators' authority to respond to the district's needs. The breadth of such changes may inadvertently implicate complicated state and federal legal issues. The Texas Education Code authorizes the board of trustees to delegate purchasing authority to the superintendent or other designated person in the event of a catastrophe, emergency, or natural disaster. Tex. Educ. Code § 44.0312(c). TASB Policy CH(LOCAL) includes a provision delegating the authority, in the event of a catastrophe, emergency, or natural disaster affecting the district, to contract for the replacement, construction, or repair of school equipment or facilities. In accordance with law, this provision applies only if the emergency replacement, construction, or repair is necessary for the health and safety of district students and staff. If your district has other language and desires TASB's local policy language for such a delegation, language is available from TASB Policy Service.

Remember that the delegation regarding emergency contracts does not waive competitive purchasing requirements under Education Code Chapter 44. Although the Texas Education Code provides some purchasing flexibility after an emergency, a district's local policy cannot contravene or exceed the authority provided by the law. In some instances, board resolutions and actions at the time of the emergency are necessary to address the situation. Tex. Educ. Code § 44.031(h). Local board policy cannot substitute for legally required actions that necessitate a case-by-case approach.

- **LEGAL TIP:** Only delegate emergency purchasing authority to the extent allowed by law.

Legal Issues in Update 117

CV(LOCAL)—Facilities Construction

Board Approval of Contracts

- **COMMON ISSUE:** Local policy does not include a statement that construction contracts valued at or above a certain amount require board approval.

State law authorizes the board to delegate its purchasing authority to a designated person or committee unless that action explicitly must be taken by the board. Tex. Educ. Code § 44.0312. For purchasing construction services, the district must provide potential bidders with notice of the delegation and the limits of the delegation by rule or in the procurement documents. Tex. Gov't Code § 2269.053 (b). Sometimes local policy omits TASB-recommended language providing a threshold value at which construction contracts must be submitted for board approval. By not addressing the issue of delegation of authority, these policies are unclear as to whether, and to what extent, the board has delegated its authority to enter into a construction contract. TASB Legal Services recommends that a specific statement be included in local policy so that the lines of authority are clearly established, particularly since facilities construction contracts frequently involve a high level of vendor competition, community interest, and potential litigation.

- **LEGAL TIP:** Include a statement in local policy requiring board approval of construction contracts valued at or above a certain amount.

Contract Amount Requiring Competitive Procurement

- **COMMON ISSUE:** Local policy changes the contract value that triggers the district's obligation to competitively procure a construction contract from \$50,000 to a higher amount.

The Texas Education Code generally requires school districts to use an approved method of competitive procurement for the purchases of goods and services valued at \$50,000 or more in the aggregate for each 12-month period. Tex. Educ. Code § 44.031(a). A district cannot override the statutory amount through local policy. If the district follows local policy with a higher amount for competitive procurement rather than Texas Education Code section 44.031, it will violate state procurement law. TASB Legal Services recommends that districts not adopt policies that set an amount for competitive procurement higher than \$50,000.

- **LEGAL TIP:** Do not adopt a local policy setting an amount for competitive procurement higher than the statutory amount of \$50,000.

DEC(LOCAL)—Compensation and Benefits: Leaves and Absences

Local Leave Policy Contains Provisions Not Necessary in Board-Adopted Policy

- **COMMON ISSUE:** Local policy contains administrative details for administration of leave.

Legal Issues in Update 117

Revisions recommended at Update 117 remove administrative details not required to be in board policy and that may be more appropriately addressed elsewhere, such as in the employee handbook. To support the removal of these administrative details, new language directs the superintendent to develop administrative regulations to implement the policy.

- **LEGAL TIP:** Board-adopted local policy should not include provisions suited for administrative regulations.

District with Sick Leave Pool or Bank Does Not Limit Reasons for Use to “Catastrophic” Illness or Injury

- **COMMON ISSUE:** Without limitations, the donor of leave to a pool or bank could owe taxes.

A district is not legally required to provide employees a sick leave pool or bank. If a district does offer such leave, it is recommended that the use be limited to “catastrophic” illness or injury. The IRS requires that donated leave programs be limited to mental or physical conditions that necessitate a prolonged absence from work and could result in substantial loss of income because an employee has exhausted all available paid leave. If the district allows leave for purposes other than catastrophic illness or injury, the employee who donates the leave may have to pay income tax on the donated leave. I.R.S. Priv. Ltr. Rul. 2007-20017 (May 18, 2007).

- **LEGAL TIP:** Local policy should include a definition of “catastrophic” illness or injury if the district provides a leave bank or pool.

Exceptions to Limitations on Duration of Discretionary Leave

- **COMMON ISSUE:** Local policy gives the superintendent discretion to make an exception to limits on the use of discretionary leave.

Local policy should not give administration the authority to make exceptions to the number of consecutive days an employee can be out on discretionary use if the board has determined a maximum in policy. The board has authority to adopt a policy governing employees’ use of state personal leave. Tex. Educ. Code § 22.003(a). The board may not, however, regulate the reasons for the leave. Allowing an administrator to determine if extenuating circumstances exist for purposes of consecutive leave days is taking the reasons for the employee’s leave request into consideration. The district could instead rely, for purposes of limiting the number of days used, on policy language that permits the employee’s supervisor to consider the effect of the employee’s absence on the educational program or district operations, as well as the availability of substitutes.

- **LEGAL TIP:** Do not allow administrators to make exceptions to the duration of discretionary leave.

Legal Issues in Update 117

No Criteria for Award of Extended Sick Leave

- **COMMON ISSUE:** Local policy provides for extended sick leave but does not include criteria.

This policy does not set forth the criteria used to grant or deny extended sick leave. Without criteria in the policy, the district runs the risk of claims of discrimination. Federal and state laws prohibit employers from discriminating on the basis of disability or pregnancy in making leave decisions. For fair and consistent implementation, the district should formulate, and include in policy or regulations, some objective criteria on which to base such decisions.

- **LEGAL TIP:** Include reasons for use of extended sick leave in local policy.

Policy Includes Provisions Regarding Neutral Absence Control without Reference to ADA

- **COMMON ISSUE:** Local policy includes neutral absence control but does not reference reasonable accommodations under the Americans with Disabilities Act (ADA).

A local policy may provide that employees who fail to return to work after exhausting all available paid leave will be terminated. A district that terminates an employee for violating a reasonable absence-control provision cannot be liable for retaliatory discharge as long as the rule is uniformly enforced. *Continental Coffee Products Co. v. Cazarez*, 937 S.W.2d 444 (Tex. 1996). However, if the employee is out on leave because of a disability, the Equal Employment Opportunity Commission (EEOC) advises that the employee's eligibility for reasonable accommodations, as required by the ADA, shall be considered before termination. EEOC, Employer Provided Leave and the Americans with Disabilities Act (May 9, 2016), [eeoc.gov/eeoc/publications/ada-leave.cfm](https://www.eeoc.gov/eeoc/publications/ada-leave.cfm). If the district includes a neutral absence control provision in its local leave policy, it should acknowledge the employee's rights under the ADA.

- **LEGAL TIP:** Include a reference to additional leave as a reasonable accommodation if the district has a neutral absence control policy.

II. General Policy Development Tips

Creating local policies for school district operations is one of the board's most important roles. Through developing strong board policies, a district can communicate a coherent educational mission and provide clear guidance to help employees implement their duties lawfully and consistently. Good local policies can also reduce the risk of legal challenges. In order to be effective, a board policy must be written as clearly as possible. TASB Legal Services offers the following suggestions as general guidance when a board is considering local policy language.

Locally Defined Terms

As a general matter, school boards should avoid creating local definitions of terms that are defined differently in statute or through case law. For example, policies sometimes attempt to define the circumstances that can lead to a contract employee's termination for good cause.

Legal Issues in Update 117

When a contract employee requests a hearing under Chapter 21, however, “good cause” is determined first by an independent hearing examiner based on previous termination cases and legal precedent. Other terms like “fraud” are defined in the Texas Penal Code. In the context of student and employee searches, the term “reasonable suspicion” means something very different from “probable cause.” Creating local definitions that conflict even slightly with legally defined terms can inject confusion into local decision-making.

Mixing the (LEGAL) with the (LOCAL)

The district’s policy manual contains both “legal” and “local” policies. Legal policies are restatements of the current law as it relates to Texas school districts generally. Occasionally, a district chooses to incorporate language from a legal policy into its local policy. Unique local policy provisions may not be automatically updated when the law changes. Absent diligent administrative review by the district, any change in state or federal law could cause the district’s local policy to be out of date and conflict with governing law. TASB Legal Services recommends that school districts avoid reciting or summarizing legal policy language in local policy.

It is vital that boards not adopt legal policies. Legal policies contain citations to the statutes, rules, and case law governing a particular topic. They are compiled by TASB Legal Services and Policy Service to provide the legal framework for key areas of district operations. Legal policies reflect current law and are updated by TASB as the laws change. Legal and local policies function differently, and it is imperative that only local policies should be acted upon when a board updates policy.

Want More?

You can find TASB Legal Services’ [Policy Development Tips](#) for other parts of your district’s policy manual in the TASB Policy Service Resource Library. Policy Development Tips are a work in progress, and new topics will be added over time.



Policy Reference Manual Update 117

Update 117 revisions to legal policies are described in the update Explanatory Notes.

The *Policy Reference Manual* is a comprehensive collection of federal and state statutes and regulations, case law, attorney general opinions, and commissioner's decisions affecting Texas school districts. As such, it is an excellent reference document that recites a broad array of legal requirements, many of which apply to all districts, others to only a certain few. For this reason, these (LEGAL) policies are not suitable for incorporation in localized policy manuals.

PLEASE NOTE: This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.

If you have any questions concerning this update or the *TASB Policy Reference Manual*, please call 800-580-7529 or 512-467-0222.

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Instruction Sheet

TASB Policy Reference Manual Update 117

Policy Reference Manual

Code	Type	Action To Be Taken	Note
AIC	(LEGAL)	Replace policy	Revised policy
BBC	(LEGAL)	Replace policy	Revised policy
BBD	(EXHIBIT)	Replace exhibit	Revised exhibit
BJCE	(LEGAL)	Replace policy	Revised policy
C	(LEGAL)	Replace table of contents	Revised table of contents
CBB	(LEGAL)	Replace policy	Revised policy
CH	(LEGAL)	Replace policy	Revised policy
CHE	(LEGAL)	Replace policy	Revised policy
CL	(LEGAL)	Replace policy	Revised policy
CV	(LEGAL)	Replace policy	Revised policy
CVA	(LEGAL)	Replace policy	Revised policy
CVB	(LEGAL)	Replace policy	Revised policy
CVC	(LEGAL)	Replace policy	Revised policy
CVD	(LEGAL)	Replace policy	Revised policy
CVE	(LEGAL)	Replace policy	Revised policy
CVF	(LEGAL)	Replace policy	Revised policy
EHAA	(LEGAL)	Replace policy	Revised policy
EHBA	(LEGAL)	Replace policy	Revised policy
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAB	(LEGAL)	Replace policy	Revised policy
EHBAC	(LEGAL)	Replace policy	Revised policy
EHBAD	(LEGAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EL	(LEGAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy

Explanatory Notes

TASB Policy Reference Manual Update 117

Policy Reference Manual

AIC(LEGAL)

ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Administrative Code provisions amended effective January 5, 2021, address program performance regarding certain special student populations. The rules address supervision and monitoring reviews and require the commissioner to assign districts an annual determination level based on performance of the special student populations.

BBC(LEGAL)

BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE

We have streamlined the reference to CH(LEGAL) regarding board member removal for purchasing violations.

BBD(EXHIBIT)

BOARD MEMBERS: TRAINING AND ORIENTATION

As approved by the State Board of Education in November 2020, the Framework for School Board Development has been extensively revised.

BJCE(LEGAL)

SUPERINTENDENT: SUSPENSION/TERMINATION DURING CONTRACT

Changes to this legally referenced policy on suspension of the superintendent without pay and termination during the contract term were prompted by Administrative Code revisions effective January 11, 2021.

C(LEGAL)

BUSINESS AND SUPPORT SERVICES

The C Section table of contents has been revised to rename CHE to Vendor Disclosures and Contracts.

CBB(LEGAL)

STATE AND FEDERAL REVENUE SOURCES: FEDERAL

The federal Department of Education issued correcting amendments to the Uniform Guidance for Grants and Agreements, effective February 22, 2021, resulting in a change to the provisions on cooperative purchasing in this legally referenced policy. Citations have also been updated.

CH(LEGAL)

PURCHASING AND ACQUISITION

Update 117 includes a reorganization of the purchasing and facilities construction legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material;
- Added existing provisions on site-based purchasing;
- Reordered and adjusted provisions for clarity and to better match statutory wording;
- Moved to CHE(LEGAL) provisions on required vendor disclosures and contract provisions and lobbying restrictions; and
- Moved detailed provisions on competitive bidding to CVA(LEGAL).

Provisions on purchasing recycled products were added from new Administrative Code rules, effective July 2, 2020.

CHE(LEGAL)

PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS

This legally referenced policy has been reorganized to focus on required vendor disclosures and contract provisions. This material has been moved from CH(LEGAL).

Explanatory Notes

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Policy Reference Manual

In addition, we have:

- Included references to other pertinent codes and deleted material duplicated at other policy codes; and
- Reordered and adjusted provisions for clarity and to better match statutory wording.

CL(LEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

New Administrative Code rules, effective July 2, 2020, prompted revisions to provisions on recycling programs.

Provisions on pool sanitation and safety standards have been streamlined to refer to the relevant legal guidance.

CV(LEGAL) FACILITIES CONSTRUCTION

Update 117 includes a reorganization of the purchasing- and construction-related legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material; and
- Reordered and adjusted provisions for flow and to better match statutory wording.

CVA(LEGAL) FACILITIES CONSTRUCTION: COMPETITIVE BIDDING

Provisions on identical, competitive bids have been moved from CH(LEGAL). In addition, a provision on making bid evaluations public has been moved to this policy from CV(LEGAL). Other revisions are to delete material duplicated at other policy codes and adjust language for clarity and to better match statutory wording.

CVB(LEGAL) FACILITIES CONSTRUCTION: COMPETITIVE SEALED PROPOSALS

A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVC(LEGAL) FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AGENT

Additional detail has been added regarding the construction manager-agent method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVD(LEGAL) FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AT-RISK

Additional detail has been added regarding the construction manager-at-risk method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVE(LEGAL) FACILITIES CONSTRUCTION: DESIGN-BUILD

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

Explanatory Notes

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Policy Reference Manual

CVF(LEGAL)

FACILITIES CONSTRUCTION: JOB ORDER CONTRACTS

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

EHAA(LEGAL)

BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

New Administrative Code rules address the requirement for districts to provide instruction in positive character traits, which can be met through a stand-alone course or by integrating the TEKS into other courses. The rules address the frequency of instruction by grade bands and are effective for the 2021–22 school year.

EHBA(LEGAL)

SPECIAL PROGRAMS: SPECIAL EDUCATION

Revised Administrative Code rules, effective March 14, 2021, address various special education provisions and:

- Provide more detail on instructional arrangements;
- Include a definition of *regular school day* for the purpose of determining the instructional arrangement; and
- Update citations to funding statutes.

EHBAA(LEGAL)

SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

Provisions on a district's obligation to refer for evaluation and the definition of a *child with a disability* have been updated based on revised Administrative Code rules, effective March 14, 2021. Other changes are to better reflect statute.

EHBAB(LEGAL)

SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

As a result of revised Administrative Code rules effective March 14, 2021, we have updated text regarding establishment of the admission, review, and dismissal (ARD) committee and added a provision addressing a district's overall responsibility for all of the functions of the IEP team and ARD committee. Citations have also been updated.

EBAC(LEGAL)

SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT

From revised Administrative Code rules effective March 14, 2021, we have added a provision requiring the district to notify TEA within 30 calendar days of an ARD committee's decision to place a student in a residential education program.

EBAD(LEGAL)

SPECIAL EDUCATION: TRANSITION SERVICES

Revised Administrative Code rules, effective March 14, 2021, prompted a revision to the graduation provisions and updates to cites throughout this legally referenced policy.

EBHC(LEGAL)

SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES

Revisions regarding approval of an optional flexible school day program are from revised Administrative Code rules, effective December 6, 2020.

Explanatory Notes

TASB Policy Reference Manual Update 117

Policy Reference Manual

EIF(LEGAL)

ACADEMIC ACHIEVEMENT: GRADUATION

Details have been added on the graduation of students receiving special education services who entered grade nine after the 2014–15 school year. The changes come from revised Administrative Code rules effective March 14, 2021.

In addition, we have replaced detailed provisions on graduation of students receiving special education services who entered grade nine before the 2014–15 school year with a reference to the relevant Administrative Code provision. Citations have been updated throughout.

EKB(LEGAL)

TESTING PROGRAMS: STATE ASSESSMENT

In accordance with House Bill 3906 (86th Legislative Session) and effective September 1, 2021, the reference to the separate writing assessment in grades 4 and 7 has been removed.

EL(LEGAL)

CAMPUS OR PROGRAM CHARTERS

We have added provisions that a district is entitled to additional state aid if the district was under contract during the 2017–18 school year or is under renewal of such a contract to jointly operate a campus or campus program under Education Code 11.157 (Contracts for Educational Services). Details may be found in revised Administrative Code rules, effective March 30, 2021.

FFAC(LEGAL)

WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

New Administrative Code rules, effective February 18, 2021, address maintenance and administration of unassigned asthma medication for districts that choose to implement such a program.

See FFAC in the [TASB Regulations Resource Manual](#).

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**Interventions and
Sanctions for School
Districts**

Grounds for
Commissioner
Action

The commissioner of education shall take any of the actions authorized by Education Code, Chapter 39A, Subchapter A, to the extent the commissioner determines necessary if:

1. A district does not satisfy:
 - a. The accreditation criteria under Education Code 39.052 [see AIA];
 - b. The academic performance standards under Education Code 39.053 or 39.054 [see AIA]; or
 - c. Any financial accountability standard as determined by commissioner rule [see CFA]; or
2. The commissioner considers the action to be appropriate on the basis of a special accreditation investigation under Education Code 39.057.

Education Code 39A.001

*Authorized
Commissioner
Actions*

If a district is subject to commissioner action, the commissioner may:

1. Issue public notice of the deficiency to the board;
2. Order a hearing to be conducted by the board to notify the public of:
 - a. The insufficient performance;
 - b. The improvements in performance expected by the Texas Education Agency (TEA); and
 - c. The interventions and sanctions that may be imposed if the performance does not improve;
3. Order the preparation of a student achievement improvement plan that addresses each academic achievement indicator under Education Code 39.053(c) for which the district's performance is insufficient, the submission of the plan to the commissioner for approval, and the implementation of the plan;
4. Order a hearing to be held before the commissioner or the commissioner's designee at which the president of the board and the district's superintendent shall appear and explain the district's low performance, lack of improvement, and plans for improvement;
5. Arrange a monitoring review of the district;
6. Appoint a TEA monitor to participate in and report to TEA on the activities of the board or superintendent;

7. Appoint a conservator to oversee the operations of the district;
8. Appoint a management team to direct the operations of the district in areas of insufficient performance or require the district to obtain certain services under a contract with another person; or
9. Authorize the district to enter into a memorandum of understanding with an institution of higher education that provides for the assistance of the institution of higher education in improving the district's performance.

Education Code 39A.002

Regardless of whether the commissioner lowers a district's status or rating, the commissioner may take action under Education Code Chapters 39 and 39A or 19 Administrative Code 97.1057 if the commissioner determines that the action is necessary to improve any area of performance by the district or campus.

Subject to 19 Administrative Code 97.1057(h)–(k), once the commissioner takes action under 19 Administrative Code Subchapter EE (accreditation status, standards, and sanctions), the commissioner may impose on the district or campus any other sanction under Education Code Chapter 39 or 39A, or Subchapter EE, singly or in combination, to the extent the commissioner determines is reasonably required to achieve the purposes specified in 19 Administrative Code 97.1053.

19 TAC 97.1057(c), (e)

In making a determination to impose district and campus accreditation sanctions under 19 Administrative Code Chapter 97, Subchapter EE, the commissioner shall meet the requirements of 19 Administrative Code 97.1059. *19 TAC 97.1059*

Conservator or
Management Team

The commissioner shall clearly define the powers and duties of a conservator or management team appointed to oversee the operations of a district.

At least every 90 days, the commissioner shall review the need for the conservator or management team and shall remove the conservator or management team unless the commissioner determines that continued appointment is necessary for effective governance of the district or delivery of instructional services.

A conservator or management team, if directed by the commissioner, shall prepare a plan for the implementation of the appointment of a board of managers or the revocation of accreditation.

The conservator or management team may:

1. Direct an action to be taken by the principal of a campus, the superintendent of the district, or the board; and
2. Approve or disapprove any action of the principal of a campus, the superintendent of the district, or the board.

The conservator or management team may not:

1. Take any action concerning a district election, including ordering or canceling an election or altering the date of or the polling places for an election;
2. Change the number of or method of selecting the board;
3. Set a tax rate for the district; and
4. Adopt a budget for the district that provides for spending a different amount, exclusive of required debt service, from that previously adopted by the board.

Education Code 39A.003

Regardless of whether a district has satisfied the accreditation criteria, if for two consecutive school years, including the current school year, a district has had a conservator or management team assigned, the commissioner may appoint a board of managers, a majority of whom must be residents of the district, to exercise the powers and duties of the board of trustees. For purposes of this subsection, a school year begins on the first day of instruction and includes any portion of the school year. *19 TAC 97.1057(d); Education Code 39A.006(b)*

Board of Managers

The commissioner may appoint a board of managers to exercise the powers and duties of a district's board if the district is subject to commissioner action and:

1. Has a current accreditation status of accredited-warned or accredited-probation;
2. Fails to satisfy any standard under Education Code 39.054(e); or
3. Fails to satisfy financial accountability standards as determined by commissioner rule.

Education Code 39A.004

Revocation of
Accreditation

The commissioner may revoke the accreditation of a district if the district is subject to commissioner action, and for two consecutive school years, including the current school year, the district has:

1. Received an accreditation status of accredited-warned or accredited-probation;
2. Failed to satisfy any standard under Education Code 39.054(e); or
3. Failed to satisfy financial accountability standards as determined by commissioner rule.

In addition to revoking a district's accreditation, the commissioner may:

1. Order closure of the district and annex the district to one or more adjoining districts under Education Code 13.054; or
2. In the case of a home-rule school district, order closure of all programs operated under the district's charter.

Education Code 39A.005

Intervention to
Improve High
School Completion
Rate

If a district is subject to commissioner action and the district has failed to satisfy any standard under Education Code 39.054(e) because of the district's dropout rates, the commissioner may impose sanctions against a district designed to improve high school completion rates, including:

1. Ordering the development of a dropout prevention plan for approval by the commissioner;
2. Restructuring the district or appropriate campuses to improve identification of and service to students who are at risk of dropping out of school, as defined by Education Code 29.081;
3. Ordering lower student-to-counselor ratios on campuses with high dropout rates; and
4. Ordering the use of any other intervention strategy effective in reducing dropout rates, including mentor programs and flexible class scheduling.

Education Code 39A.007

**Campus Intervention
Team and Targeted
Improvement Plan**

Actions Based on
Campus
Performance

If the performance of a campus is below any standard under Education Code 39.054(e), the commissioner shall:

1. Take actions, to the extent the commissioner determines necessary, as provided by Education Code, Chapter 39A; and
2. Assign a campus intervention team.

To the extent the commissioner determines necessary, the commissioner may:

1. Order a hearing to be held before the commissioner or the commissioner's designee at which the president of the board, the superintendent, and the campus principal shall appear and explain the campus's low performance, lack of improvement, and plans for improvement; or
2. Establish a school community partnership team composed of members of the campus-level planning and decision-making committee and additional community representatives as determined appropriate by the commissioner.

Education Code 39A.051

Texas
Accountability
Intervention System

If a campus's performance is below any standard under Education Code 39.054(e), the campus shall engage in interventions as described by TEA. The commissioner shall assign members to a campus intervention team as outlined in 19 Administrative Code 97.1063 and Education Code 39A.052. The campus shall establish a campus leadership team (CLT) that includes the campus principal and other campus leaders responsible for the development, implementation, and monitoring of the targeted improvement plan.

If a campus is assigned an unacceptable rating under Education Code 39.054(e):

1. For a second consecutive year, the campus must engage in the processes outlined in this provision, and the campus must develop a campus turnaround plan to be approved by the commissioner.
2. For a third or fourth consecutive year, the campus must engage in the processes outlined in this provision, and the campus must implement the commissioner-approved campus turnaround plan as described in 19 Administrative Code 97.1064.
3. For a fifth consecutive year, the commissioner shall order the appointment of a board of managers to govern the district or the closure of the campus.

Based on a campus's progress toward improvement, the commissioner may order a hearing if a campus's performance is below any standard under Education Code 39.054(e).

Interventions and sanctions listed under this provision begin upon release of preliminary ratings and may be adjusted based on final accountability ratings.

19 TAC 97.1061(a)–(c), (e)–(i)

Campus
Intervention Team

The campus intervention team shall follow the requirements of 19 Administrative Code 97.1061 and Education Code 39.106.

A campus intervention team assigned by the commissioner may include teachers, principals, other educational professionals, and superintendents recognized for excellence in their roles and appointed by the commissioner to serve as members of a team.

Education Code 39A.052

A campus intervention team must include a district coordinator of school improvement (DCSI) and the campus principal's direct supervisor, if the DCSI is not the campus principal's direct supervisor. The DCSI must submit qualifications to TEA for approval.

An education professional, approved through an application either by TEA or TEA's technical assistance provider, who is not an employee of the campus or district, shall assist with the needs assessment.

19 TAC 97.1063(b)–(c)

*On-Site Needs
Assessment*

A campus intervention team shall:

1. Conduct, with the involvement and advice of the school community partnership team, if applicable:
 - a. If the commissioner determines necessary, a comprehensive on-site needs assessment; or
 - b. A targeted on-site needs assessment relevant to an area of insufficient performance of the campus; and
2. Recommend appropriate actions as provided by Education Code 39A.054.

An on-site needs assessment must determine the factors resulting in the campus's low performance and lack of progress, including the contributing education-related factors.

In conducting a comprehensive on-site needs assessment, the campus intervention team shall use each of the guidelines and procedures at Education Code 39A.053(c) and 19 Administrative Code 97.1061(d).

In conducting a targeted on-site needs assessment, the campus intervention team shall use the appropriate guidelines and procedures described above relevant to each area of insufficient performance.

Education Code 39A.053

Recommendations

On completing the on-site needs assessment, the campus intervention team shall, with the involvement and advice of the school community partnership team, if applicable, recommend actions relating to any area of insufficient performance, including:

1. Reallocation of resources;
2. Technical assistance;
3. Changes in school procedures or operations;
4. Staff development for instructional and administrative staff;
5. Intervention for individual administrators or teachers;
6. Waivers from state statutes or rules;
7. Teacher recruitment or retention strategies and incentives provided by the district to attract and retain appropriately certified and experienced teachers; or
8. Other actions the campus intervention team considers appropriate.

Education Code 39A.054

*Targeted
Improvement
Plan*

In addition to the duties relating to the on-site needs assessment, the campus intervention team shall:

1. Assist the campus in developing a targeted improvement plan;
2. Conduct a public meeting at the campus with the campus principal, the members of the campus-level planning and decision-making committee, parents of students attending the campus, and community members residing in the district to review the campus performance rating and solicit input for the development of the targeted improvement plan [see Notice of Public Meeting, below];
3. Assist the campus in submitting the targeted improvement plan to the board for approval and presenting the plan in a public hearing [see Public Hearing, below]; and
4. Assist the commissioner in monitoring the progress of the campus in executing the targeted improvement plan.

Education Code 39A.055; 19 TAC 97.1061(d)(3)–(4)

Notice of Public
Meeting

The campus intervention team must provide written notice of the public meeting to the parents of students attending the campus and post notice of the meeting on the campus's internet website.

	The notice must include the date, time, and place of the meeting. <i>Education Code 39A.056</i> The public must be notified of the meeting 15 days prior to the meeting by way of the district and campus website, local newspapers, or other media that reach the general public, and the parent liaison, if present on the campus. <i>19 TAC 97.1061(d)(3)(A)(2)(i)</i>
Public Hearing	After a targeted improvement plan or an updated targeted improvement plan is submitted to the board, the board shall conduct a hearing to: 1. Notify the public of: a. The insufficient performance of the campus; b. The improvements in performance expected by TEA; and c. The intervention measures or sanctions that may be imposed under Education Code, Chapter 39A if the performance does not improve within a designated period; and 2. Solicit public comment on the targeted improvement plan or updated targeted improvement plan. The board must post the targeted improvement plan on the district's internet website before the hearing. The board may conduct one hearing relating to one or more campuses subject to a targeted improvement plan or an updated targeted improvement plan. <i>Education Code 39A.057</i>
Submission to Commissioner	The board shall submit the targeted improvement plan or updated targeted improvement plan to the commissioner for approval. The campus intervention team shall assist the campus in submitting the targeted improvement plan to the commissioner. <i>Education Code 39A.058</i>
Executing Plan	In executing the targeted improvement plan, the campus intervention team shall, if appropriate: 1. Assist the campus in implementing research-based practices for curriculum development and classroom instruction, including bilingual education and special education programs, and financial management;

2. Provide research-based technical assistance, including data analysis, academic deficiency identification, intervention implementation, and budget analysis, to strengthen and improve the instructional programs at the campus; and
3. Require the district to develop a teacher recruitment and retention plan to address the qualifications and retention of the teachers at the campus.

Education Code 39A.059

*Continuing Duties
of the Campus
Intervention
Team*

For each year a campus is assigned an unacceptable performance rating, the campus intervention team shall:

1. Assist in updating the targeted improvement plan to identify and analyze areas of growth and areas that require improvement; and
2. Submit each updated targeted improvement plan to the board.

Education Code 39A.060

Needs Improvement
Rating

If a district or campus is assigned an overall or domain performance rating of D:

1. The commissioner shall order the district or campus to develop and implement a targeted improvement plan approved by the board; and
2. The interventions and sanctions provided by Education Code, Chapter 39A based on failure to satisfy performance standards under Education Code 39.054(e) apply to the district or campus only as provided below.

The interventions and sanctions based on failure to satisfy performance standards under Education Code 39.054(e) apply to a district or campus ordered to develop and implement a targeted improvement plan if the district or campus is assigned:

1. An overall or domain performance rating of F; or
2. An overall performance rating of D as provided below.

If a district or campus is assigned an overall performance rating of D for a school year after the district or campus is ordered to develop and implement a targeted improvement plan, the commissioner shall implement interventions and sanctions that apply to an unacceptable campus and those interventions and sanctions shall

continue for each consecutive school year thereafter in which the campus is assigned an overall performance rating of D.

Education Code 39A.0545

Campus Planning
and Site-Based
Decision-Making

The commissioner may authorize a school community partnership team established under Education Code 39A.051 to supersede the authority of and satisfy the requirements of establishing and maintaining a campus-level planning and decision-making committee.

The commissioner may authorize a targeted improvement plan or an updated targeted improvement plan to supersede the provisions of and satisfy the requirements of developing, reviewing, and revising a campus improvement plan.

Education Code 39A.061

Submission of
Campus
Improvement Plan

If the performance of a campus satisfies performance standards under Education Code 39.054(e) for the current school year but would not satisfy the performance standards if the standards to be used for the following school year were applied to the current school year, on the request of the commissioner, the campus-level planning and decision-making committee shall revise and submit to the commissioner the portions of the campus improvement plan that are relevant to those areas for which the campus would not satisfy performance standards. The revised portions of the improvement plan must be submitted in an electronic format. *Education Code 39A.062*

Compliance
Through Federal
Accountability

Notwithstanding the provisions of Education Code Chapter 39A, if the commissioner determines that a campus subject to interventions or sanctions has implemented substantially similar intervention measures under federal accountability requirements, the commissioner may accept the substantially similar intervention measures as measures in compliance with Education Code Chapter 39A. *Education Code 39A.063*

**Campus Turnaround
Plan**

If a campus has been identified as unacceptable for two consecutive school years, the commissioner shall order the campus to prepare and submit a campus turnaround plan.

Updated Targeted
Improvement Plan

A campus intervention team shall assist the campus in:

1. Developing an updated targeted improvement plan, including a campus turnaround plan to be implemented by the campus;
2. Submitting the updated targeted improvement plan to the board for approval and presenting the plan in a public hearing as provided by Education Code 39A.057;

3. Obtaining approval of the updated plan from the commissioner; and
4. Executing the updated plan on approval by the commissioner.

The updated targeted improvement plan submitted to the board must include all plans and details that are required to execute the campus turnaround plan without any additional action or approval by the board.

Education Code 39A.101

Public Notice

Within 60 days of receiving a campus's preliminary accountability rating, the district must notify parents, community members, and stakeholders that the campus received an unacceptable rating for two consecutive years and request assistance in developing the campus turnaround plan in accordance with 19 Administrative Code 97.1064. *19 TAC 97.1064(d)*

Submission and
Approval

Upon approval of the board, the district must submit the campus turnaround plan electronically to TEA by March 1 unless otherwise specified. Not later than June 15 of each year, the commissioner must either approve or reject any campus turnaround plan prepared and submitted by a district. *19 TAC 97.1064(g)–(h); Education Code 39A.103–.104*

Implementation

A campus may implement, modify, or withdraw its campus turnaround plan with board approval if the campus receives an academically acceptable rating for the school year following the development of the campus turnaround plan.

A campus that has received an unacceptable rating for the school year following the development of the campus turnaround plan must implement its commissioner-approved campus turnaround plan with fidelity until the campus operates for two consecutive school years without an unacceptable rating.

The commissioner may appoint a monitor, conservator, management team, or board of managers for a school district that has a campus that has been ordered to implement an updated targeted improvement plan. The commissioner may order any of the interventions as necessary to ensure district-level support for the low-performing campus and the implementation of the updated targeted improvement plan. The commissioner may make the appointment at any time during which the campus is required to implement the updated targeted improvement plan.

19 TAC 97.1064(j)–(k)

Required Contents

A campus turnaround plan must include:

1. Details on the method for restructuring, reforming, or reconstituting the campus;
2. A detailed description of the academic programs to be offered at the campus, including:
 - a. Instructional methods;
 - b. Length of school day and school year;
 - c. Academic credit and promotion criteria; and
 - d. Programs to serve special student populations;
3. If a district charter is to be granted for the campus under Education Code 12.0522:
 - a. The term of the charter; and
 - b. Information on the implementation of the charter;
4. Written comments from:
 - a. The campus-level committee established under Education Code 11.251, if applicable;
 - b. Parents; and
 - c. Teachers at the campus;
5. A detailed description of the budget, staffing, and financial resources required to implement the plan, including any supplemental resources to be provided by the district or other identified sources; and
6. A detailed description for developing and supporting the oversight of academic achievement and student performance by the board of trustees under Education Code 11.1515.

Education Code 39A.105(a) [Acts of the 85th Legislative Session, Senate Bill 1566, amended former Education Code 39.107(b-1) to include the information provided at Subsection (6)]

ACE Turnaround
Plan

A campus may submit an accelerated campus excellence (ACE) turnaround plan. The plan must provide:

1. The assignment of a principal to the campus who has demonstrated a history of improvement in student academic growth at campuses in which the principal has previously worked;
2. That the principal has final authority over personnel decisions at the campus;

3. That at least 60 percent of the classroom teachers assigned to the campus be teachers who demonstrated instructional effectiveness during the previous school year, with instructional effectiveness determined by:
 - a. For a teacher who taught in the district during the previous school year:
 - (1) The teacher's impact on student growth as determined using a locally developed value-added model that measures student performance on at least one assessment selected by the district; and
 - (2) An evaluation of the teacher based on classroom observation; and
 - b. For a teacher who did not teach in the district during the previous school year, data and other evidence indicating that if the teacher had taught in the district during the previous school year, the teacher would have performed in the top half of teachers in the district;
4. A detailed description of the employment and compensation structures for the principal and classroom teachers, which must include significant incentives for a high-performing principal or teacher to remain at the campus and a three-year commitment by the district to continue incentives for the principal and teachers;
5. Policies and procedures for the implementation of best practices at the campus, including:
 - a. Data-driven instructional practices;
 - b. A system of observation of and feedback for classroom teachers;
 - c. Positive student culture on the campus;
 - d. Family and community engagement, including partnerships with parent and community groups;
 - e. Extended learning opportunities for students, which may include service or workforce learning opportunities; and
 - f. Providing student services before or after the instructional day that improve student performance, which may include tutoring, extracurricular activities, counseling services, and offering breakfast, lunch, and dinner to all students at the campus; and

6. Assistance by a third-party provider that is approved by the commissioner in the development and implementation of the district's plan.

Education Code 39A.105(b)

Implementing
Entities

A campus ordered to prepare a campus turnaround plan shall implement the updated targeted improvement plan as approved by the commissioner.

The commissioner may appoint a monitor, conservator, management team, or board of managers to the district to ensure and oversee district-level support to low-performing campuses and the implementation of the updated targeted improvement plan.

In making appointments, the commissioner shall consider individuals who have demonstrated success in managing campuses with student populations similar to the campus at which the individual appointed will serve.

Education Code 39A.102, .108

Effective Date

A campus turnaround plan must take effect not later than the school year following the third consecutive school year that the campus has received an unacceptable performance rating. *Education Code 39A.106*

Commissioner
Approval or
Rejection

Not later than June 15 of each year, the commissioner shall, in writing, either approve or reject any campus turnaround plan prepared and submitted to the commissioner by a district. If the commissioner rejects a campus turnaround plan, the commissioner must also send the district an outline of the specific concerns regarding the turnaround plan that resulted in the rejection. *Education Code 39A.107(a-1)*

If the commissioner rejects a campus turnaround plan, the district must create a modified plan with assistance from TEA staff and submit the modified plan to the commissioner for approval not later than the 60th day after the date the commissioner rejects the campus turnaround plan. The commissioner shall notify the district in writing of the commissioner's decision regarding the modified plan not later than the 15th day after the date the commissioner receives the modified plan. *Education Code 39A.107(a-2)*

The commissioner may approve a campus turnaround plan only if the commissioner determines that the campus will satisfy all student performance standards required under Education Code 39.054(e) not later than the second year the campus receives a performance rating following the implementation of the campus turnaround plan.

Education Code 12.0522(b) does not apply to a district charter approved by the commissioner. An approved district charter may be renewed or continue in effect after the campus is no longer subject to the commissioner's order under Education Code 39A.101.

If the commissioner does not approve a campus turnaround plan, the commissioner shall order:

1. Appointment of a board of managers to govern the district;
2. Alternative management of the campus; or
3. Closure of the campus.

Education Code 39A.107; 19 TAC 97.1065

Implementation Following approval of a campus turnaround plan by the commissioner, the district, in consultation with the campus intervention team, may take any actions needed to prepare for the implementation of the plan. *Education Code 39A.108*

Assistance and Partnerships A district may:

1. Request that a regional education service center provide assistance in the development and implementation of a campus turnaround plan; or
2. Partner with an institution of higher education to develop and implement a campus turnaround plan.

Education Code 39A.109

Change in Campus Performance Rating If a campus for which a campus turnaround plan has been ordered receives an acceptable performance rating for the school year following the order, the board may:

1. Implement the campus turnaround plan;
2. Implement a modified version of the campus turnaround plan; or
3. Withdraw the campus turnaround plan.

A district required to implement a campus turnaround plan may modify the plan if the campus receives an acceptable performance rating for two consecutive school years following implementation of the plan.

Education Code 39A.110

Continued
Unacceptable
Performance Rating

If a campus is considered to have an unacceptable performance rating for three consecutive school years after the campus is ordered to submit a campus turnaround plan, the commissioner shall order:

1. Appointment of a board of managers to govern the district; or
2. Closure of the campus.

Education Code 39A.111; 19 TAC 97.1065(a)(2)

*Parent Petition
for Action*

"Parent" means the parent who is indicated on the student registration form at that campus and the signature of only one parent of a student is required.

If the commissioner is presented, in the time and manner specified by commissioner rule, with a written petition signed by the parents of a majority of the students enrolled at a campus with an unacceptable performance rating for three consecutive school years, specifying an authorized action that the parents request the commissioner to order, the commissioner shall order the specific action requested.

If the board presents to the commissioner, in the time and manner specified by commissioner rule, a written request that the commissioner order specific authorized action other than the specific action requested in the parents' petition and a written explanation of the basis for the board's request, the commissioner may order the action requested by the board.

Education Code 12.051, 39A.112; 19 TAC 97.1065(d)

Repurposing of
Closed Campus

If the commissioner orders the closure of a campus, that campus may be repurposed to serve students at that campus location only if the commissioner finds that the repurposed campus offers a distinctly different academic program and approves a new campus identification number for the repurposed campus. A campus may be repurposed if the campus:

1. Serves a majority of grade levels not served at the original campus; or
2. Is operated under a contract, approved by the school board, with a nonprofit organization exempt from federal taxation under Section 501(c)(3), Internal Revenue Code of 1986 that:
 - a. Has a governing board that is independent of the district;
 - b. Has a successful history of operating school district campuses or open-enrollment charter schools:

- (1) That cumulatively serve 10,000 or more students; and
- (2) A majority of which have been assigned an overall performance rating of B or higher under Education Code 39.054 for the preceding school year; and
- c. Has been assigned an overall performance rating of B or higher under Education Code 39.054 for the preceding school year.

Student Enrollment
and Assignment

Any student assigned to a campus that has been closed must be allowed to transfer to any other campus in the district that serves that student's grade level and on request must be provided transportation to the other campus.

The commissioner may grant an exemption allowing students assigned to a closed campus to attend the repurposed campus if there is no other campus in the district at which the students may enroll.

*Noncontracted
Repurposed
Campus*

The majority of students assigned to a campus that has been closed and repurposed may not have attended that campus in the previous school year if the campus was repurposed to serve a majority of grade levels not served at the original campus.

*Enrollment
Provision in
Contract*

A contract approved by the school board with a nonprofit organization must provide that a student residing in the attendance zone of the campus immediately before the campus was repurposed shall be admitted for enrollment at the repurposed campus.

Education Code 39A.113

Targeted Technical
Assistance

If the commissioner determines that the basis for the unacceptable performance of a campus for more than two consecutive school years is limited to a specific condition that may be remedied with targeted technical assistance, the commissioner may require the district to contract for the appropriate technical assistance. *Education Code 39A.114*

Commissioner
Authority

A decision by the commissioner under the campus turnaround plan subchapter of the Education Code is final and may not be appealed. *Education Code 39A.116*

**Alternative
Management**

The commissioner shall appoint a monitor, conservator, management team, or board of managers whenever such action is required, as determined by 19 Administrative Code 1073. Action under any other section of 19 Administrative Code Chapter 97, Subchapter EE is not a prerequisite to acting under this section. *19 TAC 97.1073*

Solicitation of
Proposals

If the commissioner orders alternative management of a campus, the commissioner shall solicit proposals from qualified nonprofit entities to assume management of the campus or appoint a school district as provided below. The commissioner may solicit proposals from qualified for-profit entities if a nonprofit entity has not responded to the commissioner's request for proposals.

The commissioner may appoint a school district to assume management of the campus if the district:

1. Is not the district in which the campus is located; and
2. Is located within the boundaries of the same regional education service center as the campus.

If a school district is appointed, the district shall assume management of the campus in the same manner as a qualified entity or in accordance with commissioner rule.

The commissioner may annually solicit proposals for the alternative management of a campus. The commissioner shall notify a qualified entity that has been approved as a provider under this section.

Education Code 39A.151

Qualifications of
Managing Entity

To qualify for consideration as a managing entity, the entity must submit a proposal that provides information relating to the entity's management and leadership team that will participate in management of the campus under consideration, including information relating to individuals who have:

1. Documented success in whole school interventions that increased the educational and performance levels of students in campuses considered to have an unacceptable performance rating;
2. A proven record of effectiveness with programs assisting low-performing students;
3. A proven ability to apply research-based school intervention strategies;
4. A proven record of financial ability to perform under the management contract; and
5. Any other experience or qualifications the commissioner determines necessary.

In selecting a managing entity, the commissioner shall give preference to a qualified entity that:

1. Meets any of the commissioner's qualifications; and

2. Has documented success in educating students from similar demographic groups and with similar educational needs as the students who attend the campus to be operated by the managing entity.

Education Code 39A.152

Contract with
Managing Entity

If the commissioner has ordered alternative management of a campus, the district shall execute a contract with an approved provider to serve as a managing entity for the campus. The term of the contract may not exceed five years with an option to renew the contract. The district must execute the contract and relinquish control of the campus before January 1 of the school year.

The management contract must include:

1. A provision describing the district's responsibilities in supporting the operation of the campus; and
2. Provisions approved by the commissioner requiring the managing entity to demonstrate improvement in campus performance, including negotiated performance measures.

Performance measures must be consistent with the priorities of Education Code Chapters 39 and 39A.

The management contract must be approved by the commissioner before the contract is executed. As appropriate, the commissioner may require the district, as a term of the contract, to support the campus in the same manner as the district was required to support the campus before the execution of the contract.

Education Code 39A.153; 19 TAC 97.1067

*Extension of
Management
Contract*

The commissioner may require a district to extend the term of a management contract with a managing entity if the commissioner determines that extending the contract on expiration of the initial term is in the best interest of the students attending the campus. The terms of the contract must be approved by the commissioner.
Education Code 39A.154

*Evaluation of
Managing Entity*

The commissioner shall evaluate a managing entity's performance on the first and second anniversaries of the date of the management contract.

If the evaluation fails to demonstrate improvement as negotiated under the management contract by the first anniversary of the date of the contract, the district may:

1. Terminate the contract, with the commissioner's consent, for nonperformance or breach of contract; and

2. Select another provider from an approved list provided by the commissioner.

If the evaluation fails to demonstrate significant improvement, as determined by the commissioner, by the second anniversary of the date of the management contract, the district shall:

1. Terminate the contract; and
2. Select another provider from an approved list provided by the commissioner or resume operation of the campus if approved by the commissioner.

If the commissioner approves the district's resumed operation of the campus, the commissioner shall assign a technical assistance team to assist the campus.

Education Code 39A.155

*Cancellation of
Management
Contract*

If a campus receives an unacceptable performance rating for two consecutive school years after a managing entity assumes management of the campus, the commissioner shall cancel the contract with the managing entity. *Education Code 39A.156*

Return of
Management to
District

Unless a campus has an unacceptable performance rating for three consecutive school years [see Continued Unacceptable Performance Rating, above], at the end of a management contract term or on the cancellation of a management contract, the board shall resume management of the campus. *Education Code 39A.157*

Applicability of
Accountability
Provisions

Each campus operated by a managing entity is subject to Education Code Chapters 39 and 39A in the same manner as any other campus in the district. *Education Code 39A.158*

Funding

The funding for a campus operated by a managing entity may not be less than the funding of the other campuses in the district on a per student basis so that the managing entity receives at least the same funding the campus would otherwise have received. *Education Code 39A.159*

Open Meetings and
Public Information

With respect to the management of a campus by a managing entity:

1. A managing entity is considered to be a governmental body for purposes of the Texas Open Meetings Act and Public Information Act; and

2. Any requirement in the Texas Open Meetings Act or Public Information Act that applies to a school district or the board of trustees of a district applies to a managing entity.

Education Code 39A.160

Board of Managers

General Powers
and Duties

A board of managers may exercise all of the powers and duties assigned to a board of trustees of a school district by law, rule, or regulation.

A board of managers appointed by the commissioner is required to take appropriate actions to resolve the conditions that caused a campus to be subject to the commissioner's order, including amending the district's budget, reassigning staff, or relocating academic programs. The commissioner may adopt rules necessary to implement this subsection.

Education Code 39A.201

Board of Managers
of District

If the commissioner appoints a board of managers to govern a district:

1. The powers of the board are suspended for the period of the appointment; and
2. The commissioner shall appoint a district superintendent.

A board of managers appointed to govern a school district may amend the budget of the district.

Education Code Chapter 39A applies to a school district governed by a board of managers in the same manner it applies to any other district.

Education Code 39A.202

Board of Managers
of Campus

If the commissioner appoints a board of managers to govern a campus:

1. The powers of the board of trustees of the school district in relation to the campus are suspended for the period of the appointment; and
2. The commissioner shall appoint a campus principal.

A board of managers appointed to govern a campus may submit to the commissioner for approval amendments to the budget of the school district for the benefit of the campus. If the commissioner approves the amendments, the board of trustees of the school district shall adopt the amendments.

Education Code 39A.203

Composition of Board of Managers	A board of managers appointed by the commissioner must, if possible, include community leaders, business representatives who have expertise in leadership, and individuals who have knowledge or expertise in the field of education. <i>Education Code 39A.204</i>
Training of Board of Managers	The commissioner must provide each individual appointed to a board of managers with training in effective leadership strategies. <i>Education Code 39A.205</i> The training in effective leadership strategies shall be provided by TEA-approved authorized providers of board training to each individual appointed by the commissioner to a board of managers, and, following the expiration of the appointment of the board of managers, to the board of trustees of the school district. <i>19 TAC 97.1073(h)</i>
Compensation	The commissioner may authorize payment of a board of managers from TEA funds. A conservator or a member of a management team appointed to serve on a board of managers may continue to be compensated as determined by the commissioner. <i>Education Code 39A.206</i>
Replacement of Member of Board of Managers	The commissioner may at any time replace a member of a board of managers. The commissioner may adopt rules necessary to implement this section. <i>Education Code 39A.207</i>
Expiration of Appointment	A board of managers shall, during the period of the appointment, order the election of members of the board of trustees of the school district in accordance with the law. The members of the board of trustees do not assume any powers or duties after the election until the appointment of the board of managers expires. Not later than the second anniversary of the date the board of managers of a school district was appointed, the commissioner shall notify the board of managers and the board of trustees of the date on which the appointment of the board of managers will expire. Following each of the last three years of the period of the appointment, one-third of the members of the board of managers shall be replaced by the number of members of the board of trustees who were elected at an election that constitutes, as closely as possible, one-third of the membership of the board of trustees. If, before the second anniversary of the date the board of managers of a school district was appointed, the commissioner determines, after receiving local feedback, that insufficient progress has

been made toward improving the academic or financial performance of the district, the commissioner may extend the authority of the board of managers for a period of up to two additional years.

On the expiration of the appointment of the board of managers, the board of trustees assumes all of the powers and duties assigned to a board of trustees by law, rule, or regulation.

Following the expiration of the period of appointment of a board of managers for a school district, the commissioner shall provide training in effective leadership strategies to the board of trustees.

Education Code 39A.208; 19 TAC 97.1073

**Removal of Board
of Managers**

The commissioner may remove a board of managers appointed to govern a school district only if the campus that was the basis for the appointment of the board of managers receives an acceptable performance rating for two consecutive school years.

If a campus that was the basis for the appointment of a board of managers receives an unacceptable performance rating for two additional consecutive years following the appointment of the board of managers, the commissioner may remove the board of managers and, in consultation with the local community, may appoint a new board of managers to govern the district.

Following the removal of a board of managers, or at the request of a managing entity to oversee the implementation of alternative management, the commissioner may appoint a conservator or monitor for the district to ensure district-level support for low-performing campuses and to oversee the implementation of the updated targeted improvement plan.

Education Code 39A.209; 19 TAC 97.1073

**Challenge of
Intervention or
Sanction**

A district that challenges the commissioner's decision to close the district or a campus or to pursue alternative management of a campus must appeal the decision as provided below.

**Review of
Sanctions by SOAH**

A challenge is under the substantial evidence rule [see Government Code, Chapter 2001, Subchapter G]. The commissioner shall adopt procedural rules for a challenge under this section.

Notwithstanding other law:

1. The State Office of Administrative Hearings (SOAH) shall conduct an expedited review of a challenge;
2. The administrative law judge shall issue a final order not later than the 30th day after the date on which the hearing is finally closed;

3. The decision of the administrative law judge is final and may not be appealed; and
4. The decision of the administrative law judge may set an effective date for an action under this section.

Education Code 39A.301

Annual Review

The commissioner shall annually review the performance of a district or campus subject to intervention and sanction to determine the appropriate actions to be implemented.

The commissioner must review at least annually the performance of a district for which the accreditation status or performance rating has been lowered due to insufficient student performance and may not raise the accreditation status or performance rating until the district has demonstrated improved student performance.

If the review reveals a lack of improvement, the commissioner shall increase the level of state intervention and sanction unless the commissioner finds good cause for maintaining the current status.

Education Code 39A.901

Increasing Intensity

If a district or campus does not exhibit improvement in student performance, the commissioner may increase the intensity of intervention and sanction that would otherwise be required by statute or rule, including ordering campus closure, district annexation, or appointment of a board of managers.

For purposes of this section, improvement means an increase in the scaled score for the overall academic performance rating under Education Code Chapter 39.

19 TAC 97.1070(a)–(b)

**Special
Accreditation
Investigations**

The commissioner may authorize a special accreditation investigation:

1. When excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;
2. When excessive numbers of allowable exemptions from the required state assessment are determined;
3. In response to complaints to TEA of alleged violations of civil rights or other requirements imposed on the state by federal law or court order;
4. In response to established compliance reviews of the district's financial accounting practices and state and federal reporting requirements;

5. When extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Education Code 37.006 and 37.007, are determined;
6. In response to an allegation involving a conflict between members of the board or between the board and the district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by the Education Code. If TEA's findings indicate the board has observed a lawfully adopted policy, TEA may not substitute its judgment for that of the board;
7. When excessive numbers of students in special education programs are assessed through modified assessment instruments;
8. In response to an allegation regarding, or an analysis using a statistical method result indicating, a possible violation of an assessment instrument security procedure;
9. When a significant pattern of decreased academic performance has developed as a result of the promotion in the preceding two school years of students who did not perform satisfactorily on the state assessments;
10. When excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner;
11. When resource allocation practices indicate a potential for significant improvement in resource allocation;
12. When a disproportionate number of students of a particular demographic group is graduating with a particular endorsement;
13. When an excessive number of students is graduating with a particular endorsement;
14. When a school district for any reason fails to produce, at the request of TEA, evidence or an investigation report relating to an educator who is under investigation by the State Board for Educator Certification;
15. In response to a complaint with respect to alleged inaccurate data that is reported through PEIMS or through other reports required by state or federal law or rule or court order and that is used by TEA to make a determination relating to public school accountability, including accreditation, under Education Code Chapter 39;

16. In response to repeated complaints concerning imposition of excessive paperwork requirements on classroom teachers; or
17. As the commissioner otherwise determines necessary.

Education Code 39.057(a)–(c)

TEA shall adopt written procedures for conducting special accreditation investigations, including procedures that allow TEA to obtain information from district employees in a manner that prevents a district or campus from screening the information. *Education Code 39.058(a); 19 TAC 102.1401*

Commissioner
Action

Based on the results of a special accreditation investigation, the commissioner may:

1. Take appropriate action under Education Code Chapter 39A, [see Interventions and Sanctions for School Districts, above];
2. Lower the district's accreditation status or a district's or campus's performance rating; or
3. Take action under both items 1 and 2 above.

Regardless of whether the commissioner lowers the accreditation status or a district's or campus's performance rating, the commissioner may impose one of the district- or campus-level interventions or sanctions under Education Code 39A.002 [see Interventions and Sanctions for School Districts, above].

Education Code 39.057(d), (e)

**Miscellaneous
Provisions**

Acquisition of
Professional
Services

In addition to other authorized interventions and sanctions, the commissioner may order a district or campus to acquire professional services at the expense of the district or campus to address the applicable financial, assessment, data quality, program, performance, or governance deficiency. The commissioner's order may require the district or campus to:

1. Select or be assigned an external auditor, data quality expert, professional authorized to monitor district assessment instrument administration, or curriculum or program expert; or
2. Provide for or participate in the appropriate training of district staff or board members in the case of a district, or campus staff, in the case of a campus.

Education Code 39A.902

Costs Paid by
District

The costs of providing a monitor, conservator, management team, campus intervention team, technical assistance team, managing entity, or service provider shall be paid by the district. If the district

fails or refuses to pay the costs in a timely manner, the commissioner may:

1. Pay the costs using amounts withheld from any funds to which the district is otherwise entitled; or
2. Recover the amount of the costs in the manner provided for recovery of an over allocation of state funds under Education Code 48.272.

Education Code 39A.903

Monitoring Reviews
and On-Site
Investigations

Except as provided by Education Code 7.028(a), the commissioner may direct TEA to conduct monitoring reviews and random on-site visits of a district at any time, as authorized by Education Code 7.028, only as necessary to ensure:

1. Compliance with federal law and regulations;
2. Financial accountability, including compliance with grant requirements; and
3. Data integrity for purposes of:
 - a. The Public Education Information Management System (PEIMS);
 - b. Accountability under Education Code Chapter 39 and 39A; and
4. Qualification for funding under Chapter 48.

The board of trustees has primary responsibility for ensuring that the district complies with all applicable requirements of state educational programs.

Education Code 7.028

Compliance
Monitoring
Activities

Districts are subject to general supervision and monitoring activities for compliance with state law and federal regulation and review of program implementation and effectiveness within certain special populations of students.

Activities may include:

1. Random, targeted, or cyclical reviews authorized under Education Code 39.056 (monitoring reviews), conducted remotely or on-site to identify problems implementing state and federal requirements and to provide support for development of reasonable and appropriate strategies to address identified problems; and/or

2. Intensive or special investigative remote or on-site reviews authorized under Education Code 39.057 (special accreditation investigations).

Activities described in item 1, above, are applicable for compliance with requirements for reading diagnosis in Education Code 28.006 [see EKC] and dyslexia and related disorders in Education Code 38.003 and 19 Administrative Code 74.28 [see EHB].

19 TAC 97.1071(a)–(b)

Notice	TEA shall give written notice to the superintendent and the board of trustees of any impending monitoring review. <i>Education Code 39.056(d)</i>
Conducting the Review	A monitoring review may include desk reviews and on-site visits, including random on-site visits. In conducting a monitoring review, TEA may obtain information from administrators, other district employees, parents of students enrolled in the district, and other persons as necessary. <i>Education Code 39.056(c), (g)</i>
Accreditation Investigation	The commissioner may at any time convert a monitoring review to a special accreditation investigation under Education Code 39.057, provided the commissioner promptly notifies the district of the conversion. <i>Education Code 39.056(h)</i>
Improvements	TEA shall report in writing to the superintendent and president of the board and shall make recommendations concerning any necessary improvements or sources of aid such as regional education service centers. A district that takes action with regard to the recommendations provided by TEA shall make a reasonable effort to seek assistance from a third party in developing an action plan to improve district performance using improvement techniques that are goal-oriented and research-based. <i>Education Code 39.056(e)–(f)</i>
Immunity from Civil Liability	An employee, volunteer, or contractor acting on behalf of the commissioner, or a member of a board of managers appointed by the commissioner, is immune from civil liability to the same extent as a professional employee of a district under Education Code 22.051. <i>Education Code 39A.904</i>
Campus Name Change	In reconstituting, repurposing, or imposing any other intervention or sanction on a campus, the commissioner may not require that the name of the campus be changed. <i>Education Code 39A.905</i>
Transitional Interventions and Sanctions	For a campus that received an unacceptable performance rating for the 2013–14, 2014–15, and 2015–16 school years, the commissioner may apply the interventions and sanctions authorized by

Chapter 39 as that chapter existed on January 1, 2015, to the campus.

If a campus receives an unacceptable performance rating for the 2016–17 and 2017–18 school years, the commissioner shall apply the interventions and sanctions authorized when a campus has an unacceptable performance rating for three consecutive school years under current law.

For a campus that received an acceptable performance rating for the 2013–14 school year and an unacceptable performance rating for the 2014–15 and 2015–16 school years, the commissioner shall apply interventions and sanctions in current law to the campus. If the campus receives an unacceptable performance rating for the 2016–17, 2017–18, and 2018–19 school years, the commissioner shall apply the interventions and sanctions authorized when a campus has an unacceptable performance rating for three consecutive school years under current law.

These transition provisions expire September 1, 2020.

Education Code 39A.906

Special Program
Performance:
~~Intervention Stages~~
Determination

The commissioner shall assign ~~a district to~~ districts an ~~intervention stage~~ annual determination level based on performance levels of certain special populations student groups under 19 Administrative Code 97.1005 (Results Driven Accountability) [see AIB] according to the criteria and requirements in 19 Administrative Code 97.1071.

~~Intervention~~ The commissioner shall notify in writing each district identified for review under this section as a result of assigned determination level or cyclical selection prior to requiring a district to implement or participate in any activities included in 19 Administrative Code 97.1071(f)(1)–(6).

Actions taken under this section are intended to assist the district in raising its performance and/or achieving compliance under 19 Administrative Code 97.1005 and 74.28 and Education Code sections 28.006 and 38.003 and do not preclude or substitute for a sanction under another provision of Chapter 97, Subchapter EE.

19 TAC 97.1071 (c), (g), (h)

Intervention Pause

Except as otherwise provided by 19 Administrative Code 97.1062 and unless extended by the commissioner, TEA will cease to enforce the interventions under Education Code 39A.101–39A.111 until conclusion of the second consecutive school year of operation under:

1. A partnership as defined by 19 Administrative Code 97.1077(a)(2), (b), or (c) of this title [see ELA]; or
2. Designation as a mathematics innovation zone under Education Code 28.020 and applicable rules.

Any intervention or sanction not covered by the provision above shall continue.

If a campus ceases to qualify for the intervention pause at any point during a school year, TEA will resume previously ordered interventions and sanctions, order interventions and sanctions based on the rating from that school year, and count that rating for purposes of consecutive years of performance.

19 TAC 97.1062

Failure to Submit
~~EOP~~ Emergency
Operations Plan

If TEA receives notice from the Texas School Safety Center of a district's failure to submit a multihazard emergency operations plan [see CKC], the commissioner may appoint a conservator for the district under Education Code Chapter 39A. The conservator may order the district to adopt, implement, and submit a multihazard emergency operations plan. If a district fails to comply with a conservator's order to adopt, implement, and submit a multihazard emergency operations plan within the time frame imposed by the commissioner, the commissioner may appoint a board of managers under Education Code Chapter 39A to oversee the operations of the district. *Education Code 37.1082(a)–(b)*

Note: The following provisions apply to a district with a central administrative office that is located in a county with a population of more than two million and that has a student enrollment that is more than 125,000 and less than 200,000, and that is operating under a turnaround plan.

Student Board
Member

Notwithstanding Education Code 11.051(b) (number of trustees on a school board), the board may adopt a resolution establishing as a nonvoting member a student trustee position. If a board adopts such a resolution, the board shall adopt a policy addressing the topics specified in statute. *Education Code 11.0511*

Note: If the district is subject to a court order or other binding legal determination, the district shall conduct its elections in accordance with that court order or determination, applicable law, and this policy. To the extent of any conflict, the court order or other legal determination shall prevail. [See BBB(LOCAL)]

Resignation

To be effective, a board member's resignation must be in writing and signed by the board member and delivered to the presiding officer of the board. A board may not refuse to accept a resignation. *Election Code 201.001*

Effective Date

If a board member submits a resignation, whether to be effective immediately or at a future date, a vacancy occurs on the date the resignation is accepted by the board or on the eighth day after the date of its receipt by the board, whichever is earlier. *Election Code 201.023*

Holdover Doctrine

All public officers shall continue to perform the duties of their offices until their successors shall be duly qualified (i.e., sworn in). Until the vacancy created by a board member's resignation is filled by a successor, the board member continues to serve and have the duties and powers of office and continues to be subject to the nepotism provisions. A holdover board member may not vote on the appointment of his or her successor. *Tex. Const., Art. XVI, Sec. 17; Atty. Gen. Ops. JM-636 (1987), O-6259 (1945)* [See DBE for more information on nepotism]

Residency

A person elected or appointed to serve as a board member must remain a resident of the district throughout the term of office. A board member who ceases to reside in the district vacates the office. *Tex. Const., Art. XVI, Sec. 14; Prince v. Inman, 280 S.W.2d 779 (Tex. Civ. App.—Beaumont 1955, no writ); Whitmarsh v. Buckley, 324 S.W.2d 298 (Tex. Civ. App.—Houston 1959, no writ)* [See BBA]

Single-Member
District

A trustee vacates the office if the trustee ceases to reside in the district the trustee represents. *Education Code 11.052(g)*

Filling a Vacancy

If a vacancy occurs on the board, the remaining board members may fill the vacancy by appointment until the next trustee election, or may order a special election to fill the vacancy. If more than one year remains in the term of the position vacated, the vacancy shall be filled not later than the 180th day after the date the vacancy occurs. *Education Code 11.060*

Appointment	To be eligible to be appointed to a board, a person must have the qualifications set forth at Election Code 141.001(a). <i>Election Code 141.001(a)</i> [See BBA]
Special Election	A special election to fill a vacancy shall be conducted in the same manner as the district's general election. <i>Education Code 11.060(c)</i> An election to fill a vacancy shall be to fill the unexpired term only. <i>Tex. Const. Art. XVI, Sec. 27</i>
<i>Date of Election</i>	A special election to fill a vacancy shall be held on an authorized uniform election date occurring within the required period after the vacancy occurs. If no uniform election date affords enough time to hold the election in the manner required by law, the election shall be held on the first authorized uniform election date occurring after the expiration of the period. <i>Election Code 41.001(a), .004(a); Atty. Gen. Op. KP-102 (2016)</i> [See BBB]
<i>Ordering Election</i>	If a vacancy is to be filled by special election, the election shall be ordered as soon as practicable after the vacancy occurs. <i>Election Code 201.051(a)</i> Except as otherwise provided by the Election Code, a special election to fill a vacancy shall be held on the first authorized uniform election date occurring on or after the 46th day after the date the election is ordered. <i>Election Code 201.052(a)</i> If the special election is to be held on the date of the general election for state and county officers, the election shall be ordered not later than the 78th day before election day. The general election for state and county officers is the first Tuesday after the first Monday in November in even-numbered years. <i>Election Code 41.002, 201.051</i>
Officer's Statement and Oath	For requirements regarding the officer's statement and oath of office, see BBBB(LEGAL).
Former Board Member Employment	A trustee may not accept employment with the district until the first anniversary of the date the trustee's membership on a board ends. <i>Education Code 11.063</i>
Involuntary Removal from Office	On his or her own motion or at the request of an individual, the attorney general or the county or district attorney may petition the district court for leave to file an information in the nature of quo warranto. An action in the nature of quo warranto is available if:
Quo Warranto	1. A person usurps, intrudes into, or unlawfully holds or executes an office; or 2. A public officer does an act or allows an act that by law causes forfeiture of office.

If the person against whom the information is filed is found guilty as charged, the court:

1. Shall enter judgment removing the person from the office and for the costs of prosecution; and
2. May fine the person for usurping, intruding into, or unlawfully holding and executing the office.

Civ. Prac. & Rem. Code 66.001–.003

Removal by Petition
and Trial

A proceeding for the removal of a board member is begun by filing a written petition for removal in district court of the county in which the board member resides. A resident of the state who has lived for at least six months in the county in which the petition is to be filed and who is not currently under indictment in the county may file a petition. *Local Gov't Code 87.015*

*Reasons for
Removal*

A board member may be removed from office for:

1. “Incompetency,” which means:
 - a. Gross ignorance of official duties;
 - b. Gross carelessness in the discharge of those duties; or
 - c. Unfitness or inability to promptly and properly discharge official duties because of a serious physical or mental defect that did not exist at the time of election.
2. “Official misconduct,” which means intentional, unlawful behavior relating to official duties by a board member entrusted with the administration of justice or the execution of the law. The term includes an intentional or corrupt failure, refusal, or neglect of a board member to perform a duty imposed on the board member by law.
3. Intoxication on or off duty caused by drinking an alcoholic beverage, but not if it was caused by drinking an alcoholic beverage on the direction and prescription of a licensed physician.
4. Conviction of a board member by a jury for any felony or for misdemeanor official misconduct. The conviction of a public officer by a petit jury for any felony or for a misdemeanor involving official misconduct operates as an immediate removal from office of that officer.

Tex. Const., Art. V, Sec. 24; Local Gov't Code 87.011, .012(14), .013, .031

*Removal for
Purchasing
Violations*

~~A trustee who is convicted of a purchasing offense [see CH(LEGAL), regarding impermissible practices] is considered to have committed official misconduct and is subject to removal under Local Government Code Chapter 87. Education Code 44.032(e)~~

[See CH for information regarding removal for purchasing violations.](#)

**Temporary
Replacement of
Board Member on
Military Active Duty**

A board member who enters active duty in the armed forces of the United States as a result of being called to duty, drafted, or activated does not vacate the office held, but the board may appoint a replacement to serve as a temporary board member if the elected or appointed board member will be on active duty for longer than 30 days.

The board member who is temporarily replaced may recommend to the board the name of a person to temporarily fill the office. The board shall appoint the temporary board member to begin service on the date specified in writing by the board member being temporarily replaced as the date the board member will enter active military service.

A temporary board member has all the powers, privileges, and duties of the office as the board member who is temporarily replaced. A temporary board member shall perform the duties of office for the shorter period of:

1. The term of the active military service of the board member who is temporarily replaced; or
2. The term of office of the board member who is temporarily replaced.

“Armed forces of the United States” means the United States Army, the United States Navy, the United States Air Force, the United States Marine Corps, the United States Coast Guard, any reserve or auxiliary component of any of those services, or the National Guard.

Tex. Const., Art. XVI, Sec. 72

Framework for School Board Development

Preamble: ~~A board is~~ The mission of the public education system of this state is to ensure that all Texas children have access to a quality education that enables them to achieve their potential and fully participate now and in the future in the social, economic, and educational policy-making opportunities of our state and nation (Education Code 4.001).

The board of trustees is the governing body for a district Texas public schools. To effectively meet the challenges of public education, ~~a board~~ school boards and ~~a superintendent~~ superintendents must function together as a governance leadership team. Each leadership team ~~must~~ will annually assess its development needs both as a corporate body and ~~individually to gain an understanding of the~~ as individuals. As a team, they will focus on the improvement of locally developed student outcomes and provide support for opportunities and experiences through vision, structure, and goals, systems and processes, progress and accountability, advocacy, and unity needed to provide and engagement, and synergy and teamwork. Teams ensure that their districts provide equitable and effective educational programs and services that ensure the equity and excellence in performance of for all students. The Framework for School Board Development has been approved by the State Board of Education to provide the critical areas of development for all public school boards.

1. Vision and Goals — The board ensures creation of a shared vision and locally developed, measurable goals that ~~promotes enhanced~~ improve student ~~achievement. outcomes and provide support for opportunities and experiences.~~ The board:

- Keeps the district focus on the ~~educational welfare~~ well-being of all children.
- ~~The board~~ Adopts a shared vision ~~based on that incorporates input from the community beliefs to guide~~ reflect local ~~education~~ aspirations as well as present and future needs for all children.
- ~~The board~~ Ensures that the vision ~~supports~~ aligns with the state's mission, objectives, and goals for education established by law and/or rule.
- ~~The~~ Adopts a reasonable number of specific, quantifiable, research-based, and time-bound goals that align with state law, are developed with community input, and support the vision to improve student outcomes.
- Embraces, supports, and fulfills the vision that all students receive what they need to learn, thrive, and grow, including resources, opportunities, and experiences.
- Uses the vision and goals to drive all deliberations, decisions, and actions.

2. Systems and Processes — The board ensures systems and processes are in place to accomplish the vision and goals. The board:

- Regularly develops, reviews, and adopts board ~~ensures that~~ policies for effective support of the district's vision ~~expresses the present and future needs of the children and community~~ and goals.

- ~~The board uses the vision to assess the importance of individual issues that come before the board and demonstrates its commitment to the vision by using the vision to guide all board deliberations, decisions, and actions.~~
 - ~~Individual board members should not have individual agendas separate and apart from the shared vision.~~
1. ~~Structure~~ ~~The board provides guidance and direction for accomplishing the vision.~~
- ~~The board recognizes the respective roles of~~ Approves a budget that aligns with and maximizes resources to fulfill the district's vision and goals.
 - Monitors multiple, measurable elements of student progress and achievement throughout the year.
 - Incorporates equity when making decisions and evaluating systems and processes.
 - Focuses its actions on following board operating procedures while providing oversight of the superintendent, policymaking, planning and goal setting, progress monitoring, and evaluation, while avoiding involvement in daily operations and management.
 - Approves goals, policies, and programs that ensure a safe and secure learning environment.
 - Ensures the equitable distribution of resources, opportunities, and experiences based on the diverse needs of students and schools.
 - Adopts a planning calendar and engages in a decision-making process consistent with state law and rule to help achieve the legislature, district's vision.
 - Ensures that the State Board of Education, district's planning and decision-making process enables all segments of the Texas Education Agency, and community, families, and staff to meaningfully contribute to achieving the local board district's vision.
 - Welcomes and values all people and cultures as important stakeholders in the governance of process for student success.
 - Ensures the district has a system that monitors for sound business and fiscal practices.
 - ~~The board~~ Adopts policies regarding hiring, assigning, appraising, terminating, and compensating school district personnel in compliance with state laws and rules.
 - Ensures the district adopts a protocol regarding the recruitment, determination of professional development needs, building of leadership capacity, and retention rates for the district's teachers.

- Fulfills the statutory duties of the local board of trustees and upholds all laws, rules, ethical procedures, and court orders pertaining to schools and school employees.
 - ~~The board focuses its actions on policy making, planning, Progress and evaluation, and restricts its involvement in management to the responsibility of oversight.~~
 - ~~The board adopts a planning and decision-making process consistent with state law and/or rule that uses participation, information, research, and evaluation to help achieve the district's vision.~~
 - ~~The board ensures that the district's planning and decision-making process enables all segments of the community, parents, and professional staff to contribute meaningfully to achieving the district's vision.~~
 - ~~The board develops and adopts policies that provide guidance for accomplishing the district's vision, mission, and goals.~~
 - ~~The board adopts a budget that incorporates sound business and fiscal practices and provides resources to achieve the district's vision, mission, and goals.~~
 - ~~The board adopts goals, approves student performance objectives, and establishes policies that provide a well-balanced curriculum resulting in improved student learning.~~
 - ~~The board approves goals, policies, and programs that ensure a safe and disciplined environment conducive to learning.~~
 - ~~The board oversees the management of the district by employing a superintendent and evaluating the superintendent's performance in providing education leadership, managing daily operations, and performing all duties assigned by law and/or rule and in support of the district's vision.~~
 - ~~The board adopts policies and standards for hiring, assigning, appraising, terminating, and compensating district personnel in compliance with state laws and rules.~~
- 1.3. Accountability — The board ~~measures and communicates how well the vision is being accomplished.~~ sets clear goals, provides resources and support, evaluates goal attainment, and engages in ongoing objective feedback on progress and commitments. The board:
- ~~The board~~ Holds itself accountable to its adopted vision, goals, commitments, and operating procedures.
 - Ensures progress toward achievement of district goals through ~~a~~ systematic, timely, and comprehensive review of relevant reports ~~prepared by or at the direction of the superintendent~~ and student data that illustrate progress toward locally developed student outcome goals.

- ~~The board monitors the effectiveness and efficiency of instructional programs by reviewing reports prepared by or at the direction of the superintendent and directs the superintendent to make modifications that promote maximum achievement for all students.~~
 - ~~The board ensures that appropriate assessments are used to measure achievement of all students.~~
 - ~~The board reports district progress to parents~~ Ensures equity throughout the system by regularly identifying inequities, updating policies, and appropriately distributing resources.
 - Differentiates among resources, intermediate measures, and outcomes, especially when focusing on student outcomes.
 - ~~Monitors~~ and ~~community~~ evaluates the allocation of resources in ~~compliance with state laws and regulations.~~
 - ~~The board reviews district policies for effective~~ support of the district's vision, ~~mission,~~ and goals and sustainability.
 - ~~The board~~ Reviews the efficiency and effectiveness of district operations and use of resources in supporting the district's vision, ~~mission,~~ and goals.
 - ~~The board~~ Employs and annually evaluates the ~~superintendent's performance annually in compliance with state laws and regulations.~~
 - ~~The board annually evaluates its own performance in fulfilling the board's duties and responsibilities, and the board's ability to work with the superintendent as a team on the achievement of district goals, including locally developed academic goals, demonstration of educational leadership, and management of daily operations.~~
- 2.4. Advocacy and Engagement — The board promotes the vision and engages the community in developing and fulfilling the vision. The board advocates on behalf of Texas public schoolchildren. The board:
- ~~The board~~ Demonstrates its commitment to, and advocates on behalf of, the shared vision, ~~mission,~~ and goals by clearly communicating them to the superintendent, ~~the~~ staff, and community.
 - ~~The board ensures~~ Regularly reports district progress to families and the community, which could include an effective online dashboard for the community.
 - Ensures multiple forms of two-way communication ~~system between the district and its~~ will be used to engage, empower, and connect students, ~~parents, employees~~ families, staff, media, and community with the ~~community~~ district.

- ~~The board builds~~ Builds collaborative relationships and partnerships with families and community, business, nonprofit, higher-education, education support organizations, and governmental leaders to influence and expand educational opportunities and meet the needs of students.
 - ~~The board supports children by establishing partnerships between the district, parents, business leaders, and other community members as an integral part of the district's educational program.~~
 - ~~The board leads in recognizing the achievements of students, staff, and others in education.~~
 - ~~The board promotes school board service as a meaningful way to make long-term contributions to the local community and society.~~
 - ~~The board~~ Recognizes the respective roles of and provides input and feedback to the legislature, State Board of Education, and the Texas Education Agency ~~regarding proposed changes~~ to ensure maximum effectiveness and benefit to ~~the~~ Texas schoolchildren ~~in the district~~.
 - Unity Promotes school board service by educating the community about the role of a school board and encouraging leadership opportunities within the community.
- 3.5. Synergy and Teamwork — The board's duties are distinct, and the board works effectively as a collaborative unit and as a team with the superintendent to lead the district ~~toward~~ in fulfilling the vision ~~and goals~~. The board:
- ~~The board ensures~~ Recognizes its distinct role in establishing the vision and the goals, adopting policies that ~~its members understand and respect the need~~ guide the district, setting priorities, establishing governance protocols to ~~function as a team in governing and overseeing the~~ oversee management of the district.
 - ~~The board develops skills in teamwork, problem solving, and decision making.~~
 - ~~The board Establishes and follows local policies, procedures, and ethical standards governing the conduct and operations of the board.~~
 - ~~The board understands and adheres to laws, adopting and overseeing the annual budget, and local policies regarding the board's responsibility to set policy hiring and the superintendent's responsibility to manage the district and to direct employees in district and campus matters~~ evaluating the superintendent.
 - ~~The board recognizes the leadership role of the board president~~ Recognizes each individual trustee's duty as a trustee and fiduciary for the entire district.
 - Remains focused on its goals and priorities, as opposed to individual agendas separate and ~~adheres to law~~ apart from the shared vision.

- Annually evaluates its performance as a team, with attention given to the district's vision and local policies regarding goals; fulfilling the board's duties and responsibilities of the board president, and commitments; and other officers the board's working relationship with the superintendent.
- ~~The board adopts and adheres to established policies and procedures for receiving and addressing ideas and concerns from students, parents, employees, and the community.~~
- ~~The board~~ Makes decisions as a whole only at properly called meetings and recognizes that individual members have no authority to take individual action in policy or district and campus administrative matters.
- ~~The board supports decisions of the majority after honoring~~ Respects the right of individual members to express ~~opposing their~~ viewpoints and vote their convictions and honors the decisions of the majority.
- Develops teamwork, problem-solving, and decision-making skills as a team with its superintendent.
- Understands and adheres to laws and local policies and respects the superintendent's responsibility to manage the school district and to direct employees in district and campus matters.
- Adopts and adheres to established policies and procedures for welcoming and addressing ideas and concerns from students, families, staff, and the community.
- Establishes and follows local policies, procedures, and ethical standards governing the conduct and operations of the board.
- Understands the leadership role of the board president and adheres to local policies and procedures about the duties and responsibilities of the board officers.

Adopted by the State Board of Education, January 1996, as authorized by 19 TAC 61.1; ~~(a);~~ revised ~~July 2012~~ November 20, 2020.

Suspension Without Pay

~~A board may,~~ For good cause, as determined by the board, the board may suspend a superintendent without pay for a period not to extend beyond the end of the school year pending discharge or in lieu of termination. ~~The suspension may not extend beyond the end of the school year.~~ *Education Code 21.201(1), .211(b)*

~~The procedures for hearings before a hearing examiner apply if a superintendent requests a hearing after receiving notice of a proposed decision to suspend the superintendent without pay. Education Code 21.251(a)(3)~~

Back Pay

A superintendent who is not discharged after being suspended without pay pending discharge is entitled to back pay for the period of suspension. *Education Code 21.211(c)*

Contract Termination

The board may terminate a term contract and discharge the superintendent at any time for good cause as determined by the board. *Education Code 21.211(a), .212(d)*

Due Process

Before dismissal for good cause, a superintendent shall be given notice of the charges against him or her, an explanation of the district's evidence, and an opportunity to respond. Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532, 546 (1985)

Hearing on Proposed Suspension or Termination

Education Code Chapter 21, Subchapter F (Hearings before Hearing Examiners) applies if a superintendent ~~desires~~requests a hearing ~~before an independent hearing examiner on a~~after receiving notice of the proposed decision to terminate the superintendent's term contract, before the end of the contract period or suspend the superintendent without pay. *Education Code 21.251(a)(2)–(3)*

The superintendent must file a written request for ~~such~~ a hearing under Subchapter F with the commissioner ~~of education~~ not later than the 15th day after the date the superintendent receives written notice of the proposed action. The superintendent must provide the district with a copy of the request ~~and must provide the commissioner with a copy of the notice~~. The parties may agree in writing to extend by not more than ten days the deadline for requesting a hearing. *Education Code 21.251, .253* [See DFD]

Severance Payments

~~A board that makes a severance payment to a superintendent shall report the terms of the payment to the commissioner.~~

Definition

“Severance payment” means any amount paid by a board to or in behalf of a superintendent on early termination of the superintendent's contract that exceeds the amount earned by the superintendent under the contract as of the date of termination, including any amount that exceeds the amount of earned standard salary and benefits that is paid as a condition of early termination of the contract. Payments to a former superintendent who remains employed

	<u>by a district in another capacity or contracts with a district to provide the district services may be severance payments in whole or in part if the payments are compensation for the early termination of a prior employment agreement. Severance payments include any payment for actual or threatened litigation involving or related to the employment contract. <i>Education Code 11.201(c); 19 TAC 105.1021(a)(1)</i></u>
Duty to Report	<u>The board that makes a severance payment to a superintendent shall report the terms of the severance payment to the commissioner. <i>Education Code 11.201(c)</i></u> A district that makes a payment of any kind to a departing superintendent must file with <u>the Texas Education Agency (TEA)</u> a Superintendent Payment Disclosure Form. No form is required to be filed for ~~payments~~<u>a payment</u> already earned and payable under the terms of a terminated employment contract, such as a payment for accrued vacation. ~~The interim superintendent, new superintendent, or board president is responsible for timely filing the Superintendent Payment Disclosure Form.~~ The form must be filed by the 60th day after the district executes the agreement to make the payment or the 60th day after any payment under such an agreement, whichever is sooner. <u>The interim superintendent, new superintendent, or board president is responsible for timely filing the Superintendent Payment Disclosure Form.</u> Filing of the disclosure form is required regardless of whether a district considers a payment to be a severance payment as that term is defined ~~below.~~<u>above.</u> Compliance with the reporting ~~requirement~~<u>requirements of these provisions</u> is <u>considered</u> part of the district's compliance with required financial accounting practices under Education Code 39.057-<u>(a)(4)</u>. Failure to comply may result in sanctions- <u>as authorized by Education Code 39.057(d) and (e).</u>
Required Documentation	A district must enclose with the submitted Superintendent Payment Disclosure Form a copy of the superintendent employment contract and a copy of the termination or severance agreement. A district must provide the commissioner with any information or documentation that the commissioner requests ~~under 19 Administrative Code 105.1021(b)(4) in order~~ to determine <u>if whether</u> a payment <u>to a departing superintendent</u> is a severance payment <u>and whether a district is subject to reductions in Foundation School Program (FSP) funding under 19 Administrative Code 105.1021.</u> <u>19 TAC 105.1021(b), (d)</u>

Reduction of State
Funds

The commissioner shall reduce a district's ~~Foundation School Program (FSP)~~ funds by any amount that the severance payment exceeds one year's salary and benefits under the superintendent's terminated contract. The commissioner will reduce the district's FSP funding for the school year following the school year in which the first payment requiring an FSP reduction is made to the former superintendent. The commissioner also will reduce the district's FSP ~~funds~~ funding in the school year following each school year that any additional payment requiring an FSP reduction is made to the former superintendent. If a district's liability to the state exceeds the total of the district's estimated payments of FSP funding for the remainder of the school year, the district is subject to reductions in its FSP funding for subsequent school years until the liability has been fully liquidated.

A reduction in FSP funding under these provisions does not affect a district's obligation to comply with all provisions of Education Code Chapter ~~42~~48, including its obligation under that chapter to provide educational services to special populations.

~~Definition~~

~~"Severance payment" means any amount paid by a board to or in behalf of a superintendent on early termination of the superintendent's contract that exceeds the amount earned by the superintendent under the contract as of the date of termination, including any amount that exceeds the amount of earned standard salary and benefits that is paid as a condition of early termination of the contract. "Severance payment" includes any payment for actual or threatened litigation involving or related to the employment contract.~~

~~Payments to a former superintendent who remains employed by a district in another capacity or contracts with a district for services may be severance payments in whole or in part, if the payments are compensation for the early termination of a prior employment agreement.~~

19 TAC 105.1021(c); Education Code 11.201(c); 19 TAC 105.1021)

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

SECTION C: BUSINESS AND SUPPORT SERVICES

CA	FISCAL MANAGEMENT GOALS AND OBJECTIVES
CAA	Financial Ethics
CB	STATE AND FEDERAL REVENUE SOURCES
CBA	State
CBB	Federal
CC	LOCAL REVENUE SOURCES
CCA	Bond Issues
CCB	Time Warrants
CCC	Certificates of Indebtedness
CCD	Recreational Facilities Bonds
CCE	Athletic Stadium Authority
CCF	Loans and Notes
CCG	Ad Valorem Taxes
CCGA	Exemptions and Payments
CCGB	Economic Development
CCH	Appraisal District
CD	OTHER REVENUES
CDA	Investments
CDB	Sale, Lease, or Exchange of School-Owned Property
CDBA	Revenue Bonds from Proceeds
CDC	Gifts and Solicitations
CDD	Rentals and Service Charges
CDE	Shop Sales
CDF	Royalties
CDG	Gate Receipts, Concessions
CDH	Public and Private Facilities
CE	ANNUAL OPERATING BUDGET
CEA	Financial Exigency
CF	ACCOUNTING
CFA	Financial Reports and Statements
CFB	Inventories
CFC	Audits
CFD	Activity Funds Management
CFE	Payroll Procedures
CFEA	Salary Deductions and Reductions
CFF	Checking Accounts
CFG	Cash in School Buildings
CG	BONDED EMPLOYEES AND OFFICERS

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

SECTION C: BUSINESS AND SUPPORT SERVICES

CH	PURCHASING AND ACQUISITION
CHB	Petty Cash Account
CHD	Purchasing Procedures
CHE	Vendor ~~Relations~~ Disclosures and Contracts
CHF	Payment Procedures
CHG	Real Property and Improvements
CHH	Financing Personal Property Purchases
CI	SCHOOL PROPERTIES DISPOSAL
CJ	CONTRACTED SERVICES
CJA	Criminal History
CK	SAFETY PROGRAM/RISK MANAGEMENT
CKA	Inspections
CKB	Accident Prevention and Reports
CKC	Emergency Plans
CKD	Emergency Medical Equipment and Procedures
CKE	Security Personnel
CKEA	Commissioned Peace Officers
CKEB	School Marshals
CKEC	School Resource Officers
CL	BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT
CLA	Security
CLB	Maintenance
CLC	Traffic and Parking Controls
CLD	Records and Reports
CLE	Flag Displays
CM	EQUIPMENT AND SUPPLIES MANAGEMENT
CMA	Receiving and Warehousing
CMB	Authorized Uses of Equipment and Supplies
CMD	Instructional Materials Care and Accounting
CN	TRANSPORTATION MANAGEMENT
CNA	Student Transportation
CNB	District Vehicles
CNBA	Bus Maintenance
CNC	Transportation Safety
CO	FOOD AND NUTRITION MANAGEMENT
COA	Procurement
COB	Free and Reduced-Price Meals
COC	Vending Machines

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

SECTION C: BUSINESS AND SUPPORT SERVICES

CP	OFFICE MANAGEMENT
CPA	Office Communications
CPAA	Printing and Duplicating
CPAB	Mail and Delivery
CPAC	Telephone
CPC	Records Management
CQ	TECHNOLOGY RESOURCES
CQA	District, Campus, and Classroom Websites
CQB	Cybersecurity
CQC	Equipment
CR	INSURANCE AND ANNUITIES MANAGEMENT
CRA	Property Insurance
CRB	Liability Insurance
CRD	Health and Life Insurance
CRE	Workers' Compensation
CRF	Unemployment Insurance
CRG	Deferred Compensation and Annuities
CS	FACILITY STANDARDS
CT	FACILITIES PLANNING
CV	FACILITIES CONSTRUCTION
CVA	Competitive Bidding
CVB	Competitive Sealed Proposals
CVC	Construction Manager-Agent
CVD	Construction Manager-at-Risk
CVE	Design-Build
CVF	Job Order Contracts
CW	NAMING FACILITIES
CX	CONTRACTS FOR FACILITIES
CY	INTELLECTUAL PROPERTY

The Texas Education Agency (TEA) may enter into an agreement with a federal agency concerning a project related to education, including provision of school lunches and construction of school buildings. TEA, or another state agency designated by the governor, shall coordinate the actions of a district participating in a federal financial assistance program. *Education Code 7.021(b), (c); Gov't Code 742.003*

**Retirement and
Insurance
Contributions**

Under the Texas Public School Retired Employees Group Benefits Act, Insurance Code Chapter 1575, a district that applies for money provided by the United States or a privately sponsored source shall, if any of the money will pay part or all of an active employee's salary, also apply for any legally available money to pay state contributions required by Insurance Code Chapter 1575, Subchapter E. *Insurance Code 1575.252*

Such district must comply with the requirements of Insurance Code Chapter 1575, Subchapter F. *Insurance Code 1575.252(2)–.257*

Under the Teacher Retirement System, Government Code, Title 8, Subtitle C, if a district applies for money provided by the United States, an agency of the United States, or a privately sponsored source, and if any of the money will pay part or all of an employee's salary, the district shall apply for any legally available money to pay state contributions required by Government Code 825.404 or 830.201. *Gov't Code 825.406(a)*

Such district must comply with the requirements of Government Code 825.406.

Block Grant Funds

If a district receives more than \$5,000 in block grant funds to be used as the district determines is appropriate, it shall provide evidence to TEA that a public meeting or hearing was held in a timely manner solely to seek public comment on the needs or uses of block grant funds received by the district. The board may hold this meeting or hearing in conjunction with another board meeting or hearing if the meeting or hearing to consider block grant funds is clearly noted in an announcement of the other meeting or hearing. *Gov't Code 2105.058*

**Education
Department General
Administrative
Regulations
(EDGAR)**

Note: For information regarding procurement under state law, see the CH policy series regarding Purchasing and Acquisition and the CV series regarding Facilities Construction.

For additional legal requirements applicable to school nutrition procurement, see COA.

EDGAR means the Education Department General Administrative Regulations (34 C.F.R. 75, 76, 77, 79, 81, 82, 84, 86, 97, 98, and 99). *34 C.F.R. 77.1(c)*

Uniform Guidance
(2 C.F.R. 200)

The Department of Education (~~DOE~~ED) adopts the Office of Management and Budget (OMB) Guidance in 2 C.F.R. Part 200 Uniform Guidance, except for 2 C.F.R. 200.102(a) and 2 C.F.R. 200.207(a). Thus, 2 C.F.R. Chapter XXXIV, Part 3474 gives regulatory effect to the OMB guidance and supplements the guidance as needed for the ~~DOE~~ED. *2 C.F.R. 3474.1*

The Uniform Guidance establishes uniform administrative requirements, cost principles, and audit requirements for federal awards to non-federal entities, including school districts, as described in 2 C.F.R. 200.64(j), -69, 101 (Applicability). 2 C.F.R. 200.1 (Definitions), .100

Note: The Uniform Guidance applies to all new grant awards and non-competing continuations (NCCs) made on or after December 26, 2014 (see 2 C.F.R. 200.110).

For more information on EDGAR, the Uniform Guidance, and the federal regulations that apply to federal education grant awards, visit TEA's [EDGAR Materials and Resources](#)¹ and the ~~DOE~~ED's [EDGAR website](#)² and [Uniform Guidance website](#).³

General
Compliance

A district is responsible for complying with all requirements of the federal award. *2 C.F.R. 200.300(b)*

Throughout 2 C.F.R. Part 200 when the word "must" is used it indicates a requirement. Whereas, use of the word "should" or "may" indicates a best practice or recommended approach rather than a requirement and permits discretion. *2 C.F.R. 200.101(b)(1)*

Disclosures
Conflicts

A district must disclose in writing any potential conflict of interest to the federal awarding agency (e.g., ~~DOE~~ED) or pass-through entity (e.g., TEA) in accordance with applicable federal awarding agency policy. *2 C.F.R. 200.112*

Crimes

A district must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Failure to make required disclosures can result in any of the remedies described in 2 C.F.R. 200.339 (Remedies for Noncompliance), including suspension or debarment. *2 C.F.R. 200.113*

<i>Procurement Standards</i>	The district must have and use documented procurement procedures, consistent with state, local, and tribal laws and regulations and the standards of 2 C.F.R. 200.318, for the acquisition of property or services required under a federal award or subaward. The district's documented procurement procedures [see Competition, below] must conform to the procurement standards identified in 2 C.F.R. 200.317 through 200.327.
District Procedures	
Oversight	The district must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
Conflicts of Interest	The district must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of these parties, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the district may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, districts may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the district. [See BBFA, CAA(LOCAL), CB(LOCAL), DBD]
Records	The district must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. [See Pre-procurement Review and Contract Cost and Price, below] 2 C.F.R. 200.318(a), (b), (c)(1), (i) [See 2 C.F.R. 200.334 for record retention requirements.]
<i>Financial Management</i>	The district's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been

used according to the federal statutes, regulations, and the terms and conditions of the federal award. [See also 2 C.F.R. 200.450 (Lobbying)]

The district's financial management system must comply with 2 C.F.R. 200.302(b). [See also 2 C.F.R. 200.334 (Retention requirements for records), .335 (Requests for transfer of records), .336 (Methods for collection, transmission and storage of information), and .337 (Access to records)]

2 C.F.R. 200.302

Internal Controls The district must:

1. Establish and maintain effective internal control over the federal award that provides reasonable assurance that the district is managing the award in compliance with federal statutes, regulations, and the terms and conditions of the award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States or the "Internal Control Integrated Framework" issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
2. Comply with the U.S. Constitution, federal statutes, regulations, and the terms and conditions of the award.
3. Evaluate and monitor the district's compliance with statutes, regulations and the terms and conditions of federal awards.
4. Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
5. Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the district considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and responsibility over confidentiality.

2 C.F.R. 200.303

"Internal controls" for districts means processes designed and implemented by districts to provide reasonable assurance regarding the achievement of objectives in the following categories:

1. Effectiveness and efficiency of operations;
2. Reliability of reporting for internal and external use; and

3. Compliance with applicable laws and regulations.

2 C.F.R. 200.1

Competition

All procurement transactions for the acquisition of property or services required under a federal award must be conducted in a manner providing full and open competition consistent with the standards of 2 C.F.R. 200.319 and 200.320 (Methods of procurement to be followed).

In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

The district must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this provision preempts state licensing laws. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

The district must have written procedures for procurement transactions. These procedures must ensure that all solicitations meet the requirements of 2 C.F.R. 200.319(d). [See Procurement Standards, above]

The district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the district must not preclude potential bidders from qualifying during the solicitation period.

Noncompetitive procurements can only be awarded in accordance with 2 C.F.R. 200.320(c).

2 C.F.R. 200.319

*Procurement
Methods*

The district must have and use documented procurement procedures, consistent with the standards of 2 C.F.R. 200.320 and 200.317 (Procurements by states), 200.318 (General procurement standards), and 200.319 (Competition) for any of the following methods of procurement used for the acquisition of property or services required under a federal award or sub-award. *2 C.F. R. 200.320*

Informal Procurement Methods	When the value of the procurement for property or services under a federal award does not exceed the simplified acquisition threshold, as defined in 2 C.F.R. 200.1, or a lower threshold established by a district, formal procurement methods are not required. The district may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the simplified acquisition threshold include:
<i>Micro-Purchases— Definitions</i>	“Micro-purchase” means a purchase of supplies or services, the aggregate amount of which does not exceed the micro-purchase threshold. Micro-purchases comprise a subset of a district's small purchases as defined in 2 C.F.R. 200.320. “Micro-purchase threshold” means the dollar amount at or below which a district may purchase property or services using micro-purchase procedures. Generally, the micro-purchase threshold for procurement activities administered under federal awards is not to exceed the amount set by the Federal Acquisition Regulations (FAR) at 48 C.F.R. Part 2, Subpart 2.1 [see below], unless a higher threshold is requested by the district and approved by the cognizant agency for indirect costs. <i>2 C.F.R. 200.1</i> Micro-purchase threshold means \$10,000, except as provided by 48 C.F.R. 2.101. <i>48 C.F.R. 2.101</i>
<i>Micro-Purchase Distribution</i>	The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold. [See the definition of “micro-purchase” above.] To the maximum extent practicable, the district should distribute micro-purchases equitably among qualified suppliers. <i>2 C.F.R. 200.320(a)(1)(i)</i>
<i>Micro-Purchase Awards</i>	Micro-purchases may be awarded without soliciting competitive price or rate quotations if the district considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the district. <i>2 C.F.R. 200.320(a)(1)(ii)</i>
<i>Micro-Purchase Thresholds</i>	The district is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the district must be authorized or not prohibited under state, local, or tribal laws or regulations. Districts may establish a threshold higher than the federal

threshold established in the FAR in accordance with 2 C.F.R. 200.320(a)(1)(iv) and (v). *2 C.F.R. 200.320(a)(1)(iii)*

Districts may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of 2 C.F.R. 200.320. The district may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the federal awarding agency and auditors in accordance with 2 C.F.R. 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

1. A qualification as a low-risk auditee, in accordance with the criteria in 2 C.F.R. 200.520 for the most recent audit.
2. An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,
3. For public institutions, a higher threshold consistent with state law.

2 C.F.R. 200.320(a)(1)(iv)

Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The district must submit a request with the requirements included in 2 C.F.R.

200.320(a)(1)(iv). The increased threshold is valid until there is a change in status in which the justification was approved. *2 C.F.R. 200.320(a)(1)(v)*

*Small
Purchases—
Procedures*

The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the district. *2 C.F.R. 200.320(a)(2)(i)*

*Small
Purchases—
Simplified
Acquisition
Thresholds*

“Simplified acquisition threshold” means the dollar amount below which a district may purchase property or services using small purchase methods. Districts adopt small purchase procedures in order to expedite the purchase of items at or below the simplified acquisition threshold. The simplified acquisition threshold for procurement activities administered under federal awards is set by the FAR at 48 C.F.R. Part 2, Subpart 2.1 [see below]. The district is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. However, in no circumstances can this threshold exceed the dollar value established in the FAR

(48 C.F.R. Part 2, Subpart 2.1) for the simplified acquisition threshold. Recipients should determine if local government laws on purchasing apply. 2 C.F.R. 200.1, .320(a)(2)(ii)

Simplified acquisition threshold means \$250,000, except as provided by 48 C.F.R. 2.101. 48 C.F.R. 2.101

Formal
Procurement
Methods

When the value of the procurement for property or services under a federal financial assistance award exceeds the simplified acquisition threshold, or a lower threshold established by a district, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with 2 C.F.R. 200.319 or 200.320(c). The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the district determines to be appropriate:

Sealed Bids

A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions [sic].

In order for sealed bidding to be feasible, the following conditions should be present:

1. A complete, adequate, and realistic specification or purchase description is available.
2. Two or more responsible bidders are willing and able to compete effectively for the business; and
3. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

1. Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local governments, the invitation for bids must be publicly advertised;
2. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

3. All bids will be opened at the time and place prescribed in the invitation for bids, and for local governments, the bids must be opened publicly.
4. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
5. Any or all bids may be rejected if there is a sound documented reason.

2 C.F.R. 200.320(b)(1)

Proposals

A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;
2. The district must have a written method for conducting technical evaluations of the proposals received and making selections;
3. Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the district, with price and other factors considered; and
4. The district may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

2 C.F.R. 200.320(b)(2)

Noncompetitive
Procurement

There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

1. The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold;
2. The item is available only from a single source;
3. The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;
4. The federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the district; or
5. After solicitation of a number of sources, competition is determined inadequate.

2 C.F.R. 200.320(c)

Cooperative
Purchasing

To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the federal government, the district is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with ~~applied to~~ documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements ~~[sic]~~. *2 C.F.R. 200.318(e)*

~~Affirmative Steps~~
Minority, Small,
and Women's
Businesses

The district must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in items 1 through 5 above.

2 C.F.R. 200.321

*Domestic
Preference*

As appropriate and to the extent consistent with law, the district should, to the greatest extent practicable under a federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of 2 C.F.R. 200.322 must be included in all subawards including all contracts and purchase orders for work or products under this award.

For purposes of this provision:

1. "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
2. "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

2 C.F.R. 200.322

*Pre-procurement
Review*

The district must make available upon request, for the federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

1. The district's procurement procedures or operation fails to comply with the procurement standards in 2 C.F.R. Part 200;
2. The procurement is expected to exceed the simplified acquisition threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

3. The procurement, which is expected to exceed the simplified acquisition threshold, specifies a “brand name” product;
4. The proposed contract is more than the simplified acquisition threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
5. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the simplified acquisition threshold.

2 C.F.R. 200.325(b)

*Contract Cost
and Price*

The district must perform a cost or price analysis in connection with every procurement action in excess of the simplified acquisition threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the district must make independent estimates before receiving bids or proposals.

The district must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Costs or prices based on estimated costs for contracts under the federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the district under 2 C.F.R. Part 200, Subpart E. The district may reference its own cost principles that comply with the federal cost principles.

The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

2 C.F.R. 200.324

*Contract
Provisions*

The district's contracts must contain the applicable provisions described in appendix II to 2 C.F.R. Part 200. *2 C.F.R. 200.327*

*Suspension and
Debarment*

Districts are subject to the non-procurement debarment and suspension regulations at 2 C.F.R. Part 180. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. *2 C.F.R. 200.214*

*Remedies for
Noncompliance*

If a district fails to comply with the U.S. Constitution, federal statutes, regulations, or the terms and conditions of a federal award, the federal awarding agency or pass-through entity may impose additional conditions, as described in 2 C.F.R. 200.208 (Specific Conditions). If the federal awarding agency or pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, the federal awarding agency or pass-through entity may take one or more of the following actions, as appropriate in the circumstances:

1. Temporarily withhold cash payments pending correction of the deficiency by the district or more severe enforcement action by the federal awarding agency or pass-through entity.
2. Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
3. Wholly or partly suspend or terminate the federal award.
4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a federal awarding agency).
5. Withhold further federal awards for the project or program.
6. Take other remedies that may be legally available.

2 C.F.R. 200.339

Travel Costs

Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the district. Such costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the district's non-federally funded activities and in accordance with the district's written travel reimbursement policies.

In the absence of an acceptable, written district policy regarding travel costs, the rates and amounts established under 5 U.S.C. 5701-11 (Travel and Subsistence Expenses; Mileage Allowances), or by the administrator of general services, or by the president (or his or her designee) pursuant to any provisions of such subchapter

must apply to travel under federal awards [48 C.F.R. 31.205–46(a)].

2 C.F.R. 200.475(a), (d)

*Property
Standards*

Federally
Owned Property

Title to federally owned property remains vested in the federal government. The district must submit annually an inventory listing of federally owned property in its custody to the federal awarding agency. Upon completion of the federal award or when the property is no longer needed, the district must report the property to the federal awarding agency for further federal agency utilization.

Exempt property means property acquired under a federal award where the federal awarding agency has chosen to vest title to the property to the district without further responsibility to the federal government, based upon the explicit terms and conditions of the federal award. The federal awarding agency may exercise this option when statutory authority exists. Absent statutory authority and specific terms and conditions of the federal award, title to exempt property acquired under the federal award remains with the federal government.

2 C.F.R. 200.312(a), (c)

Property Trust
Relationship

Real property, equipment, and intangible property that are acquired or improved with a federal award must be held in trust by the district as trustee for the beneficiaries of the project or program under which the property was acquired or improved. The federal awarding agency may require the district to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with a federal award and that use and disposition conditions apply to the property. *2 C.F.R. 200.316*

Real Property

Subject to the requirements and conditions set forth in 2 C.F.R. 200.311, title to real property acquired or improved under a federal award will vest upon acquisition in the district.

Except as otherwise provided by federal statutes or by the federal awarding agency, real property will be used for the originally authorized purpose as long as needed for that purpose, during which time the district must not dispose of or encumber its title or other interests.

When real property is no longer needed for the originally authorized purpose, the district must obtain disposition instructions from the federal awarding agency or pass-through entity. The instructions must provide for one of the following alternatives:

1. Retain title after compensating the federal awarding agency an amount determined under 2 C.F.R. 200.311(c)(1).

2. Sell the property and compensate the federal awarding agency an amount determined under 2 C.F.R. 200.311(c)(2).
3. Transfer title to the federal awarding agency or to a third party designated/approved by the federal awarding agency. The district is entitled to be paid an amount calculated by applying the district's percentage of participation in the purchase of the real property (and cost of any improvements) to the current fair market value of the property.

2 C.F.R. 200.311

Equipment

Title and Use

Subject to the requirements and conditions set forth in 2 C.F.R. 200.313, title to equipment acquired under a federal award will vest upon acquisition in the district. Unless a statute specifically authorizes the federal agency to vest title in the district without further responsibility to the federal government, and the federal agency elects to do so, the title must be a conditional title. Title must vest in the district subject to the following conditions:

1. Use the equipment for the authorized purposes of the project during the period of performance, or until the property is no longer needed for the purposes of the project.
2. Not encumber the property without approval of the federal awarding agency or pass-through entity.
3. Use and dispose of the property in accordance with the provisions below.

Equipment must be used by the district in the program or project for which it was acquired in accordance with 2 C.F.R. 200.313(c).

Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until disposition takes place will, as a minimum, meet the requirements of 2 C.F.R. 200.313(d).

Disposition

If the district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

When original or replacement equipment acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, except as otherwise provided in federal statutes, regulations, or federal awarding agency disposition instructions, the district must request disposition instructions from the federal awarding agency if required by the terms and conditions of the fed-

eral award. Disposition of the equipment will be made as prescribed in 2 C.F.R. 200.313(e), in accordance with federal awarding agency disposition instructions.

2 C.F.R. 200.313

Supplies

Title to supplies will vest in the district upon acquisition. If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate value upon termination or completion of the project or program and the supplies are not needed for any other federal award, the district must retain the supplies for use on other activities or sell them, but must, in either case, compensate the federal government for its share. The amount of compensation must be computed in the same manner as for equipment under 2 C.F.R. 200.313(e)(2).
2 C.F.R. 200.314(a)

Intangible
Property

Title to intangible property acquired under a federal award vests upon acquisition in the district. The district must use that property for the originally-authorized purpose, and must not encumber the property without approval of the federal awarding agency. When no longer needed for the originally authorized purpose, disposition of the intangible property must occur in accordance with the provisions in 2 C.F.R. 200.313(e). *2 C.F.R. 200.315(a)*

Direct Grant
Programs

The regulations in 34 C.F.R. Part 75 apply to each direct grant program of the ~~DOE~~ED. *34 C.F.R. 75.1*

State-Administered
Programs

The regulations in 34 C.F.R. Part 76 apply to each state-administered program of the ~~DOE~~ED. *34 C.F.R. 76.1*

General Education
Provision Act

The regulations in 34 C.F.R. Part 81 govern the enforcement of legal requirements under applicable programs administered by the ~~DOE~~ED and implement Part E of the General Education Provisions Act (GEPA). *34 C.F.R. 81.1*

¹ TEA EDGAR Materials and Resources:

https://tea.texas.gov/Finance_and_Grants/Grants/EDGAR_Materials_and_Resources/

² ED EDGAR website:

<https://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>

³ ED Uniform Guidance website:

<https://www2.ed.gov/policy/fund/guid/uniform-guidance/index.html>

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Note: ~~For additional legal requirements applicable to purchases with federal funds, see CBB. For additional legal requirements applicable to school nutrition procurement, see COA.~~

Note: [For legal requirements applicable to purchases with federal funds, see CBB.](#)

[For required vendor disclosures and contract provisions, including prohibitions, see CHE.](#)

[For provisions pertaining to criminal history record information on contractors, see CJA.](#)

[For legal requirements related to energy savings performance contracts, see CL.](#)

[For information on procuring school buses, see CNB.](#)

[For legal requirements applicable to school nutrition procurement, including produce, with federal funds, see COA.](#)

[For information regarding construction of school facilities, see CV series.](#)

Board Authority

[The](#) board may adopt rules and procedures for the acquisition of goods and services. *Education Code 44.031(d)*

Delegation of Authority

[The](#) board may, [as appropriate](#), delegate its authority regarding an action authorized or required ~~to be taken by a district~~ by Education Code Chapter 44, Subchapter B, to [be taken by a district to](#) a designated person, representative, or committee.

[The](#) board may not delegate the authority to act regarding an action authorized or required to be taken by the board by Education Code Chapter 44, Subchapter B.

Disaster ~~Exception~~ [Delegation](#)

Notwithstanding any other provision of the Education Code, in the event of a catastrophe, emergency, or natural disaster affecting a district, the board may delegate to the superintendent or designated person the authority to contract for the replacement, construction, or repair of school equipment or facilities under Education Code Chapter 44, Subchapter B if emergency replacement, construction, or repair is necessary for the health and safety of district students and staff.

Education Code 44.0312

Purchases Valued at or Above \$50,000

[Methods](#)

[Except as provided by Education Code Chapter 44, Subchapter B](#), all district contracts for the purchase of goods and services, except contracts for the purchase of produce or vehicle fuel, valued at \$50,000 or more in the aggregate for each 12-month period, shall be made by the method [of the following methods](#), that provides the best value for a district:

1. Competitive bidding for services other than construction services.
2. Competitive sealed proposals for services other than construction services.
3. A request for proposals for services other than construction services.
4. An interlocal contract.
5. [A method provided by Government Code Chapter 2269 for construction services \[see CV series\];](#)
- ~~5-6.~~ The reverse auction procedure as defined by Government Code 2155.062(d).
- ~~6-7.~~ The formation of a political subdivision corporation under Local Government Code 304.001 (purchase of electricity).

Education Code 44.031(a)

Exceptions

Emergency
Damage or
Destruction

If school equipment, a school facility, or a part of a school facility or personal property is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and the board determines that the delay posed by the methods provided for in Education Code 44.031 would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment, school facility, or the part of the school facility may be made by methods other than those required by Education Code 44.031. Education Code 44.031(h)

Sole Source

Without complying with Education Code 44.031(a) above, a district may purchase an item that is available from only one source, including:

1. An item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly.
2. A film, manuscript, or book.
3. A utility service, including electricity, gas, or water.
4. A captive replacement part or component for equipment.

The exceptions above do not apply to mainframe data-processing equipment and peripheral attachments with a single-item purchase price in excess of \$15,000.

Education Code 44.031(j)–(k)

~~[See COA for requirements applicable to school nutrition purchases, including produce, using federal funds.]~~

~~**Note:** Regarding construction of school facilities, see CV generally; CVA for~~

Competitive
Bidding

Except to the extent prohibited by other law and to the extent consistent with Education Code Chapter 44, Subchapter B, a district may use competitive bidding to select a vendor as authorized by Education Code 44.031(a)(1).

A district shall award a competitively bid contract at the bid amount to the bidder offering the best value for the district. In determining the best value for the district, the district is not restricted to considering price alone but may consider any other factors stated in the selection criteria. The selection criteria may include the factors listed in Education Code 44.031(b) [see [Contract Selection Factors](#), below].

Except as provided below, Local Government Code Chapter 271, Subchapter B (Competitive Bidding on Certain Public Works Contracts) does not apply to a competitive bidding process under this policy.

Local Government Code Sections 271.026 (Opening of Bids), 271.027(a) (Award of Contract), and 271.0275 (Safety Record of Bidder Considered) apply to a competitive bidding process under Education Code Chapter 44, Subchapter B. [See CVA for these requirements.]

Education Code 44.0351

Competitive
Sealed Proposals

In selecting a vendor through ~~CVB for~~ competitive sealed proposals as authorized by Education Code 44.031(a)(2), a district shall follow the procedures prescribed below.

Request for
Proposals

The district shall prepare a request for competitive sealed proposals that includes information that vendors may require to respond to the request. The district shall state in the request for proposals the selection criteria that will be used in selecting the successful offeror.

Opening
Proposals

The district shall receive, publicly open, and read aloud the names of the offerors and, if any are required to be stated, all prices stated in each proposal. Not later than the 45th day after the date on which the proposals are opened, the district shall evaluate and rank each proposal submitted in relation to the published selection criteria.

Selection

The district shall select the offeror that offers the best value for the district based on the published selection criteria and on its ranking evaluation. The district shall first attempt to negotiate a contract with the selected offeror. The district may discuss with the selected offeror options for a scope or time modification and any price change associated with the modification. If the district is unable to negotiate a satisfactory contract with the selected offeror, the district shall, formally and in writing, end negotiations with that offeror and proceed to the next offeror in the order of the selection ranking until a contract is reached or all proposals are rejected.

In determining the best value for the district, the district is not restricted to considering price alone but may consider any other factors stated in the selection criteria.

Education Code 44.0352Interlocal
Contracts

“Interlocal contract” means a contract or agreement made under Government Code Chapter 791 (Interlocal Cooperation Act). A district may contract or agree with another local government or a federally recognized Indian tribe, as listed by the U.S. secretary of the interior under 25 U.S.C. 479a-1, whose reservation is located within the boundaries of this state to perform governmental functions and services in accordance with Government Code Chapter 791. A district may agree with another local government and with the state or a state agency, including the comptroller, to purchase goods and services. Gov’t Code 791.003(2), .011(a), .025(a)

An interlocal contract must:

1. Be authorized by the governing body of each party to the contract;
2. State the purpose, terms, rights, and duties of the contracting parties; and
3. Specify that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party.

An interlocal contractual payment must be in an amount that fairly compensates the performing party for the services or functions performed under the contract. An interlocal contract may be renewed. Notwithstanding item 2 above, an interlocal contract may have a specified term of years.

Gov’t Code 791.011(d)–(f). (i)

A district may agree with another local government, including a nonprofit corporation that is created and operated to provide one or

more governmental functions and services, or with the state or a state agency, including the comptroller, to purchase goods and any services reasonably required for the installation, operation, or maintenance of the goods. This provision does not apply to services provided by firefighters, police officers, or emergency medical personnel. Gov't Code 791.025(b)

A district that purchases goods and services under Government Code 791.025 satisfies the requirement to seek competitive bids for the purchase of the goods and services. Gov't Code 791.025(c); Atty. Gen. Op. JC-37 (1999)

Reverse Auction

A district that uses the reverse auction procedure must include in the procedure a notice provision and other provisions necessary to produce a method of purchasing that is advantageous to the district and fair to vendors. Local Gov't Code 271.906(b)

"Reverse auction procedure" means:

1. A real-time bidding process usually lasting less than one hour and taking place at a previously scheduled time and internet location, in which multiple suppliers, anonymous to each other, submit bids to provide the designated goods or services; or
2. A bidding process usually lasting less than two weeks and taking place during a previously scheduled period and at a previously scheduled internet location, in which multiple suppliers, anonymous to each other, submit bids to provide the designated goods or services.

Gov't Code 2155.062(d)

Site-Based Purchasing

If a purchase is made at the campus level in a district with a student enrollment of 180,000 or more that has formally adopted a site-based decision-making plan under Education Code Subchapter F, Chapter 11 [see BQ series], that delegates purchasing decisions to the campus level, Education Code 44.031 applies only to the campus and does not require the district to aggregate and jointly award purchasing; ~~CVC and CVD for contracts using a construction manager; CVE for design/build contracts; and CVF for job order contracts for minor repairs/alterations.~~ A district that adopts site-based purchasing under this provision shall adopt a policy to ensure that campus purchases achieve the best value to the district and are not intended or used to avoid the requirement that a district aggregate purchases under Education Code 44.031(a). Education Code 44.031(m)

Contract Selection Factors

~~In awarding~~ Except as provided by Education Code Chapter 44, Subchapter B, in determining to whom to award a contract, ~~a~~the district shall consider:

1. The purchase price.
2. The reputation of the vendor and of the vendor's goods or services.
3. The quality of the vendor's goods or services.
4. The extent to which the goods or services meet the district's needs.
5. The vendor's past relationship with the district.
6. The impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses.
7. The total long-term cost to the district to acquire the vendor's goods or services.
8. For a contract ~~that is not~~ for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendor's ultimate parent company or majority owner has its principal place of business in this state or employs at least 500 persons in this state.
9. Any other relevant factor specifically listed in the request for bids or proposals.

Education Code 44.031(b)

In awarding a contract by competitive sealed bid under Education Code 44.031, a district that has its central administrative office located in a municipality with a population of less than 250,000 may consider a bidder's principal place of business in the manner provided by Local Government Code 271.9051. This ~~section~~provision does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. Section 153. *Education Code 44.031(b-1)*

The factors listed above are the only criteria that may be considered by a district in its decision to award a contract. *R.G.V. Vending v. Weslaco Indep. Sch. Dist.*, 995 S.W.2d 897 (Tex. App.—Corpus Christi 1999, no pet.)

PreferencesAgricultural
Products

A district that purchases agricultural products shall give preference to those produced, processed, or grown in Texas if the cost to the district is equal and the quality is equal. If agricultural products produced, processed, or grown in Texas are not equal in cost and quality to other products, the district shall give preference to agricultural products produced, processed, or grown in other states of the United States, if the cost and quality of the U.S. and foreign products are equal.

"Agricultural products" includes textiles and other similar products.

"Processed" means canning, freezing, drying, juicing, preserving, or any other act that changes the form of a good from its natural state to another form.

A district may not adopt product purchasing specifications that unnecessarily exclude agricultural products produced, processed, or grown in Texas.

Vegetation for
Landscaping

A district that purchases vegetation for landscaping purposes, including plants, shall give preference to Texas vegetation if the cost to the district is equal and the quality is equal.

Education Code 44.042

[For legal requirements applicable to school nutrition procurement, including produce and agricultural products, with federal funds, see COA.]

Recycled
Products

A district shall give preference in purchasing to products made of recycled materials if the products meet applicable specifications as to quantity and quality and the average price of the product is not more than ten percent greater than the price of comparable nonrecycled products. Preferences will be applied in accordance with state procurement statutes and rules. 30 TAC 328.203

Subchapter K of 30 Administrative Code (Governmental Entity Recycling and Purchasing of Recycled Materials) does not apply to a district with a student enrollment of less than 10,000 students. 30 TAC 328.204(a)

A district regularly shall review and revise its procurement procedures and specifications for the purchase of goods, supplies, equipment, and materials in order to:

1. Eliminate procedures and specifications that explicitly discriminate against products made of recycled materials;
2. Encourage the use of products made of recycled materials;
and

3. Ensure to the maximum extent economically feasible that the district purchases products that may be recycled when they have served their intended use.

In developing new procedures and specifications, the district shall encourage the use of recycled products and products that may be recycled or reused.

Health and Safety Code 361.426(b)–(c)

Bidder's Place of Business

In awarding a contract by competitive sealed bid under Education Code 44.031, a district that has its central administrative office located in a municipality with a population of less than 250,000 may consider a bidder's principal place of business in the manner provided by Local Government Code Section 271.9051. This provision does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. 153. Education Code 44.031(b-1)

Notice Publication

Notice of the time by when and place where the bids or proposals, or the responses to a request for qualifications, will be received and opened shall be published in the county in which the district's central administrative office is located, once a week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications. If there is not a newspaper in that county, the advertising shall be published in a newspaper in the county nearest the county seat of the county in which a district's central administrative office is located. In a two-step procurement process, the time and place where the second-step bids, proposals, or responses will be received are not required to be published separately. Education Code 44.031(g)

Electronic Bids or Proposals

A district may receive bids or proposals under Education Code Chapter 44 through electronic transmission if the board adopts rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time.

Notwithstanding any other provision of Education Code Chapter 44, an electronic bid or proposal is not required to be sealed. A provision of Education Code Chapter 44 that applies to a sealed bid or proposal applies to a bid or proposal received through electronic transmission in accordance with the rules adopted by the board.

Education Code 44.0313

Right to Work

While a district is engaged in procuring goods and services or awarding a contract, or overseeing procurement or construction for a public work or public improvement, a district:

1. May not consider whether a vendor is a member of or has another relationship with any organization; and
2. Shall ensure that its bid specifications and any subsequent contract or other agreement do not deny or diminish the right of a person to work because of the person's membership or other relationship status with respect to any organization.

Education Code 44.043

Contract with Person Indebted to District

The board by resolution may establish regulations permitting the district to refuse to enter into a contract or other transaction with a person indebted to the district. It is not a violation of Education Code Chapter 44, Subchapter B (Purchases; Contracts) for a district, under regulations adopted under this provision, to refuse to award a contract to or enter into a transaction with an apparent low bidder or successful proposer that is indebted to the district.

"Person" includes an individual, sole proprietorship, corporation, nonprofit corporation, partnership, joint venture, limited liability company, and any other entity that proposes or otherwise seeks to enter into a contract or other transaction with the district requiring approval by the board.

Education Code 44.044

Out-of-State Bidders

~~A board shall~~district may not award a governmental contract ~~for services or for purchase of supplies, materials, or equipment to a nonresident bidder whose principal place of business is not in this state,~~ unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the greater of the amount by which a resident bidder would be required to underbid ~~a~~the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located, or ~~a~~the state in which a majority of the manufacturing relating to the contract will be performed. ~~Gov't Code 2252.001-.002~~

This requirement ~~shall~~does not apply to a contract involving federal funds. A district shall ~~rely on~~use the information published by the comptroller ~~in evaluating the bids of~~under Government Code 2252.003 (Publication of Other State's Laws on Contracts) to evaluate the bid of a nonresident bidder. ~~Gov't Code 2252.003-.004~~

Required Contract Provisions

No-Israel-Boycott

~~A district may not enter into a contract with a company for goods and services unless the contract contains a written verification from the company that it does not boycott Israel and will not during the term of the contract.~~

~~The requirement above applies only to a contract that:~~

- ~~1. Is between a district and a company with ten or more full-time employees; and~~
- ~~2. Has a value of \$100,000 or more that is to be paid wholly or partly from public funds of the district.~~

~~Gov't Code 2271.002~~

~~"Company" has the meaning assigned by Government Code 808.001, except that the term does not include a sole proprietorship. Gov't Code 2271.001(2)~~

Retention of
Contracting
Information

Application

~~These provisions apply to a contract that:~~

- ~~3. Has a stated expenditure of at least \$1 million in public funds for the purchase of goods or services by the district; or~~
- ~~4. Results in the expenditure of at least \$1 million in public funds for the purchase of goods or services by the district in a fiscal year of the district.~~

~~A board may not accept a bid for a contract described above or award the contract to an entity that the board has determined has knowingly or intentionally failed to comply with Government Code Chapter 552, Subchapter J (Additional Provisions Relating to Contracting Information) in a previous bid or contract described above unless the board determines and documents that the entity has taken adequate steps to ensure future compliance with the requirements of that subchapter. [For additional information and requirements, see GBA and GBAA.]~~

Requirements

~~A contract described above must require a contracting entity to:~~

- ~~5. Preserve all contracting information related to the contract as provided by the records retention requirements applicable to the district for the duration of the contract;~~
- ~~6. Promptly provide to the district any contracting information related to the contract that is in the custody or possession of the entity on request of the district; and~~
- ~~7. On completion of the contract, either:

 - ~~a. Provide at no cost to the district all contracting information related to the contract that is in the custody or possession of the entity; or~~
 - ~~b. Preserve the contracting information related to the contract as provided by the records retention requirements applicable to the district.~~~~

***Bid and Contract
Language***

~~Except as described at Exception, below, a bid for a contract described above and the contract must include the following statement: "The requirements of Subchapter J, Chapter 552, Government Code, may apply to this (include "bid" or "contract" as applicable) and the contractor or vendor agrees that the contract can be terminated if the contractor or vendor knowingly or intentionally fails to comply with a requirement of that subchapter."~~

***Notice of
Noncompliance***

~~A board that is the party to a contract described above shall provide notice to the entity that is a party to the contract if the entity fails to comply with a requirement of Government Code Chapter 552, Subchapter J applicable to the entity. The notice must:~~

- ~~8. Be in writing;~~
- ~~9. State the requirement that the entity has violated; and~~
- ~~10. Unless the exception described below applies, advise the entity that the board may terminate the contract without further obligation to the entity if the entity does not cure the violation on or before the tenth business day after the date the board provides the notice.~~

***Contract
Termination***

~~Except as provided below, a governmental body may terminate a contract described above if:~~

- ~~11. The board provides the required notice to the entity that is party to the contract;~~
- ~~12. The contracting entity does not cure the violation in the prescribed period;~~
- ~~13. The board determines that the contracting entity has intentionally or knowingly failed to comply with a requirement of Government Code Chapter 552, Subchapter J; and~~
- ~~14. The board determines that the entity has not taken adequate steps to ensure future compliance with the requirements of that subchapter.~~

~~An entity has taken adequate steps to ensure future compliance with Government Code Chapter 552, Subchapter J if:~~

- ~~15. The entity produces contracting information requested by the board that is in the custody or possession of the entity not later than the tenth business day after the date the board makes the request; and~~
- ~~16. The entity establishes a records management program to enable the entity to comply with Government Code Chapter 552, Subchapter J.~~

Exception	A board may not terminate a contract under these provisions if the contract is related to the purchase or underwriting of a public security, the contract is or may be used as collateral on a loan, or the contract's proceeds are used to pay debt service of a public security or loan. ~~Gov't Code 552.371(a), .372-.374 [See GBA]~~
Disclosure of Interested Parties	A district may not enter into a contract described below with a business entity unless the business entity submits a disclosure of interested parties to the district at the time the business entity submits the signed contract to the district. The requirement above applies only to a contract of a district that: ~~17. Requires an action or vote by the board before the contract may be signed;~~ ~~18. Has a value of at least \$1 million; or~~ ~~19. Is for services that would require a person to register as a lobbyist~~ <u>rely on information published</u> under Government Code Chapter 305. ~~Gov't Code 2252.908~~ A contract does not require an action or vote by the board if the board has legal authority to delegate to its staff the authority to execute the contract, the board has delegated this authority, and the board does not participate in the selection of the business entity with which the contract is entered into. ~~1 TAC 46.1(c)~~
Exclusions	The disclosure requirement does not apply to a contract with: ~~20. A publicly traded business entity, including a wholly owned subsidiary of the entity;~~ ~~21. An electric utility, as defined by Utilities Code 31.002; or~~ ~~22. A gas utility, as defined by Utilities Code 121.001.~~ ~~Gov't Code 003 to meet the requirements of Government Code 2252.908(c)(4)-(6)~~ <u>002. Gov't Code 2252.003-.004</u>
Required Form	The disclosure of interested parties must be submitted on a form prescribed by the Texas Ethics Commission (TEC) that includes a list of each interested party for the contract of which the contracting business entity is aware; and a written, unsworn declaration subscribed by the authorized agent of the contracting business entity as true under penalty of perjury that is in substantially the form set out in Government Code 2252.908(e)(2). ~~Gov't Code 2252.908(e); 1 TAC 46.5(a)~~

	~~The certification of filing and the completed disclosure of interested parties form generated by TEC's electronic filing application must be printed, signed by an authorized agent of the contracting business entity, and submitted to the district that is the party to the contract for which the form is being filed. 1 TAC 46.5(b)~~
Deadline	~~A district that receives a completed disclosure of interested parties form and certification of filing shall notify TEC, in an electronic format prescribed by TEC, of the receipt of those documents not later than the 30th day after the date the board receives the disclosure. 1 TAC 46.5(c); Gov't Code 2252.908(f)~~
Contract Changes	~~The disclosure requirements do not apply to a change made to an existing contract, including an amendment, change order, or extension of a contract except as set out below.~~ ~~The disclosure requirements apply to a change made to an existing contract, including an amendment, change order, or extension of a contract if:~~ ~~23. A disclosure of interested parties form was not filed for the existing contract; and either the changed contract requires an action or vote by the board or the value of the changed contract is at least \$1 million; or~~ ~~24. The business entity submitted a disclosure of interested parties form to the district that is a party to the existing contract; and either there is a change to the disclosure; or the changed contract requires an action or vote by the board; or the value of the changed contract is at least \$1 million greater than the value of the existing contract.~~ ~~1 TAC 46.4~~
Definitions	~~"Contract" means a contract between a board and a business entity at the time it is voted on by the board or at the time it binds the board, whichever is earlier, and includes an amended, extended, or renewed contract. 1 TAC 46.3(a)~~ ~~"Business entity" means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation. The term includes an entity through which business is conducted with a district, regardless of whether the entity is a for-profit or nonprofit entity, and does not include a governmental entity or state agency. Gov't Code 2252.908(a)(1); 1 TAC 46.3(b)~~ ~~"Interested party" means a person who has a controlling interest in a business entity with whom a district contracts or who actively participates in facilitating the contract or negotiating the terms of the~~

~~contract, including a broker, intermediary, adviser, or attorney for the business entity. Gov't Code 2252.908(a)(3); 1 TAC 46.3(d), (e)~~

~~“Controlling interest” means:~~

~~25. An ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds ten percent;~~

~~26. Membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than ten members; or~~

~~27. Service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers. This subsection does not apply to an officer of a publicly held business entity or its wholly owned subsidiaries.~~

~~1 TAC 46.3(c)~~

~~“Signed” includes any symbol executed or adopted by a person with present intention to authenticate a writing, including an electronic signature. 1 TAC 46.3(f)~~

~~“Value” of a contract is based on the amount of consideration received or to be received by a business entity from a board under the contract. 1 TAC 46.3(g)~~

~~[See BBFA for additional conflict of interest disclosures.]~~

~~Contract with Person Indebted to District~~

~~A board may, by resolution, establish regulations permitting a school district to refuse to enter into a contract or other transaction with a person indebted to the school district. A district may refuse to award a contract to or enter into a transaction with an apparent low bidder or successful proposer that is indebted to the district.~~

~~The term “person” includes an individual, sole proprietorship, corporation, nonprofit corporation, partnership, joint venture, limited liability company, and any other entity that seeks to enter into a contract or other transaction with a district requiring board approval.~~

~~Education Code 44.044~~

~~Notice Publication~~

~~Notice of when and where bids or proposals or the responses to a request for qualifications will be received and opened shall be published in the county where a district's central administrative office is located, once a week for at least two weeks prior to the deadline for receiving bids, proposals, or responses to a request for qualifications. If there is no newspaper in that county, the advertising shall be published in a newspaper in the county nearest the county~~

Electronic Bids or Proposals

~~seat of the county in which a district's central administrative office is located. In a two-step procurement process, the time and place where the second-step bids, proposals, or responses will be received are not required to be published separately. Education Code 44.031(g)~~

~~A district may receive bids or proposals through electronic transmission if the board adopts rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time.~~

~~An electronic bid or proposal is not required to be sealed. A provision of Education Code Chapter 44 that applies to a sealed bid or proposal applies to a bid or proposal received through electronic transmission in accordance with the rules adopted by the board.~~

~~Education Code 44.0313~~

"Governmental contract" means a contract awarded by a governmental entity, including a public school district, for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment.

"Resident bidder" refers to a person whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

Gov't Code 2252.001

Professional Services

~~The purchasing requirements of Education Code 44.031~~ do~~es~~ not apply to a contract for professional services rendered, including the services of an architect, attorney, certified public accountant, engineer, or fiscal agent. A district may, at its option, contract for professional services rendered by a financial consultant or a technology consultant in the manner provided by Government Code 2254.003, (Professional Services Procurement Act) (see below), in lieu of the methods provided by Education Code 44.031. Education Code 44.031(f)

~~Education Code 44.031(f)~~

~~An interlocal contract between a district and a purchasing cooperative may not be used to purchase engineering or architectural services. Gov't Code 791.011(h)~~

Professional
Services
Procurement Act
Selection

A district may not select a provider of professional services or a group or association of providers or award a contract for the services on the basis of competitive bids submitted for the contract or for the services, but shall make the selection and award on the basis of demonstrated competence and qualifications to perform the services and for a fair and reasonable price. *Gov't Code 2254.003(a)*

Definition

~~""~~Professional services~~""~~ means services:

1. Within the scope of the practice, as defined by state law, of accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, real estate appraising, or professional nursing;
2. Provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant, architect, landscape architect, land surveyor, physician, optometrist, professional engineer, state-certified or state-licensed real estate appraiser, or registered nurse; or
3. Provided by a person lawfully engaged in interior design, regardless of whether the person is registered as an interior designer under Occupations Code [Chapter 1053](#).

Gov't Code 2254.002

[\[For specific information on procuring architectural or engineering services, see CV.\]](#)

Contingent Fee
Contract for Legal
Services

Government Code Chapter 2254, Subchapter C provides the manner in which and the situations under which a district may compensate a public contractor under a contingent fee for legal services. That subchapter does not apply to a contract for legal services:

[1. Provided to a district under Government Code Chapter 403, Subchapter M; or](#)

~~1.~~[2. Entered into under Tax Code 6.30 \(delinquent tax collection\) \[see CCGA\(LEGAL\)\] or Government Code 1201.027 \(issuance of public securities\);](#) ~~2.~~[\[see CCA\(LEGAL\)\]](#), except that Government Code sections 2254.1032, 2254.1034, 2254.1036, and 2254.1037 do apply to the contract.

Gov't Code 2254.102

A district may select an attorney or law firm to award a contingent fee contract only in accordance with Government Code

	2254.003(a) (Professional Services Procurement Act) [see Selection, above] and Government Code 2254.1032. ~~Gov't Code 2254.1032(a)~~
Emergency Damage or Destruction	~~If school equipment, a school facility, or a part of a school facility or personal property is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and a~~ <u>In procuring legal services under a contingent fee contract, a district shall:</u> <u>1. Select a well-qualified attorney or law firm on the basis of demonstrated competence, qualifications, and experience in the requested services; and</u> <u>2. Attempt to negotiate a contract with that attorney or law firm for a fair and reasonable price.</u> <u>Gov't Code 2254.1032</u>
<u>Specific Purchases</u>	~~board determines that the delay posed by the methods provided for in Education Code 44.031 would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment, school facility, or the part of the school facility may be made by methods other than those required by Education Code 44.031. Education Code 44.031(h)~~
Computers	A district may acquire computers and computer-related equipment, including computer software, through the Department of Information Resources (DIR) under contracts ~~with the DIR~~ <u>entered into</u> in accordance with Government Code Chapter 2054 or 2157. <i>Education Code 44.031(i)</i>
Automated Information System	A district may purchase an automated information system using the purchasing method described by Government Code 2157.068 for commodity items or a purchasing method designated by the comptroller to obtain the best value for the state, including a request for offers method. A district that purchases an item using a method ~~listed~~ <u>described</u> above satisfies any state law requiring the district to seek competitive bids for the purchase of the item. <i>Gov't Code 2157.006; 34 TAC 20.391</i>
Automated External Defibrillators	A ~~school~~ <u>district</u> that purchases or leases an automated external defibrillator, <u>(AED)</u> , as defined by Health and Safety Code 779.001, shall ensure that the ~~defibrillator~~ <u>AED</u> meets standards established by the federal Food and Drug Administration. <i>Education Code 44.047</i>

Sole Source

~~Compliance with Education Code 44.031 is not required for purchases that are available from only one source, including:~~

~~An item for which competition is precluded because of (a) patent, copyright, secret process, or monopoly.)~~

~~1. A film, manuscript, or book.~~

~~2.1. A utility service, including electricity, gas, or water.~~

~~3.1. A captive replacement part or component for equipment.~~

~~The sole source exception shall not apply to mainframe data processing equipment and peripheral attachments with a single item purchase price in excess of \$15,000.~~

~~Education Code 44.031(j) - (k)~~

Insurance

A contract for the purchase of insurance is not a contract for professional services. A district must award such a contract using one of the purchase of personal property and shall be made methods in accordance with Education Code 44.031. ~~Education Code 44.031; Atty. Gen. Op. DM-347 (1995) 418 (1996)~~

Multiyear Contracts

A district may execute an insurance contract for a period longer than 12 months, if the contract ~~contains either or both of the provisions described at~~ complies with Local Government Code 271.903(a) [see Commitment of Current Revenue, below-]. If a district executes a multiyear insurance contract, it need not advertise for insurance vendors until the 12-month period during which the district will be executing a new insurance contract. *Atty. Gen. Op. DM-418 (1996)*

Competitive Bidding

~~Except to the extent prohibited by other law and to the extent consistent with Education Code Chapter 44, Subchapter B, a school district may use competitive bidding to select a vendor as authorized by Education Code 44.031(a)(1).~~

Other Purchasing Methods

~~A district shall award a competitively bid contract at the bid amount to the bidder offering the best value for the district. In determining the best value for the district, the district is not restricted to considering price alone but may consider any other factors stated in the selection criteria. The selection criteria may include the factors listed in Education Code 44.031(b) [see Factors, above].~~

~~Except as provided below, Local Government Code Chapter 271, Subchapter B does not apply to a competitive bidding process under this policy.~~

~~Education Code 44.0351~~

~~Opening Bids~~	~~Bids may be opened only by a board at a public meeting or by an officer or employee of a district at or in an office of the district. A bid that has been opened may not be changed for the purpose of correcting an error in the bid price. Local Gov't Code 271.026~~ ~~A board shall have the right to reject any and all bids. Local Gov't Code 271.027(a)~~
~~Safety Record~~	~~In determining who is a responsible bidder, a board may take into account the safety record of the bidder; of the firm, corporation, partnership, or institution represented by the bidder; or of anyone acting for such firm, corporation, partnership, or institution, provided that:~~ ~~4. The board has adopted a written definition and criteria for accurately determining the safety record of the bidder.~~ ~~5. The board has given notice in the bid specifications that the safety record of a bidder may be considered in determining the bidder's responsibility.~~ ~~6. The determinations are not arbitrary and capricious.~~ ~~Local Gov't Code 271.0275~~
~~Identical Bids~~	~~If a district receives two or more bids from responsible bidders that are identical, in nature and amount, as the lowest and best bids, it shall select only one bidder from the identical bids.~~ ~~If only one of the bidders submitting identical bids is a resident of a district, that bidder shall be selected. If two or more such bidders are residents of a district, one shall be selected by the casting of lots. In all other cases, one of the identical bids shall be selected by the casting of lots.~~ ~~A board shall prescribe the manner of casting lots and shall be present when the lots are cast. All qualified bidders or their representatives may be present at the casting of lots.~~ ~~Local Gov't Code 271.901~~
Competitive Sealed Proposals	~~In selecting a vendor through competitive sealed proposals as authorized by Education Code 44.031(a)(2), a school district shall follow the procedures prescribed below.~~
~~Request for Proposals~~	~~The district shall prepare a request for competitive sealed proposals that includes information that vendors may require to respond to the request. The district shall state in the request for proposals the selection criteria that will be used in selecting the successful offeror.~~

Opening Proposals	~~The district shall receive, publicly open, and read aloud the names of the offerors and, if any are required to be stated, all prices stated in each proposal. Not later than the 45th day after the date on which the proposals are opened, the district shall evaluate and rank each proposal submitted in relation to the published selection criteria.~~
Selection	~~The district shall select the offeror that offers the best value for the district based on the published selection criteria and on its ranking evaluation. The district shall first attempt to negotiate a contract with the selected offeror. The district may discuss with the selected offeror options for a scope or time modification and any price change associated with the modification. If the district is unable to negotiate a satisfactory contract with the selected offeror, the district shall, formally and in writing, end negotiations with that offeror and proceed to the next offeror in the order of the selection ranking until a contract is reached or all proposals are rejected.~~
Best Value Determination	~~In determining the best value for the district, the district is not restricted to considering price alone but may consider any other factors stated in the selection criteria.~~ ~~Education Code 44.0352~~
Interlocal Agreements	~~To increase efficiency and effectiveness, a district may contract or agree with other local governments and with state agencies, including the comptroller, to perform some of its purchasing functions. Gov't Code 791.001, .011, .025~~ ~~An interlocal contract must be authorized by a board and the governing body of each contracting party; must state the purpose, terms, rights, and duties of the contracting parties; and must specify that each party paying for the performance of governmental functions or services shall make those payments from current revenues available to the paying party.~~ ~~An interlocal contractual payment must be in an amount that fairly compensates the performing party for the services or functions performed under the contract. The contract may be renewed and may have a specified term of years.~~ ~~Gov't Code 791.011(d) (f), (i)~~ ~~A district may agree with another local government, including a nonprofit corporation that is created and operated to provide one or more governmental functions and services, or with the state or a state agency, including the comptroller, to purchase goods and services reasonably required for the installation, operation, or maintenance of the goods. Such an agreement may not, however, apply~~

~~to services provided by firefighters, police officers, or emergency medical personnel.~~

~~A district that purchases goods and services by agreement with another local government or with the state or state agency satisfies the requirement to seek competitive bids for the purchase of goods and services.~~

~~Gov't Code 791.025(b) (c); Atty. Gen. Op. JC 37 (1999)~~

~~A district may not enter into a contract to purchase construction-related goods or services through a purchasing cooperative in an amount greater than \$50,000 unless a person designated by the district certifies in writing that:~~

- ~~7. The project for which the construction-related goods or services are being procured does not require the preparation of plans and specifications under Chapter 1001 or 1051, Occupations Code; or~~
- ~~8. The plans and specifications required under Chapters 1001 and 1051, Occupations Code, have been prepared.~~

~~"Purchasing cooperative" means a group purchasing organization that governmental entities join as members and the managing entity of which receives fees from members or vendors.~~

~~Gov't Code 791.011(j)~~

State Purchasing Program

~~Purchasing services performed for a district by~~ The comptroller shall establish a program by which the comptroller performs purchasing services for local governments. The services must include:

1. The extension of state contract prices to ~~a district~~participating local governments when the comptroller considers it feasible.
2. Solicitation of bids on items desired by ~~a district~~local governments if the solicitation is considered feasible by the comptroller and is desired by the ~~district~~local government.
3. Provision of information and technical assistance to ~~a district-~~local governments about the purchasing program.

The comptroller may charge a ~~district its~~participating local government an amount not to exceed the actual costs incurred by the comptroller in providing purchasing services to the local government under the program.

Local Gov't Code 271.082

*District
~~Requirements~~Participation*

A district may participate in the purchasing program, including participation in purchases that use the reverse auction procedure, by filing with the comptroller a resolution adopted by the board requesting that the district be allowed to participate on a voluntary basis, and to the extent the comptroller deems feasible, and stating that the ~~board shall~~district will:

1. Designate an official to act for the district in all matters relating to the program, including the purchase of items from the vendor under any contract, and that the board will direct the decisions of the representative;

~~2. Direct the decisions of its representative.~~

~~3.~~2. Be responsible for:

- a. Submitting requisitions to the ~~commission~~comptroller under any contract(s) ~~and for payment directly to the vendor; and; or~~
- b. Electronically sending purchase orders directly to vendors, or complying with procedures governing a reverse auction purchase, and electronically sending to the comptroller reports on actual purchases, made under this provision that provide the information and are sent at the times required by the comptroller;

3. Be responsible for making payment directly to the vendor;

4. Be responsible for the vendor's compliance with all conditions of delivery and quality of the purchased item.

~~A purchase made through participation in this program meets any state requirement~~A district that purchases an item under a state contract or under a reverse auction procedure, sponsored by the comptroller satisfies any state law requiring the district to seek competitive bids for the purchase of the item.

Local Gov't Code 271.083

Multiple Award
Contract Schedule

The comptroller shall develop a schedule of multiple award contracts that have been previously awarded using a competitive process by the federal government or any other governmental entity in any state. *Gov't Code 2155.502(a)*

A district may purchase goods or services directly from a vendor under a contract listed on a schedule, developed under Government Code Chapter 2155, Subchapter I. A district contracting for the purchase of an automated information system under a contract listed on a schedule shall comply with Government Code 2157.068(e-1) (Purchase of Information Technology Commodity

Items) [see Automated Information System, above]. ~~An~~A purchase authorized ~~purchase~~by this provision satisfies any requirement of state law relating to competitive bids or proposals.

The price listed for a good or service under a multiple award contract is a maximum price. A district may negotiate a lower price for goods or services under a contract listed on a schedule developed under Government Code Chapter 2155, Subchapter I.

Gov't Code 2155.504

Cooperative
Purchasing
Program

A district may participate in a cooperative purchasing program with another local government of this state or another state or with a local cooperative organization of this state or another state. ~~If~~A district does so, it that is participating in a cooperative purchasing program may sign an agreement with another participating local government or a local cooperative organization stating that the district will:

1. Designate a person to act under the direction of, or on behalf of the district in all matters relating to the program~~;~~
2. Make payments to another participating local government or local cooperative organization or directly to a vendor under a contract made under these provisions, as provided in the agreement ~~between the participating local governments or between a local government and a local cooperative organization; and~~
- ~~3. Be responsible for the vendor's compliance.~~
3. If a district participates relating to the quality of items and terms of delivery, to the extent provided in the agreement between the participating local governments or between a local government and a local cooperative purchasing program, it or organization.

A district that purchases goods or services under these provisions satisfies any state law requiring ~~it~~the district to seek competitive bids for the purchase of the goods or services.

Local Gov't Code 271.102; Atty. Gen. Op. JC-37 (1999)

Cooperative
Purchasing
~~Contract-Related~~
Fee Fees

A ~~school~~ district that enters into a purchasing contract valued at \$25,000 or more under Education Code 44.031(a)(5) (interlocal contract), under Local Government Code Chapter 271, Subchapter F (cooperative purchasing program), or under any other cooperative purchasing program authorized for school districts by law shall document any contract-related fee, including any management fee, and the purpose of each fee under the contract.

The amount, purpose, and disposition of any fee described above must be presented in a written report and submitted annually in an open meeting of the board. The written report must appear as an agenda item. The commissioner of education may audit the written report.

Education Code 44.0331

~~Reverse Auction~~

~~A district that uses the reverse auction procedure must include in the procedure a notice provision and other provisions necessary to produce a method of purchasing that is advantageous to the district and fair to vendors. Local Gov't Code 271.906(b)~~

~~Reverse auction procedure means:~~

- ~~1. A real time bidding process usually lasting less than one hour and taking place at a previously scheduled time and internet location, in which multiple suppliers, anonymous to each other, submit bids to provide the designated goods or services; or~~
- ~~2.1. A bidding process usually lasting less than two weeks and taking place during a previously scheduled period and at a previously scheduled internet location, in which multiple suppliers, anonymous to each other, submit bids to provide the designated goods or services.~~

~~Gov't Code 2155.062(d)~~

Commitment of Current Revenue

- ~~3. If a contract for the acquisition, including lease, of real or personal property is a commitment of a district's current revenue only, provided the contract contains either or both of the following provisions: retains to the board the continuing right to terminate the contract at the expiration of each budget period during the term of the contract.~~

is conditioned on a best efforts attempt by the board to obtain and appropriate funds for payment of the contract, or contains both the continuing right to terminate and the best efforts conditions, the contract is a commitment of a district's current revenue only. Local Gov't Code 271.903.

Change Orders

~~If a change in plans or specifications is necessary after the performance of a contract is begun or if it is necessary to decrease or increase the quantity of work to be performed or of materials, equipment, or supplies to be furnished, the district may approve change orders making the changes. The district may grant general authority to an administrative official to approve the change orders.~~

~~The total contract price may not be increased because of the changes unless additional money for increased costs is approved for that purpose from available money or is provided for by the authorization of the issuance of time warrants.~~

~~A contract with an original contract price of \$1 million or more may not be increased by more than 25 percent. If a change order for a contract with an original contract price of less than \$1 million increases the contract amount to \$1 million or more, the total of the subsequent change orders may not increase the revised contract amount by more than 25 percent of the original contract price.~~

~~*Education Code 44.0411*~~

**Energy or Water
Conservation
Measures**

~~A district may contract for energy or water conservation measures. Such a contract shall be let according to the procedures established for professional services by Government Code 2254.004.~~

~~A board shall establish a long-range energy plan to reduce a district's annual electric consumption by five percent beginning with the 2008 state fiscal year and consume electricity in subsequent fiscal years in accordance with the district's energy plan.~~

~~*Education Code 44.901-.902* [See policy CL for legal requirements pertaining to such contracts and plans.]~~

Recycled Products

~~A district shall give preference in purchasing to products made of recycled materials if the products meet applicable specifications as to quantity and quality. A district regularly shall review and revise its procurement procedures and specifications for the purchase of goods, supplies, equipment, and materials in order to:~~

~~1. Eliminate procedures and specifications that explicitly discriminate against products made of recycled materials.~~

~~2. Encourage the use of products made of recycled materials.~~

~~3.1. Ensure to the maximum extent economically feasible that the district purchases products that may be recycled when they have served their intended use.~~

~~In developing new procedures and specifications, the district shall encourage the use of recycled products and products that may be recycled or reused.~~

~~The Texas Commission on Environmental Quality (TCEQ) by order shall exempt from compliance with these provisions a district with a student enrollment of fewer than 10,000 students.~~

~~*Health and Safety Code 361.426*~~

**Agricultural
Products**

If the cost and quality are equal, a district shall give preference in purchasing to agricultural products, including textiles and other similar products, that are produced, processed, or grown in Texas. "Processed" means canning, freezing, drying, juicing, preserving, or any other act that changes the form of a good from its natural state to another form. If Texas agricultural products are not equal in cost and quality to other agricultural products, a district shall give preference in purchasing to agricultural products produced, processed, or grown in the United States, if the cost and quality of the U.S. and foreign products are equal.

~~A district may not adopt product purchasing specifications that unnecessarily exclude agricultural products produced, processed, or grown in Texas.~~

**Vegetation for
Landscaping**

If cost is equal and the quality is not inferior, a district shall give preference to Texas vegetation when it purchases vegetation for landscaping purposes.

~~Education Code 44.042~~

**Bus Purchase or
Lease**

Each contract proposed for the purchase or lease of one or more school buses, including a lease with an option to purchase, shall be submitted to competitive bidding when the contract is valued at \$20,000 or more. ~~Education Code 44.031(f)~~ [See CNB]

Right to Work

~~4.1. While engaged in procuring goods and services or awarding a contract, a district:~~ May not consider whether a vendor is a member of or has another relationship with any organization; and

~~5.1. Shall ensure that its bid specifications and any subsequent contract or other agreement do not deny or diminish the right of a person to work because of the person's membership or other relationship status with respect to any organization.~~

~~Education Code 44.043~~

**Lobbying
Restriction—
Tobacco Education
Grant Funds**

A district may not spend grant funds it receives from the Permanent Fund for Tobacco Education and Enforcement to pay:

- ~~6. Lobbying expenses incurred by the district;~~
- ~~7. A person or entity that is required under Government Code Chapter 305 to register as a lobbyist with the Texas Ethics Commission;~~
- ~~8. Any partner, employee, employer, relative, contractor, consultant, or related entity of a person or entity of a registered lobbyist (as described in item 2); or~~

~~9. A person or entity who has been hired to represent associations or other entities for the purpose of affecting the outcome of legislation, agency rules, ordinances, or other government policies.~~

~~Gov't Code 403.1067~~

For provisions regarding change orders, see CV.

Criminal HistoryOffenses

~~For provisions pertaining to criminal history record information on contractors, see CJA(LEGAL).~~

Impermissible Practices

~~A board member~~An officer, employee, or agent ~~shall not, of a district commits an offense if the person~~ with criminal negligence, ~~make makes~~ or ~~authorize~~authorizes separate, sequential, or component purchases to avoid the ~~purchasing~~ requirements ~~set out in~~of Education Code 44.031-~~(a) or (b)~~. ~~An officer or employee shall not knowingly violate Education Code 44.031 in any other manner of-~~fense under this provision is a Class B misdemeanor and is an offense involving moral turpitude.

"Component purchases" means purchases of the component parts of an item that in normal purchasing practices would be made in one purchase. "Separate purchases" means purchases, made separately, of items that in normal purchasing practices would be made in one purchase. "Sequential purchases" means purchases, made over a period, of items that in normal purchasing practices would be made in one purchase.

~~Violation of~~Education Code 44.032(a)-(b)

An officer, employee, or agent of a district commits an offense if the person with criminal negligence violates Education Code 44.031(a) or (b) other than by conduct described by Education Code 44.032(b). An offense under this provision is a Class B misdemeanor and is an offense involving moral turpitude, ~~conviction.~~ Education Code 44.032(c)

An officer or employee of ~~which shall result~~ a district commits an offense if the officer or employee knowingly violates Education Code 44.031, other than by conduct described by Education Code 44.032(b) or (c). An offense under this provision is a Class C misdemeanor. Education Code 44.032(d)

Removal from Office

The final conviction of a person other than a trustee of a district for an offense under Education Code 44.032(b) or (c) above results in the immediate removal from office or ~~dismissal from employment of that person.~~ A ~~board member~~trustee who is convicted of ~~a violation of this provision is an offense under Education Code 44.032~~ is considered to have committed official misconduct for purposes of

Local Government Code Chapter 87, and is subject to removal as provided by that chapter and Texas Constitution Article V, Section 24. For four years after the date of the final conviction, the removed person is ineligible to be a candidate for or to be appointed or elected to a public office in Texas, is ineligible to be employed by or act as an agent for the state or a political subdivision of the state, and is ineligible to receive any compensation through a contract with the state or a political subdivision. ~~[See BBC]~~ of the state.
Education Code 44.032(e)

~~Education Code 44.032~~

Injunction

A court may enjoin performance of a contract made in violation of Education Code Chapter 44, Subchapter B. A county attorney, district attorney, criminal district attorney, citizen of the county in which ~~at~~the district is located, or any interested party may bring an action for an injunction. A party who prevails in an action brought under this ~~subsection~~provision is entitled to reasonable attorney's fees as approved by the court. *Education Code 44.032(f)*

Prohibitions

~~Entertainment
Event Contracts~~

~~A person, including a board, may not include a provision in a contract related to a parade, concert, or other entertainment event paid for in whole or in part with public funds that prohibits or would otherwise prevent the disclosure of information relating to the receipt or expenditure of public or other funds by a board for the event. A contract provision that violates Government Code 552.104(c) is void. Gov't Code 552.104(c) [See GBA for information related to competition or bidding.]~~

~~Taxpayer Resource
Transactions~~

~~A district may not enter into a taxpayer resource transaction with an abortion provider or an affiliate of an abortion provider. Gov't Code 2272.003(a)~~

~~"Taxpayer resource transaction" means a sale, purchase, lease, donation of money, goods, services, or real property, or any other transaction between a governmental entity and a private entity that provides to the private entity something of value derived from state or local tax revenue, regardless of whether the governmental entity receives something of value in return.~~

~~"Affiliate" means a person or entity who enters into with another person or entity a legal relationship created or governed by at least one written instrument, including a certificate of formation, a franchise agreement, standards of affiliation, bylaws, or a license, that demonstrates:~~

~~10. Common ownership, management, or control between the parties to the relationship;~~

~~11. A franchise granted by the person or entity to the affiliate; or~~

	~~12. The granting or extension of a license or other agreement authorizing the affiliate to use the other person's or entity's brand name, trademark, service mark, or other registered identification mark.~~
	~~Gov't Code 2272.001(3), (5)~~
Prohibited Contracts	~~For provisions regarding other prohibited contracts, see CV(LEGAL).~~

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

Required Vendor Disclosures

Disclosure of Interested Parties

A district may not enter into a contract described below with a business entity unless the business entity submits a disclosure of interested parties to the district at the time the business entity submits the signed contract to the district.

The requirement above applies only to a contract of a district that:

1. Requires an action or vote by the board before the contract may be signed;
2. Has a value of at least \$1 million; or
3. Is for services that would require a person to register as a lobbyist under Government Code Chapter 305.

Gov't Code 2252.908

A contract does not require an action or vote by the board if the board has legal authority to delegate to its staff the authority to execute the contract, the board has delegated this authority, and the board does not participate in the selection of the business entity with which the contract is entered into. 1 TAC 46.1(c)

Exclusions

The disclosure requirement does not apply to a contract with:

1. A publicly traded business entity, including a wholly owned subsidiary of the entity;
2. An electric utility, as defined by Utilities Code 31.002; or
3. A gas utility, as defined by Utilities Code 121.001.

Gov't Code 2252.908(c)(4)–(6)

Required Form

The disclosure of interested parties must be submitted on a form prescribed by the Texas Ethics Commission (TEC) that includes a list of each interested party for the contract of which the contracting business entity is aware; and a written, unsworn declaration subscribed by the authorized agent of the contracting business entity as true under penalty of perjury that is in substantially the form set out in Government Code 2252.908(e)(2). Gov't Code 2252.908(e); 1 TAC 46.5(a)

The certification of filing and the completed disclosure of interested parties form generated by TEC's electronic filing application must be printed, signed by an authorized agent of the contracting business entity, and submitted to the district that is the party to the contract for which the form is being filed. 1 TAC 46.5(b)

<u>Deadline</u>	<u>A district that receives a completed disclosure of interested parties form and certification of filing shall notify TEC, in an electronic format prescribed by TEC, of the receipt of those documents not later than the 30th day after the date the board receives the disclosure. 1 TAC 46.5(c); Gov't Code 2252.908(f)</u>
<u>Contract Changes</u>	<u>The disclosure requirements do not apply to a change made to an existing contract, including an amendment, change order, or extension of a contract except as set out below.</u> <u>The disclosure requirements apply to a change made to an existing contract, including an amendment, change order, or extension of a contract if:</u> <u>1. A disclosure of interested parties form was not filed for the existing contract; and either the changed contract requires an action or vote by the board or the value of the changed contract is at least \$1 million; or</u> <u>2. The business entity submitted a disclosure of interested parties form to the district that is a party to the existing contract; and either there is a change to the disclosure; or the changed contract requires an action or vote by the board; or the value of the changed contract is at least \$1 million greater than the value of the existing contract.</u> <u>1 TAC 46.4</u>
<u>Definitions</u>	<u>"AgentContract" means a ~~third party who undertakes to transact some contract between a board and a business or manage some affair for another person~~ entity at the time it is voted on by the ~~authority~~board or ~~on account of~~at the ~~other person. The term~~time it binds the board, whichever is earlier, and includes an ~~em- ployee~~.amended, extended, or renewed contract. 1 TAC 46.3(a)</u> <u>"Business ~~relationship~~entity" means a ~~connection between two~~any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or ~~more parties based on commercial activity of one of the parties. The term~~corporation. The term includes an entity through which business is conducted with a district, regardless of whether the entity is a for-profit or nonprofit entity, and does not include a ~~connection based on~~governmental entity or state agency. Gov't Code 2252.908(a)(1); 1 TAC 46.3(b)</u> <u>"Interested party" means a person who has a controlling interest in a business entity with whom a district contracts or who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity. Gov't Code 2252.908(a)(3); 1 TAC 46.3(d), (e)</u>

“Controlling interest” means:

1. A transaction that is subject to rate An ownership interest or fee regulation by participating interest in a federal, state, or local governmental business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds ten percent;
- 1.2. Membership on the board of directors or an agency other governing body of a federal, state, or local governmental business entity; of which the board or other governing body is composed of not more than ten members; or
- 2.3. Service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers. This provision does not apply to an officer of a publicly held business entity or its wholly owned subsidiaries.
- ~~1. A transaction conducted at a price and subject to terms available to the public; or~~
- ~~2. A purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.~~

~~“Family relationship” means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code. [See DBE]~~

~~“Gift” means a benefit offered by a person, including food, lodging, transportation, and entertainment accepted as a guest. The term does not include a benefit offered on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient.~~

~~“Local government officer” means a member of the board; the superintendent; or an agent (including an employee) of the district who exercises discretion in the planning, recommending, selecting, or contracting of a vendor.~~

~~“Vendor” means a person who enters or seeks to enter into a contract with the district. The term includes an agent of a vendor. The term includes an officer or employee of a state agency when that individual is acting in a private capacity to enter into a contract. The term does not include a state agency except for Texas Correctional Industries.~~

~~Local Gov’t Code 176.001~~

**Required Vendor
Disclosure**

~~The Texas Ethics Commission shall adopt a conflict of interest questionnaire that requires disclosure of a vendor's business and family relationships with a district. Local Gov't Code 176.006(b)~~

1 TAC 46.3(c)

"Signed" includes any symbol executed or adopted by a person with present intention to authenticate a writing, including an electronic signature. 1 TAC 46.3(f)

"Value" of a contract is based on the amount of consideration received or to be received by the business entity from the district under the contract. 1 TAC 46.3(g)

Note: See BBFA for additional information applicable to disclosures under Local Government Code Chapter 176, including:

- Definitions;
- Conflicts disclosure statements required to be filed by certain local government officers, including vendors who are also local government officers; and
- Internet posting requirements for conflicts disclosure statements and questionnaires.

**Conflict of Interest
Questionnaire**

A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with the district and:

- ~~3.1.~~ 1. Has an employment or other business relationship with a local government officer of the district, or a family member of the officer, described by Local Government Code 176.003(a)(2)(A);
- ~~4.2.~~ 2. Has given a local government officer of the district, or a family member of the officer, one or more gifts with the aggregate value specified by Local Government Code 176.003(a)(2)(B), excluding any gift described by Local Government Code 176.003(a-1); or
- ~~5.3.~~ 3. Has a family relationship with a local government officer of the district.

Local Gov't Code 176.006(a)

The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the ~~date that the vendor~~ later of:

1. The date that the vendor:

- a. Begins discussions or negotiations to enter into a contract with a district;
- b. Submits to the district an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the district; or

~~1.2.~~ The date the ~~person~~vendor becomes aware:

- a. Of an employment or other business relationship with a local government officer, or a family member of the officer; described by Local Government Code 176.006(a);
- b. That the person has given one or more gifts; described by Local Government Code 176.006(a); or
- c. Of a family relationship with a local government officer.

Local Gov't Code 176.006(a-1)

*Updating
Incomplete or
Inaccurate
Questionnaires*

A vendor shall file an updated completed questionnaire with the appropriate records administrator not later than the seventh business day after the date on which the vendor becomes aware of an event that would make a statement in the questionnaire incomplete or inaccurate. *Local Gov't Code 176.006(d)*

~~Vendors Who Are
Local Government
Officers~~

~~A person who is both a local government officer and a vendor of the district is required to file the questionnaire only if the person enters or seeks to enter into a contract with the district, or is an agent of a person who enters or seeks to enter into a contract with the district. Local Gov't Code 176.006(e)~~

*Validity of
Contract*

The validity of a contract between a vendor and the district is not affected solely because the vendor fails to comply with these requirements. *Local Gov't Code 176.006(i)*

**Required Contract
Provisions**

No Israel Boycott

A district may not enter into a contract with a company for goods and services unless the contract contains a written verification from the company that it does not boycott Israel and will not during the term of the contract.

The requirement above applies only to a contract that:

1. Is between a district and a company with ten or more full-time employees; and
2. Has a value of \$100,000 or more that is to be paid wholly or partly from public funds of the district.

Gov't Code 2271.002

Retention of
Contracting
Information

Application

“Company” has the meaning assigned by Government Code 808.001, except that the term does not include a sole proprietorship. Gov’t Code 2271.001(2)

These provisions apply to a contract that:

1. Has a stated expenditure of at least \$1 million in public funds for the purchase of goods or services by the district; or
2. Results in the expenditure of at least \$1 million in public funds for the purchase of goods or services by the district in a fiscal year of the district.

A board may not accept a bid for a contract described above or award the contract to an entity that the board has determined has knowingly or intentionally failed to comply with Government Code Chapter 552, Subchapter J (Additional Provisions Relating to Contracting Information) in a previous bid or contract described above unless the board determines and documents that the entity has taken adequate steps to ensure future compliance with the requirements of that subchapter. [For additional information and requirements, see GBA and GBAA.]

Requirements

A contract described above must require a contracting entity to:

1. Preserve all contracting information related to the contract as provided by the records retention requirements applicable to the district for the duration of the contract;
2. Promptly provide to the district any contracting information related to the contract that is in the custody or possession of the entity on request of the district; and
3. On completion of the contract, either:
 - a. Provide at no cost to the district all contracting information related to the contract that is in the custody or possession of the entity; or
 - b. Preserve the contracting information related to the contract as provided by the records retention requirements applicable to the district.

Bid and Contract
Language

Except as described at Exception, below, a bid for a contract described above and the contract must include the following statement: “The requirements of Subchapter J, Chapter 552, Government Code, may apply to this (include “bid” or “contract” as applicable) and the contractor or vendor agrees that the contract can be terminated if the contractor or vendor knowingly or intentionally fails to comply with a requirement of that subchapter.”

Notice of
Noncompliance

A board that is the party to a contract described above shall provide notice to the entity that is a party to the contract if the entity fails to comply with a requirement of Government Code Chapter 552, Subchapter J applicable to the entity. The notice must:

1. Be in writing;
2. State the requirement that the entity has violated; and
3. Unless the exception described below applies, advise the entity that the board may terminate the contract without further obligation to the entity if the entity does not cure the violation on or before the tenth business day after the date the board provides the notice.

Contract
Termination

Except as provided below, a governmental body may terminate a contract described above if: The board provides the required notice to the entity that is party to the contract;

2. The contracting entity does not cure the violation in the prescribed period;
3. The board determines that the contracting entity has intentionally or knowingly failed to comply with a requirement of Government Code Chapter 552, Subchapter J; and
4. The board determines that the entity has not taken adequate steps to ensure future compliance with the requirements of that subchapter.

An entity has taken adequate steps to ensure future compliance with Government Code Chapter 552, Subchapter J if:

1. The entity produces contracting information requested by the board that is in the custody or possession of the entity not later than the tenth business day after the date the board makes the request; and
2. The entity establishes a records management program to enable the entity to comply with Government Code Chapter 552, Subchapter J.

Exception

A board may not terminate a contract under these provisions if the contract is related to the purchase or underwriting of a public security, the contract is or may be used as collateral on a loan, or the contract's proceeds are used to pay debt service of a public security or loan.

Gov't Code 552.371(a), .372–.374 [See GBA]

Prohibitions

Entertainment
Event Contracts

A person, including a board, may not include a provision in a contract related to a parade, concert, or other entertainment event paid for in whole or in part with public funds that prohibits or would otherwise prevent the disclosure of information relating to the receipt or expenditure of public or other funds by a board for the event. A contract provision that violates Government Code 552.104(c) is void. Gov't Code 552.104(c) [See GBA for information related to competition or bidding.]

Taxpayer Resource
Transactions

A district may not enter into a taxpayer resource transaction with an abortion provider or an affiliate of an abortion provider. Gov't Code 2272.003(a)

"Taxpayer resource transaction" means a sale, purchase, lease, donation of money, goods, services, or real property, or any other transaction between a governmental entity and a private entity that provides to the private entity something of value derived from state or local tax revenue, regardless of whether the governmental entity receives something of value in return.

"Affiliate" means a person or entity who enters into with another person or entity a legal relationship created or governed by at least one written instrument, including a certificate of formation, a franchise agreement, standards of affiliation, bylaws, or a license, that demonstrates:

1. Common ownership, management, or control between the parties to the relationship;
2. A franchise granted by the person or entity to the affiliate; or
3. The granting or extension of a license or other agreement authorizing the affiliate to use the other person's or entity's brand name, trademark, service mark, or other registered identification mark.

Gov't Code 2272.001(3), (5)

Lobbying
Restriction—
Tobacco Education
Grant Funds

A district receiving funds or grants from the Permanent Fund for Health and Tobacco Education and Enforcement may not use the funds to pay: Lobbying expenses incurred by the district;

- ~~1.~~2. A person or entity that is required to register with the Texas Ethics Commission under Government Code Chapter 305 (Registration of Lobbyists);

Internet Posting

- ~~3. A district shall provide access on the district's Internet website to the required conflict of interest statements and questionnaires filed with the records administrator. Local Gov't Code 176.009~~Any partner, employee, employer, relative, contractor,

consultant, or related entity of a person or entity described by item 2; or

4. A person or entity who has been hired to represent associations or other entities for the purpose of affecting the outcome of legislation, agency rules, ordinances, or other government policies.

Gov't Code 403.1067(a)

Prohibited
Contracts

A district may not enter into a governmental contract with a company identified on a list prepared and maintained under Government Code 806.051 (now Government Code 2270.0201) (companies with business operations in Sudan), 807.051 (now Government Code 2270.0102) (companies with business operations in Iran), and 2252.153 (companies known to have contracts with or provide supplies or services to foreign terrorist organization). Gov't Code 2252.152

"Governmental contract" means a contract awarded by a governmental entity for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment. The term includes a contract to obtain professional services subject to Government Code 2254. Gov't Code 2252.151(3)

Reduction of Energy Consumption

~~A~~The board shall establish a long-range energy plan to reduce ~~a~~the district's annual electric consumption by five percent beginning with the 2008 state fiscal year and consume electricity in subsequent fiscal years in accordance with the district's energy plan. The plan must include:

1. Strategies for achieving energy efficiency, ~~including facility design and construction~~, that:
 - a. Result in net savings for the district; or
 - b. Can be achieved without financial cost to the district; and
2. For each strategy identified above, the initial, short-term capital costs and lifetime costs and savings that may result from implementation of the strategy.

[A strategy for achieving energy efficiency includes facility design and construction.](#)

In determining whether a strategy may result in financial cost to the district, the board shall consider the total net costs and savings that may occur over the seven-year period following implementation of the strategy.

The board may submit the plan to the State Energy Conservation Office for the purposes of determining whether funds available through loan programs administered by the office or tax incentives administered by the state or federal government are available to the district. The board may not disallow any proper allocation of incentives.

Education Code 44.902

Energy or Water Conservation Measures
[Savings Performance Contracts](#)

"Energy savings performance contract" has the meaning assigned by Local Government Code 302.001.

Each energy or water conservation measure must comply with current local, state, and federal construction, plumbing, and environmental codes and regulations. An energy savings performance contract may not include improvements or equipment that allow or cause water from any condensing, cooling, or industrial process or any system of nonpotable usage over which the public water supply system officials do not have sanitary control, to be returned to the potable water supply.

The board may enter into energy savings performance contracts only with persons who are experienced in the design, implementation, and installation of the energy or water conservation measures addressed by the contract.

~~The Government Code Chapter 2269~~ (Contracting and Delivery Procedures for Construction Projects ~~described at Government Code Chapter 2269 do~~) does not apply to energy savings performance contracts.

Performance Bond Before entering an energy savings performance contract, athe board shall require the provider of the energy or water conservation measures to file with the board a payment and performance bond relating to the installation of the measures in accordance with Government Code Chapter 2253-A (Public Work Performance and Payment Bonds). The board may also require a separate bond to cover the value of the guaranteed savings on the contract.

Financing An energy savings performance contract may be financed:

1. Under a lease/purchase contract that has a term not to exceed 20 years from the final date of installation and that meets federal tax requirements for tax-free municipal leasing or long-term financing.
2. With the proceeds of bonds.
3. Under a contract with the provider of the energy or water conservation measures that has a term not to exceed the lesser of 20 years from the final date of installation or the average useful life of the energy or water conservation or usage measures.

Notwithstanding other law, the board may use any available money to pay the provider of the energy or water conservation measures under these provisions, and the board is not required to pay for such costs solely out of the savings realized by the district under an energy savings performance contract. The board may contract with the provider to perform work that is related to, connected with, or otherwise ancillary to the measures identified in the scope of an energy savings performance contract.

An energy savings performance contract ~~for energy or water conservation measures~~ shall contain provisions requiring the provider of the energy or water conservation measures to guarantee the amount of the savings to be realized by athe district under the contract. If the term of an energy savings performance contract exceeds one year, the district's contractual obligations in any one year during the term of the contract beginning after the final date of installation may not exceed the total energy, water, wastewater, and operating cost savings, including electrical, gas, water, wastewater, or other utility cost savings and operating cost savings resulting from the measures as determined by the district, divided by the number of years in the contract term.

**Contract
Procurement**

An energy savings performance contract shall be let according to the procedures established for professional services by Government Code 2254.004 (the Professional Services Procurement Act). [See CH] Notice of the request for qualifications shall be published in the manner provided for competitive bidding.

~~The board may contract with the provider of the energy or water conservation measures to perform work that is related to, connected with, or otherwise ancillary to the measures identified in the scope of an energy savings performance contract.~~

**Cost Savings
Review**

Before entering into an energy savings performance contract, the board must require that the cost savings projected by an offeror be reviewed by a licensed professional engineer who has a minimum of three years of experience in energy calculation and review, is not an officer or employee of an offeror for the contract under review, and is not otherwise associated with the contract. In conducting the review, the engineer shall focus primarily on the proposed improvements from an engineering perspective, the methodology and calculations related to cost savings, increases in revenue, and, if applicable, efficiency or accuracy of metering equipment. An engineer who reviews a contract shall maintain the confidentiality of any proprietary information the engineer acquires while reviewing the contract. [Occupations Code 1001.053 and 1001.407 \(Texas Engineering Practice Act\) apply to work performed under the contract.](#)

Education Code 44.901

Recycling Program

~~In cooperation with the comptroller or the Texas Commission on Environmental Quality (TCEQ),~~ A district shall:

1. Establish a program for the separation and collection of all recyclable materials generated by the district's operations, ~~including at a minimum, aluminum, steel containers, aseptic packaging, polycoated paperboard cartons, high-grade office paper, and corrugated cardboard. "Recyclable materials" includes materials in a district's possession that have been abandoned or disposed of by the district's officers or employees or by any other person.~~
2. ~~A district shall also:~~ Provide procedures for collecting and storing recyclable materials, containers for recyclable materials, and procedures for making contractual or other arrangements with buyers of recyclable materials.
3. Evaluate the amount of recyclable material recycled and modify the recycling program as necessary to ensure that all recyclable materials are effectively and practicably recycled.

4. Establish educational and incentive programs to encourage maximum employee participation.

~~TCEQ by order shall exempt from compliance with Health and Safety Code 361.425; 30 TAC 328.202~~

Exemptions

These provisions:

~~A do not apply to a school district with a student enrollment of fewer than 10,000 students; and.~~

A district may exclude one or more recyclable materials from their program if the ~~district petitions TCEQ for an exemption and~~ TCEQ Texas Commission on Environmental Quality (TCEQ) finds that: ~~compliance~~

1. A recycling program for a recyclable material is not available through their solid waste provider; or
2. The inclusion of a recyclable material would ~~work~~ create a hardship.

A district may request additional consideration from TCEQ if compliance with these provisions would create a hardship.

30 TAC 328.204

Definitions

"Hardship" means a circumstance that causes unreasonable burden on the ~~district~~ governmental entity.

~~Health and Safety Code 361.425~~

~~Certificate of Mold Remediation~~

~~When a district sells property, the district shall provide to the buyer a copy of any certificate of mold remediation that has been issued for the property during the five years preceding the date the district sells the property. Occupations Code 1958.154(b); 16 TAC 78.150(e)~~

"Recyclable material" means a material generated by the entity's operations, including aluminum, steel containers, aseptic packaging and polycoated paperboard cartons, high-grade office paper, and corrugated cardboard.

30 TAC 328.201(2), (3)

Pools

Generally

~~An owner, manager, operator, or other attendant in charge of a For required public swimming pool, wading pool, baby pool, hot tub, in-ground spa, spray fountain, or other artificial body of water typically used for recreational swimming, bathing, or play shall comply with relevant pool sanitation and safety standards necessary to prevent drowning adopted by the executive commissioner of the Health and Human Services Commission. see Health and Safety Code~~

341.064 and .0645; and 25 ~~TAC~~ Administrative Code 265.181–
~~.208~~ 211.

Drains

Each public pool and spa shall comply with the drain cover standards found at 15 U.S.C. Section 8003. “Public pool and spa” means a swimming pool or spa that is open to the public generally, whether for a fee or free of charge. *15 U.S.C. 8003*

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Note: For information on ~~procuring goods and services under Education Code Chapter 44~~[the new instructional facilities allotment](#), see ~~CH(LEGAL)-CBA~~.

For additional legal requirements applicable to purchases with federal funds, see CBB.

For information on ~~the new instructional facilities allotment, see CBA~~[procuring goods and services under Education Code Chapter 44](#), see CH.

[For required vendor disclosures and contract provisions, including prohibitions](#), see CHE.

[For provisions pertaining to criminal history record information on contractors](#), see CJA(LEGAL).

[For legal requirements related to energy savings performance contracts](#), see CL.

Definition

[“Public work contract” means a contract for constructing, altering, or repairing a public building or carrying out or completing any public work. Gov’t Code 2253.001\(4\)](#)

Board Authority

A district may adopt rules as necessary to implement Government Code Chapter 2269. *Gov’t Code 2269.051*

Delegation of Authority

The board may delegate its authority under Government Code Chapter 2269 regarding an action authorized or required by Chapter 2269 to a designated representative, committee, or other person.

The ~~board~~[district](#) shall provide notice of the delegation, the limits of the delegation, and the name or title of each designated person by rule or in the request for bids, proposals, or qualifications or in an addendum to the request.

Gov’t Code 2269.053

[For information regarding delegation in the event of a catastrophe, emergency, or natural disaster, see CH.]

Contracts Valued at or Above \$50,000

[Except as provided by Education Code Chapter 44, Subchapter B](#), all district contracts [for the purchase of goods and services](#) valued at \$50,000 or more in the aggregate for each 12-month period shall be made by the method [of the following methods](#), that provides the best value for a district [see also CH]:

1. An interlocal contract. [Education Code 44.031\(a\)\(4\)](#) [See CH]

2. A method provided by Government Code Chapter 2269 for construction services. *Education Code 44.031(a)(5)*

- a. Competitive bidding. *Gov't Code 2269 Subch. C* [See CVA]
- b. Competitive sealed proposals. *Gov't Code 2269 Subch. D* [See CVB]
- c. Construction manager-agent method. *Gov't Code 2269 Subch. E* [See CVC]
- d. Construction manager-at-risk method. *Gov't Code 2269 Subch. F* [See CVD]
- e. Design-build method. *Gov't Code 2269 Subch. G* [See CVE]
- f. Job order ~~contract~~contracting. *Gov't Code 2269 Subch. I* [See CVF]

~~2.3.~~ The reverse auction procedure as defined by Government Code 2155.062(d). *Education Code 44.031(a)(6)* [See CH]

Education Code 44.031(a); Gov't Code Ch. 2269

~~[For information on contract-related fees, see CH.]~~

Selecting a Contracting Method

~~A board that considers a construction contract using a method authorized by Government Code Chapter 2269 other than competitive bidding must, before advertising, determine which method provides the best value for the district. *Gov't Code 2269.056(a)*~~

Exceptions

*Emergency
Damage or
Destruction*

~~If~~ For information on procurement options when school equipment, a ~~school~~ facility, or ~~a part of a school facility or~~ personal property is destroyed or severely damaged ~~or~~, as a result of an unforeseen catastrophe or emergency, ~~undergoes major operational or structural failure, and a board determines that the delay posed by the methods provided for in~~ under *Education Code 44.031* ~~would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment, school facility, or the part of the school facility may be made by methods other than those required by *Education Code 44.031*. *Education Code 44.031(h)*, see CH.~~

*Contracts
Requiring a Bond*

A reverse auction procedure, ~~whether the same or similar to that described by Government Code 2155.062~~, may not be used to obtain services related to a public work contract for which a bond is required under Government Code 2253.021 [see Payment and Performance Bonds, below]. *Gov't Code 2253.021(h)* "Reverse auction procedure" has the meaning assigned by Government

**Public Notice
Publication**

[Code 2155.062 or a procedure similar to that described by Section 2155.062. Gov't Code 2253.021\(h\)](#)

[A board shall advertise or publish notice of requests for bids, proposals, or qualifications in a manner prescribed by law.](#)

[For a contract entered into by a board under a method provided by Government Code 2269, the board shall publish notice of the time by when and place where the bids or proposals, or the responses to a bid or proposal or request for qualifications, will be received and opened shall be published in the county in which a district's central administrative office is located, once a week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications. If there is not a newspaper in that county, the advertising shall be published in a newspaper in the county nearest the county seat of the county in which a district's central administrative office is located. In a two-step procurement process, the time and place where the second-step bids, proposals, or responses will be received are not required to be published separately. Education Code 44.031\(g\); manner prescribed by law.](#)

Gov't Code 2269.052(a)–(b)

[\[See CH for additional notice publication requirements.\]](#)

**Contract Selection
Criteria**

In determining the award of a contract [under Government Code Chapter 2269](#), the district shall consider and apply:

1. Any existing laws, including any criteria, related to historically underutilized businesses; and
2. Any existing laws, rules, or applicable municipal charters, including laws applicable to local governments, related to the use of women, minority, small, or disadvantaged businesses.

In determining the award of a contract, the district may consider:

1. [The](#) price.
2. The offeror's experience and reputation.
3. The quality of the offeror's goods or services.
4. The impact on the ability of the district to comply with rules relating to historically underutilized businesses.
5. The offeror's safety record.
6. The offeror's proposed personnel.

7. Whether the offeror's financial capability is appropriate to the size and scope of the project.
8. Any other relevant factor specifically listed in the request for bids, proposals, or qualifications.

*Gov't Code 2269.055***Out-of-State
Bidders**

~~A board shall not award a contract for general construction, improvements, services, or public works projects or for purchase of supplies, materials, or equipment to a bidder whose principal place of business is not in this state, unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the greater of the amount by which a resident bidder would be required to underbid a nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located or a state in which a majority of the manufacturing relating to the contract will be performed. Gov't Code 2252.001-.002~~

~~This requirement shall not apply to a contract involving federal funds. A district shall rely on information published by the comptroller in evaluating the bids of a nonresident bidder. Gov't Code 2252.003-.004~~

**Publishing Using
Method Other Than
Competitive Bidding**Determine Best
ValuePublish Criteria

The board that considers a construction contract using a method authorized by Government Code Chapter 2269 other than competitive bidding must, before advertising, determine which method provides the best value for the district.

~~A~~The district shall base its selection among offerors on applicable criteria listed for the particular method used. The district shall publish in the request for proposals or qualifications the criteria that will be used to evaluate the offerors and the applicable weighted value for each criterion. ~~Gov't Code 2269.056(b)~~

Submission

~~A person who submits a bid, proposal, or qualification to a governmental entity shall seal it before delivery. Gov't Code 2269.059~~

Selection

~~A district shall base its selection among offerors on applicable criteria listed for the particular method used. Gov't Code 2269.056(b)~~

**Making Make
Evaluations Public**

~~A~~The district shall document the basis of its selection and shall make the evaluations public not later than the seventh day after the date the contract is awarded. ~~Gov't Code 2269.056(c), .105~~

Gov't Code 2269.056**Submission**

A person who submits a bid, proposal, or qualification to a governmental entity shall seal it before delivery. Gov't Code 2269.059

Right to Work

While engaged in procuring goods or services, awarding a contract, or overseeing procurement or construction for a public work or public improvement under Government Code Chapter 2269, a district:

1. May not consider whether a person is a member of or has another relationship with any organization; and
2. Shall ensure that its bid specifications and any subsequent contract or other agreement do not deny or diminish the right of a person to work because of the person's membership or other relationship status with respect to an organization.

Gov't Code 2269.054**Collective Bargaining**

A district awarding a public work contract funded with state money, including the issuance of debt guaranteed by the state, may not:

1. Prohibit, require, discourage, or encourage a person bidding on the public work contract, including a contractor or subcontractor, from entering into or adhering to an agreement with a collective bargaining organization relating to the project; or
2. Discriminate against a person described by item 1 based on the person's involvement in the agreement, including the person's status or lack of status as a party to the agreement or willingness or refusal to enter into the agreement.

Required Contract ProvisionsGov't Code 2269.0541(a)**Out-of-State Bidders**

For ~~information on required contract provisions~~ legal requirements regarding out-of-state bidders, see CH(LEGAL).

Change Orders

If a change in plans or specifications is necessary after the performance of a contract is begun or if it is necessary to decrease or increase the quantity of work to be performed or of materials, equipment, or supplies to be furnished, the district may approve change orders making the changes. The district may grant general authority to an administrative official to approve the change orders.

The total contract price may not be increased because of the changes unless additional money for increased costs is approved for that purpose from available money or is provided for by the authorization of the issuance of time warrants.

A contract with an original contract price of \$1 million or more may not be increased by more than 25 percent. If a change order for a contract with an original contract price of less than \$1 million increases the contract amount to \$1 million or more, the total of the subsequent change orders may not increase the revised contract amount by more than 25 percent of the original contract price.

*Education Code 44.0411***Inspection,
Verification, and
Testing**

Independently of the contractor, construction manager-at-risk, or design-build firm, a district shall provide or contract for the construction materials engineering, testing, and inspection services and the verification testing services necessary for acceptance of the facility by the district. The district shall select the services for which it contracts in accordance with Government Code 2254.004. *Gov't Code 2269.058*

Impact Fees

A district is not required to pay impact fees imposed under Local Government Code Chapter 395 unless the board consents to the payment of the fees by entering a contract with the political subdivision that imposes the fees. The contract may contain terms the board considers advisable to provide for the payment of the fees. *Local Gov't Code 395.022*

**Energy Savings
Performance
Contracts**

~~The contracting and delivery procedures for construction projects described at Government Code Chapter 2269 do not apply to energy savings performance contracts described at Education Code 44.901. Education Code 44.901(j) [See CL]~~

**Professional
Services**

Architects and
Engineers

An architect or engineer required to be selected or designated under Government Code Chapter 2269 has full responsibility for complying with Occupations Code Chapter 1051 or 1001, as applicable.

If the selected or designated architect or engineer is not a full-time employee of the district, the district shall select the architect or engineer on the basis of demonstrated competence and qualifications as provided by Government Code 2254.004 [see Procuring Professional Services, below].

Gov't Code 2269.057

**Registered
Architect**

An architectural plan or specification for any of the following may be prepared only by an architect ~~registered in accordance with Occupations Code, Title 6, Chapter 1051:~~

1. A new building having construction costs exceeding \$100,000 that is to be:
 - a. Constructed and owned by a district ~~that~~; and
 - b. Used for education, assembly, or office occupancy; or
2. An alteration or addition having construction costs exceeding \$50,000 that:
 - a. Is to be made to an existing building that:
 - (1) Is owned by a district; and

~~(1)(2)~~ Is or will be used for education, assembly, or office occupancy ~~when the total projected construction costs at the commencement of construction exceed \$100,000; and~~

- b. ~~Any alteration or addition to an existing building owned by a district that is, or will be, used for education, assembly, or office occupancy when the total projected construction costs of alteration or addition at the commencement of construction exceed \$50,000 and the alteration or addition~~ Requires the removal, relocation, or addition of ~~any walls~~ a wall or ~~partitions~~ partition or the alteration or addition of an exit.

This ~~section~~ provision does not prohibit ~~a district~~ an owner of a building from ~~choosing a registered~~ contracting with an architect or ~~a registered professional~~ engineer as the prime design professional for a building construction, alteration, or addition project. Designation as the prime design professional does not expand, ~~limit, or otherwise alter~~ the scope of ~~a design professional's~~ practice ~~nor does it allow a design professional to prepare of~~ an ~~architectural plan~~ architect or engineer beyond the scope of practice that the architect or specification described above engineer is authorized to practice under Occupations Code Chapter 1001 or 1051.

Occupations Code 1051.703; 22 TAC 1.212

Registered
Engineer

~~Electrical or mechanical engineering plans, specifications, and estimates for a district construction project whose contemplated cost at completion is more than \$8,000 and that involves~~ A district may not construct a public work involving engineering in which the public health, welfare, or safety must be prepared by a registered professional engineer, and is involved, unless:

1. The engineering plans, specifications, and estimates have been prepared by an engineer; and
- ~~1.2.~~ The engineering construction ~~executed~~ is to be performed under the direct supervision of ~~such~~ an engineer.

Occupations Code 1001.053; Atty. Gen. Op. C-791 (1966) 407

The following work is exempt from Occupations Code Chapter 1001 (Texas Engineering Practice Act): ~~A district is not required to secure~~

1. A public work that involves electrical or mechanical engineering, if the services of a registered professional engineer to prepare plans for contemplated expense for the completed project is \$8,000 or supervise a construction project less; or

2. A public work that does not involve electrical or mechanical engineering ~~and for which, if~~ the contemplated ~~cost does not exceed~~ expense for the completed project is \$20,000- or less.

Occupations Code 1001.053

*Certification for
Purchases
Through
Purchasing
Cooperatives*

A district may not enter into a contract to purchase construction-related goods or services through a purchasing cooperative under Government Code Chapter 791 in an amount greater than \$50,000 unless a person designated by the district certifies in writing that:

1. The project for which the construction-related goods or services are being procured does not require the preparation of plans and specifications under Occupation Code Chapter 1001 or 1051, ~~Occupations Code~~; or
2. The plans and specifications required under Occupation Code Chapters 1001 and 1051, ~~Occupations Code~~, have been prepared.

"Purchasing cooperative" means a group purchasing organization that governmental entities join as members and the managing entity of which receives fees from members or vendors.

Gov't Code 791.011(j) [See CH for more information on interlocal contracts and purchasing cooperatives.]

*Procuring
~~Professional~~ Archite
ctural or
Engineering
Services*

~~The purchasing requirements of~~ Education Code 44.031 ~~de~~does not apply to a contract for professional services rendered, including the services of an architect. ~~A district may contract for professional services rendered by a financial consultant or a technology consultant in the manner provided by Government Code 2254.003, in lieu of the methods provided by Education Code 44.031. Education Code 44.031(f)~~ Education Code 44.031(f) [See CH for information on the Professional Services Procurement Act generally.]

~~Competitive bids shall not be solicited for professional services of any architect, landscape architect, land surveyor, professional engineer, or state-certified or state-licensed real estate appraiser. Contracts for these professional services shall be made on the basis of demonstrated competence and qualifications to perform the services and for a fair and reasonable price. Gov't Code 2254.002, .003(a)~~

In procuring architectural, engineering, or land-surveying services, a district shall:

1. First select the most highly qualified provider on the basis of demonstrated competence and qualifications; and

2. Then attempt to negotiate ~~a contract~~ with that provider a contract at a fair and reasonable price.

If a satisfactory contract cannot be negotiated with the most highly qualified provider of architectural, engineering, or land-surveying services, a district shall formally end negotiations with that provider, select the next most highly qualified provider, and attempt to negotiate a contract with that provider at a fair and reasonable price. ~~A~~The district shall continue this process to select and negotiate with providers until ~~the parties enter into~~ a contract is entered into.

Gov't Code 2254.004

An interlocal contract between a district and a purchasing cooperative may not be used to purchase engineering or architectural services. *Gov't Code 791.011(h)*

Contracts for
Engineering or
Architectural
Services

Indemnification

A covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services to which ~~the~~a district is a party is void and unenforceable if the covenant or promise provides that a licensed engineer or registered architect whose work product is the subject of the contract must indemnify or hold harmless the district against liability for damage, other than liability for damage to the extent that the damage is caused by or results from an act of negligence, intentional tort, intellectual property infringement, or failure to pay a subcontractor or supplier committed by the indemnitor or the indemnitor's agent, consultant under contract, or another entity over which the indemnitor exercises control.

Duty to Defend

Except as provided below, a covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services to which ~~the~~a district is a party is void and unenforceable if the covenant or promise provides that a licensed engineer or registered architect whose work product is the subject of the contract must defend a party, including a third party, against a claim based wholly or partly on the negligence of, fault of, or breach of contract by the district, the district's agent, the district's employee, or other entity, excluding the engineer or architect or that person's agent, employee, or subconsultant, over which the district exercises control. A covenant or promise may provide for the reimbursement of ~~the~~a district's reasonable attorney's fees in proportion to the engineer's or architect's liability.

*District as
Additional
Insured*

~~The~~A district may require in a contract for engineering or architectural services to which the district is a party that the engineer or architect name the district as an additional insured under the engineer's or ~~architect's~~architect's general liability insurance policy and provide any defense provided by the policy.

Standard of Care A contract for engineering or architectural services to which a ~~gov-~~
~~ernmental agency~~ district is a party must require a licensed engi-
neer or registered architect to perform services:

1. With the professional skill and care ordinarily provided by competent engineers or architects practicing under the same or similar circumstances and professional license; and
2. As expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer or architect.

In a contract for engineering or architectural services to which ~~the~~ a district is a party, a provision establishing a different standard of care than a standard described above is void and unenforceable. If a contract contains a void and unenforceable provision, the standard of care described above applies.

Nothing in these provisions prohibits a district in a contract for engineering or architectural services to which the district is a party from including and enforcing conditions that relate to the scope, fees, and schedule of a project in the contract.

Local Gov't Code 271.904

~~Right to Work~~

~~While engaged in procuring goods or services, awarding a contract, or overseeing procurement or construction for a public work or public improvement under Government Code Chapter 2269, a district:~~

- ~~1. May not consider whether a person is a member of or has an other relationship with any organization; and~~
- ~~2.1. Shall ensure that its bid specifications and any subsequent contract or other agreement do not deny or diminish the right of a person to work because of the person's membership or other relationship status with respect to an organization.~~

~~Gov't Code 2269.054~~

~~Collective Bargaining~~

~~A district awarding a public work contract funded with state money, including the issuance of debt guaranteed by the state, may not:~~

- ~~1. Prohibit, require, discourage, or encourage a person bidding on the public work contract, including a contractor or subcontractor, from entering into or adhering to an agreement with a collective bargaining organization relating to the project; or~~
- ~~2. Discriminate against a person described by item 1 based on the person's involvement in the agreement, including the person's status or lack of status as a party to the agreement or willingness or refusal to enter into the agreement.~~

*Gov't Code 2269.0541***Accessibility**

~~Each facility or part of a facility constructed by, on behalf of, or for the use of a district shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by individuals with disabilities. Alterations of facilities that affect or could affect their usability shall, to the maximum extent feasible, be altered in such manner that the altered portion is readily accessible to and usable by individuals with disabilities. 28 C.F.R. 35.151, 34 C.F.R. 104.23~~

Payment and Performance Bonds

~~When a board~~A district that makes a public work contract ~~for constructing, altering, or repairing a public building or carrying out or completing any public work, it~~with a prime contractor shall require the contractor, before beginning the work, to execute to the district~~payment and/or~~

1. A performance ~~bonds as specified below. The bonds shall~~bond if the contract is in excess of \$100,000; and
2. A payment bond if the contract is in excess of \$25,000.

A bond required by this provision must be executed by a corporate surety in accordance with Insurance Code ~~7.19-1. The bond shall~~Article 7.19-1 (now Insurance Code 3503.001-.005). A bond for a public work contract with a district must be payable to ~~the board~~ and ~~in its~~ form must be approved by the awarding board.

Gov't Code 2253.021(a), (d)–(e)

~~For a contract in excess of \$100,000, a~~The performance bond ~~shall be executed~~is solely for the protection of the district awarding the public work contract, in the amount of the contract, and conditioned on the faithful performance of the work ~~according to~~in accordance with the plans, specifications, and contract documents. ~~The bond is solely for the protection of a district. Gov't Code 2253.021(b)~~

~~For a contract in excess of \$25,000, a~~The payment bond ~~shall be executed in the amount of the contract~~is solely for the protection and use of payment bond beneficiaries who have a direct contractual relationship with the prime contractor or a subcontractor to supply public work labor or material, and in the amount of the contract. *Gov't Code 2253.021(c)*

Failure to Obtain Payment Bond

If a ~~board~~district fails to obtain ~~a payment bond covering a contract in excess of \$25,000 from the~~a prime contractor a payment bond as required above;~~it~~

1. The district is subject to the same liability ~~as that~~ a surety would ~~be~~ have if the surety had issued a payment bond and if the district had obtained the bond; and

~~1.2.~~ A payment bond beneficiary is entitled to a lien on money due to the prime contractor in the same manner and to the same extent as if the public work contract were subject to ~~Subchapter J, Property Code~~ Chapter 53, ~~Property Code Gov't Code 2253.027~~ Subchapter J (Lien on Money Due Public Works Contractor).

No Bond for Design Services Only

~~A payment or performance bond is not required and may not provide coverage for the design portion of the design-build contract with the design-build firm. Gov't Code 2269.311(a) [See CVE for more information on design/build contracts, including bond amounts.]~~

Gov't Code 2253.027(a)

Bond for Insured Loss

A ~~board~~ district shall ensure that an insurance company that is fulfilling its obligation under a contract of insurance by arranging for the replacement of a loss, rather than by making a cash payment directly to the ~~governmental entity~~ district, furnishes or has furnished by a contractor:

1. A performance bond as described above for the benefit of a district, ~~as described above~~; and

2. ~~A payment bond, as described above.~~ for the benefit of the beneficiaries described above.

If the payment bond is not furnished, ~~a~~ the district is subject to the same liability that a surety would have if the surety had issued the payment bond and the district had required the bond to be provided.

~~These bonds~~ The bonds required to be furnished by the provisions above shall be furnished before the contractor begins work. It is an implied obligation under a contract of insurance for the insurance company to furnish these bonds.

Exception to Bond Requirement

~~The requirement that a district secure a performance or payment bond from an insurance company, above, does not apply~~ These provisions do not apply to a district when a surety company is complying with an obligation under a bond that had been issued for the benefit of the district.

Gov't Code 2253.022

**Prevailing Wage on
Public Works**

~~A worker,~~ "Worker" includes a laborer, or mechanic. Gov't Code 2258.001(3)

A worker employed on a public work, ~~exclusive of maintenance work,~~ by or on behalf of a district shall be paid:

1. Not less than the general prevailing ~~rate of per diem wages. The general prevailing rate of per diem wages is the~~ rate of per diem wages for work of a similar character in the locality in which the work is performed; ~~and also includes the~~
2. Not less than the general prevailing rate of per diem wages for legal holiday and overtime work.

The requirements above do not apply to maintenance work. A worker is employed on a public work for purposes of this provision if the worker is employed by a contractor or subcontractor in the execution of a contract for public work with a district. ~~Gov't Code 2258.001, .021~~

~~A~~ Gov't Code 2258.021

For a contract for a public work awarded by a district, the board shall determine ~~, as a sum certain,~~ the general prevailing rate of per diem wages in athe district for each craft or type of worker needed to execute the contract and ~~also the prevailing rate~~ for legal holiday and overtime work by. ~~To ascertain the general prevailing rate of per diem wages, a board shall either conduct~~

1. Conducting a survey of the wages received by classes of workers, ~~laborers, and mechanics~~ employed on projects of a character similar to the contract work in athe district in which the public work is to be performed; or ~~adopt~~
2. Using the prevailing wage rate as determined by the U.S. Department of Labor, in accordance with the Davis-Bacon Act (40 U.S.C. Section 276a et seq.), and its subsequent amendments.

The board shall determine the general prevailing rate of per diem wages as a sum certain, expressed in dollars and cents. A board shall specify ~~the prevailing rate of per diem wages in~~ in the call for bids for the contract and in the contract itself. ~~A the wage rates determined under these provisions. The~~ board's determination of the general prevailing rates of per diem wages ~~shall be~~ is final.

Gov't Code 2258.001, .022 (a), (c)-(e)

Enforcement

Government Code 2258.022(b) applies to a public work located in a county bordering the United Mexican States or in a county adjacent to a county bordering the United Mexican States. Gov't Code 2258.022(b)

A board awarding a contract, and an agent or officer of the board, shall: ~~receive~~

1. Take cognizance of complaints ~~regarding of all~~ violations of ~~the prevailing wage requirements of Government Code Chapter 2258, and~~ committed in the execution of the contract; and
2. Withhold money forfeited or required to be withheld under Government Code Chapter 2258 from the payments to the contractor under the contract, except that the board may not withhold money from the contractor as required by statute. Upon other than the final payment without a determination by the board that there is good cause to believe that the contractor has violated Government Code Chapter 2258.

On receipt of a complaint, a board shall determine, before the 31st day after the date the information is received, including a complaint by a worker, concerning an alleged violation of Government Code 2258.023 [see Penalty for Noncompliance, below] by a contractor or subcontractor, a board shall make an initial determination as to whether good cause exists to believe that a contractor or subcontractor has failed to pay the prevailing wage and shall provide written notice of its determination to the violation occurred. A board must make its determination before the 31st day after the date the board receives the information. A board shall notify in writing the contractor or subcontractor and any affected laborer, worker, or mechanic of its initial determination.

Gov't Code 2258.051-.052(a)-(c)

Retainage and
Reimbursement

A board shall retain any ~~amounts~~ amount due under the contract pending a final determination of the violation. ~~Upon a final determination that violations have occurred, Gov't Code 2258.052(d)~~

Note: Arbitration of unresolved issues is governed by Government Code 2258.053-.055.

A board shall use ~~those~~ any amounts retained ~~amounts~~ under Government Code Chapter 2258 to pay the ~~laborer, worker, or mechanic~~ the difference between the amount the worker received in wages for labor on the public work at the rate paid by the contractor or subcontractor and the amount the worker would have received at the general prevailing rate ~~of per diem wages as~~ provided

Penalty for
Noncompliance

in the arbitrator's award. ~~A~~The board may adopt rules, orders, or ordinances relating to the manner in which the reimbursement is made. Gov't Code 2258.052(d), .056(a)–(b)

The contractor ~~to whom the contract~~ who is awarded a contract by a district or ~~any subcontractors~~ a subcontractor of the contractor shall pay not less than the ~~specified rates to all laborers, workers, and mechanics~~ determined under these provisions to a worker employed by it in the execution of the contract. A contractor or subcontractor who ~~fails to pay the specified rates as required~~ violates this provision shall pay to ~~at the~~ district on whose behalf the contract is made, \$60 for each worker, ~~laborer, or mechanic~~ employed for each calendar day or part of ~~a calendar~~ the day that the worker is paid less than the wage rates ~~specified~~ stipulated in the contract. A board ~~must~~ awarding a contract shall specify this penalty in the contract. ~~If a district~~ A contractor or subcontractor does not violate this section if a board awarding a contract does not determine the prevailing wage rates and specify ~~them~~ the rates in the contract, ~~the contractor or subcontractor may not be fined. A board~~ as required by these provisions. The board shall use any ~~penalty~~ money collected under this provision to offset the costs incurred in ~~adminis-~~ tering the administration of Government Code Chapter 2258. Gov't Code 2258.023

Criminal Offense

An officer, agent, or representative of a district commits an offense if the person willfully violates or does not comply with a provision of Government Code 2258. Gov't Code 2258.058(a)

**Required Workers'
Compensation
Coverage**

A district that enters into a building or construction contract shall require the contractor to certify in writing that the contractor provides workers' compensation insurance coverage for each employee of the contractor employed on the public project. Each subcontractor shall provide such a certificate relating to coverage of the subcontractor's employees to the general contractor, who shall provide the subcontractor's certificate to the district. *Labor Code 406.096(a)–(b)*

~~“Project” includes the provision of all services related to a building or construction contract for a district.~~ A district that enters into a building or construction contract on a project shall:

1. Include in the bid specifications all the duties and responsibilities of contractors pertaining to required workers' compensation coverage, using the language required by 28 Administrative Code 110.110(c)(7).
2. As part of the contract, using the language required by 28 Administrative Code 110.110(c)(7), require the contractor to perform the duties and responsibilities pertaining to required

workers' compensation coverage as set out in 28 Administrative Code 110.110(d).

3. Obtain from the contractor a certificate of coverage for each person providing services on the project, prior to that person beginning work on the project.
4. ~~This provision includes all persons or entities performing all or part of the services the contractor has undertaken to perform on the project, regardless of whether that person contracted directly with the contractor and regardless of whether that person has employees. This includes, but is not limited to, independent contractors, subcontractors, leasing companies, motor carriers, owner-operators, employees of any such entity, or employees of any entity furnishing persons to perform services on the project. "Services" includes, but is not limited to, providing, hauling, or delivering equipment or materials, or providing labor, transportation, or other service related to a project. "Services" does not include activities unrelated to the project, such as food/beverage vendors, office supply deliveries, and delivery of portable toilets.~~ Obtain from the contractor a new certificate of coverage showing extension of coverage:
 - a. Before the end of the current coverage period, if the contractor's current certificate shows that the coverage period ends during the duration of the project; and
 - b. No later than seven days after the expiration of the coverage for each other person providing services on the project whose current certificate shows that the coverage period ends during the duration of the project.
5. Retain certificates of coverage on file for the duration of the project and for three years thereafter.
6. Provide a copy of the certificate of coverage to the Texas Department of Insurance, Division of Workers' Compensation upon request and to any person entitled to a copy by law.
7. Use the language contained in 28 Administrative Code 110.110(c)(7) for bid specifications and contracts, without any additional words or changes, except those required to accommodate the specific document in which they are contained or to impose stricter standards of documentation.

28 TAC 110.110~~(a)(7), (8), (c)~~

Exception	This coverage requirement does not apply to sole proprietors ~~or~~ partners ~~of a covered business entity or certain~~ <u>and</u> corporate officers, ~~if who meet the sole proprietor, partner or officer is requirements of Labor Code 406.097(c), and who are~~ explicitly excluded from ~~the coverage of their business entity through an endorsement to the insurance policy or certificate of authority to self-insure. Labor Code 406.097;~~ <u>in accordance with Labor Code 406.097(a).</u> 28 TAC 110.110(i)
<u>Definitions</u>	<u>"Persons providing services on the project" includes all persons or entities performing all or part of the services the contractor has undertaken to perform on the project, regardless of whether that person contracted directly with the contractor and regardless of whether that person has employees. This includes but is not limited to independent contractors, subcontractors, leasing companies, motor carriers, owner-operators, employees of any such entity, or employees of any entity furnishing persons to perform services on the project. "Services" includes but is not limited to providing, hauling, or delivering equipment or materials, or providing labor, transportation, or other service related to a project. "Services" does not include activities unrelated to the project, such as food/beverage vendors, office supply deliveries, and delivery of portable toilets. 28 TAC 110.110(a)(7)</u> <u>"Project" includes the provision of all services related to a building or construction contract for a district. 28 TAC 110.110(a)(8)</u>
Criminal History <u>Offenses</u>	For ~~provisions pertaining to criminal history record~~ information on contractors, ~~see CJA(LEGAL).~~
Impermissible Practices	A board member, employee, or agent of a district who knowingly or with criminal negligence violates the purchasing laws found in <u>criminal offenses for violations of</u> Education Code Chapter 44 as described at Education Code 44.032 is subject to criminal penalties. ~~Education Code 44.032 [See 44.031, see CH].~~
Enforcement Actions	Government Code Chapter 2269 may be enforced through an action for declaratory or injunctive relief filed not later than the tenth day after the date on which the contract is awarded. Gov't Code 2269.452
Defects in Facilities	A district that brings an action for recovery of damages for the defective design, construction, renovation, or improvement of a district facility financed by bonds shall provide the commissioner with written notice of the action by registered or certified mail, return receipt requested, not later than the 30th day after the date the action is filed. If the district fails to comply with this provision, the court or an arbitrator or other adjudicating authority shall dismiss the action without prejudice. The dismissal of an action under this

provision extends the statute of limitations on the action for a period of 90 days.

The notice must include a copy of the petition and an itemized list of the defects in the design, construction, renovation, or improvement for which the district is seeking damages under the action.

In an action involving an instructional facility financed by bonds for which the district receives state assistance under Education Code Chapter 46, Subchapter A (Instructional Facilities Allotment), the commissioner may join in the action on behalf of the state to protect the state's share [in the action](#).

A district that brings an action under these provisions shall use the net proceeds from the action for:

1. The repair of the defective design, construction, renovation, or improvement of the facility on which the action is brought, including the repair of any ancillary damage to furniture and fixtures;
2. The replacement of the facility on which the action is brought;
3. The reimbursement of the district for a repair or replacement; or
4. Any other purpose with written approval from the commissioner.

Education Code 46.008 applies to the repair. A district shall provide to the commissioner an itemized accounting of any repairs made.

The state's share resulting from an action brought under these provisions involving an instructional facility financed by bonds for which the school district receives state assistance under Education Code Chapter 46, Subchapter A is state property. The district shall send to the comptroller any portion of the state's share not used by the district to repair the defective design, construction, renovation, or improvement of the instructional facility on which the action is brought or to replace the facility. Education Code 48.272 applies to the state's share.

Definitions

"Net proceeds" means the difference between the amount recovered by or on behalf of a school district in an action, by settlement or otherwise, and the legal fees and litigation costs incurred by the district in prosecuting the action.

"State's share" means an amount equal to the district's net proceeds from the recovery multiplied by a percentage determined by dividing the amount of state assistance under Education Code Chapter 46, Subchapter A used to pay the principal of and interest

on bonds issued in connection with the instructional facility that is the subject of the action by the total amount of principal and interest paid on the bonds as of the date of the judgment or settlement.

[Education Code 44.151](#)

*Attorney General
Enforcement*

If the attorney general believes that a district has violated or is violating Education Code 44.151(d), (e), or (f) (use of proceeds, accounting, and the state's share), the attorney general may, after providing at least two weeks' notice to the district, bring an action on behalf of the state to enjoin the district from violating those sections.

In such an action, the attorney general may request and the court may order any other appropriate relief that is in the public interest, including payment of:

1. A civil penalty in an amount not to exceed \$20,000 for each violation;
2. The attorney general's reasonable costs for investigating and prosecuting the violation; or
3. If applicable, the amount of the state's share.

[Education Code 44.152\(a\)–\(b\)](#)

Attorney Fees

A governmental contract ~~for general construction, an improvement, a service, or a public works project~~ may not provide for the award of attorney's fees to a district in a dispute in which the district prevails unless the contract provides for the award of attorney's fees to each other party to the contract if that party prevails in the dispute. ~~Gov't Code 2252.904~~

~~The term includes a contract to obtain professional services subject to Government Code 2254. Gov't Code 2252.151(3)~~

~~"Governmental contract" means a contract awarded by a governmental entity for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment.~~

[Gov't Code 2252.904](#)

*Construction
Liability Claims*

To assert a claim against a contractor, subcontractor, supplier, or design professional for damages arising from damage to or loss of real or personal property caused by an alleged construction defect in an improvement to real property that is a public building or public work in which the district has an interest, the district must comply with Government Code Chapter 2272. *Gov't Code 2272.002(a)*

Prohibited Contracts

~~A district may not enter into a governmental contract with a company identified on a list prepared and maintained under Government Code 806.051 (now Government Code 2270.0201) (companies with business operations in Sudan), 807.051 (now Government Code 2270.0102) (companies with business operations in Iran), and 2252.153 (companies known to have contracts with or provide supplies or services to foreign terrorist organization). Gov't Code 2252.152~~

~~"Governmental contract" means a contract awarded by a governmental entity for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment. The term includes a contract to obtain professional services subject to Government Code 2254. Gov't Code 2252.151(3)~~

~~[For other prohibitions, see CH(LEGAL).]~~

~~**Note:** For additional legal requirements applicable to purchases with federal funds, see CBB.~~

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

“Competitive bidding” is a procurement method by which a district contracts with a contractor for the construction, alteration, rehabilitation, or repair of a facility by awarding the contract to the lowest responsible bidder.

Except as otherwise provided by Government Code Chapter 2269 or other law, a district may contract for the construction, alteration, rehabilitation, or repair of a facility only after the district advertises for bids for the contract in a manner prescribed by law, receives competitive bids, and awards the contract to the lowest responsible bidder.

Gov’t Code 2269.101

~~The competitive bidding process is governed by the process outlined below. A district must comply with applicable legal requirements in this policy as well as other applicable legal requirements [see CV(LEGAL)], which include the following steps:~~

- ~~1. Giving public notice of the project;~~
- ~~2. Publishing contract selection criteria;~~
- ~~3. Making evaluations public after the contract is awarded; and~~
- ~~4. Providing for inspection, verification, and testing necessary for acceptance of the facility by the district.~~

~~Education Code 44.031(g); Gov’t Code 2269.052, .055, .056(c), .058, .105~~

Preparation of Request

The district shall prepare a request for competitive bids that includes construction documents, estimated budget, project scope, estimated project completion date, and other information that a contractor may require to submit a bid. *Gov’t Code 2269.103*

~~Use of Architect or~~
/Engineer

The district shall select or designate an architect or engineer in accordance with Occupations Code Chapter 1051 or 1001, as applicable, to prepare the construction documents required for a project

to be awarded by competitive bidding. *Gov't Code 2269.102* [See CV]

Opening Bids

The district shall receive, publicly open, and read aloud the names of the offerors and their bids. [*Gov't Code 2269.104*](#)

Bids ~~shall~~[may](#) be opened only by ~~a~~[the](#) board at a public meeting or by an officer or employee of ~~a~~[the](#) district at or in an office of the district. A bid that has been opened may not be changed for the purpose of correcting an error in the bid price. ~~Gov't Code 2269.104;~~[Local Government Code Chapter 271, Subchapter B does not change the common law right of a bidder to withdraw a bid due to a material mistake in the bid. Local Gov't Code 271.026](#)

~~A~~[The](#) board ~~shall have the right~~[is entitled](#) to reject any and all bids. *Local Gov't Code 271.027(a)*

Safety Record

In determining who is a responsible bidder, ~~a board~~[the district](#) may take into account the safety record of the bidder; of the firm, corporation, partnership, or institution represented by the bidder; or of anyone acting for such firm, corporation, partnership, or institution; ~~provided that the board has~~ [if](#):

1. [The board has](#) adopted a written definition and criteria for accurately determining the safety record of ~~the~~[a](#) bidder.
2. [The board has](#) given notice [to prospective bidders](#) in the bid specifications that the safety record of a bidder may be considered in determining the ~~bidder's~~[responsibility of the bidder](#).
3. ~~Ascertained that such determination is~~[The determinations are](#) not arbitrary and capricious.

Local Gov't Code 271.0275

~~Conflict of Laws~~

Identical Bids

[If a district is required to accept bids on a contract and receives two or more bids from responsible bidders that are identical, in nature and amount, as the lowest and best bids, the board shall enter into a contract with only one of those bidders and must reject all other bids.](#)

[If only one of the bidders submitting identical bids is a resident of the district, the district must select that bidder. If two or more of the bidders submitting identical bids are residents of the district, the district must select one of those bidders by the casting of lots. In all other cases, the district must select from the identical bids by the casting of lots.](#)

[The casting of lots must be in a manner prescribed by the board and must be conducted in the presence of the board. All qualified](#)

bidders or their legal representatives may be present at the casting of lots.

These provisions do not prohibit a district from rejecting all bids. These provisions apply to all districts required by general or special law to accept bids and award contracts on the basis of the lowest and best bid, but do not apply to bidding for contracts to act as a depository for school funds under Education Code Chapter 45, Subchapter G [see BDAE].

Local Gov't Code 271.901

**Make Evaluations
Public**

Not later than the seventh day after the date the contract is awarded, the district shall document the basis of its selection and shall make the evaluations public. Gov't Code 2269.105

**Applicability of Other
Competitive Bidding
Laws**

Except as otherwise specifically provided in this policy, Local Government Code Chapter 271, Subchapter B, (Competitive Bidding on Certain Public Works Contracts), does not apply to the competitive bidding process ~~conducted under this policy.~~ Gov't Code 2269.106

~~**Note:** For additional legal requirements applicable to purchases with federal funds, see CBB.~~

Note: [For additional legal requirements applicable to purchases with federal funds, see CBB.](#)

[For legal requirements generally applicable to the procurement process, see CH and CV.](#)

“Competitive sealed proposals” is a procurement method by which a district requests proposals, ranks the offerors, negotiates as prescribed, and then contracts with a general contractor for the construction, rehabilitation, alteration, or repair of a facility. ~~Gov’t Code 2269.151~~ [In selecting a contractor through competitive sealed proposals, a district shall follow the procedures provided by Government Code 2269, Subchapter D. Gov’t Code 2269.151](#)

~~If a district uses the competitive sealed proposals method as described in this policy, it must comply with applicable legal requirements in this policy as well as other applicable legal requirements [see CV(LEGAL)], which include the following steps:~~

~~Selecting a contracting method;~~

~~Giving public notice of the project;~~

~~Publishing contract selection criteria;~~

~~Making evaluations public after the contract is awarded; and~~

~~Providing for inspection, verification, and testing necessary for acceptance of the facility by the district.~~

~~Education Code 44.031(g); Gov’t Code 2269.052, .055, .056(a), (c), .058~~

Request for Proposals

[A](#)The district shall prepare a request for competitive sealed proposals that includes construction documents, selection criteria and the weighted value for each criterion, estimated budget, project scope, estimated project completion date, and other information that a contractor may require to respond to the request. *Gov’t Code 2269.153*

Architect/Engineer

[A](#)The district shall select or designate an architect or engineer to prepare construction documents for the project. *Gov’t Code 2269.152 [See CV]*

Opening Proposals

~~A~~The district shall receive, publicly open, and read aloud the names of the offerors and any monetary proposals made by the offerors. Not later than the 45th day after the date on which the proposals are opened, ~~a~~the district shall evaluate and rank each proposal submitted in relation to the published selection criteria. Gov't Code 2269.154

Selection

~~A~~The district shall select the offeror that submits the proposal that offers the best value for the district based on:

1. The selection criteria in the request for proposal and the weighted value for those criteria in the request for proposal; ~~and on its ranking evaluation.~~

2. Its ranking evaluation.~~A~~

The district shall first attempt to negotiate a contract with the selected offeror. ~~A~~The district and its architect or engineer may discuss with the selected offeror options for a scope or time modification and any price change associated with the modification. If ~~a~~the district is unable to negotiate a satisfactory contract with the selected offeror, the district shall, formally and in writing, end negotiations with that offeror and proceed to the next offeror in the order of the selection ranking until a contract is reached or all proposals are rejected.

Gov't Code 2269.155

Note: ~~For additional legal requirements applicable to purchases with federal funds, see CBB.~~

A “construction manager-agent”

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

The “construction manager-agent method” is a delivery method by which a district contracts with a construction manager-agent to provide consultation or administrative services during the design and construction phase and to manage multiple contracts with various construction prime contractors.

A construction manager-agent is a sole proprietorship, partnership, corporation, or other legal entity that serves as the agent for the district by providing ~~consultation or administrative services during the design and construction phase and managing multiple contracts with various construction prime contractors for~~ construction administration and management services described above for the construction, rehabilitation, alteration, or repair of a facility. A district may retain a construction manager-agent only as provided by Government Code Chapter 2269, Subchapter E.

Gov’t Code 2269.201

The contract between the district and the construction manager-agent may require the construction manager-agent to provide administrative personnel, equipment necessary to perform duties under this policy, on-site management, and other services specified in the contract. *Gov’t Code 2269.201–.202*

A construction manager-agent may not:

1. Self-perform any aspect of the construction, rehabilitation, alteration, or repair of the facility.
2. Be a party to a construction subcontract for the construction, rehabilitation, alteration, or repair of the facility.
3. Provide or be required to provide performance and payment bonds for the construction, rehabilitation, alteration, or repair of the facility.

Gov’t Code 2269.203

A construction manager-agent represents ~~a~~the district in a fiduciary capacity. *Gov't Code 2269.204*

~~A district may use the construction manager-agent method for the construction, rehabilitation, alteration, or repair of a facility. In using this method, a district must comply with applicable legal requirements in this policy as well as other applicable legal requirements [see CV(LEGAL)], which include the following steps:~~

- ~~1.—Selecting a contracting method;~~
- ~~2.—Giving public notice of the project;~~
- ~~3.—Publishing contract selection criteria;~~
- ~~4.—Making evaluations public after the contract is awarded; and~~
- ~~5.—Providing for inspection, verification, and testing necessary for acceptance of the facility by the district.~~

~~Education Code 44.031(g); Gov't Code 2269.052, .055, .056(a), (c), .058, .201(c)~~

Architect/Engineer

On or before the selection of a construction manager-agent, the district shall select or designate an architect or engineer in accordance with Occupations Code Chapter 1051 or 1001, as applicable, to prepare the construction documents for the project. ~~Gov't Code 2269.205(a)~~ [See CV]

AThe district's architect or engineer may not serve, alone or in combination with another person, as the construction manager-agent unless the architect or engineer is hired to serve as the construction manager-agent under a separate or concurrent selection process conducted in accordance with this policy. AThis provision does not prohibit the district's architect or engineer ~~is not prohibited by this policy~~ from providing customary construction-phase services under the architect's or engineer's original professional service agreement in accordance with applicable licensing laws. ~~Gov't Code 2269.205(b)~~

To the extent that the construction manager-agent's services are defined as part of the practice of architecture or engineering under Occupations Code Chapter 1051 or 1001 those services must be conducted by a person licensed under the applicable chapter. ~~Gov't Code 2269.205(c)~~

Gov't Code 2269.205

Selection of Construction Manager-Agent

A district shall select a construction manager-agent on the basis of demonstrated competence and qualifications in the same manner

that an architect or engineer is selected under Government Code 2254.004. *Gov't Code 2269.207* [See CV]

Insurance

~~The~~^A construction manager-agent [selected under this policy](#) shall maintain professional liability or errors and omissions insurance in the amount of at least \$1 million for each occurrence. *Gov't Code 2269.208*

**Selection of
Contractors**

A district using the construction manager-agent method shall procure, in accordance with applicable law and in any manner authorized by Government Code Chapter 2269, a general contractor or trade contractors who will serve as the prime contractor for their specific portion of the work and provide performance and payment bonds to the district in accordance with applicable laws. *Gov't Code 2269.206*

~~**Note:** For additional legal requirements applicable to purchases with federal funds, see CBB.~~

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

The “construction manager-at-risk method” is a delivery method by which a district contracts with an architect or engineer for design and construction phase services and contracts separately with a construction manager-at-risk to serve as the general contractor and to provide consultation during the design and construction, rehabilitation, alteration, or repair of a facility. ~~Gov’t Code 2269.251(a)~~

A construction manager-at-risk is a sole proprietorship, partnership, corporation, or other legal entity that assumes the risk for construction, rehabilitation, alteration, or ~~repairs~~repair of a facility at ~~a~~the contracted price as a general contractor and provides consultation to ~~a~~the district regarding construction during and after the design of the facility. The contracted price may be a guaranteed maximum price. ~~Gov’t Code 2269.251(b)~~A district may use the construction manager-at-risk method in selecting a general contractor for the construction, rehabilitation, alteration, or repair of a facility only as provided by Government Code Chapter 2269, Subchapter F.

~~A district may use the construction manager-at-risk method for the construction, rehabilitation, alteration, or repair of a facility. In using this method, a district must comply with applicable legal requirements in this policy as well as other applicable legal requirements [see CV(LEGAL)], which include the following steps:~~

- ~~1. Selecting a contracting method;~~
- ~~2. Giving public notice of the project;~~
- ~~3. Publishing contract selection criteria;~~
- ~~4. Making evaluations public after the contract is awarded; and~~
- ~~5. Providing for inspection, verification, and testing necessary for acceptance of the facility by the district.~~

~~Education Code 44.031(g); Gov’t Code 2269.052, .055, .056(a), (c), .058, .251(c)~~

Architect/Engineer

On or before the selection of a construction manager-at-risk, the district shall select or designate an architect or engineer or architect to prepare the construction documents for the project. ~~Gov't Code 2269.252(a)~~ [See CV]

The district's architect or engineer for a project, or an entity related to the district's architect or engineer, may not serve, alone or in combination with another, as the construction manager-at-risk.

~~The~~ This provision does not prohibit the district's engineer or architect ~~is not prohibited~~ from providing customary construction phase services under the architect's or engineer's original professional service agreement in accordance with applicable licensing laws.

An entity is related to the district's architect or engineer if the entity is a sole proprietorship, corporation, partnership, limited liability company, or other entity that is a subsidiary, parent corporation, or partner or has any other relationship in which the district's architect or engineer has an ownership interest, or is subject to common ownership or control, or is party to an agreement by which it will receive any proceeds of the construction manager-at-risk's payments from the district.

~~Gov't Code 2269.252(b), (c)~~

Selection Process

~~A~~ The district shall select the construction manager-at-risk in ~~either~~ a one-step or two-step process. A district shall prepare a single request for proposals, in the case of a one-step process, and an initial request for qualifications, in the case of a two-step process, that includes:

1. A statement as to whether the selection process is a one-step or two-step process;
2. General information on the project site, project scope, schedule, selection criteria and the weighted value for each criterion, and estimated budget and the time and place for receipt of the proposals or qualifications; and
3. Other information that may assist a district in its selection of a construction manager-at-risk.

~~A~~ The district shall state the selection criteria in the request for proposals or qualifications.

If a one-step process is used, ~~a~~ the district may request, as part of the offeror's proposal, proposed fees and prices for fulfilling the general conditions. If a two-step process is used, ~~a~~ the district may not request fees or prices in step one. In step two, ~~a~~ the district may request that five or fewer offerors, selected solely on the basis of

qualifications, provide additional information, including the construction manager-at-risk's proposed fee and ~~its price~~prices for fulfilling the general conditions.

Gov't Code 2269.253(a)–(e)

**Opening and
Evaluating
Proposals**

At each step, ~~a~~the district shall receive, publicly open, and read aloud the names of the offerors. At the appropriate step, ~~a~~the district shall also read aloud the fees and prices, if any, stated in each proposal as the proposal is opened. Not later than the 45th day after the date on which the final proposals are opened, ~~a~~the district shall evaluate and rank each proposal submitted in relation to the criteria set forth in the request for proposals. *Gov't Code 2269.253(f)–(g)*

Selection

~~A~~The district shall select the offeror that submits the proposal that offers the best value for the district based on the published selection criteria and on its ranking evaluation. The district shall first attempt to negotiate a contract with the selected offeror. If the district is unable to negotiate a satisfactory contract with the selected offeror, the district shall, formally and in writing, end negotiations with that offeror and proceed to negotiate with the next offeror in the order of the selection ranking until a contract is reached or negotiations with all ranked offerors end. *Gov't Code 2269.254(a)–(c)*

**~~Notice of~~Make
Rankings Public**

Not later than the seventh day after the date the contract is awarded, the district shall make the proposal rankings public. *Gov't Code 2269.254(d)*

**Trade Contractors/
Subcontractors**

A construction manager-at-risk shall publicly advertise for bids or proposals and receive bids or proposals from trade contractors or subcontractors for the performance of all major elements of the work other than the minor work that may be included in the general conditions. A construction manager-at-risk may seek to perform portions of the work itself if:

1. The construction manager-at-risk submits its bid or proposal for those portions of the work in the same manner as all other trade contractors or subcontractors; and
2. The district determines that the construction manager-at-risk's bid or proposal provides the best value for the district.

Gov't Code 2269.255

Bids or Proposals

The construction manager-at-risk shall review all trade contractor or subcontractor bids or proposals in a manner that does not disclose the contents of the bid or proposal during the selection process to a person not employed by the construction manager-at-risk, architect, engineer, or district. All bids or proposals shall be

made available to the district on request and to the public after the later of the award of the contract or the seventh day after the date of final selection of bids or proposals. *Gov't Code 2269.256(a)*

If the construction manager-at-risk reviews, evaluates, and recommends to the district a bid or proposal from a trade contractor or subcontractor but the district requires another bid or proposal to be accepted, the district shall compensate the construction manager-at-risk by a change in price, time, or guaranteed maximum cost for any additional cost and risk that the construction manager-at-risk incurs because of the district's requirement that another bid or proposal be accepted. *Gov't Code 2269.256(b)*

Default

If a selected trade contractor or subcontractor defaults in the performance of its work or fails to execute a subcontract after being selected in accordance with this policy, the construction manager-at-risk may itself fulfill, without advertising, the contract requirements or select a replacement trade contractor or subcontractor to fulfill the contract requirements. *Gov't Code 2269.257*

**Payment and
Performance Bond
Amounts**

If a fixed contract amount or guaranteed maximum price has not been determined at the time the contract is awarded, the penal sums of the performance and payment bonds delivered to the district must each be in an amount equal to the ~~project~~construction budget, as specified in the request for proposals or qualifications. The construction manager-at-risk shall deliver the bonds not later than the tenth day after the date the construction manager-at-risk executes the contract, unless the construction manager-at-risk furnishes a bid bond or other financial security acceptable to ~~a~~the district to ensure that the construction manager will furnish the required performance and payment bonds when a guaranteed maximum price is established. *Gov't Code 2269.258* [See CV for more information on payment and performance bonds.]

~~**Note:** For additional legal requirements applicable to purchases with federal funds, see CBB.~~

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

“Design-build” is a project delivery method by which a ~~governmental entity~~ district contracts with a single entity to provide both design and construction services for the construction, rehabilitation, alteration, or repair of a facility. *Gov’t Code 2269.301*

This policy applies only to a facility that is a building or an associated structure, including an electric utility structure. This policy does not apply to:

1. A highway, road, street, bridge, underground utility, water supply project, water plant, wastewater plant, water and wastewater distribution or conveyance facility, wharf, dock, airport runway or taxiway, drainage project, or related type of project associated with civil engineering construction; or
2. A building or structure that is incidental to a project that is primarily a civil engineering construction project.

Gov’t Code 2269.302

A district may use the design-build method for the construction, rehabilitation, alteration, or repair of a building or associated structure. ~~In using this~~ only as provided by Government Code Chapter 2269, Subchapter G. In using that method, the district shall enter into a single contract with a design-build firm for the design and construction of the building or associated structure ~~in accordance with applicable legal requirements in this policy as well as other applicable legal requirements [see CV(LEGAL)] which include the following steps:~~ Gov’t Code 2269.303

- ~~1. Selecting a contracting method;~~
- ~~2. Giving public notice of the project;~~
- ~~3. Publishing contract selection criteria;~~
- ~~4. Making evaluations public after the contract is awarded; and~~
- ~~5. Providing for inspection, verification, and testing necessary for acceptance of the facility by the district.~~

~~Education Code 44.031(g); Gov't Code 2269.052, .055, .056(a),
(c), .058, .303~~

Design-Build Firm	A design-build firm under this policy must be a sole proprietorship, partnership, corporation, or other legal entity or team that includes an architect or engineer and a construction contractor. <i>Gov't Code 2269.304</i>
Architect/Engineer	AThe district shall select or designate an architect or engineer independent of the design-build firm to act as the district's representative for the duration of the project. <i>Gov't Code 2269.305</i> [See CV]
Request for Qualifications	AThe district shall prepare a request for qualifications that includes general information on the project site, project scope, budget, special systems, selection criteria and the weighted value for each criterion, and other information that may assist potential design-build firms in submitting proposals for the project. <i>Gov't Code 2269.306(a)</i> The district may not require offerors to submit architectural or engineering designs as part of a proposal or a response to a request for qualifications. <i>Gov't Code 2269.306(d)</i>
Design Criteria Package	AThe district shall also prepare the design criteria package that includes more detailed information on the project. If the preparation of the design criteria package requires architectural or engineering services that constitute the practice of architecture within the meaning of Occupations Code Chapter 1051 or the practice of engineering within the meaning of Occupations Code Chapter 1001, those services shall be provided in accordance with the applicable law. <i>Gov't Code 2269.306(b)</i> The design criteria package must include a set of documents that provides sufficient information, including criteria for selection, to permit a design-build firm to prepare a response to the district's request for qualifications and to provide any additional information requested. The design criteria package must specify criteria the district considers necessary to describe the project and may include, as appropriate, the legal description of the site, survey information concerning the site, interior space requirements, special material requirements, material quality standards, conceptual criteria for the project, special equipment requirements, cost or budget estimates, time schedules, quality assurance and quality control requirements, site development requirements, applicable codes and ordinances, provisions for utilities, parking requirements, and any other requirement. <i>Gov't Code 2269.306(c)</i>
Evaluation Qualification	For each design-build firm that responded to the request for qualifications, the district shall evaluate the firm's experience, technical

competence, [and](#) capability to perform, the past performance of the firm and members of the firm, and other appropriate factors submitted by the firm in response to the request for qualifications, except that cost-related or price-related evaluation factors are not permitted. Each firm must certify to the district that each architect or engineer that is a member of the firm was selected based on demonstrated competence and qualifications, in the manner provided by Government Code 2254.004. A district shall qualify a maximum of five responders to submit proposals that contain additional information and, if the district chooses, to interview for final selection. *Gov't Code 2269.307(a)–(c)*

Proposals

The district shall evaluate the additional information submitted by the offerors on the basis of the selection criteria stated in the request for qualifications and the results of any interview. The district may request additional information regarding demonstrated competence and qualifications, considerations of the safety and long-term durability of the project, the feasibility of implementing the project as proposed, the ability of the offeror to meet schedules, or costing methodology.

“Costing methodology” means an offeror’s policies on subcontractor markup, definition of general conditions, range of cost for general conditions, policies on retainage, policies on contingencies, discount for prompt payment, and expected staffing for administrative duties. The term does not include a guaranteed maximum price or bid for overall design or construction.

Gov't Code 2269.307(d)–(e)

The district shall rank each proposal submitted on the basis of the criteria set forth in the request for qualifications. *Gov't Code 2269.307(f)*

Selection

The district shall select the design-build firm that submits the proposal offering the best value for the district on the basis of the published selection criteria and on its ranking evaluations.

[A](#)[The](#) district shall first attempt to negotiate a contract with the selected firm. If [a](#)[the](#) district is unable to negotiate a satisfactory contract with the selected firm, the district shall, formally and in writing, end all negotiations with that firm and proceed to negotiate with the next firm in the order of the selection ranking until a contract is reached or negotiations with all ranked firms end.

Gov't Code 2269.308(a)–(c)

Notice of [Make](#) Rankings [Public](#)

Not later than the seventh day after the date the contract is awarded, the district shall make the proposal rankings public. *Gov't Code 2269.308(d)*

Design	After selection of the design-build firm, that firm's architects or engineers shall submit all design elements for review and determination of scope compliance to the district or the district's architect or engineer before or concurrently with construction. <i>Gov't Code 2269.309</i>
Final Construction Documents	The design-build firm shall supply a set of construction documents for the completed project to the district at the conclusion of construction. The documents must note any changes made during construction. <i>Gov't Code 2269.310</i>
Payment or Performance Bond	A payment or performance bond is not required and may not provide coverage for the design portion of the design-build contract with the design-build firm. ~~[See CV for more information on payment and performance bonds]~~ under this policy.
Amount	If a fixed contract amount or guaranteed maximum price has not been determined at the time the design-build contract is awarded, the penal sums of the performance and payment bonds delivered to the district must each be in an amount equal to the construction budget, as specified in the design criteria package. The design-build firm shall deliver the bonds not later than the tenth day after the date the design-build firm executes the contract, unless the design-build firm furnishes a bid bond or other financial security acceptable to the district to ensure that the design-build firm will furnish the required performance and payment bonds before construction begins. <i>Gov't Code 2269.311</i> [See CV for more information on payment and performance bonds]

~~**Note:** For additional legal requirements applicable to purchases with federal funds, see CBB.~~

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

For legal requirements generally applicable to the procurement process, see CH and CV.

“Job order contracting” is a procurement method used for maintenance, repair, alteration, renovation, remediation, or minor construction of a facility when the work is of a recurring nature but the delivery times, type, and quantities of work required are indefinite. *Gov’t Code 2269.401*

This policy applies only to a facility that is a building, the design and construction of which is governed by accepted building codes, or a structure or land, whether improved or unimproved, that is associated with a building. This policy does not apply to:

1. A highway, road, street, bridge, utility, water supply project, water plant, wastewater plant, water and wastewater distribution or conveyance facility, wharf, dock, airport runway or taxiway, drainage project, or related type of project associated with civil engineering construction; or
2. A building or structure that is incidental to a project that is primarily a civil engineering construction project.

Gov’t Code 2269.402

~~If a district uses the job order contracts method as described in this policy, it must comply with the applicable legal requirements in this policy as well as other applicable legal requirements [see CV(LEGAL)], which include the following steps:~~

- ~~1. Selecting a contracting method;~~
- ~~2. Giving public notice of the project;~~
- ~~3. Publishing contract selection criteria;~~
- ~~4. Making evaluations public after the contract is awarded; and~~
- ~~5. Providing for inspection, verification, and testing necessary for acceptance of the facility by the district.~~

~~*Education Code 44.031(g); Gov’t Code 2269.052, .055, .056(a), (c), .058*~~

A district may award job order contracts for the maintenance, repair, alteration, renovation, remediation, or minor construction of a facility if the work is of a recurring nature but the delivery times are indefinite, and indefinite quantities and orders are awarded substantially on the basis of predescribed and prepriced tasks. The district shall establish the maximum aggregate contract price when it advertises the proposal. The board shall approve each job, task, or purchase order that exceeds \$500,000. *Gov't Code 2269.403*

Establishing Unit Prices

The district may establish contractual unit prices for a job order contract by:

1. Specifying one or more published construction unit price books and the applicable divisions or line items; or
2. Providing a list of work items and requiring the offerors to propose one or more coefficients or multipliers to be applied to the price book or prepriced work items as the price proposal.

Gov't Code 2269.404

Advertising and Opening Proposals Competitive Sealed Proposal Method

A district may use the competitive sealed proposal method under Government Code Chapter 2269, Subchapter D for job order contracts. [See CVB] The district shall advertise for, receive, and publicly open sealed proposals for job order contracts. ~~A~~The district may require offerors to submit ~~additional~~ information in addition to rates, including experience, past performance, and proposed personnel and methodology. *Gov't Code 2269.405*

Architect or Engineer

If a job order contract or an order issued under the contract requires architectural or engineering services that constitute the practice of architecture within the meaning of Occupations Code Chapter 1051 or the practice of engineering within the meaning of Occupations Code Chapter 1001, a district shall select or designate an architect or engineer to prepare the construction documents for the project. [See CV]

This ~~requirement~~provision does not apply to a job order contract or an order issued under the contract for industrialized housing, industrialized buildings, or relocatable educational facilities subject to and approved under Occupations Code Chapter 1202 if the contractor employs the services of an architect or engineer who approves the documents for the project.

Gov't Code 2269.408 ~~[See CV]~~

Awarding Contracts

The district may award job order contracts to one or more job order contractors in connection with each solicitation of proposals. *Gov't Code 2269.406*

~~An order for a job or project under a job order contract must be signed by a district's representative and the contractor. The order may be:~~

~~3.1. A fixed-price, lump-sum contract based substantially on contractual unit pricing applied to estimated quantities; or~~

~~4.1. A unit price order based on the quantities and line items delivered.~~

~~Gov't Code 2269.410~~

Contract Term

The base term for a job order contract may not exceed two years. The district may renew the contract annually for not more than three additional years. *Gov't Code 2269.409*

Use of Contract

A job order contract may be used to accomplish work only for the district that awards the contract unless:

1. The solicitation for the job order contract and the contract specifically provide for use by other persons; or
2. The district enters into an interlocal agreement that provides otherwise.

Gov't Code 2269.407

Job Orders

An order for a job or project under a job order contract must be signed by the district's representative and the contractor. The order may be:

1. A fixed-price, lump-sum contract based substantially on contractual unit pricing applied to estimated quantities; or

2. A unit price order based on the quantities and line items delivered.

Gov't Code 2269.410

Bonds

The contractor shall provide payment and performance bonds, if required by law, based on the amount or estimated amount of any order. *Gov't Code 2269.411* [See CV for more information on payment and performance bonds.]

Purpose

A primary purpose of the public school curriculum is to prepare thoughtful, active citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the basic democratic values of our state and national heritage. A district shall foster the continuation of the tradition of teaching United States and Texas history and the free enterprise system in regular subject matter, in reading courses, and in the adoption of textbooks. *Education Code 28.002(h)*

As a condition of accreditation, a district shall provide instruction in the essential knowledge and skills at appropriate grade levels in the foundation and enrichment curriculum. *Education Code 28.002(c); 19 TAC 74.1(b)*

A district shall ensure that all children in the district participate actively in a balanced curriculum designed to meet individual needs. *Education Code 28.002(g)*

Instruction may be provided in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade-level standards. *19 TAC 74.2*

Required Curriculum

Foundation
Curriculum

A district that offers kindergarten through grade 12 shall offer a foundation curriculum that includes:

1. English language arts and reading;
2. Mathematics;
3. Science; and
4. Social studies, consisting of Texas, United States, and world history; government; geography; and economics with emphasis on the free enterprise system and its benefits.

Education Code 28.002(a)(1); 19 TAC 74.1(a)(1)

Enrichment
Curriculum

A district that offers kindergarten through grade 12 shall offer an enrichment curriculum that includes:

1. Languages other than English, to the extent possible. American Sign Language is a language for these purposes and the district may offer an elective course in the language;
2. Health, with emphasis on:
 - a. Physical health, including the importance of proper nutrition and exercise;

- b. Mental health, including instruction about mental health conditions, substance abuse, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making; and
 - c. Suicide prevention, including recognizing suicide-related risk factors and warning signs;
- 3. Physical education;
 - 4. Fine Arts;
 - 5. Career and technical education;
 - 6. Technology applications;
 - 7. Religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and
 - 8. Personal financial literacy.

Education Code 28.002(a)(2), (e); 19 TAC 74.1(a)(2)

Digital Citizenship

The State Board of Education by rule shall require each district to incorporate instruction in digital citizenship into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying.

"Cyberbullying" has the meaning assigned by Education Code 37.0832. [See FFI]

"Digital citizenship" means the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication.

Education Code 28.002(z)

Positive Character
Traits

Beginning with the 2021–22 school year, districts are required to provide instruction in the essential knowledge and skills for positive character traits outlined in 19 Administrative Code Chapter 120, Subchapter A at least once in the following grade bands: kindergarten–grade 2, grades 3–5, grades 6–8, and grades 9–12.

Districts may provide the required instruction in a variety of arrangements, including through a stand-alone course or by integrating the positive character traits standards in the essential knowledge and skills for one or more courses or subject areas at the appropriate grade levels.

19 TAC 120.1

Local Credit	A district may offer courses for local credit, at its discretion, in addition to those in the required curriculum, but it may not delete or omit instruction in the foundation and enrichment curricula specified above. <i>Education Code 28.002(f); 19 TAC 74.1(b)</i>
Local Instructional Plan	A district's local instructional plan may draw on state curriculum frameworks and program standards as appropriate. A district is encouraged to exceed minimum requirements of law and State Board rule.
Major Curriculum Initiatives	Before the adoption of a major curriculum initiative, including the use of a curriculum management system, a district must use a process that: 1. Includes teacher input; 2. Provides district employees with the opportunity to express opinions regarding the initiative; and 3. Includes a meeting of the board at which information regarding the initiative is presented, including the cost of the initiative and any alternatives that were considered; and members of the public and district employees are given the opportunity to comment regarding the initiative. <i>Education Code 28.002(g)</i>
Common Core State Standards	A district may not use common core state standards to comply with the requirement to provide instruction in the essential knowledge and skills at appropriate grade levels. A district may not be required to offer any aspect of a common core state standards curriculum. "Common core state standards" means the national curriculum standards developed by the Common Core State Standards Initiative. <i>Education Code 28.002(b-1), (b-3), (b-4)</i>
Scope and Sequence	In adopting a recommended or designated scope and sequence for a subject in the required curriculum under Education Code 28.002(a) in a particular grade level, a district shall ensure sufficient time is provided for teachers to teach and students to learn the essential knowledge and skills for that subject and grade level [see DG]. <i>Education Code 28.0027(a)</i>
Coordinated Health Programs	TEA shall make available to each district one or more coordinated health programs in elementary, middle, and junior high school. Each program must provide for coordinating education and services related to: 1. Physical health education, including programs designed to prevent obesity, cardiovascular disease, oral diseases, and

Type 2 diabetes and programs designed to promote the role of proper nutrition;

2. Mental health education, including education about mental health conditions, mental health well-being, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making;
3. Substance abuse education, including education about alcohol abuse, prescription drug abuse, and abuse of other controlled substances;
4. Physical education and physical activity; and
5. Parental involvement.

Education Code 38.013; 19 TAC 102.1031(a)

A district shall participate in appropriate training to implement TEA's coordinated health program and shall implement the program in each elementary, middle, and junior high school in the district. *Education Code 38.014*

Coordinated school health programs that are developed by districts and that meet TEA criteria may be approved and made available as approved programs. Districts must use materials that are proven effective, such as TEA-approved textbooks or materials developed by nationally recognized and/or government-approved entities. *19 TAC 102.1031(c)*

Physical Education

Each district shall establish specific objectives and goals the district intends to accomplish through the physical education curriculum. The physical education curriculum must be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor, self-management, and other skills, knowledge, attitudes, and confidence necessary to participate in physical activity throughout life.

A physical education course shall:

1. Offer students an opportunity to choose among many types of physical activity in which to participate;
2. Offer students both cooperative and competitive games; and
3. Be an enjoyable experience for students.

On a weekly basis, at least 50 percent of a physical education class shall be used for actual student physical activity and the activity shall be, to the extent practicable, at a moderate or vigorous level.

Student/Teacher Ratio	The objectives and goals shall include, to the extent practicable, student/teacher ratios [see EEB] that are small enough to enable the district to: 1. Carry out the purposes of and requirements for the physical education curriculum; and 2. Ensure the safety of students participating in physical education. If a district establishes a student to teacher ratio greater than 45 to 1 in a physical education class, the district shall specifically identify the manner in which the safety of the students will be maintained. <i>Education Code 25.114, 28.002(d); 19 TAC 74.37</i>
Classification for Physical Education	A district shall classify students for physical education on the basis of health into one of the following categories: 1. Unrestricted—not limited in activities. 2. Restricted—excludes the more vigorous activities. Restricted classification is of two types: a. Permanent—A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the impairment and the expectations for physical activity for the student. b. Temporary—Students may be restricted from physical activity of the physical education class. A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the temporary impairment and the expected amount of time for recovery. During recovery time, the student shall continue to learn the concepts of the lessons but shall not actively participate in the skill demonstration. 3. Adapted and remedial—specific activities prescribed or prohibited for students as directed by a member of the healing arts licensed to practice in Texas. <i>19 TAC 74.31</i>
School Health Advisory Council	A board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction. <i>Education Code 28.004(a)</i> [See BDF regarding composition of the SHAC and FFA regarding federal wellness requirements]
Duties	The SHAC's duties include recommending:

1. The number of hours of instruction to be provided in:
 - a. Health education in kindergarten through grade 8; and
 - b. If the district requires health education for high school graduation, health education, including physical health education and mental health education, in grades 9 through 12.
2. Policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent physical health concerns, including obesity, cardiovascular disease, Type 2 diabetes, and mental health concerns, including suicide, through coordination of:
 - a. Health education, which must address physical health concerns and mental health concerns to ensure the integration of physical health education and mental health education;
 - b. Physical education and physical activity;
 - c. Nutrition services;
 - d. Parental involvement;
 - e. Instruction on substance abuse prevention;
 - f. School health services, including mental health services;
 - g. A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - h. A safe and healthy school environment; and
 - i. School employee wellness;
3. Appropriate grade levels and methods of instruction for human sexuality instruction;
4. Strategies for integrating the curriculum components specified by item 2, above, with the following elements in a coordinated school health program:
 - a. School health services, including physical health services and mental health services, if provided at a campus by the district or by a third party under a contract with the district;
 - b. A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - c. A safe and healthy school environment; and

- d. School employee wellness;
- 5. If feasible, joint use agreements or strategies for collaboration between the district and community organizations or agencies. Any agreement entered into based on a recommendation of the SHAC must address liability for the district and community organization;
- 6. Appropriate grade levels and curriculum for instruction regarding opioid addiction and abuse and methods for administering an opioid antagonist; and
- 7. Strategies to increase parental awareness regarding:
 - a. Risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health disorders and substance use disorders; and
 - b. Available community programs and services that address risky behaviors, suicide risks, and behavioral health concerns.

Education Code 28.004(c), (n)

Policy
Recommendations

The SHAC shall consider and make policy recommendations to the district concerning the importance of daily recess for elementary school students. The SHAC must consider research regarding unstructured and undirected play, academic and social development, and the health benefits of daily recess in making the recommendations. The SHAC shall ensure that local community values are reflected in any policy recommendation made to the district concerning the importance of daily recess for elementary school students.
Education Code 28.004(l)

The SHAC shall make policy recommendations to the district to increase parental awareness of suicide-related risk factors and warning signs and available community suicide prevention services. *Education Code 28.004(o)*

**Content of Human
Sexuality Instruction**

The board shall determine the specific content of a district's instruction in human sexuality. *Education Code 28.004(h)*

The board shall select any instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) with the advice of the SHAC. The instruction must:

- 1. Present abstinence as the preferred choice of behavior for unmarried persons of school age;

2. Devote more attention to abstinence than to any other behavior;
3. Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with HIV or AIDS, and the emotional trauma associated with adolescent sexual activity;
4. Direct adolescents to a standard of behavior in which abstinence before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, and infection with HIV or AIDS; and
5. Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in the curriculum.

Education Code 28.004(e)

Condoms

A district may not distribute condoms in connection with instruction relating to human sexuality. *Education Code 28.004(f)*

Separate Classes

If a district provides human sexuality instruction, it may separate students according to sex for instructional purposes. *Education Code 28.004(g)* [See FB regarding single-sex classes under Title IX]

Notice to Parents

Before each school year, a district shall provide written notice to a parent of each student enrolled in the district of the board's decision regarding whether the district will provide human sexuality instruction to district students. If instruction will be provided, the notice must include:

1. A summary of the basic content of the district's human sexuality instruction to be provided to the student, including a statement informing the parent of the instructional requirements under state law;
2. A statement of the parent's right to:
 - a. Review curriculum materials as provided by Education Code 28.004(j); and
 - b. Remove the student from any part of that instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and

3. Information describing the opportunities for parental involvement in the development of the curriculum to be used in human sexuality instruction, including information regarding the SHAC.

A parent may use the grievance procedure at FNG concerning a complaint of a violation of notice requirements.

Education Code 28.004(i)–(i-1)

Availability of
Materials

A district shall make all curriculum materials used in human sexuality instruction available for reasonable public inspection. *Education Code 28.004(j)* [See EFA regarding selection of curriculum materials for human sexuality instruction]

Character Education

A district must adopt a character education program that includes the following positive character education traits:

1. Courage;
2. Trustworthiness, including honesty, reliability, punctuality, and loyalty;
3. Integrity;
4. Respect and courtesy;
5. Responsibility, including accountability, diligence, perseverance, and self-control;
6. Fairness, including justice and freedom from prejudice;
7. Caring, including kindness, empathy, compassion, consideration, patience, generosity, and charity;
8. Good citizenship, including patriotism, concern for the common good and the community, and respect for authority and the law;
9. School pride; and
10. Gratitude.

In developing or selecting a character education program under Education Code 29.906, a district shall consult with a committee selected by the district that consists of parents of district students, educators, and other members of the community, including community leaders.

The provisions above do not require or authorize proselytizing or indoctrinating concerning any specific religious or political belief.

Education Code 29.906

Note: The policies in the EHBA series are statements of principles governing special education programs for Texas school districts. In no way are these policies intended to cover the entire scope and detail involved in administering any special education program.

Nondiscrimination

No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district service, program, or activity. *42 U.S.C. 12132; 29 U.S.C. 794(a); 34 C.F.R. 104.4(a)* [See also FB]

Free Appropriate Public Education (FAPE)

Eligible students with disabilities shall enjoy the right to a free appropriate public education, which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction shall be supplemented by the provision of related services when appropriate. *Education Code 29.003(a)*

“Free appropriate public education” (FAPE) means special education and related services that:

1. Have been provided at public expense, under public supervision and direction, and without charge;
2. Meet standards set out by the Texas Education Agency (TEA);
3. Include an appropriate preschool, elementary school, or secondary school education; and
4. Are provided in conformity with the student’s individualized education program (IEP).

20 U.S.C. 1401(9); 34 C.F.R. 300.13, .17, .36

Least Restrictive Environment

A district shall ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. *20 U.S.C. 1412(a)(5); 34 C.F.R. 300.114(a)(2)*

Discipline

All disciplinary actions regarding students with disabilities shall be in accordance with federal requirements, Education Code Chapter 37, and 19 Administrative Code 89.1053. *19 TAC 89.1050(k)* [See FOF]

**Instructional
Arrangements and
Settings**

Instructional arrangements/settings shall be based on the individual needs and IEPs of eligible students receiving special education services and shall include the following:

Mainstream

The mainstream instructional arrangement/setting is for providing special education and related services to a student in a regular classroom; the regular classroom in accordance with the student's IEP. Qualified special education personnel must be involved in the implementation of the student's IEP through the provision of direct, indirect, and/or support services to the student and/or the student's regular classroom teacher(s) necessary to enrich the regular classroom and enable student success. The student's IEP must specify the services that will be provided by qualified special education personnel to enable the student to appropriately progress in the general education curriculum and/or appropriately advance in achieving the goals set out in the student's IEP.

Examples of services provided in this instructional arrangement include, but are not limited to, direct instruction, helping teacher, team teaching, co-teaching, interpreter, educational aides, curricular or instructional modifications/accommodations, special materials/equipment, positive classroom behavioral interventions and supports, consultation with the student and his/her regular classroom teacher(s) regarding the student's progress in regular education classes, staff development, and reduction of ratio of students to instructional staff.

Homebound

The homebound instructional arrangement/setting is for providing special education and related services to students who are served at home or hospital bedside;

Students served on a homebound or hospital bedside basis are expected to be confined for a minimum of four consecutive weeks as documented by a physician licensed to practice in the United States. Homebound or hospital bedside instruction may, as provided by local district policy [see EEH(LOCAL)], also be provided to chronically ill students who are expected to be confined for any period of time totaling at least four weeks throughout the school year as documented by a physician licensed to practice in the United States. The student's ARD committee shall determine the amount of services to be provided to the student in this instructional arrangement/setting in accordance with federal and state laws, rules, and regulations, including the provisions specified in 19 Administrative Code 1005(b).

Home instruction may also be used for services to infants and toddlers (birth through age 2) and young children (ages 3–5) when determined appropriate by the child's individualized family services plan (IFSP) committee or ARD committee.

Hospital Class

The hospital class: instructional arrangement/setting is for providing ~~services~~ special education instruction in a classroom, a hospital facility, or a residential care and treatment facility not operated by a ~~district~~; the district. If the students residing in the facility are provided special education services outside the facility, they are considered to be served in the instructional arrangement in which they are placed and are not to be considered as in a hospital class.

Speech Therapy

The speech therapy instructional arrangement/setting is for providing speech therapy services whether in a regular education classroom or ~~either~~ in a setting; other than a regular education classroom. When the only special education or related service provided to a student is speech therapy, then this instructional arrangement may not be combined with any other instructional arrangement.

Resource Room/Services

The resource room/services: instructional arrangement/setting is for providing special education and related services to a student in a setting other than ~~the~~ regular classroom education for less than 50 percent of the regular school day;.

Self-Contained
(Mild, Moderate, or
Severe) Regular
Campus

The self-contained (mild, moderate, or severe) regular campus instructional arrangement/setting is for providing special education and related services to a student who is in a self-contained program for 50 percent or more of the regular school day on a regular school campus;.

Off-Home Campus

The off-home campus: instructional arrangement/setting is for providing special education and related services to ~~nondistrict~~ the following, including, but not limited to, students at South Texas Independent School District and Windham School District:

1. A student who is one of a group of students from more than one district served in a single location, ~~through~~ when a free appropriate public education is not available in the respective sending district;
2. A student in a community setting or environment (not operated by a school district) that prepares the student for post-secondary education/training, integrated employment, and/or independent living in coordination with the student's individual transition goals and objectives, including a student with regularly scheduled instruction or direct involvement provided by district personnel ~~at or a nondistrict~~ student in a facility, ~~or not~~ operated by a school district (other than a nonpublic day school) with instruction provided by district personnel; or
- ~~1-3.~~ A student in a self-contained program at a ~~district~~ separate campus operated by the district that provides only special education and related services;.

Nonpublic Day School	<u>The nonpublic day school instructional arrangement/setting is for providing special education and related services to students through a contractual agreement with a nonpublic school for special education~~;~~.</u>
Vocational Adjustment Class/Program	<u>The vocational adjustment class/program instructional arrangement/setting is for providing special education and related services to a student who is placed on a job (paid or unpaid unless otherwise prohibited by law) with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP~~;~~. This instructional arrangement/setting shall be used in conjunction with the student's individual transition goals and only after the district's career and technical education classes have been considered and determined inappropriate for the student.</u>
<u>Residential Care and Treatment Facility (Not District Resident)</u>	<u>The residential care and treatment facility (not district resident) instructional arrangement/setting is for providing special education instruction and related services to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of the district<del>;</del>~~or providing educational services to the students~~. In order to be considered in this arrangement, the services must be provided on a district campus. If the instruction is provided at the facility, rather than on a district campus, the instructional arrangement is considered to be the hospital class arrangement/setting rather than this instructional arrangement. Students with disabilities who reside in these facilities may be included in the average daily attendance of the district in the same way as all other students receiving special education.</u>
<u>State-Supported Living Center</u>	<u>The state-supported living center~~;~~ instructional arrangement/setting is for providing special education and related services to a student who resides at a state-supported living center when the services are provided at the state-supported living center location. If services are provided on a local district campus, the student is considered to be served in the residential care and treatment facility arrangement/setting.</u> <u>19 TAC 89.63(c), .1005(b)</u>
Other Program Options	Other program options that may be considered for the delivery of special education and related services to a student include contracts with other districts and programs approved by TEA. <u>19 TAC 89.63~~(e)-f)~~, .1005(f)</u>
<u>Regular School Day</u>	<u>Subject to 19 Administrative Code 89.1075(e) (General Program Requirements and Local District Procedures) [see EHBAB], for the purpose of determining the student's instructional arrangement/set-</u>

ting, the regular school day is defined as the period of time determined appropriate by the admission, review, and dismissal (ARD) committee. 19 TAC 89.1005(b)

Nonpublic Day School Placements

For nonpublic day school placements [see Nonpublic Day School, above], the district or shared service arrangement shall submit information to TEA indicating the students' identification numbers, initial dates of placement, and the names of the facilities with which the district or shared service arrangement is contracting. The district or shared service arrangement shall not count contract students' average daily attendance as eligible. TEA shall determine the number of contract students reported in full-time equivalents and pay state funds to the district according to the formula prescribed in law. 19 TAC 89.1005(e)

Related Services

Definition

"Related services" means transportation, and such developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education, including the early identification and assessment of disabling conditions in children.

The term includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive FAPE as described in the child's IEP, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that medical services shall be for diagnostic and evaluation purposes only.

The term does not include a medical device that is surgically implanted, the optimization of the device's functioning, or the replacement of such device.

20 U.S.C. 1401(26); 34 C.F.R. 300.34

Extended School Year Services

Extended school year (ESY) services are defined as individualized instructional programs beyond the regular school year for eligible students with disabilities.

A district shall ensure that ESY services are available as necessary to provide a student with a disability with FAPE.

ESY services must be provided only if the ~~admission, review, and dismissal (ARD)~~ ARD committee determines, on an individual basis, that the services are necessary for FAPE. A district may not

limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of ESY services.

34 C.F.R. 300.106; 19 TAC 89.1065

Off-Campus Program

An off-campus program includes special education and related services provided during school hours in a facility other than a school district campus.

Program Provider

An off-campus program provider is an entity that provides the services identified above and includes:

1. A county system operating under application of former law as provided in Education Code 11.301;
2. A regional education service center established under Education Code, Chapter 8;
3. A nonpublic day school; or
4. Any other public or private entity with which a school district enters into a contract under Education Code 11.157(a) for the provision of special education services in a facility other than a district campus operated by a district.

19 TAC 89.1094(a)(2)–(3)

Program Placement

A district may contract with an off-campus program provider to provide some or all of the special education and related services to a student in accordance with the requirements in 19 Administrative Code 89.1094.

Before the district places a student with a disability in, or refers a student to, an off-campus program, the district shall initiate and conduct:

1. An onsite review to ensure that the off-campus program is appropriate for meeting the student's educational needs; and
2. A meeting of the student's ARD committee to develop an IEP for the student in accordance with 34 C.F.R. 300.320–.325, state statutes, and commissioner of education rules in 19 Administrative Code Chapter 89 (Commissioner's Rules Concerning Special Education Services).

The appropriateness of the off-campus program for each student placed shall be documented in the IEP annually. The student's ARD committee may only recommend an off-campus program placement for a student if the committee determines that the nature and severity of the student's disability and special education needs are such that the student cannot be satisfactorily educated in the

district. The district must follow the requirements of 19 Administrative Code 89.1094(b)(3)(A)–(C), regarding the review of the placement of the off-campus program for each student.

The placement of more than one student in the same off-campus program facility may be considered in the same on-site visit to a facility. However, the IEP of each student must be individually reviewed, and a determination of appropriateness of placement and services must be made for each student.

19 TAC 89.1094(b)

Notification and
Review

Within 30 calendar days from an ARD committee's decision to place [or continue the placement of](#) a student in an off-campus program, a district must electronically submit to TEA notice of, and information regarding, the placement in accordance with submission procedures specified by TEA.

If the off-campus program is on the commissioner's list of approved off-campus programs, TEA will review the student's IEP and placement as required by 34 C.F.R. 300.120, and, in the case of a placement in or referral to a private school or facility, 34 C.F.R. 300.146. After review, TEA will notify the district whether federal or state funds for the off-campus program placement are approved. If TEA does not approve the use of funds, it will notify the district of the basis for the non-approval.

If the off-campus program is not on the commissioner's list of approved off-campus programs, TEA will begin the approval procedures described below. Districts must ensure there is no delay in implementing a child's IEP in accordance with 34 C.F.R. 300.103(c).

If an off-campus program placement is ordered by a special education hearing officer or court of competent jurisdiction, the district must notify TEA of the order within 30 calendar days. The off-campus program serving the student is not required to go through the approval procedures described in 19 Administrative Code 89.1094 for the ordered placement. If, however, the district or other districts intend to place other students in the off-campus program, the off-campus program will be required to go through the approval procedures to be included on the commissioner's list of approved off-campus programs.

19 TAC 89.1094(c)

Approval

Off-campus programs must have their educational programs approved for contracting purposes by the commissioner in accordance with 19 Administrative Code 89.1094(d).

Funding Procedures	The cost of off-campus program placements will be funded according to Education Code ~~42.151 (Special Education)~~ [redesignated to Education Code 48.102] and 19 Administrative Code 89. ~~63~~ <u>1005</u> (e) (Instructional Arrangements and Settings).
Contracts	Contracts between districts and approved off-campus programs must not exceed a district's fiscal year and shall not begin prior to July 1 of the contracted fiscal year. Amendments to a contract must be electronically submitted to TEA in accordance with submission procedures specified by TEA no later than 30 calendar days from the change in placement or services within the school district's fiscal year. <i>19 TAC 89.1094(e)(1)–(2)</i>
Change of Residence	If a student who is placed in an off-campus program by a district changes his or her residence to another Texas district during the school year, the district must notify TEA within ten calendar days of the date on which the district ceased contracting with the off-campus program for the student's placement. The student's new district must meet the requirements of 34 C.F.R. 300.323(e), by providing comparable services to those described in the student's IEP from the previous district until the new district either adopts the student's IEP from the previous district or develops, adopts, and implements a new IEP. The new district must comply with all procedures described in 19 Administrative Code 89.1094 for continued or new off-campus program placement. <i>19 TAC 89.1094(e)(3)</i>

Identification

Child Find

A district shall ensure that all children residing within the district who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to:

1. Homeless children;
2. Children who are wards of the state;
3. Children attending private schools;
4. Highly mobile children (including migrant children); and
5. Children who are suspected of being in need of special education but who are advancing from grade to grade.

20 U.S.C. 1412(a)(3)(A); 34 C.F.R. 300.111(a)(1)(i), (c)

*Private School
Students*

A district shall conduct a timely and meaningful consultation with private school representatives regarding the child find process and the provision of special education and related services to children enrolled in private schools in the district.

A district shall undertake activities similar to those undertaken for public school children and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending public schools in the district.

20 U.S.C. 1412(a)(10)(A)(ii)–(iv) [See EHBAC regarding students in nondistrict placement.]

*Preschool
Students*

A district shall develop a system to notify district residents with children who are at least three and younger than six and who are eligible for enrollment in a special education program of the availability of the program. *Education Code 29.009*

**Requests and
Referrals for
Evaluation**

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. *20 U.S.C. 1414(a)(1)(E)*

Referral of students for a full individual and initial evaluation for possible special education services shall be a part of a district's overall general education referral or screening system. Either a parent, TEA, another state agency, or the district may initiate a request for an initial evaluation.

District Obligation to
Refer

~~Before referral,~~ Students experiencing difficulty in the general classroom should be considered for all support services available to all students. ~~If,~~ [such as tutorial; remedial; compensatory; response to evidence-based intervention; and other academic or behavior support services.](#) A student [is not required to be provided](#)

with interventions for any specific length of time prior to a referral being made or a full individual and initial evaluation being conducted. If the student continues to experience difficulty in the general classroom ~~after~~with the provision of interventions, district personnel must refer the student for a full individual and initial evaluation. A referral for a full individual and initial evaluation may be initiated at any time by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student. 19 TAC 89.1011(a)

Parental Request If a parent submits a written request to a district's director of special education services or to a district administrative employee for a full individual and initial evaluation of a student, the district shall, not later than the 15th school day after the date the district receives the request:

1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the procedural safeguards notice required by 34 C.F.R. 300.504, and an opportunity to give written consent for the evaluation; or
2. Provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 C.F.R. 300.503, and a copy of the procedural safeguards notice required by 34 C.F.R. 300.504.

~~20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301; 19 TAC 89.1011(a), (b); Education Code 29.004(c);~~ 20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301

Notice of Rights A reasonable time before a district proposes or refuses to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education (FAPE) to a student, the district shall provide written notice to the student's parent or guardian. *20 U.S.C. 1415(b)(3); 34 C.F.R. 300.503(a)* [See EHBAE]

Initial Evaluation Required A district shall conduct a full individual and initial evaluation before the initial provision of special education and related services. *20 U.S.C. 1414(a)(1)(A)*

Consent for Initial Evaluation Before a district conducts an initial evaluation, it shall make reasonable efforts to obtain informed parental consent.

If the parent does not provide consent for an initial evaluation, or if the parent fails to respond to a request to provide consent, a district may, but is not required to, pursue the initial evaluation by utilizing due process procedures [see EHBAE], except to the extent inconsistent with state law relating to such parental consent.

Parental consent to initial evaluation shall not be construed as consent for placement for special education and related services.

20 U.S.C. 1414(a)(1)(D)(i)(I); 34 C.F.R. 300.300(b)

Wards of the
State

If the child is a ward of the state and is not residing with the child's parent, a district shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation, unless:

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent;
2. The rights of the parent have been terminated; or
3. The rights of the parent to make educational decisions have been subrogated and an individual appointed by a judge to represent the student has given consent for an initial evaluation.

20 U.S.C. 1414(a)(1)(D)(iii); 34 C.F.R. 300.300(a)(2)

*Time Frame for
Completion of
Written Report*

A district must complete the written report of a full individual and initial evaluation:

1. Not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent. If a student has been absent from school during that period on three or more school days, the period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or
2. For students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or homeschool setting, not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent.

If a district receives written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the written report of a full individual and initial evaluation of a student must be provided to the student's parent not later than June 30 of that year.

If a district receives written consent signed by a student's parent less than 35 school days before the last instructional day of the school year or if the district receives the written consent at least 35 but less than 45 school days before the last instructional day of the school year but the student is absent from school during that period on three or more days, the report must be completed not later

than the 45th school day following the date the district received written consent, except that the period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent.

A student is considered absent for the school day if the student is not in attendance at the school's official attendance taking time or at the alternate attendance taking time set for that student. A student is considered in attendance if the student is off campus participating in an activity that is approved by the school board and is under the direction of a professional staff member of the school district or an adjunct staff member who has a minimum of a bachelor's degree and is eligible for participation in the Teacher Retirement System of Texas.

"School day" does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the subsequent fall school term.

These time frames shall not apply if the parent repeatedly fails or refuses to produce the child for the evaluation.

Transfer
Students

A district shall ensure that evaluations of children who transfer from one district to another in the same academic year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations.

If a student was in the process of being evaluated for special education eligibility by a district and enrolls in another school district before the previous district completed the full individual and initial evaluation, the new district must coordinate with the previous district as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation in accordance with 34 C.F.R., 300.301(d)(2) and (e) and 300.304(c)(5).

The timelines above do not apply in such a situation if:

1. The new school district is making sufficient progress to ensure a prompt completion of the evaluation; and
2. The parent and the new school district agree to a specific time when the evaluation will be completed.

20 U.S.C. 1414(a)(1)(C), (b)(3)(D); 34 C.F.R. 300.301(c)–(e); Education Code 29.004; 19 TAC 89.1011

*Psychological
Examinations*

If a district determines that an additional examination or test is required for the initial and individual evaluation, the district shall provide the information required by Education Code 29.0041(a) and

shall obtain additional parental consent. If a parent does not give consent within 20 calendar days after the district provided the information, the parent's consent is considered denied.

The time required for a district to provide information and seek consent may not be counted toward the time frame for completion of an evaluation. [See Time Frame for Completion of Written Report, above]

Education Code 29.0041

**Eligibility and
Reevaluations**

A student is eligible to participate in a district's special education program if:

1. The student is between the ages of 3 and 21, inclusive;
2. The student has one or more of the disabilities listed in federal regulations, state law, or both; and
3. The student's disability(ies) prevents the student from being adequately or safely educated in the public schools without the provision of special services.

20 U.S.C. 1401(3); Education Code 29.003(b); 19 TAC 89.1035, .1040

Disability Definitions

To be eligible to receive special education services, a student must be a "child with a disability," as defined in 34 C.F.R. 300.8(a), subject to the provisions of 34 C.F.R. 300.8(c), Education Code 29.003, and 19 Administrative Code 89.1040. The provisions in 19 Administrative Code 89.1040 specify criteria to be used in determining whether a student's condition meets one or more of the definitions in federal regulations or in state law. 19 TAC 89.1040

**Visual and Auditory
Impairments**

A student with a visual or auditory impairment shall be eligible to participate in a district's special education program from birth. *19 TAC 89.1035(b); Education Code 30.002(e), .081*

**Determination of
Initial Eligibility**

Upon completion of the administration of assessments and other evaluation measures, a team of qualified professionals and the parent shall make the determination of whether the child has a disability and of the educational needs of the child.

A district shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

20 U.S.C. 1414(b)(4); 34 C.F.R. 300.306(a)

The admission, review, and dismissal (ARD) committee must make its decisions regarding a student's initial eligibility determination and, if appropriate, individualized education program (IEP) and placement within 30 calendar days from the date of the completion

of the written full individual and initial evaluation report. If the 30th day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, IEP, and placement, unless the full individual and initial evaluation indicates that the student will need extended school year (ESY) services during that summer.

When a report is provided to a parent not later than June 30 as described at Time Frame for Completion of Written Report, above, the ARD committee must meet not later than the 15th school day of the following school year to consider the evaluation. If, however, an evaluation indicates that a student will need ESY services, the ARD committee must meet as expeditiously as possible.

19 TAC 89.1011(d), (e)

Consent for
Services

*Initial Provision of
Services*

A district must obtain informed consent from the parent for the initial provision of special education and related services. If the parent of a child fails to respond to a request for, or refuses to consent to, the initial provision of services, the district:

1. May not use the procedures in 34 C.F.R. part 300 subpart E (including the mediation and due process procedures) in order to obtain agreement or a ruling that the services may be provided to the child;
2. Will not be considered to be in violation of the requirement to make FAPE available to the child for the failure to provide the services for which the district requests consent; and
3. Is not required to convene an ARD meeting or develop an IEP for the child for the services.

*Revoking
Consent*

If, at any time after the provision of initial services, the parent of a child revokes consent in writing for the continued provision of services, the district:

1. May not continue to provide services to the child, but must provide prior written notice before ceasing services;
2. May not use the procedures in 34 C.F.R. part 300 subpart E in order to obtain agreement or a ruling that the services may be provided to the child;
3. Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further services; and

4. Is not required to convene an ARD meeting or develop an IEP for further provision of services.

34 C.F.R. 300.300(b)

Reevaluations

A district shall ensure that each child with a disability is reevaluated if the district determines that the educational or related services needs of the child, including improved academic achievement and functional performance, warrant a reevaluation, or if the child's parent or teacher requests a reevaluation.

Reevaluation shall occur:

1. No more than once a year, unless the parent and the district agree otherwise; and
2. At least once every three years, unless the parent and district agree that a reevaluation is unnecessary.

A district shall obtain informed parental consent before conducting a reevaluation, except that informed parental consent is not needed if the district can demonstrate that it has taken reasonable measures to obtain consent and the child's parent has failed to respond.

20 U.S.C. 1414(a)(2), (c)(3); 34 C.F.R. 300.303

Evaluation for
Change in Eligibility

A district ~~shall~~must evaluate a child with a disability before determining that the child is no longer a child with a disability. However, an evaluation is not required before the termination of eligibility due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for FAPE under state law; If a child's eligibility terminates under the aforementioned circumstances, a district must provide a summary of academic achievement and functional performance ~~must be provided, which shall include recommendations on how to assist the child in these circumstances; meeting the child's postsecondary goals.~~ *34 C.F.R. 300.305(e); 20 U.S.C. 1414(c)(5); ~~34 C.F.R. 300.305(e), 19 TAC 89.1070(h)~~*

All students graduating under 19 Administrative Code 89.170 [see EIF] must be provided with a summary of academic achievement and functional performance as described above. This summary must consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. An evaluation as required by 34 C.F.R. 300.305(e)(1), must be included as part of the summary for a student graduating under 19 Administrative Code 89.1070(b)(3)(A), (B), or (C) or (f)(4)(A), (B), or (C).*19 TAC 89.1070(g)*

**Independent
Evaluation**

The parents have a right to obtain an independent educational evaluation of their child. If a parent requests an independent evaluation, a district shall provide the parents with information regarding where one can be obtained and the district's criteria for independent evaluations.

The results of a parent-initiated independent educational evaluation, whether at public or private expense, must be considered by the district if it meets the district's criteria, in any decision made with respect to providing FAPE to the child.

***At Public
Expense***

If a parent requests an independent evaluation at public expense, the district shall, without unnecessary delay, either:

1. File a due process complaint to request a hearing to show that its evaluation is appropriate; or
2. Ensure that an independent evaluation is provided at public expense, unless the district demonstrates that the evaluation obtained by the parent did not meet district criteria.

***At Private
Expense***

If a district initiates a hearing, and the final decision is that the district's evaluation is appropriate, the parent still has a right to an independent evaluation, but not at public expense.

34 C.F.R. 300.502

**Prescription
Medication**

An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

20 U.S.C. 1412(a)(25)

**Admission, Review,
and Dismissal
Committee**

~~A~~Each district ~~shall~~must establish an admission, review, and dismissal (ARD) committee for each eligible student with a disability and for each student for whom a full individual and initial evaluation is conducted. The ARD committee ~~shall be~~is the individualized education program (IEP) team defined ~~at~~in federal law and regulations, including 34 C.F.R. 300.321.

~~Responsibilities of
ARD Committee~~

~~The responsibilities of the ARD committee and include:~~ The district is responsible for all of the functions for which the IEP team is responsible under federal law and regulations and for which the ARD committee is responsible under state law, including the responsibilities listed at 19 Administrative Code 89.1050.

- ~~1. Evaluation, reevaluation, and determination of eligibility for special education and related services;~~
 - ~~2. Placement of students with disabilities including disciplinary changes in placement;~~
 - ~~3. Development of the student's IEP;~~
 - ~~4. Development and implementation of service plans for students who have been placed by their parents in private schools and who have been designated to receive special education and related services;~~
 - ~~5. Compliance with the least restrictive environment standard;~~
 - ~~6. Compliance with state requirements for reading diagnosis and state assessments;~~
 - ~~7. Development of junior high or middle school personal graduation plans;~~
 - ~~8. Development of accelerated instruction under Education Code 28.0211 and intensive programs of instruction under Education Code 28.0213 [see EHBC];~~
 - ~~9. Evaluation, placement, and coordination of services for students who are deaf, hard of hearing, blind, or visually impaired; and~~
- ~~Determining eligibility for extracurricular activities, under Education Code 33.081.~~

19 TAC 89.1050(a); 34 C.F.R. 300.116(a), .321(a)

**Committee
Members**

A district shall ensure that each ARD committee meeting includes all of the following:

1. The parents of a student with a disability;

2. At least one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);
3. At least one special education teacher or, if appropriate, at least one special education provider of the student;
4. A representative of the district who:
 - a. Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities;
 - b. Is knowledgeable about the general education curriculum; and
 - c. Is knowledgeable about the availability of resources of the district;
5. Other individuals who have knowledge or special expertise regarding the student at the discretion of the district or the parent;
6. An individual who can interpret the instructional implications of evaluation results, who may be a member of the ARD committee described in items 2–5;
7. The student, if appropriate;
8. For a student with an auditory impairment, including deaf-blindness, a teacher who is certified in the education of students with auditory impairments;
9. For a student with a visual impairment, including deaf-blindness, a teacher who is certified in the education of students with visual impairments;
10. For a student with limited English proficiency, a member of the language-proficiency assessment committee (LPAC), who may also be a member as described at items 2 or 3;
11. A representative of any participating agency likely to be responsible for providing transition services for a student, as appropriate, and with the consent of the student's parents or a student who has reached the age of majority; and
12. When considering initial or continued placement of a student in a career and technical education program, a representative from career and technical education, preferably the teacher.

20 U.S.C. 1414(d)(1)(B); 34 C.F.R. 300.321; 19 TAC 75.1023(d)(1), 89.1050(c)

A district member of the ARD committee shall not be required to attend an IEP meeting, in whole or in part, if the parent and the district agree in writing that the attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed during the meeting.

A district member of the ARD committee may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of curriculum or related services if the parent, in writing, and the district consent to the excusal and the member submits, in writing, to the parent and the ARD committee, input into the development of the IEP before the meeting.

20 U.S.C. 1414(d)(1)(C); 34 C.F.R. 300.321(e)

*Regular
Education
Teacher*

If an ARD committee is required to include a regular education teacher, the regular education teacher must, to the extent practicable, be a teacher who is responsible for implementing a portion of the child's IEP. *Education Code 29.005(a)*

*Parent
Involvement*

A district shall take steps to ensure that one or both parents of a student with a disability are present at each ARD committee meeting or are afforded an opportunity to participate, including:

1. Notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend (the notice shall include the purpose, time, and location of the meeting, who will be in attendance, that persons with knowledge or special expertise may be invited by either the parent or the district, and that the Part C service coordinator or other representatives of the Part C system may be invited to the initial meeting for a child previously served under a Part C early childhood intervention program); and
2. Scheduling the meeting at a mutually agreed on time and place.

If the purpose of the meeting is to consider transition services, the notice must also indicate this purpose, indicate that the district will invite the student, and identify any other agency that will be invited to send a representative.

34 C.F.R. 300.322(a)–(b); 19 TAC 89.1050(d)

*Alternative
Means of
Meeting
Participation*

If neither parent can attend an ARD meeting, the district must allow other methods of participation, such as through telephone calls or video conferencing. *20 U.S.C. 1414(f); 34 C.F.R. 300.322(c); 19 TAC 89.1050(d)*

An ARD meeting may be conducted without a parent in attendance if a district is unable to convince the parents that they should attend, but the district shall have a record of its attempts to arrange a mutually agreed on time and place, such as detailed records of telephone calls, correspondence, or visits made or attempted and the results of any of those actions. *34 C.F.R. 300.322(d)*

Meetings

A district shall initiate and conduct ARD committee meetings for the purpose of developing, reviewing, and revising the IEP of a child with a disability. The committee shall review each child's IEP periodically, and, if appropriate, revise the IEP. A meeting must be held for this purpose at least once a year. The ARD committee must also determine the child's placement once a year.

A "meeting" does not include informal or unscheduled conversations involving district personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provisions if those issues are not addressed in the child's IEP. A "meeting" also does not include preparatory activities that district personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

20 U.S.C. 1414(d)(4); 34 C.F.R. 300.116(b)(1), .324(b), (c)(1), .501(b)(3)

Meeting at Parent's Request

Upon receipt of a written request for an ARD committee meeting from a parent, the school district must schedule and convene a meeting in accordance with the procedures in 19 Administrative Code 89.1050(d) or within five school days, provide the parent with written notice explaining why the district refuses to convene a meeting. *19 TAC 89.1050(e)*

Written Notice

If a parent is unable to speak English, a district must provide the parent with a written notice regarding the ARD committee meeting required under 19 Administrative Code 89.1050(d) (notice for purposes of scheduling) or (e)(2) (notice explaining why the district refuses to convene a meeting) in the parent's native language, unless it is clearly not feasible to do so. If the parent's native language is not a written language, the school district must take steps to ensure that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication so that the parent understands the content of the notice. *19 TAC 89.1050(f)*

Transfer Students

In-State Transfers

When a student transfers to a new district within the state in the same school year and the parents verify that the student was receiving special education services in the previous district or the previous district verifies in writing or by telephone that the student was receiving special education services, the new school district

must meet the requirements of 34 C.F.R. 300.323(e) regarding the provision of special education services. The time line for completing the requirements outlined in 34 C.F.R. 300.323(e)(1) or (2) is 30 school days from the date the student is verified as being a student eligible for special education services.

**Transfers from
Another State**

When a student transfers from a district in another state in the same school year and the parents verify that the student was receiving special education services in the previous district or the previous district verifies in writing or by telephone that the student was receiving special education services, the new district must meet the requirements of 34 C.F.R. 300.323(f) regarding the provision of special education services. If the new district determines that an evaluation is necessary, the evaluation is considered a full individual and initial evaluation and must be completed within the time lines established by 19 Administrative Code 89.1011(c) and (e). The time line for completing the requirements in 34 C.F.R. 300.323(f)(2), if appropriate, is 30 calendar days from the date of the completion of the evaluation report. If the school district determines that an evaluation is not necessary, the time line for completing the requirements outlined in 34 C.F.R. 300.323(f)(2) is 30 school days from the date the student is verified as being a student eligible for special education services.

19 TAC 89.1050(j)

Transfer of Records

The district in which the child enrolls shall take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous district.

The previous district shall take reasonable steps to promptly respond to the request from the new district and must furnish the new school district with a copy of the student's records, including the student's special education records, not later than the tenth working day after the date a request for the information is received by the previous school district.

20 U.S.C. 1414(d)(2)(C)(ii); 34 C.F.R. 300.323(g); 19 TAC 89.1050(j)(3)

**Students Who Are
Homeless or in
Substitute Care**

When a student who is homeless or in substitute care transfers into a district after being referred by a previous district for a special education evaluation, the receiving district must accept the referral and ensure that any written report of a full individual and initial evaluation must be completed in accordance with the timelines established in 19 Administrative Code 89.1011 (relating to Full Individual and Initial Evaluation).

When a student who is already eligible for special education and is homeless or in substitute care transfers into a district during the school year, the receiving district must ensure that it meets the student transfer requirements of 19 Administrative Code 89.1050(j) (relating to the Admission, Review, and Dismissal Committee).

19 TAC 89.1615

Military Dependents

A district shall initially provide comparable services to a military student with disabilities based on his or her current IEP. This does not preclude the district from performing subsequent evaluations to ensure appropriate placement of the student. *Education Code 162.002 art. V, C* [See FDD]

**Individualized
Education Program**

A district shall develop, review, and revise an IEP for each child with a disability. *20 U.S.C. 1412(a)(4); 34 C.F.R. 300.320(a)*

At the beginning of each school year, a district shall have in effect, for each child with a disability in its jurisdiction, an IEP. *20 U.S.C. 1414(d)(2)(A); 34 C.F.R. 300.323(a)*

The term “individualized education program” means a written statement for each student with a disability that documents the decisions of the ARD committee with respect to issues discussed at each committee meeting and includes:

1. A statement of the student's present levels of academic achievement and functional performance;
2. A statement of measurable annual goals, including academic and functional goals;
3. A description of how the student's progress toward the annual goals will be measured and when periodic reports on the progress of the student will be provided;
4. A statement of the specific special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student;
5. A statement of the program modifications or supports for school personnel that will be provided for the student;
6. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and nonacademic activities;
7. The projected dates for initiation of services and modifications and the anticipated frequency, location, and duration of these services and modifications;

8. A statement of any individual appropriate and allowable accommodations that are necessary to measure the academic achievement and functional performance of the student on state or district-wide assessments;
9. If the ARD committee determines that the student must take an alternative assessment instead of a particular regular state or district-wide assessment, a statement of why the student cannot participate in the regular assessment and why the particular assessment selected is appropriate for the student;
10. If the ARD committee determines that a student is in need of extended school year (ESY) services, identification of the goals and objectives that will be addressed during ESY services;
11. Beginning not later than when a student reaches 14 years of age and updated annually thereafter, the ARD committee's consideration and decisions regarding the transition issues under 19 Administrative Code 89.1055(jh) [see EHBAD];
12. Beginning not later than the first IEP to be in effect when the student is 16, or younger if determined appropriate by the ARD committee, and updated annually thereafter, a statement of appropriate measurable postsecondary goals and transition services needed to assist the student in reaching those goals [see EHBAD];
13. Beginning not later than one year before the student reaches the age of 17, a statement that the student has been informed of the rights that will transfer to the student upon reaching the age of majority;
14. The date of the meeting;
15. The name, position, and signature of each member participating in the meeting; and
16. An indication of whether the child's parents, the adult student, if applicable, and the administrator agreed or disagreed with the decisions of the ARD committee.

20 U.S.C. 1414(d); 34 C.F.R. 300.320; Education Code 29.005(b-1), .011; 19 TAC 89.1055

The written statement of a student's IEP may be required to include only information included in the model form developed by TEA under Education Code 29.0051(a) and posted on the TEA website. A district may use the model form to comply with the requirements for an IEP under 20 U.S.C. 1414(d). *Education Code 29.005(f), .0051*

Behavioral
Intervention Plan

The ARD committee may determine that a behavior improvement plan or a behavioral intervention plan (BIP) is appropriate for a student for whom the committee has developed an IEP. If the committee makes that determination, the BIP shall be included as part of the student's IEP and provided to each teacher with responsibility for educating the student. *Education Code 29.005(g); 19 TAC 89.1055(g)*

Translation of IEP
into Native
Language

If the parent is unable to speak English and Spanish is the parent's native language, a district shall provide a written or audiotaped copy of the student's IEP translated into Spanish. If the parent's native language is other than Spanish or English, a district shall make a good faith effort to provide a written or audiotaped copy of the student's IEP translated into the parent's native language. *Education Code 29.005(d)*

A written copy of the student's IEP translated into Spanish or the parent's native language means that all of the text in the student's IEP in English is accurately translated into the target language in written form. The IEP translated into the target language must be a comparable rendition of the IEP in English and not a partial translation or summary of the IEP in English.

An audio recording of the student's IEP translated into Spanish or the parent's native language means that all of the content in the student's IEP in English is orally translated into the target language and recorded with an audio device. A district is not prohibited from providing the parent with an audio recording of an ARD committee meeting at which the parent was assisted by an interpreter as long as the audio recording provided to the parent contains an oral translation into the target language of all of the content in the student's IEP in English.

If a parent's native language is not a written language, the district must take steps to ensure that the student's IEP is translated orally or by other means to the parent in his or her native language or other mode of communication.

Under 34 C.F.R. 300.322(f), a district must give a parent a written copy of the student's IEP at no cost to the parent. A school district meets this requirement by providing a parent with a written copy of the student's IEP in English or by providing a parent with a written translation of the student's IEP in the parent's native language as provided above.

19 TAC 89.1050(i)

Autism/Pervasive
Developmental
Disorder

For students with autism/pervasive developmental disorders, the following strategies shall be considered by the ARD committee, based on peer-reviewed, research-based educational programming practices to the extent practicable and, when needed, addressed in the IEP:

1. Extended educational programming;
2. Daily schedules reflecting minimal unstructured time and active engagement in learning activities;
3. In-home training and community-based training or viable alternatives that assist the student with the acquisition of social/behavioral skills;
4. Positive behavior support strategies based on relevant information;
5. Beginning at any age, futures planning for integrated living, work, community, and educational environments that considers skills necessary to function in current and postsecondary environments;
6. Parent/family training and support, provided by qualified personnel with experience in Autism Spectrum Disorders (ASD);
7. Suitable staff-to-student ratio appropriate to identified activities and as needed to achieve social/behavioral progress based on the student's developmental and learning level (acquisition, fluency, maintenance, generalization) that encourages work towards individual independence;
8. Communication interventions, including language forms and functions that enhance effective communication across settings;
9. Social skills supports and strategies based on social skills assessment/curriculum and provided across settings;
10. Professional educator/staff support; and
11. Teaching strategies based on peer-reviewed, research-based practices for students with ASD.

If the ARD committee determines that services are not needed in one or more of the areas in 1–11 above, the IEP shall include a statement reflecting that decision and the basis upon which the determination was made.

19 TAC 89.1055(e)–(f)

*Visual
Impairment*

If a district provides special education services to students with visual impairments, it shall have written procedures as required in Education Code 30.002(c)(10) (staff access to resources). *19 TAC 89.1075(b)*

*Collaborative
Process*

All members of the ARD committee shall have the opportunity to participate in a collaborative manner in developing the IEP. Decisions of the ARD committee concerning the required elements of the IEP shall be made by mutual agreement, if possible. The ARD committee may agree to an annual IEP or an IEP of shorter duration.

Ten-Day Recess

When mutual agreement about all required elements of the IEP is not achieved, the parent who disagrees must be offered a single opportunity to recess and reconvene the ARD committee meeting. The period of time for reconvening the ARD committee meeting must not exceed ten school days, unless the parties mutually agree otherwise. The ARD committee must schedule the reconvened meeting at a mutually agreed upon time and place. The opportunity to recess and reconvene is not required when:

1. The student's presence on campus represents a danger of physical harm to the student or others;
2. The student has committed an expellable offense; or
3. The student has committed an offense that may lead to placement in a disciplinary alternative education program. [See FOF]

These requirements do not prohibit the ARD committee from recessing an ARD committee meeting for reasons other than the failure to reach mutual agreement about all required elements of an IEP.

During the recess, the ARD committee members must consider alternatives, gather additional data, prepare further documentation, and/or obtain additional resource persons who may assist in enabling the ARD committee to reach mutual agreement.

*Failure to Reach
Agreement*

If a recess is implemented and the ARD committee still cannot reach mutual agreement, a district shall implement the IEP it has determined to be appropriate for the student. Each member of the ARD committee who disagrees with the IEP developed by the ARD committee is entitled to include a statement of disagreement in the IEP.

If the IEP is not developed by agreement, the written statement of the program must include the basis of the disagreement. Each

member of the ARD committee who disagrees with the IEP developed by the committee is entitled to include a statement of disagreement in the written statement of the program.

Education Code 29.005(c); 19 TAC 89.1050(g)

**Modification of
Existing IEP**

Changes to the IEP may be made either by the entire ARD committee or by amending the IEP by agreement, rather than redrafting the entire IEP.

After the annual IEP meeting for a school year, the parent and district may agree not to convene an IEP meeting for the purposes of making changes to the IEP and instead may develop a written document to amend or modify the child's current IEP.

Upon request, a parent shall be provided with a revised copy of the IEP with amendments incorporated.

To the extent possible, a district shall encourage the consolidation of reevaluation meetings for the child and other ARD meetings for the child.

20 U.S.C. 1414(d)(3)(D)–(F); 34 C.F.R. 300.324(a)(4)–(6)

**Teacher Access to
IEP**

Each district must ensure that each teacher who provides instruction to a student with a disability has access to relevant sections of the student's current IEP, is informed of the teacher's specific responsibilities related to implementation of the IEP, and has an opportunity to request assistance regarding implementation of the student's IEP. *19 TAC 89.1075(c)*

**Teacher Request to
Review IEP**

Each district shall develop a process to be used by a teacher who instructs a student with a disability in a regular classroom setting:

1. To request a review of the student's IEP;
2. To provide input in the development of the student's IEP;
3. That provides for a timely district response to the teacher's request; and
4. That provides for notification to the student's parent or legal guardian of that response.

Education Code 29.001(11); 19 TAC 89.1075(d)

**Private School—
District Placed**

Student Receives
IEP

If a district places a child with a disability in a private school or facility, or refers the child to a private school or facility, as a means of carrying out the requirements of the special education laws, the district shall ensure that the child is provided special education and related services, in accordance with an individualized education program (IEP), at no cost to the parents. *20 U.S.C. 1412(a)(10)(B)(i)*

**Private School—
Parent Placed**

When a parentally placed child with a disability is referred to a district, the district shall convene an admission, review, and dismissal (ARD) committee to determine whether the district can offer the child a free appropriate public education (FAPE). If the district determines that it can offer FAPE, it is not responsible for providing educational services to the child, except that the district must develop and implement an individualized services plan (ISP). *19 TAC 89.1096(b)*

Offer of FAPE
Rejected

*Student Receives
ISP*

If a district made FAPE available to a child with a disability and the parents elected to place the child in a private school or facility, the district is not required to pay for the cost of education, including special education and related services. However, the district must develop and implement an ISP. *20 U.S.C. 1412(a)(10)(C)(i); 34 C.F.R. 300.148(a)*

FAPE Offered but
Not Provided

Reimbursement

If the parents of a child with a disability, who previously received special education and related services under the authority of a district, enroll the child in a private school without the consent or referral by the district, a court or a hearing officer may require the district to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the district had not made FAPE available to the child in a timely manner before the enrollment. This right of reimbursement is subject to the notice and other requirements set forth at *34 C.F.R. 300.148(d)*. *20 U.S.C. 1412(a)(10)(C)(ii); 34 C.F.R. 300.148(c)*

**Home School
Students**

A home school student is considered a private school student, for purposes of a district's obligations under IDEA, if the home school provides elementary or secondary education that incorporates an adopted curriculum designed to meet basic educational goals, including scope and sequence of courses, and formal review and documentation of student progress. *19 TAC 89.1096(a)(2)*

**Individualized
Services Plan (ISP)**

Each parentally placed private school child with a disability who has been designated to receive services shall have an ISP that describes the specific special education and related services that a district will provide the child.

Parentally placed private school children with disabilities may receive a different amount of services than children with disabilities in

public schools. No parentally placed private school child has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.

Decisions about the services that will be provided must be made in accordance with 34 C.F.R. 300.134(c) (consultation process) and 300.137(c) (attendance of private school representatives at services plan committee meetings). A district must make the final decisions with respect to the services to be provided.

34 C.F.R. 300.137, .138

Dual Enrollment

Parents shall have the right to “dual enroll” an eligible student age three or four in both the public school and a private school beginning on the student’s third birthday and continuing until the end of the school year in which the student turns five, or until the student is eligible to attend a district’s kindergarten program, whichever comes first, subject to the following:

1. The student’s ARD committee shall develop an IEP designed to provide the student with FAPE in the least restrictive environment (LRE).
2. From the IEP, the parent and the district shall determine which special education and/or related services will be provided to the student and the location where those services will be provided, based on the requirements concerning placement in the LRE and the policies and procedures of the district.
3. The district shall be responsible for employing and supervising the personnel providing the service, providing the needed instructional materials, and maintaining pupil accounting records. Materials and services provided shall be consistent with those provided for students enrolled only in the public school and shall remain the property of the district.

19 TAC 89.1096(c)

Responsible District

The district where a student resides is responsible for providing special education and related services to a student whose parents choose dual enrollment.

If the parents decline dual enrollment, but request an ISP, the district where the private school is located is responsible for development of the ISP for a student designated to receive services.

19 TAC 89.1096(c), (d)

Transportation

If a student has been placed by his or her parents in a private school or facility, a district shall provide special transportation with federal funds only when the ARD committee determines that the condition of the student warrants the service in order for the student to receive the special education and related services (if any) set forth in the IEP. *19 TAC 89.1096(e)*

District Charter Schools

A district shall serve children with disabilities attending district charter schools in the same manner as it serves children with disabilities in its other schools and shall provide federal special education funds to those schools in the same manner as it provides those funds to its other schools. *20 U.S.C. 1413(a)(5); 34 C.F.R. 300.209(b)*

Residential Facilities

Identification of
Students

If a residential facility that is licensed by appropriate state agencies is located within the district's boundaries, the district must provide special education and related services to eligible students residing in the facility.

If, after contacting the facility to offer services to eligible students with disabilities, a district determines that educational services are provided through a charter school, approved non-public school, or a facility operated private school, the district is not required to provide services. However, a district shall annually contact the facility to offer services to eligible students with disabilities.

19 TAC 89.1001(c)

District Placements

A district may contract with a public or private facility, institution, or agency inside or outside of Texas for residential placement for a student with a disability when the ARD committee determines that a residential placement is necessary for the student to receive FAPE. Contracts for residential placement must be approved by the commissioner. *Education Code 29.008(a); 19 TAC 89.61(a)*[.1092](#)

If placement in a public or private residential program is necessary to provide special education and related services, the program, including non-medical care and room and board, must be at no cost to the parents. *34 C.F.R. 300.104*

If a district contracts for education services, rather than providing the services itself, it shall oversee the implementation of the student's IEP and shall annually reevaluate the appropriateness of the arrangement. *Education Code 29.008(d)*

Further, a district shall have the responsibilities set forth at 19 Administrative Code 89.61 [and 89.1092\(a\)\(4\)](#) regarding students in residential placements. [A district must contract with residential placements in accordance with 19 Administrative Code 89.1092.](#)

<u>Notification</u>	<u>Within 30 calendar days from an ARD committee's decision to place a student in a residential education program, a district must electronically submit to TEA notice of and information regarding the placement in accordance with submission procedures specified by TEA.</u> <u>19 TAC 89.1092(b)</u>
Out-of-State Placements	If a district contracts for an out-of-state residential placement, it shall do so in accordance with the rules for in-state residential placement, except that the facility shall be approved by the appropriate agency in the state in which the facility is located rather than by the Texas commissioner of education. <i>19 TAC 89.61(c)(3)</i>
School for the Blind and Visually Impaired and School for the Deaf	A district shall share the cost of education (excluding the summer program) for each of its students enrolled in the Texas School for the Blind and Visually Impaired or Texas School for the Deaf. Before considering the student's educational placement for special education services, a district shall provide each parent of a student with visual or auditory impairments the following written information regarding the Texas School for the Deaf or Texas School for the Blind and Visually Impaired: 1. The availability of programs offered. 2. The eligibility and admissions requirements. 3. The student's rights to admission and to appeal admission decisions. <i>Education Code 30.003(a), .004(a); 19 TAC 89.62</i> A district may request services through the Texas School for the Blind and Visually Impaired or the Texas School for the Deaf in accordance with 19 Administrative Code 89.1085. <i>19 TAC 89.1085</i>
Adult Prisons	If a child with a disability is convicted as an adult under state law and incarcerated in an adult prison, the child's ARD committee may modify the child's IEP or placement, notwithstanding the LRE requirements, if the state has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated. The following requirements do not apply to children with disabilities who are convicted as adults under state law and incarcerated in adult prisons: 1. Federal requirements pertaining to participation of students with disabilities in general assessments;

2. Requirements concerning transition planning and transition services, if the children's eligibility will end, because of their age, before they will be released from prison.

20 U.S.C. 1414(d)(7)

**Transition Services
Defined**

“Transition services” means a coordinated set of activities for a child with a disability that:

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child to facilitate the child’s movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests.
3. Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills and functional vocational evaluation.

20 U.S.C. 1401(34); 34 C.F.R. 300.43

**Individual Transition
Planning**

Not later than when a student reaches 14 years of age, the admission, review, and dismissal (ARD) committee must consider, and if appropriate, address the following issues in the individualized education program (IEP):

1. Appropriate student involvement in the student’s transition to life outside the public school system;
2. If the student is younger than 18 years of age, appropriate involvement in the student’s transition by the student’s parents and other persons invited to participate by the student’s parents or the school district in which the student is enrolled;
3. If the student is at least 18 years of age, involvement in the student’s transition and future by the student’s parents and other persons, if the parent or other person is invited to participate by the student or the school district in which the student is enrolled or has the student’s consent to participate pursuant to a supported decision-making agreement under Estates Code, Chapter 1357;
4. Appropriate postsecondary education options, including preparation for postsecondary-level coursework;
5. An appropriate functional vocational evaluation;
6. Appropriate employment goals and objectives;

7. If the student is at least 18 years of age, the availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student's transition goals and objectives;
8. Appropriate independent living goals and objectives;
9. Appropriate circumstances for facilitating a referral of a student or the student's parents to a governmental agency for services or public benefits, including a referral to a governmental agency to place the student on a waiting list for public benefits available to the student, such as a waiver program established under Section 1915(c), Social Security Act [42 U.S.C. Section 1396n(c)]; and
10. The use and availability of appropriate supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills; and supports and services to foster the student's independence and self-determination, including a supported decision-making agreement under Estates Code Chapter 1357.

In accordance with 34 C.F.R. 300.320(b), beginning not later than the first IEP to be in effect when the student turns 16 years of age, or younger if determined appropriate by the ARD committee, and updated annually thereafter, the IEP must include the following:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals developed under item 1.

A student's ARD committee shall annually review the issues described above and, if necessary, update the portions of the student's IEP that address those issues.

[See EHBAB regarding membership of ARD committee for transition services meetings]

20 U.S.C. 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. 300.320(b); Education Code 29.011, .0111; 19 TAC 89.1055(h)-(i)-(f)

Transition and
Employment Guide

TEA is required to develop a transition and employment guide for students enrolled in special education programs and their parents

to provide information on statewide services and programs that assist in the transition to life outside the public school system. A school district shall:

1. Post the transition and employment guide on the district's website if the district maintains a website;
2. Provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at:
 - a. The first meeting of the student's ARD committee at which transition is discussed; and
 - b. The first committee meeting at which transition is discussed that occurs after the date on which the guide is updated; and
3. On request, provide a printed copy of the guide to a student or parent.

Education Code 29.0112(a), (e)

Graduation

Graduation with a regular high school diploma under 19 Administrative Code 89.1070(b)(1), (b)(~~2~~3)(D), (~~g~~f)(1), (~~g~~f)(2), (~~g~~f)(3) or (~~g~~f)(4)(D) terminates a student's eligibility for special education services. For students who receive a diploma according to 19 Administrative Code 89.1070(b)(2), (~~b~~3)(A), (B), or (C) or (~~g~~f)(4)(A), (B), or (C), the ARD committee ~~shall~~must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age requirements. 19 TAC 89.1070(a), (j) [See EHBA]

Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.

A district is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for a FAPE under state law.

A district shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

[See EIF]

~~20 U.S.C. 1414(c)(5); 34 C.F.R. 300.102(a)(3), .305(e)(2); 19 TAC 89.1070(a), (k)~~

**Compensatory
Education Allotment**

Census Block

On a schedule determined by the commissioner of education and in accordance with Education Code 48.104, each district shall report to the agency the census block group in which each student enrolled in the district who is educationally disadvantaged resides. *Education Code 48.104(i)*

Use

At least 55 percent of the district's compensatory education funds must be used to:

1. Fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Education Code Chapter 39, Subchapter B or disparity in the rates of high school completion between:
 - a. Students who are educationally disadvantaged and students who are not educationally disadvantaged; and
 - b. Students at risk of dropping out of school, as defined below, and all other students; or
2. Support a program eligible under Title I of the Elementary and Secondary Education Act of 1965 [see AID], and its subsequent amendments, and by federal regulations implementing that Act.

Education Code 48.104(k)

Dropout Prevention
Strategies

A district with a high dropout rate, as determined by the commissioner, shall submit a plan to the commissioner describing the manner in which the district intends to use its compensatory education allotment for developing and implementing research-based strategies for dropout prevention.

A district shall submit the plan not later than December 1 of each school year preceding the school year in which the district will receive the compensatory education allotment to which the plan applies.

A district may not spend or obligate more than 25 percent of the district's compensatory education allotment unless the commissioner approves the plan.

A district's plan shall:

1. Design a dropout recovery plan that includes career and technology education courses or technology applications courses that lead to industry or career certification;
2. Integrate into the dropout recovery plan research-based strategies to assist students in becoming able academically to pursue postsecondary education, including:

- a. High-quality, college readiness instruction with strong academic and social supports;
 - b. Secondary to postsecondary bridging that builds college readiness skills, provides a plan for college completion, and ensures transition counseling; and
 - c. Information concerning appropriate supports available in the first year of postsecondary enrollment to ensure postsecondary persistence and success, to the extent funds are available for the purpose; and
3. Plan to offer advanced academic and transition opportunities, including dual credit courses and college preparatory courses, such as advanced placement courses.

A district may enter into a partnership with a public junior college in accordance with Education Code 29.402 [see GNC] in order to fulfill a plan.

Any program designed to fulfill a plan must comply with the requirements of Education Code 29.081(e) and (f).

Education Code 29.918

**Educationally
Disadvantaged
Students**

Student Eligibility

To be considered educationally disadvantaged in order to be counted to generate the compensatory education allotment pursuant to Education Code 48.104, a student must meet the income requirements for eligibility under the National School Lunch Program (NSLP), authorized by 42 U.S.C. 1751, et seq.

Districts may use the following approved methods for the purpose of receiving the compensatory education allotment pursuant to Education Code 48.104:

1. Parent certification, where the parent or guardian asserts meeting the income requirements for eligibility;
2. Direct certification, where the process by which eligible children are certified for free meals without the need for a household application based on household participation in one or more federal assistance programs; or
3. Direct verification, where public records are used to verify a student's eligibility for free or reduced-price meals when verification of student eligibility is required.

19 TAC 61.1027(a)

Virtual School
Network

Districts must request prior approval from the commissioner to claim students receiving a full-time virtual education through the

state virtual school network in their counts of educationally disadvantaged students. The request must include a plan detailing the enhanced services to be delivered to full-time state virtual school network students and submitted in a manner and with a deadline specified by the commissioner. *19 TAC 61.1027(b)(3)(B)*

Definition of At-Risk Student

“Student at risk of dropping out of school” includes each student who is under 26 years of age and who:

1. Was not advanced from one grade level to the next for one or more school years, unless the student did not advance from prekindergarten or kindergarten to the next grade level only as a result of the request of the student’s parent;
2. If the student is in grades 7–12, did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year, or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;
3. Did not perform satisfactorily on a state assessment instrument and who has not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument;
4. If the student is in prekindergarten, kindergarten, or grades 1–3, did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;
5. Is pregnant or is a parent;
6. Has been placed in a DAEP in accordance with Education Code 37.006 during the preceding or current school year;
7. Has been expelled in accordance with Education Code 37.007 during the preceding or current school year;
8. Is currently on parole, probation, deferred prosecution, or other conditional release;
9. Was previously reported through the Public Education Information Management System (PEIMS) to have dropped out of school;
10. Is a student of limited English proficiency, as defined by Section 29.052;

11. Is in the custody or care of the Department of Family and Protective Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;
12. Is homeless [see FD];
13. Resided in the preceding school year or resides in the current school year in a residential placement facility in a district, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, cottage home operation, specialized child-care home, or general residential operation; or
14. Has been incarcerated, or has a parent or guardian who has been incarcerated, within the lifetime of the student, in a penal institution as defined by Penal Code 1.07.

Education Code 29.081(d)(1)

Regardless of the student's age, a student who participates in an adult education program provided under a high school diploma and industry certification charter school program is considered a "student at risk of dropping out of high school." *Education Code 29.081(d)(2)*

Local Eligibility
Criteria

In addition to students described above, a student who satisfies local eligibility criteria adopted by a board may receive compensatory education services. The number of students receiving services under local eligibility criteria during a school year may not exceed ten percent of the number of students described above who received services from the district during the preceding school year. *Education Code 29.081(g)*

**Compensatory,
Intensive, and
Accelerated
Instruction**

A district shall use student performance data from state basic skills assessment instruments and achievement tests to design and implement appropriate compensatory, intensive, or accelerated instructional services for students in the district's schools that enable the students to perform at grade level at the conclusion of the next regular school term. *Education Code 29.081(a)*

Accelerated
Instruction

A district shall provide accelerated instruction to an enrolled student who has taken an end-of-course assessment instrument and has not performed satisfactorily or who is at risk of dropping out of school.

A district shall offer before the next scheduled administration of the assessment instrument, without cost to the student, additional accelerated instruction to each student in any subject in which the

student failed to perform satisfactorily on an end-of-course assessment instrument required for graduation.

A district that is required to provide accelerated instruction must separately budget sufficient funds for that purpose. [See CE]

A district shall evaluate the effectiveness of accelerated instruction programs and annually hold a public hearing to consider the results.

Education Code 29.081(b), (b-1), (b-2), (b-3), 39.025(b-1)

Each time a student fails to perform satisfactorily on an assessment instrument administered under Education Code 39.023(c), the district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area, using funds appropriated for accelerated instruction under Education Code 28.0211. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations. *Education Code 28.0217*

Effectiveness

A district shall evaluate and document the effectiveness of the accelerated instruction in reducing any disparity in performance on state assessment instruments or disparity in the rates of high school completion between students at risk of dropping out of school and all other district students. *Education Code 29.081(c)*

**Dropout Recovery
Education Programs**

A district may use a private or public community-based dropout recovery education program to provide alternative education programs for students at risk of dropping out of school. The program may be offered at a campus or through the use of an online program that leads to a high school diploma and prepares the student to enter the workforce. A campus-based dropout recovery education program must meet the criteria set forth at Education Code 29.081(e-1)(1)–(5). An online dropout recovery education program must meet the criteria set forth at Education Code 29.081(e-2)(1)–(8).

Students in attendance at a dropout recovery education program shall be included in a district's average daily attendance for funding purposes.

Education Code 29.081(e)–(f)

**Communities in
Schools**

An elementary or secondary school receiving funding under Education Code 33.156 shall participate in the Communities in Schools (CIS) program if the number of students enrolled in the school who are at risk of dropping out of school is equal to at least ten percent

of the number of students in average daily attendance at the school, as determined by TEA. *Education Code 33.157*

**Optional Extended
Year Program**

A district may set aside an amount from the district's compensatory education allotment or may apply to the agency for funding of an extended year program. *Education Code 29.082(a); 19 TAC 105.1001*

**Optional Flexible
Year Program**

A district may provide an optional flexible year program (OFYP) for students who did not or are not likely to perform successfully on state assessment instruments or who would not otherwise be promoted to the next grade level. *Education Code 29.0821; 19 TAC 129.1029*

**Optional Flexible
School Day Program**

Notwithstanding Education Code 25.081 or 25.082, a district may apply to the commissioner to provide a flexible school day program (OFSDP) for students who:

1. Have dropped out of school or are at risk of dropping out of school as defined by Education Code 29.081;
2. Attend a campus that is implementing an innovative redesign of the campus or an early college high school under a plan approved by the commissioner; or
3. As a result of attendance requirements under Education Code 25.092, will be denied credit for one or more classes in which the students have been enrolled.

Education Code 29.0822

A district may apply to the commissioner to provide an OFSDP for students, in accordance with 19 Administrative Code 129.1027.

A board must approve the application. The board must include the OFSDP as an item on the regular agenda for a board meeting ~~providing options for public input concerning the proposed application~~ in compliance with 19 Administrative Code 129.1027(h)(2) before applying to operate an OFSDP. The application shall include the information described in 19 Administrative Code 129.1027.

19 TAC 129.1027(c)

Tutorial Services

A district may provide tutorial services at district schools. If a district provides tutorial services, it shall require a student whose grade in a subject for a reporting period is lower than the equivalent of 70 on a scale of 100 to attend tutorials. [See EC for provisions on loss of class time.]

A district may provide transportation services to accommodate students who are required to attend tutorials and who are eligible for regular transportation.

Education Code 29.084

**Basic Skills
Programs**

A district may apply to the commissioner for funding of basic skills programs for students in grade 9 who are at risk of not earning sufficient credit or who have not earned sufficient credit to advance to grade 10 and who fail to meet minimum skills levels established by the commissioner.

With the consent of a student's parent or guardian, a district may assign a student to the basic skills program.

A basic skills program may not exceed 210 instructional days and must meet the requirements set forth at Education Code 29.086.

Education Code 29.086(a)

**After-School and
Summer Intensive
Mathematics and
Science Programs**

A district may provide an intensive after-school program or an intensive program during the period that school is recessed for the summer to provide mathematics and science instruction to:

1. Students who are not performing at grade level in mathematics or science to assist those students in performing at grade level;
2. Students who are not performing successfully in a mathematics course or science course to assist those students in successfully completing the course; or
3. Other students as determined by the district.

Before providing a program, a board must adopt a policy for:

1. Determining student eligibility for participating in the program that:
 - a. Prescribes the grade level or course a student must be enrolled in to be eligible; and
 - b. Provides for considering teacher recommendations in determining eligibility;
2. Ensuring that parents of or persons standing in parental relation to eligible students are provided notice of the program;
3. Ensuring that eligible students are encouraged to attend the program;

4. Ensuring that the program is offered at one or more locations in the district that are easily accessible to eligible students; and
5. Measuring student progress on completion of the program.

Education Code 29.088, .090; 19 TAC 102.1041

**Mentoring Services
Program**

A district may provide a mentoring services program to students at risk of dropping out of school. A board may arrange for any public or nonprofit community-based organization to come to the district's schools and implement the program.

A board shall obtain the consent of a student's parent or guardian before allowing the student to participate in the program.

Education Code 29.089

**Accelerated Reading
Instruction Program**

A district shall implement an accelerated reading instruction program that provides reading instruction that addresses reading deficiencies to each student in kindergarten, first grade, or second grade who is determined, on the basis of reading instrument results [see EKC], to be at risk for dyslexia or other reading difficulties. The district shall determine the form, content, and timing of the program.

A district shall provide additional reading instruction and intervention to each student given the seventh grade reading assessment [see EKC], as appropriate to improve the student's reading skills in the relevant areas identified through the assessment instrument.

Education Code 28.006(g), (g-1), (k)

**Intensive Program of
Instruction**

State Assessments

A district shall offer an intensive program of instruction to a student who does not perform satisfactorily on a state assessment instrument or is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade 9, as determined by the district.

The program shall be designed to:

1. Enable the student to:
 - a. To the extent practicable, perform at the student's grade level at the conclusion of the next regular school term; or
 - b. Attain a standard of annual growth specified by a district and reported by the district to TEA; and
2. If applicable, carry out the purposes of Education Code 28.0211. [See EIE]

Students Receiving Special Education Services	For a student in a special education program who does not perform satisfactorily on an assessment instrument administered under Education Code 39.023(a), (b), or (c), the student's admission, review, and dismissal committee shall design the program to: 1. Enable the student to attain a standard of annual growth on the basis of the student's individualized education program (IEP); and 2. If applicable, carry out the purposes of Education Code 28.0211. [See EIE]
Graduation Requirements	A district shall use funds appropriated by the legislature for an intensive program of instruction to plan and implement intensive instruction and other activities aimed at helping a student satisfy state and local high school graduation requirements.
No Cause of Action	A district's determination of the appropriateness of an intensive program of instruction for a student is final and does not create a cause of action. <i>Education Code 28.0213</i>
College Preparatory Courses	Each district shall partner with at least one institution of higher education to develop and provide courses in college preparatory mathematics and English language arts. The courses must be designed: 1. For students at the 12th grade level whose performance on: a. An end-of-course assessment instrument required under Education Code 39.023(c) does not meet college readiness standards; or b. Coursework, a college entrance examination, or an assessment instrument designated under Education Code 51.334 [Texas Success Initiative (TSI) assessment] indicates that the student is not ready to perform entry-level college coursework; and 2. To prepare students for success in entry-level college courses. A course must be provided on the campus of the high school offering the course or through distance learning or as an online course provided through an institution of higher education with which the district partners.
Faculty	Appropriate faculty of each high school offering courses and appropriate faculty of each institution of higher education with which the district partners shall meet regularly as necessary to ensure that each course is aligned with college readiness expectations.

Notice	Each district shall provide a notice to each eligible student and the student's parent or guardian regarding the benefits of enrolling in a course.
Credit Earned	A student who successfully completes an English language arts course may use the credit earned toward satisfying the advanced English language arts curriculum requirement for the foundation high school program under Education Code 28.025(b-1)(1). A student who successfully completes a mathematics course may use the credit earned in the course toward satisfying an advanced mathematics curriculum requirement under Education Code 28.025 after completion of the mathematics curriculum requirements for the foundation high school program under Education Code 28.025(b-1)(2).
Dual Credit	A course may be offered for dual credit at the discretion of the institution of higher education with which a district partners.
Instructional Materials	Each district, in consultation with each institution of higher education with which the district partners, shall develop or purchase instructional materials for a course consistent with Education Code Chapter 31. The instructional materials must include technology resources that enhance the effectiveness of the course and draw on established best practices. <i>Education Code 28.014</i>
End-of-Course Exam	A student enrolled in a college preparatory mathematics or English language arts course under Education Code 28.014 who satisfies the TSI college readiness benchmarks on an assessment instrument administered at the end of the course satisfies the requirements concerning and is exempt from the administration of the Algebra I or the English I and English II end-of-course assessment instruments, as applicable, as prescribed by Education Code 39.023(c) [see EKB], even if the student did not perform satisfactorily on a previous administration of the applicable end-of-course assessment instrument. A student who fails to perform satisfactorily on the assessment instrument may retake that assessment instrument or may take the appropriate end-of-course assessment instrument. <i>Education Code 39.025(a-1)</i>

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- High School Diploma** A student may graduate and receive a diploma only if the student:
1. Successfully completes the curriculum requirements identified by the State Board of Education (SBOE) [see State Graduation Requirements, below], has performed satisfactorily on applicable state assessments [see EKB], and complies with the financial aid application requirements in Education Code 28.0256 [see below]; or
 2. Successfully completes an individualized education program (IEP) developed under Education Code 29.005. [See EHBAB]

Education Code 28.025(c)

Note: Education Code 28.0256 applies beginning with students enrolled at the 12th grade level during the 2021–22 school year.

- FAFSA Required** Before graduating from high school, each student must complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA).
- A student is not required to comply with the above provision if:
1. The student's parent or other person standing in parental relation submits a signed form indicating that the parent or other person authorizes the student to decline to complete and submit the financial aid application;
 2. The student signs and submits the form described above on the student's own behalf if the student is 18 years of age or older or the student's disabilities of minority have been removed for general purposes under Family Code Chapter 31; or
 3. A school counselor authorizes the student to decline to complete and submit the financial aid application for good cause, as determined by the school counselor.

A district shall adopt a form to be used for purposes of this provision. The form must be approved by the Texas Education Agency (TEA) and made available in English, Spanish, and any other language spoken by a majority of the students enrolled in a bilingual education or special language program under Education Code Subchapter B, Chapter 29, in the district.

If a school counselor notifies a district whether a student has complied with this section for purposes of determining whether the student meets high school graduation requirements under Education Code 28.025, the school counselor may only indicate whether the

student has complied with this section and may not indicate the manner in which the student complied.

Education Code 28.0256

Note: Education Code 28.0258 and 19 Administrative Code 74.1025 related to individual graduation committees expire September 1, 2023.

Individual
Graduation
Committee

Without complying with the requirements above, a student may receive a diploma if the person is eligible for a diploma as determined by an individual graduation committee (IGC) established under Education Code 28.0258. *Education Code 28.025(c-6)*

A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258 or 19 Administrative Code 74.1025. A student's admission, review, and dismissal (ARD) committee determines whether a student is required to achieve satisfactory performance on an end-of-course (EOC) assessment to graduate. *19 TAC 74.1025(n)* [See EHBAB]

For each 11th or 12th grade student who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses, the district shall establish an IGC at the end of or after the student's 11th grade year to determine whether the student may qualify to graduate. A student may not qualify to graduate as a result of an IGC decision before the student's 12th grade year.

The IGC shall be composed of:

1. The principal or principal's designee;
2. For each EOC assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;
3. The department chair or lead teacher supervising the teacher(s) above; and
4. As applicable:
 - a. The student's parent or person standing in parental relation to the student;
 - b. A designated advocate if the parent is unable to serve; or
 - c. The student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

The superintendent shall establish procedures for convening the committee.

The district shall provide an appropriate translator, if available, for a parent, advocate, or student who is unable to speak English.

Education Code 28.0258(a)–(c), (c-2); 19 TAC 74.1025(b)

A district may not establish an initial IGC for eligible students after June 10 or before the start of the next school year. Once the IGC has been established, it is the original IGC for that student.

If a student leaves a district after an original IGC has been established and before that original IGC awards a high school diploma to the student, any other district that later enrolls the student shall request information from the student's original IGC of record and shall implement the original IGC recommendations to the extent possible.

*Alternate
Members*

In the event that the teacher identified in item 2 above is unavailable, the principal shall designate as an alternate member of the committee a teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is most familiar with the student's performance in that subject area.

In the event that the individual identified above in item 3 above is unavailable, the principal shall designate as an alternate member of the committee an experienced teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is familiar with the content of and instructional practices for the applicable course.

In the event that the student's parent or person standing in parental relation to the student is unavailable to participate in the IGC, the principal shall designate an advocate with knowledge of the student to serve as an alternate member of the committee.

19 TAC 74.1025(c), (e), (g)–(i)

Notice

A district shall ensure a good faith effort is made to timely notify the appropriate person described under item 4 above of the time and place for convening the IGC and the purpose of the committee. The notice must be provided in person or by regular mail or email; clear and easy to understand; and written in English, in Spanish, or, to the extent practicable, in the native language of the appropriate person. *Education Code 28.0258(d)*

*Curriculum
Requirements*

To be eligible to graduate and receive a high school diploma from the IGC, a student must successfully complete the curriculum requirements required for high school graduation. [See State Graduation Requirements, below] *Education Code 28.0258(e)*

*Additional
Requirements to
Graduate*

A student's IGC shall recommend additional requirements by which the student may qualify to graduate, including additional remediation; and for each EOC assessment instrument on which the student failed to perform satisfactorily:

1. The completion of a project related to the subject area of the course that demonstrates proficiency in the subject area; or
2. The preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area.

A student may submit to the IGC coursework previously completed to satisfy a recommended additional requirement.

Education Code 28.0258(f), (g)

In determining whether a student is qualified to graduate, the committee shall consider the criteria at Education Code 28.0258(h) and any other academic information designated for consideration by the board. After considering the criteria, the committee may determine that the student is qualified to graduate. A student may graduate and receive a high school diploma on the basis of the committee's decision only if the student successfully completes all additional requirements recommended by the committee, the student meets applicable curriculum requirements, and the committee's vote is unanimous. The decision of a committee is final and may not be appealed. *Education Code 28.0258(i)*

*English
Language
Learners*

For provisions related to an IGC and English language learners (ELL), see EKB.

*Students Who
Entered Grade 9
Before the 2011–12
School Year*

In accordance with Education Code 28.02541, a district may award a high school diploma to an individual who:

1. Entered grade 9 before the 2011–12 school year;
2. Successfully completed the curriculum requirements for high school graduation applicable when the individual entered grade 9;
3. Has not performed satisfactorily on the exit-level assessment instrument or part of an assessment instrument required for high school graduation, including an alternative assessment instrument offered under Education Code 39.025(c-2);

4. Has been administered at least three times the required subject-area test(s) for which the individual has not performed satisfactorily on the exit-level assessment instrument applicable to the individual when the individual entered grade 9; and
5. Meets the alternative requirements for graduation in accordance with 19 Administrative Code 74.1027(c) or the local alternative requirements approved by the board in accordance with 19 Administrative Code 74.1027(d).

19 TAC 74.1027(a); Education Code 28.02541

<i>District Determination</i>	The district in which the individual is enrolled or was last enrolled shall determine whether the individual may qualify to graduate and receive a high school diploma on the basis of the alternative requirements for graduation. <i>19 TAC 74.1027(b)</i>
<i>Alternative Requirements</i>	The alternative requirements for graduation are listed at 19 Administrative Code 74.1027(c).
<i>Local Alternative Requirements</i>	With approval by the board, a district may develop recommendations for local alternative requirements if the requirements would allow an individual to demonstrate proficiency in the content related to an examination for which the individual has not performed satisfactorily. <i>19 TAC 74.1027(d)</i>
<i>Appeals</i>	A decision regarding whether the individual qualifies to graduate and receive a high school diploma is final and may not be appealed. <i>19 TAC 74.1027(e); Education Code 28.02541</i>
<i>Documentation</i>	The district shall maintain documentation to support the decision to award or not award an individual a high school diploma. <i>19 TAC 74.1027(f)</i>
Special Education	A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation. <i>19 TAC 101.3023(a)</i> [See Graduation of Students Receiving Special Education Services, below, and EKB]
Posthumous Diploma	Beginning with students who would have graduated at the end of the 2019–20 school year, and on request of the student's parent, a district shall issue a high school diploma posthumously to each student who died while enrolled in the district at the end of the school year in which the student was expected to graduate under the regular schedule of school attendance. The high school diploma may

not be issued before the graduation date of the class in which the student was enrolled at the time of death.

Exception

A district is not required to issue a posthumous diploma if the student was convicted of a felony offense under Title 5 or 6, Penal Code, or adjudicated as having engaged in conduct constituting a felony offense under Title 5 or 6, Penal Code.

Education Code 28.0254

Diplomas for
Veterans

Notwithstanding any other provision of this policy, a district may issue a high school diploma to a person who is an honorably discharged member of the armed forces of the United States; was scheduled to graduate from high school after 1940 and before 1975 or after 1989; and left school after completing the sixth or a higher grade, before graduating from high school, to serve in:

1. World War II, the Korean War, the Vietnam War, the Persian Gulf War, the Iraq War, or the war in Afghanistan; or
2. Any other war formally declared by the United States, military engagement authorized by the United States Congress, military engagement authorized by a United Nations Security Council resolution and funded by the United States Congress, or conflict authorized by the president of the United States under the War Powers Resolution of 1973, 50 U.S.C. 1541, et seq.

Education Code 28.0251

**Personal Graduation
Plan**

Junior High or
Middle School PGP

A principal of a junior high or middle school shall designate a school counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan (PGP) for each student enrolled in the junior high or middle school who:

1. Does not perform satisfactorily on a state assessment instrument; or
2. Is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level 9, as determined by a district.

A PGP must:

1. Identify educational goals for the student;
2. Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
3. Include an intensive instruction program described in Education Code 28.0213 [see EHBC];

4. Address participation of the student's parent or guardian, including consideration of the parent's or guardian's educational expectations for the student; and
5. Provide innovative methods to promote the student's advancement, including flexible scheduling, alternative learning environments, online instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability.

*Education Code 28.0212**Students
Receiving
Special
Education
Services*

For a student receiving special education services, the student's ARD committee and the district are responsible for developing the student's PGP.

A student's IEP developed under Education Code 29.005 may be used as the student's PGP.

Education Code 28.0212(c); 19 TAC 89.1050(a) [See EHBAB]

High School PGP

A principal of a high school shall designate a school counselor or school administrator to review PGP options with each student entering grade 9 together with that student's parent or guardian. The PGP options reviewed must include the distinguished level of achievement and endorsements.

Before the conclusion of the school year, the student and the student's parent or guardian must confirm and sign a PGP for the student that identifies a course of study that:

1. Promotes college and workforce readiness and career placement and advancement; and
2. Facilitates the student's transition from secondary to postsecondary education.

A district may not prevent a student and the student's parent or guardian from confirming a PGP that includes pursuit of a distinguished level of achievement or an endorsement.

A student may amend the student's PGP after the initial confirmation of the plan. If a student amends the student's PGP, the school must send written notice to the student's parents regarding the change.

TEA must make available to a district information that explains the advantages of the distinguished level of achievement described by Education Code 28.025(b-15) and each endorsement described by

Education Code 28.025(c-1). A district, in turn, shall publish the information from TEA on the internet website of the district and ensure that the information is available to students in grades nine and above and the parents or legal guardians of those students in the language in which the parents or legal guardians are most proficient.

A district is required to provide this information in the language in which the parents or legal guardians are most proficient only if at least 20 students in a grade level primarily speak that language.

Education Code 28.02121

Early Graduation

A parent is entitled to request, with the expectation that the request will not be unreasonably denied, that the parent's child be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation. The decision of a board concerning the request is final and may not be appealed. *Education Code 26.003(a)(3)(C), (b)* [See FMH, FNG]

State Graduation Requirements

Note: For current state graduation requirements, including those for students who entered grade 9 before the 2007–08 school year but that are not otherwise referenced in this policy, see Education Code 28.025 and 19 Administrative Code Chapter 74.

Students Entering Grade 9

To receive a high school diploma, a student entering grade 9 in the 2014–15 school year and thereafter must complete:

1. Requirements of the foundation high school program under 19 Administrative Code 74.12 [see Foundation High School Program, below];
2. Testing requirements for graduation under 19 Administrative Code Chapter 101 [see EKB]; and
3. Demonstrated proficiency, as determined by the district, in delivering clear verbal messages; choosing effective nonverbal behaviors; listening for desired results; applying valid critical-thinking and problem-solving processes; and identifying, analyzing, developing, and evaluating communication skills needed for professional and social success in interpersonal situations, group interactions, and personal and professional presentations.

A student shall enroll in the courses necessary to complete the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement.

Education Code 28.025(c); 19 TAC 74.11(a), (c)

Foundation High School Program

A student must earn at least 22 credits to complete the foundation high school program and must demonstrate proficiency in the following core courses:

1. English language arts—4 credits;
2. Mathematics—3 credits;
3. Science—3 credits;
4. Social Studies—3 credits;
5. Languages other than English—2 credits;
6. Physical Education—1 credit;
7. Fine Arts—1 credit; and
8. Elective courses—5 credits.

19 TAC 74.12

Endorsements

A student shall specify in writing an endorsement the student intends to earn upon entering grade 9. *19 TAC 74.13(a)*

A student may earn any of the following endorsements:

1. Science, technology, engineering, and mathematics (STEM);
2. Business and industry;
3. Public services;
4. Arts and humanities; and
5. Multidisciplinary studies.

A district must make at least one endorsement available to students. A district that offers only one endorsement curriculum must offer multidisciplinary studies.

To earn an endorsement a student must demonstrate proficiency in the curriculum requirements for the foundation high school program and, in accordance with 19 Administrative Code 74.13(e), earn:

1. A fourth credit in mathematics;
2. An additional credit in science; and

3. Two additional elective credits.

A course completed as part of the four courses needed to satisfy an endorsement requirement may also satisfy a requirement under the foundation high school program, including an elective requirement. The same course may count as part of the set of four courses for more than one endorsement.

A district shall permit a student to enroll in courses under more than one endorsement before the student's junior year and to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated.

A student must earn at least 26 credits to earn an endorsement, but a student is not entitled to remain enrolled to earn more than 26 credits.

A district may define advanced courses and determine a coherent sequence of courses for an endorsement area, provided that prerequisites in 19 Administrative Code Chapters 110–118, 126, 127, and 130 are followed.

Education Code 28.025; 19 TAC 74.13

Exception

A student may graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year:

1. The student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and
2. The student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by TEA, allowing the student to graduate under the foundation high school program without earning an endorsement.

19 TAC 74.11(d)

*Distinguished
Level of
Achievement*

A student may earn a distinguished level of achievement by successfully completing the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement, including four credits in science and four credits in mathematics, including Algebra II. *19 TAC 74.11(e)*

*Algebra II
Notification*

Not later than September 1 of each school year, a district shall notify by regular mail or email the parent of or other person standing in parental relation to each student enrolled in grade 9 or above that the student is not required to complete an Algebra II course to

graduate under the foundation high school program. The notification must include information regarding the potential consequences to a student of not completing an Algebra II course, including the impact on eligibility for:

1. Automatic college admission under Education Code 51.803; and
2. Certain financial aid authorized under Title 3 of the Education Code.

Education Code 28.02123

Prerequisites

A student may not be enrolled in a course that has a required prerequisite unless:

1. The student has completed the prerequisite course(s);
2. The student has demonstrated equivalent knowledge as determined by the district; or
3. The student was already enrolled in the course in an out-of-state, an out-of-country, or a Texas nonpublic school and transferred to a Texas public school prior to successfully completing the course.

A district may award credit for a course a student completed without having met the prerequisites if the student completed the course in an out-of-state, an out-of-country, or a Texas nonpublic school where there was not a prerequisite.

19 TAC 74.11(i)–(j)

*Dual Credit
Courses*

Courses offered for dual credit at or in conjunction with an institution of higher education (IHE) that provide advanced academic instruction beyond, or in greater depth than, the essential knowledge and skills for the equivalent high school course required for graduation may satisfy graduation requirements, including requirements for required courses, advanced courses, and courses for elective credit as well as requirements for endorsements. *19 TAC 74.11(h)*

*Core Curriculum
College Courses*

A district shall permit a student to comply with the curriculum requirements under the foundation high school program by successfully completing appropriate courses in the core curriculum of an IHE. A student who has completed the core curriculum of an IHE in accordance with Education Code 61.822, as certified by the IHE in accordance with Education Code 4.28:

1. Is considered to have earned an endorsement by successfully completing the appropriate courses for that endorsement;

2. Is considered to have earned a distinguished level of achievement under the foundation high school program; and
3. Is entitled to receive a high school diploma.

19 TAC 74.11(n)

*Languages Other
Than English*

Students may earn credit for languages other than English in accordance with 19 Administrative Code 74.12(b)(5).

A student who successfully completes a dual language immersion program may satisfy one credit of the two credits required in a language other than English in accordance with 19 Administrative Code 74.12(b)(5)(F).

19 TAC 74.12(b)(5)

A student who successfully completes a course in American Sign Language while in elementary school may satisfy one credit of the two credits required in a language other than English. *19 TAC 74.12(b)(5)(G)*

*Physical
Education
Substitutions*

*Other Physical
Activity*

In accordance with local district policy, the required physical education credit may be earned through completion of any TEKS-based course that is not being used to satisfy another specific graduation requirement. [See Restrictions, below]

In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

1. Athletics;
2. JROTC; and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner of education for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
 - a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.

- b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the physical education courses listed in 19 Administrative Code Chapter 74 [see EHAC] may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions All substitution activities permitted by local district policy must include at least 100 minutes of moderate to vigorous physical activity per five-day school week.

No more than four substitution credits may be earned through any combination of substitutions listed above.

Student with Disability or Illness A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, social studies or a course that is offered for credit as provided by Education Code 28.002(g-1) for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:

1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A;
2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or
3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must

follow the same procedures required of an ARD or a Section 504 committee.

Education Code 28.025(b-10)–(b-11); 19 TAC 74.12(b)(6)

*Community-
Based Fine Arts
Programs*

In accordance with local district policy, the required fine arts credit may be earned through participation in a community-based fine arts program not provided by the school district in which the student is enrolled.

In accordance with local policy, credit may be earned through participation in the community-based fine arts program only if the program meets each of the following requirements:

1. The district must apply to the commissioner for approval of the community-based fine arts program;
2. The board must certify that the program provides instruction in the essential knowledge and skills for fine arts as defined by 19 Administrative Code, Chapter 117, Subchapter C;
3. The district must document student completion of the approved activity;
4. The program must be organized and monitored by appropriately trained instructors;
5. The fine arts program may be provided on or off a school campus and outside the regular school day; and
6. Students may not be dismissed from any part of the regular school day to participate in the community-based fine arts program.

The district shall require that instructors of the community-based fine arts program provide the district, at its request, the information necessary to obtain the criminal history record information required for school personnel in accordance with 19 Administrative Code, Chapter 153, Subchapter DD, if the community-based program is offered on campus.

Education Code 28.025(b-9); 19 TAC 74.12(b)(7)(B), .1030

*Performance
Acknowledgments*

In accordance with the requirements of 19 Administrative Code 74.14, a student may earn a performance acknowledgment on the student's transcript for:

1. Outstanding performance:
 - a. In a dual credit course;
 - b. In bilingualism and biliteracy;

- c. On a College Board advanced placement test or international baccalaureate examination;
 - d. On an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or
 - e. On an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or
2. Earning a state-recognized or nationally or internationally recognized business or industry certification or license.

Education Code 28.025(c-5); 19 TAC 74.14

Students Who
Entered Grade 9
Before the 2014–15
School Year

*Minimum High
School Program*

All credit for graduation must be earned no later than grade 12. *19 TAC 74.61(b), .71(b)*

A student entering grade 9 prior to the 2014–15 school year who does not choose to complete the curriculum requirements for high school graduation under the foundation high school program must enroll in the courses necessary to complete the curriculum requirements for the Recommended High School Program or the Advanced/Distinguished Achievement High School Program, unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the Minimum High School Program, and the student:

1. Is at least 16 years of age;
2. Has completed two credits required for graduation in each subject of the foundation curriculum under Education Code 28.002(a)(1); or
3. Has failed to be promoted to the tenth grade one or more times as determined by the school district.

Students with
Disabilities

If an ARD committee makes decisions that place a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum High School Program.

Applicability

A student who was permitted to take courses under the Minimum High School Program prior to the 2009–10 school year may remain in the Minimum High School Program.

19 TAC 74.61(c), (d), .71(c), (d)

Requirements	A student must earn at least 22 credits to complete the Minimum High School Program. A student who entered grade 9 in the 2012–13 or 2013–14 school year must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.72. A student who enters grade 9 before the 2012–13 school year must meet the applicable program requirements in 19 Administrative Code Chapter 74, Subchapters D–F. <i>Education Code 28.025; 19 TAC 74.62, .72</i>
<i>Recommended High School Program</i>	A student who entered grade 9 in the 2012–13 or 2013–14 school year must earn at least 26 credits to complete the Recommended High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.73. <i>Education Code 28.025; 19 TAC 74.63, .73</i>
<i>Advanced / Distinguished Achievement High School Program</i>	A student who entered grade 9 in the 2012–13 or 2013–14 school year must earn at least 26 credits to complete the Advanced/Distinguished Achievement High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.74. <i>Education Code 28.025; 19 TAC 74.64, .74</i>
<i>Substitutions</i>	No substitutions are allowed for high school graduation requirements in the Recommended and Advanced/Distinguished Achievement High School Programs, except as provided by State Board rule. 19 TAC 74.63(d), .64(e), .73(d), .74(e)
<i>AP or IB Courses</i>	College Board advanced placement and international baccalaureate courses may be substituted for required courses in appropriate areas. These courses may be used as electives in all three high school graduation programs. 19 TAC 74.61(k), .71(i)
<i>Reading</i>	A district may offer a maximum of 3 credits of reading for state graduation elective credit for identified students if the district: 1. Adopts policies to identify students in need of additional reading instruction; 2. Has procedures that include assessment of individual student needs and ongoing evaluation of each student's progress; and 3. Monitors instructional activities to ensure that student needs are addressed. Reading credits may be selected from Reading I, II, or III. <i>19 TAC 74.61(h), .71(f)</i>

College Courses A student may comply with the curriculum requirements under the Minimum, Recommended, or Advanced/Distinguished Achievement High School Program for each subject of the foundation curriculum and for languages other than English by successfully completing appropriate courses in the core curriculum of an IHE. 19 TAC 74.61(l), .71(j)

Physical Education Substitutions In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

Other Physical Activity

1. Athletics;
2. JROTC; and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
 - a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
 - b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the physical education courses listed in 19 Administrative Code Chapter 74 [see EHAC] may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions	All substitution activities must include at least 100 minutes per five-day school week of moderate to vigorous physical activity. No more than four substitution credits may be earned through any combination of substitutions listed above.
<i>Student with Disability or Illness</i>	A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, or social studies for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by: 1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A; 2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or 3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.
<i>Student with Physical Limitations</i>	If a student entering grade 9 during the 2007–08 school year or thereafter is unable to comply with all of the requirements for a physical education course due to a physical limitation certified by a licensed medical practitioner, a modification to a physical education course does not prohibit the student from earning a Recommended or Advanced/Distinguished High School Program diploma. A student with a physical limitation must still demonstrate proficiency in the relevant knowledge and skills in a physical education course that do not require physical activity. <i>Education Code 28.025(b-10)–(b-11); 19 TAC 74.62(b)(7), .63(b)(7), .64(b)(7), .72(b)(6), .73(b)(6), .74(b)(6)</i>
Transfers from Out-of-State or Nonpublic Schools	Out-of-state or out-of-country transfer students (including foreign exchange students) and transfer students from Texas nonpublic schools are eligible to receive Texas diplomas but shall complete all applicable high school graduation requirements. Any course credits required for graduation that are not completed before enroll-

**Graduation of
Students Receiving
Special Education
Services**Modified Curriculum
and Content

ment may be satisfied through credit by examination, correspondence courses, distance learning, or completing the course, according to the provisions of 19 Administrative Code 74.26. *19 TAC 74.11(f)* [See EHDB, EHDC, EHDE, and EI]

Employability and
Self-Help Skills

Modified curriculum and modified content refer to any reduction of the amount or complexity of the required knowledge and skills in 19 Administrative Code Chapters 110–~~118~~117, 126–128, and 130. Substitutions that are specifically authorized in statute or rule must not be considered modified curriculum or modified content. *19 TAC 89.1070(k)*

Employability and self-help skills are those skills directly related to the preparation of students for employment, including general skills necessary to obtain or retain employment. *19 TAC 89.1070(j)*

Summary of
Academic
Achievement and
Evaluation

All students graduating must be provided with a summary of academic achievement and functional performance as described in 34 C.F.R. 300.305(e)(3). This summary must consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. An evaluation as required by 34 C.F.R. 300.305(e)(1) (evaluation to determine that the child is no longer a child with a disability), must be included as part of the summary for a student graduating under 19 Administrative Code 89.1070 (b)(~~23~~)(A), (B), or (C) or (~~gf~~)(4)(A), (B), or (C). Students who participate in graduation ceremonies but who are not graduating under subsections (b)(~~23~~)(A), (B), or (C) or (~~gf~~)(4)(A), (B), or (C) and who will remain in school to complete their education do not have to be evaluated. *19 TAC 89.1070(g)–(h)–(i)*

*Students
Entering Grade 9
in or After the
2014–15 School
Year*

A student entering grade 9 in the 2014–15 school year and thereafter who receives special education services may graduate and be awarded a regular high school diploma if the student meets one of the following conditions:

1. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110–~~118~~117, 126–128, and 130 and satisfactorily completed credit requirements for graduation under the foundation high school program applicable to students in general education as well as satisfactory performance ~~on the required state assessments, unless the student's ARD committee has determined that satisfactory performance on the required state assessments is not necessary for graduation as established in Education Code Chapter 39, on the required EOC assessment instruments.~~

2. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110–~~118~~117, 126–128, and 130 and satisfactorily completed credit requirements for graduation under the foundation high school program specified in 19 Administrative Code 74.12 applicable to students in general education but the student's ARD committee has determined that satisfactory performance on the required EOC assessment instruments is not necessary for graduation.

~~2-3.~~ 3. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110–117, 126–128, and 130 and satisfactorily completed credit requirements for graduation under the foundation high school program through courses, one or more of which contain modified curriculum that is aligned to the standards applicable to students in general education, as well as satisfactory performance as established in Education Code Chapter 39, on the required ~~state assessments~~EOC assessment instruments, unless the student's ARD committee has determined that satisfactory performance on the required ~~state assessments~~EOC assessment instruments is not necessary for graduation. The student must also successfully complete the student's IEP and meet one of the following conditions:

- a. Consistent with the IEP, the student has obtained full-time employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district.
- b. Consistent with the IEP, the student has demonstrated mastery of specific employability skills and self-help skills that do not require direct ongoing educational support of the local school district.
- c. The student has access to services that are not within the legal responsibility of public education or employment or educational options for which the student has been prepared by the academic program.
- d. The student no longer meets age eligibility requirements.

When a student receives a diploma under item 2 or 3(a), (b), or (c), above, the ARD committee must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.

19 TAC 89.1070(b), (k)

Endorsements

A student who is enrolled in a special education program may earn an endorsement on the student's transcript by:

1. Successfully completing, with or without modification of the curriculum:
 - a. The curriculum requirements identified by the SBOE for the foundation high school program; and
 - b. The additional endorsement curriculum requirements prescribed by the SBOE; and
2. Successfully completing all curriculum requirements for that endorsement adopted by the SBOE:
 - a. Without modification of the curriculum; or
 - b. With modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's ARD committee.

The ARD committee of a student in a special education program shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn an endorsement on the student's transcript.

Education Code 28.025(c-7)–(c-8), 19 TAC 89.1070(c)

*Students
Entering Grade 9
Before the 2014–
15 School Year*

A student receiving special education services who entered grade 9 before the 2014–15 school year may graduate and be awarded a high school diploma under the foundation high school program ~~if the student's ARD committee determines that the student should take courses under that program and the student satisfies the requirements of that program. A student transitioning to the Foundation High School Program may earn an endorsement as set out above [see Endorsements, above].~~ in accordance with 19 Administrative Code 89.1070.

~~A student receiving special education services in 11th or 12th grade who has taken each of the required state assessments but failed to achieve satisfactory performance on no more than two of the assessments may graduate if the student has satisfied all other applicable graduation requirements. [See Special Education, above, and EKB]~~

~~19 TAC 89.1070(f)~~

~~A student receiving special education services who entered grade 9 before the 2014–15 school year may graduate and be awarded a~~

~~regular high school diploma if the student meets one of the following conditions:~~

- ~~3. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110–118, 126–128, and 130 and satisfactorily completed credit requirements for graduation under the Recommended or Advanced/Distinguished Achievement Programs, including satisfactory performance on the required state assessments.~~
- ~~4. The student is in grade 11 or 12 and has taken each of the state assessments required by 19 Administrative Code Chapter 101, Subchapter CC (Commissioner's Rules Concerning Implementation of the Academic Content Areas Testing Program) or Subchapter DD (Commissioner's Rules Concerning Substitute Assessments for Graduation) but failed to achieve satisfactory performance on no more than two of the assessments and has met all other applicable graduation requirements in item 1 above.~~
- ~~5. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110–118, 126–128, and 130 and satisfactorily completed credit requirements under the Minimum High School Program, including participation in state assessments. The student's ARD committee shall determine whether satisfactory performance on the required state assessments is necessary for graduation.~~
- ~~6. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110–118, 126–128, and 130 through courses, one or more of which contain modified content that is aligned to the standards required under the Minimum High School Program as well as the satisfactorily completed credit requirements under the Minimum High School Program, including participation in required state assessments. The student's ARD committee shall determine whether satisfactory performance on the required state assessments is necessary for graduation. The student must also successfully complete the student's IEP and meet one of the following conditions:~~
 - ~~a. Consistent with the IEP, the student has obtained full-time employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district;~~

- ~~b. Consistent with the IEP, the student has demonstrated mastery of specific employability skills and self-help skills that do not require direct ongoing educational support of the local school district;~~
- ~~c. The student has access to services that are not within the legal responsibility of public education, or employment or educational options for which the student has been prepared by the academic program; or~~
- ~~d. The student no longer meets age eligibility requirements.~~

~~When a student receives a diploma under item 3(a), (b), or (c), above, the ARD committee must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.~~

~~19 TAC 89.1070(g), (k)~~

**Graduation of
Military Dependents**

Course Waiver

District officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed by a military student in another district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the district shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

Transfers During
Senior Year

Should a military student transferring at the beginning or during the student's senior year be ineligible to graduate from the district after all alternatives have been considered, the sending and receiving districts shall ensure the receipt of a diploma from the sending district, if the student meets the graduation requirements of the sending district. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

Substitute Passing
Standard

The commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for completing a specific course otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the tenth grade level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.

Education Code 162.002 art. VII, A, C [See FDD]

**Graduation of
Student Who Is
Homeless or in
Conservatorship of
DFPS**

If an 11th or 12th grade student who is homeless or in the conservatorship of the Department of Family and Protective Services transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers, the district from which the student transferred shall award a diploma at the student's request, if the student meets the graduation requirements of the district from which the student transferred. *Education Code 28.025(i)*

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State Assessment of Academic Skills

Every student receiving instruction in the essential knowledge and skills shall take the appropriate criterion-referenced assessments, as required by Education Code Chapter 39, Subchapter B [see Testing in Grades 3–8, below]. *Education Code 39.023(a), (c), (f); 19 TAC 101.5*

A student may not receive a high school diploma until the student has performed satisfactorily on end-of-course (EOC) assessment instruments [see End-of-Course Assessments, below]. *Education Code 39.025(a); 19 TAC 101.4001*

Limited English Proficient Students

In grades 3–12, a limited English proficient (LEP) student, as defined by Education Code Chapter 29, Subchapter B, shall participate in the state assessment in accordance with commissioner rules at 19 Administrative Code Chapter 101, Subchapter AA. *Education Code 39.023(l), (m)* [See EKBA]

Special Education

The Texas Education Agency (TEA) shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program for whom a state assessment instrument adopted under Education Code 39.023(a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal (ARD) committee, including assessment instruments approved by the commissioner of education that measure growth. The assessment instruments developed or adopted, including the assessment instruments approved by the commissioner, must, to the extent allowed under federal law, provide a district with options for the assessment of students.

TEA may not adopt a performance standard that indicates that a student's performance on the alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student's developmental level as determined by the student's ARD committee.

The student's ARD committee shall determine whether any allowable modification is necessary in administering to the student a required EOC assessment instrument under Education Code 39.023(c), and whether the student is required to achieve satisfactory performance on an EOC assessment instrument to receive a high school diploma.

Education Code 39.023(b)–(c), .025(a-4)

Military Dependents

If the student is a military dependent, the district shall incorporate procedures to accept:

1. Exit or EOC exams required for graduation from the sending state;
2. National norm-referenced achievement tests; or
3. Alternative testing, in lieu of testing requirements for graduation in the receiving state.

In the event the above alternatives cannot be accommodated by the receiving state for a military dependent transferring in his or her senior year, then Education Code 162.002 article VII, section C, shall apply.

*Substitute
Passing Standard*

The commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for achieving a score on an assessment instrument otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the grade 10 level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.

Education Code 162.002 art. VII [See EIF]

Administration

A district shall follow the test administration procedures established by TEA in the applicable test administration materials. A superintendent shall be responsible for administering tests. *19 TAC 101.25, .27*

Schedule

The commissioner shall specify the schedule for testing that is in compliance with Education Code 39.023(c-3) and supports reliable and valid assessments. Participation in University Interscholastic League (UIL) area, regional, or state competitions is prohibited on any days on which testing is scheduled between Monday and Thursday of the school week in which the primary administration of assessment instruments occurs.

The commissioner may provide alternate dates for the administration of tests required for a high school diploma to students who are migratory children and who are out of the state.

19 TAC 101.25

*Alternate Test
Dates*

The commissioner shall consider requests from districts or campuses for alternate test dates on a case-by-case basis. Alternate

test dates will only be allowed if the campus or district is closed on the day on which testing is scheduled or if there is an exceptional circumstance, defined below, that may affect a district's or campus's ability to administer an assessment or the students' performance on the assessment.

"Exceptional circumstances" include:

1. Inclement weather or natural disasters that would cause a district or campus to be closed or that would cause a small percentage of students to be in attendance on the day testing is scheduled;
2. Health epidemics that result in a large number of students being absent on the day of testing;
3. Death of a student or school official that may impact student performance; and
4. Sudden emergencies that occur on the day of testing or shortly before testing that may inhibit students from completing the assessments, such as a fire on campus, a bomb threat, an extended power outage, or a water main break.

If an alternate test date for primary test administration is approved, the commissioner may prohibit a district or campus from participating in UIL competition on the new test date if that is determined to be in the best interest of the district, campus, and students.

19 TAC 101.5003

Notice to Parents and Students

A superintendent shall be responsible for providing written notice to each student and the student's parent or guardian of:

1. The testing requirements for grade advancement [see EIE] and the dates, times, and locations of testing. Notice of testing requirements shall be provided no later than the beginning of the student's kindergarten year, for students attending kindergarten in the district, and no later than the beginning of the student's first-grade year for all other students. The superintendent shall also provide such notice for students in grades 1–8 who are new to the district.
2. The testing requirements for graduation and the dates, times, and locations of testing. Notice of testing requirements shall be provided no later than the beginning of the student's seventh-grade year. The superintendent shall also provide such notice for students in grades 7–12 who are new to the district. Notice of the dates, times, and locations of testing shall be

provided to each student who will take the tests and to out-of-school individuals.

19 TAC 101.3012

**Testing in
Grades 3–8**

Except as provided below, all students, other than students who are assessed under Education Code 39.023(b) (alternative assessment instrument) or 39.023(l) (LEP students) or exempted under Education Code 39.027, shall be assessed in:

1. Mathematics, annually in grades 3–8;
2. Reading, annually in grades 3–8;
- ~~3. Writing, including spelling and grammar, in grades 4 and 7;~~
- ~~4.3.~~ Social studies in grade 8;
- ~~5.4.~~ Science in grades 5 and 8; and
- ~~6.5.~~ Any other subject and grade required by federal law.

Education Code 39.023(a)

Exception

For purposes of federal accountability, a student shall not be administered a grade-level assessment if the student:

1. Is enrolled in a course or subject intended for students above the student's enrolled grade level and will be administered a grade-level assessment instrument developed under the list above that aligns with the curriculum for that course or subject within the same content area; or
2. Is enrolled in a course for high school credit in a subject intended for students above the student's enrolled grade level and will be administered an EOC assessment instrument that aligns with the curriculum for that course or subject within the same content area.

For purposes of federal accountability, a grade 3–8 student who is accelerated in mathematics, reading/language arts, or science and on schedule to complete the high school end-of-course assessments in that same content area prior to high school shall be assessed at least once in high school with the ACT or the SAT.

A student is only eligible to take an assessment instrument intended for use above the student's enrolled grade if the student is on schedule to complete instruction in the entire curriculum for that subject during the semester the assessment is administered.

A student in grade 5 or 8 described above may not be denied promotion on the basis of failure to perform satisfactorily on an assessment instrument above the student's grade level.

Education Code 28.0211(o)–(p), 39.023(a-2); 19 TAC 101.3011(a)(1)–(4)

Kindergarten
Assessment

An assessment instrument under Education Code 39.023 may not be administered to a kindergarten student except for the purpose of determining whether the student is entitled to the benefit of the Foundation School Program [see FD]. *Education Code 39.023(a-16)*

Prekindergarten
Assessment

Performance on an assessment instrument administered to students in prekindergarten may not be considered for any purpose related to Education Code Chapters 39 and 39A. *Education Code 39.0237*

Accommodations

Testing accommodations are permitted for any student unless they would make a particular test invalid. Decisions regarding testing accommodations shall take into consideration the needs of the student and the accommodations the student routinely receives in classroom instruction. Permissible testing accommodations shall be described in the appropriate test administration materials.

The committee established by a board to determine the placement of students with dyslexia or related disorders shall determine whether any allowable modification is necessary in administering an assessment to such a student.

A student's ARD committee shall determine the allowable accommodations and shall document them in the student's individualized education program (IEP). [See Special Education, above]

19 TAC 101.3013; Education Code 39.023(a)–(c), (n); 34 C.F.R. 300.320(a)(6)

**End-of-Course
Assessments**

Beginning with students first enrolled in grade 9 in the 2011–12 school year, a student enrolled in a course for which an EOC assessment exists as required by Education 39.023(c) shall take the appropriate assessment. *19 TAC 101.3021(a)*

TEA shall adopt EOC assessment instruments for secondary-level courses in Algebra I, biology, English I, English II, and United States history. The Algebra I EOC assessment instrument must be administered with the aid of technology, but may include one or more parts that prohibit the use of technology. The English I and English II EOC assessment instruments must each assess essential knowledge and skills in both reading and writing and must pro-

vide a single score. A district shall comply with State Board of Education rules regarding administration of the assessment instruments listed in this provision.

If a student is in a special education program, the student's ARD committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this provision.

Education Code 39.023(c)

Students Enrolled
Below High School
Level

Beginning in the 2011–12 school year, a student in grade 8 or lower who takes a high school course for credit is required to take the applicable EOC assessment. The EOC assessment result shall be applied toward the student's assessment graduation requirements, as specified in 19 Administrative Code 101.3022. *19 TAC 101.3021(d)*

Assessment
Requirements for
Graduation

A student must meet satisfactory performance on an EOC assessment listed in Education Code 39.023(c) only for a course in which the student is enrolled and for which an EOC assessment instrument is administered in order to be eligible to receive a Texas diploma.

Exceptions

English I or
English II

A student who was administered separate reading and writing EOC assessments under Education Code 39.023(c), for the English I or English II course has met that course's assessment graduation requirement if the student has:

1. Achieved satisfactory performance on either the reading or writing EOC assessment for that course;
2. Met at least the minimum score on the other EOC assessment for that course; and
3. Achieved an overall scale score of 3750 or greater when the scale scores for reading and writing are combined for that course.

Exceptions related to English I also apply to English language learners who meet the criteria in 19 Administrative Code 101.1007. [See EKBA]

Credits Earned
Prior to
Enrollment

If a student earned high school credit for a course with an EOC assessment prior to enrollment in a Texas public school district and the credit has been accepted by a Texas public school district, or a student completed a course for Texas high school credit in a

course with an EOC assessment prior to the 2011–12 spring administration, the student is not required to take the corresponding EOC assessment.

19 TAC 101.3021(e), .3022

Substitute
Assessments

The commissioner adopts certain assessments as substitute assessments that a student may use in place of a corresponding EOC assessment to meet the student's assessment graduation requirements. A satisfactory score on an approved assessment may be used in place of only one specific EOC assessment, except as provided by 19 Administrative Code 101.4002(d)(1) (student who qualifies for use of the Texas Success Initiative (TSI) as a substitute assessment and is enrolled in certain college preparatory courses).

A student at any grade level is eligible to use a substitute assessment as provided in the commissioner's chart at 19 Administrative Code 101.4002(b) if the student:

1. Was administered an approved substitute assessment for an equivalent course in which the student was enrolled;
2. Received a satisfactory score on the substitute assessment as determined by the commissioner and provided in the chart at 19 Administrative Code 101.4002(b); and
3. Using a TSI assessment also meets the additional criteria of 19 Administrative Code 101.4002(d).

*TSI Additional
Criteria*

A student must meet the criteria established in 19 Administrative Code 101.4002(d) in order to qualify to use TSI as a substitute assessment.

Accountability
Testing

A student electing to substitute an assessment for graduation purposes must still take the corresponding EOC assessment required under Education Code 39.023(c) at least once for accountability purposes. If a student sits for an EOC assessment, a district may not void or invalidate the test in lieu of a substitute assessment.

A student who fails to perform satisfactorily on a PSAT, PLAN, or Aspire test (or any versions of these tests) as indicated in the chart in 19 Administrative Code 101.4003(b) must take the appropriate EOC assessment required under Education Code 39.023(c). However, a student who does not receive a passing score on the EOC assessment and retakes a PSAT, PLAN, or Aspire test (or any versions of these tests) is eligible to meet the requirements specified in 19 Administrative Code 101.4002(c).

19 TAC 101.4002

Verification of Results	An eligible student is responsible for providing a district an official copy of the student's scores from the substitute assessment. Upon receipt of official results of an approved substitute assessment, a district must: 1. Verify the student's score on the substitute assessment; and 2. Determine whether the student met the performance standard required to qualify for a public high school diploma in Texas as established by the commissioner. <i>19 TAC 101.4005</i>
Satisfactory Performance	A student is required to achieve a scale score that indicates satisfactory performance, as determined by the commissioner on each EOC assessment instrument administered to the student. <i>Education Code 39.025(a)</i>
Individual Graduation Committee	A student in grade 11 or 12 who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses may qualify to graduate on the basis of a review by an individual graduation committee (IGC). [See EIF] <i>Education Code 28.0258, 39.025(a-5)</i>
Special Education	A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258. As provided in 19 Administrative Code 89.1070 (Graduation Requirements) and 19 Administrative Code 101.3023 (Participation and Graduation Assessment Requirements for Students Receiving Special Education Services), a student's ARD committee determines whether a student is required to achieve satisfactory performance on an EOC assessment to graduate. A student dismissed from a special education program who achieved satisfactory performance on an alternate EOC assessment while enrolled in a special education program is not required to take and achieve satisfactory performance on the general EOC assessment to graduate. A student who took an EOC assessment while enrolled in a special education program is not required to re-take and achieve satisfactory performance on the EOC assessment if the student's ARD committee determined that the student was not required to achieve satisfactory performance on the EOC assessment to graduate. A student dismissed from a special education program must achieve satisfactory performance on any remaining EOC assessments that the student is required to take. If the student fails to achieve satisfactory performance on no more than two of the remaining EOC assessments, the student is eligible for IGC review under Education Code 28.0258 and is subject to the

IGC provisions above. [See Individual Graduation Committee, above]

19 TAC 101.3022(f)

A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a Texas high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation.

Beginning with the 2011–12 school year, all grades 9–12 students with significant cognitive disabilities who are assessed with an alternate assessment as specified in the student's IEP will be assessed using alternate versions of EOC assessments as listed in 19 Administrative Code 101.3011(b)(2).

19 TAC 101.3023(a), (b)

Credit by
Examination

An EOC assessment administered under Education Code 39.023(c) cannot be used for purposes of credit by examination under 19 Administrative Code 74.24. [See EHDB, EHDC] *19 TAC 101.3021(c)*

Additional State
Assessments

TEA may adopt EOC assessment instruments for courses not listed in statute, as described above. A student's performance on these EOC assessment instruments is not subject to the performance requirements established for the statutory assessments. *Education Code 39.023(c-2)*

Retakes

Each time an EOC assessment instrument is administered, a student who failed to achieve a score requirement may retake the assessment instrument. [See Satisfactory Performance, above]

A student is not required to retake a course as a condition of retaking an EOC assessment instrument.

If a student failed a course but achieved satisfactory performance on the applicable EOC assessment, that student is not required to retake the assessment if the student is required to retake the course.

Education Code 39.025(b); 19 TAC 101.3021(f), .3022(d)

Reporting Results
To the Public

Overall student performance data, aggregated by ethnicity, sex, grade level, subject area, campus, and district, shall be made available to the public, with appropriate interpretations, at regularly scheduled meetings of a board, after receipt from TEA. The information shall not contain the names of individual students or teachers. *Education Code 39.030(b)*

To the Board	A superintendent shall accurately report all test results with appropriate interpretations to a board according to the schedule in the applicable test administration materials.
To Parents, Students, and Teachers	A district shall notify each of its students, his or her parent or guardian, and his or her teacher for that subject of test results, observing confidentiality requirements stated at Confidentiality of Results, below. All test results shall be included in each student's academic achievement record and shall be furnished for each student transferring to another district or school. Upon receipt of the assessment results from the test contractor, a district shall disclose a student's assessment results to a student's teacher in the same subject area as the assessment for that school year. [See BQ series, FD, and FL] <i>19 TAC 101.3014</i> TEA shall adopt a series of questions to be included in an EOC assessment instrument administered under Education Code 39.023(c) to be used for purposes of identifying students who are likely to succeed in an advanced high school course. A district shall notify a student who performs at a high level on the questions and the student's parent or guardian of the student's performance and potential to succeed in an advanced high school course. A district may not require a student to perform at a particular level on the questions to be eligible to enroll in an advanced high school course. <i>Education Code 39.0233(b)</i>
Parents Right-to-Know Under ESEA	As a condition of receiving assistance under Title I, Part A of the Elementary and Secondary Education Act (ESEA) (20 U.S.C. 6301 et seq.), a district shall provide to each individual parent of a child who is a student in such school, with respect to such student information on the level of achievement and academic growth of the student, if applicable and available, on each of the state academic assessments required under Part A. <i>20 U.S.C. 6312(e)(1)(B)(i)</i>
Parental Access	A parent is entitled to access to a copy of each state assessment instrument administered to the parent's child. This right of access does not apply, however, to those instruments or particular questions that are being field-tested by TEA. <i>Education Code 26.005, .006(a)(2)</i>
Out-of-State Transfers	A district shall accurately report to TEA whether that student transferred into the district from out of state during the current school year.

Procedures for the reporting of out-of-state-transfer students to TEA shall be established in the applicable test administration materials. A district shall follow procedures specified in those test administration materials.

The assessment results of the out-of-state transfer students shall be reported separately to districts from the results of the district's other students in addition to the current reporting of assessment results for all students and other student subsets.

19 TAC 101.3014

**Accelerated
Instruction**

Each time a student fails to perform satisfactorily on an assessment instrument administered under Education Code 39.023(a) in the third, fourth, fifth, sixth, seventh, or eighth grade, the district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations. *Education Code 28.0211(a-1)*

A district shall provide each student who fails to perform satisfactorily on an EOC assessment instrument with accelerated instruction in the subject assessed by the assessment instrument. *Education Code 39.025(b-1)* [See EHBC]

College Readiness

Each district shall partner with at least one institution of higher education to develop and provide courses in college preparatory mathematics and English language arts. The courses must be designed:

1. For students at the grade 12 level whose performance on:
 - a. An EOC assessment instrument required under Education Code 39.023(c) does not meet college readiness standards; or
 - b. Coursework, a college entrance examination, or an assessment instrument designated under Education Code 51.334(a) indicates that the student is not ready to perform entry-level college coursework; and
2. To prepare students for success in entry-level college courses.

A course must be provided on the campus of the high school offering the course or through distance learning or as an online course provided through the institution of higher education with which the district partners.

<i>Faculty</i>	Appropriate faculty of each high school offering courses and appropriate faculty of each institution of higher education with which the district partners shall meet regularly as necessary to ensure that each course is aligned with college readiness expectations.
<i>Notice</i>	Each district shall provide a notice to each eligible student and the student's parent or guardian regarding the benefits of enrolling in a course.
<i>Credit Earned</i>	A student who successfully completes an English language arts course may use the credit earned toward satisfying the advanced English language arts curriculum requirement for the foundation high school program under Education Code 28.025(b-1)(1). A student who successfully completes a mathematics course may use the credit earned in the course toward satisfying an advanced mathematics curriculum requirement under Education Code 28.025 after completion of the mathematics curriculum requirements for the foundation high school program under Education Code 28.025(b-1)(2).
<i>Dual Credit</i>	A course may be offered for dual credit at the discretion of the institution of higher education with which a district partners.
<i>Instructional Materials</i>	Each district, in consultation with the institution of higher education with which the district partners, shall develop or purchase instructional materials for a course consistent with Education Code Chapter 31. The instructional materials must include technology resources that enhance the effectiveness of the course and draw on established best practices.
	<i>Education Code 28.014</i>
Security and Confidentiality	All assessment instruments included in the student assessment program are considered secure, and the contents of these tests, including student information used or obtained in their administration, are confidential. Districts and campuses and the superintendent and campus principals in each district and campus shall: 1. Implement and ensure compliance with state test administration procedures and training activities; 2. Notify TEA as soon as the district becomes aware of any alleged or suspected violation of the security or confidential integrity of a test [see Violations, below];

3. Report all confirmed testing violations to TEA within ten working days of the district becoming aware of the violation in accordance with the reporting process stipulated in the test administration materials;
4. Ensure that the only individuals with access to secure test materials are district employees who have:
 - a. Met the requirements to participate in the student assessment program;
 - b. Received annual training in test security and test administration procedures; and
 - c. Signed an oath affirming they understand their obligation to maintain and preserve the security and confidentiality of all state assessments and student information, acknowledge their responsibility to report any suspected testing violation, and are aware of the range of penalties that may result from a violation of test security and confidentiality or a departure from test administration procedures; and
5. Ensure the security of the test materials as required by 19 Administrative Code 101.3031(a)(2)(E).

19 TAC 101.3031(a)(1)–(a)(2)

Violations

Violations of the security and confidential integrity of a test include:

1. Directly or indirectly assisting students with responses to test questions;
2. Tampering with student responses;
3. Falsifying holistic ratings or student responses;
4. Viewing secure test content before, during, or after an administration unless specifically authorized by TEA or by the procedures outlined in the test administration materials;
5. Discussing or disclosing secure test content or student responses;
6. Scoring students' tests, either formally or informally;
7. Duplicating, recording, or electronically capturing confidential test content unless specifically authorized by TEA or by the procedures outlined in the test administration materials;
8. Responding to secure test questions;

9. Fraudulently exempting or preventing a student from participating in the administration of a required state assessment;
10. Receiving or providing unallowable assistance during calibration activities (e.g., taking notes, providing answer sheets, or sharing answers);
11. Encouraging or assisting an individual to engage in the conduct described above or in any other serious violation of security and confidentiality;
12. Failing to report to an appropriate authority that an individual has engaged or is suspected of engaging in the above conduct or in any other serious violation of security and confidentiality under this provision;
13. Failing to implement sufficient procedures to prevent student cheating; and
14. Failing to implement sufficient procedures to prevent alteration of test documents by anyone other than the student.

Consequences

If a district determines that a student has cheated or attempted to cheat on a state assessment either by providing or receiving direct assistance, the district shall invalidate the student's test results.

Any violation of test security or confidential integrity may result in TEA:

1. Invalidating student test results;
2. Referring certified educators to the State Board for Educator Certification (SBEC) for sanctions in accordance with 19 Administrative Code Chapter 247 (Educators' Code of Ethics) and Chapter 249 (Disciplinary Proceedings, Sanctions, and Contested Cases); and
3. Lowering the district's accreditation status or a district's or campus's accountability rating in accordance with Education Code 39.057(d), or appointment of a monitor, conservator, or management team to the district in accordance with Education Code Chapter 39A.

Test Administration Procedures

Test administration procedures shall be delineated in the test administration materials provided to districts annually. Districts must comply with all of the applicable requirements specified in the test administration materials.

Districts shall ensure that test coordinators and administrators receive training to ensure that testing personnel have the necessary

	skills and knowledge required to administer assessment instruments in a valid, standardized, and secure manner.
Records Retention	As part of test administration procedures, the commissioner shall require districts to maintain records related to the security of assessment instruments for five years. <i>19 TAC 101.3031(a-3)–(d)</i>
Disciplinary Action and Penalties	SBEC may take disciplinary action against a person who has violated the security or integrity of any assessment required by Education Code Chapter 39, Subchapter B or has committed an act that is a departure from the test administration procedures established by the commissioner under 19 Administrative Code Chapter 101. The superintendent and campus principal must develop procedures to ensure the security and confidentiality of the tests and will be responsible for notifying TEA in writing of conduct that violates the security or confidentiality of a test. Failure to report can subject the person responsible to the applicable penalties. <i>19 TAC 249.15(a)–(b), (g)</i>
Minimize Disruptions	In implementing the commissioner’s procedures for the administration of assessment instruments adopted or developed under Education Code 39.023, including procedures designed to ensure the security of the assessment, a district shall minimize disruptions to school operations and the classroom environment. <i>Education Code 39.0301(a-1)</i>
Confidentiality of Results	Individual student performance results are confidential and may be released only in accordance with the Family Educational Rights and Privacy Act of 1974. <i>Education Code 39.030(b)</i> [See FL and GBA]

Definition	For the purpose of this policy, “parent” is the person who is indicated on the student registration form at the campus. The signature of only one parent of a student is required for a charter created by petition or a cooperative program charter. <i>Education Code 12.051(1), .052(b), .053(b)</i>
Policy	A district shall adopt a campus charter and program charter policy, which shall specify the: 1. Process for approval of a campus charter or program charter; 2. Statutory requirements with which a campus charter or program charter must comply; and 3. Items that must be included in a charter application. <i>Education Code 12.058</i>
Campus or Program Charter	A board may grant a charter to parents and teachers for a campus or a program on a campus. A board shall grant or deny the charter, through a public vote, if the board is presented with a petition signed by: 1. The parents of a majority of the students at that campus; and 2. A majority of the classroom teachers at that campus. A board may not arbitrarily deny a charter. <i>Education Code 12.052</i>
New Campus or Contract Charter	A board may grant a charter for: 1. A new district campus; or 2. A program that is operated: a. By an entity that has entered into a contract with the district under Education Code 11.157 [see EEL] to provide educational services to the district through the campus or program; and b. At a facility located in the boundaries of the district.
Voluntary Enrollment	A student's parent or guardian may choose to enroll the student at a campus or in a program charter. A district may not assign a student to the campus or program unless the student's parent or guardian has voluntarily enrolled the student.
Parental Removal	A student's parent or guardian may, at any time, remove the student from the campus or program and enroll the student at the campus to which the student would ordinarily be assigned.

Teacher Assignment	A district may not assign to the campus or program a teacher who has signed a written statement that the teacher does not agree to that assignment. <i>Education Code 12.0521</i>
<u>Contract Charter Funding</u>	<u>A district under contract with an open-enrollment charter school to jointly operate a campus or campus program during the 2017–18 school year and under any renewal of that contract is eligible to receive funding under Education Code 42.2511 for each student or the portion of each student's school day under the direction of the open-enrollment charter school. Education Code 11.157(b); 19 TAC 61.1010</u>
District Charter	A board may grant a district charter to a campus.
Enrollment Limit	A district charter may be granted only to one or more campuses serving in total a percentage of the district's student enrollment equal to not more than 15 percent of the district's student enrollment for the preceding school year.
<i>Exception</i>	The percentage limit may not prevent a district from granting a district charter to at least one feeder pattern of schools, including an elementary, middle or junior high, and high school. A district charter may be granted to any campus that has received the lowest performance rating under Subchapter C, Chapter 39, Education Code.
Open-Enrollment Charter School	Subchapter D, Chapter 39, Education Code (~~related to~~ open-enrollment charter schools) applies to a campus granted a district charter as though the campus were granted a charter under that subchapter, and the campus is considered an open-enrollment charter school. A district charter is not considered for purposes of the limit on the number of charters for open-enrollment charter schools imposed by Education Code 12.101. <i>Education Code 12.0522</i>
Cooperative Campus Charter	A board may grant a charter to parents and teachers at two or more campuses in the district for a cooperative charter program if the board is presented with a petition signed by: 1. The parents of a majority of the students at each school; and 2. A majority of the classroom teachers at each school. <i>Education Code 12.053</i>

**Performance
Contract**

A board that grants a charter shall enter into a performance contract with the principal or equivalent chief operating officer of the campus or program. The performance contract must specify enhanced authority granted to the principal or equivalent officer in order to achieve the academic goals that must be met by campus or program students.

Duration of Charter

A charter granted by the board expires ten years from the date the charter is granted unless the specified goals are substantially met, as determined by the board.

Education Code 12.0531

**Neighborhood
School**

A board may determine that a campus granted a charter will be a neighborhood school.

The principal or equivalent chief operating officer of a neighborhood school shall manage the funding provided for the school under the Education Code and any other funding provided for the school in the manner the principal or other officer determines best meets the needs of the school's students. The district in which the school is located may retain that portion of funding that the district generally withholds from a campus for costs associated with the salary of the superintendent or other district governance.

The principal or equivalent chief operating officer of a neighborhood school may use school funding to purchase from the school district in which the school is located services for the school, including bus service, facilities maintenance services, and other services generally provided by a school district to district campuses. The school shall pay for each service an amount that reflects the actual cost to the district of providing the service for the number of the school's students for which the service is provided.

Education Code 12.0532

Student Eligibility

Eligibility criteria for admission of students to the charter campus or program must give priority on the basis of geographic and residency considerations. After priority is given on those bases, secondary consideration may be given to a student's age, grade level, or academic credentials, in general or in a specific area, as necessary for the type of program offered.

The campus or program may require an applicant to submit an application not later than a reasonable deadline the campus or program establishes.

Education Code 12.065

Exemption

A campus or program for which a charter is granted is exempt from the instructional and academic rules and policies of the board from which the campus or program is specifically exempted in the charter and retains the authority to operate under the charter only if students at the campus or in the program perform satisfactorily as provided by the charter. *Education Code 12.054*

Charter Contract

A charter shall be in the form and substance of a written contract signed by a board president and the chief operating officer of the campus or program for which the charter is granted. *Education Code 12.060*

Each charter shall:

1. Satisfy the requirements governing charter campuses and programs; and
2. Include all information required to be in the content of the charter consistent with the information provided in the application and any modification a board requires.

Education Code 12.061

Content of Charter

Each charter granted must:

1. Describe the educational program to be offered, which may be a general or specialized program;
2. Provide that continuation of the charter is contingent on satisfactory student performance on state-required assessment instruments, satisfactory financial performance under state financial accountability provisions, and on compliance with other applicable accountability provisions;
3. Specify any basis, in addition to a basis specified in Education Code Chapter 12, Subchapter C, on which the charter may be revoked;
4. Prohibit discrimination in admission on the basis of national origin, ethnicity, race, religion, or disability;
5. Describe the governing structure of the campus or program;
6. Specify any procedure or requirement, in addition to those under Education Code Chapter 38, that the campus or program will follow to ensure the health and safety of students and employees; and
7. Describe the manner in which an annual audit of financial and programmatic operations of the campus or program is to be

conducted, including the manner in which the campus or program will provide information necessary for the district in which it is located to participate in PEIMS.

Education Code 12.059

Revision

A charter created by petition or a cooperative charter program may be revised with board approval and on a petition signed by a majority of the parents and a majority of the classroom teachers at the campus or in the program, as applicable.

A charter created without a petition may be revised with the approval of the board of trustees that granted the charter. The charter may be revised only before the first day of instruction or after the final day of instruction of a school year.

Education Code 12.062

**Failure to Discharge
or Refuse to Hire**

A charter campus or program commits a material violation of its charter if the campus or program fails to comply with the duty to discharge or refuse to hire certain employees or applicants for employment under Education Codes 12.1059, 22.085, or 22.092. *Education Code 12.0631*

Applicability of Laws

A charter campus or program is subject to federal and state laws and rules governing public schools, except that the charter campus or program is subject to the Education Code and rules adopted thereunder only to the extent that the code or rule specifically provides. *Education Code 12.055(a)*

Education Code

A charter campus or program has the powers granted to schools under the Education Code.

A charter campus or program is subject to:

1. Provisions of the Education Code establishing criminal offenses;
2. Prohibitions, restrictions, or requirements of the Education Code, or a rule adopted under the Education Code, relating to:
 - a. PEIMS, to the extent necessary to monitor compliance, as determined by the commissioner;
 - b. Criminal history records under Subchapter C, Chapter 22;
 - c. High school graduation under Section 28.025;
 - d. Special education programs under Subchapter A, Chapter 29;

- e. Bilingual education under Subchapter B, Chapter 29;
- f. Prekindergarten programs under Subchapter E, Chapter 29;
- g. Extracurricular activities under Section 33.081 (i.e., “no pass-no play”);
- h. Health and safety under Chapter 38 (including immunizations, dyslexia and related disorders, child abuse reporting, protective eye devices, tobacco and alcohol use, steroid use, access to medical records, and referrals to outside counselors);
- i. Public school accountability under Subchapter B, C, D, F, and J, Chapter 39, and Chapter 39A; and
- j. The duty to discharge or refuse to hire certain employees or applicants for employment under Education Code 12.1059.

Education Code 12.056

Open Meetings and
Public Information
Acts

With respect to the operation of a campus or program charter, the governing body of the charter campus or program is considered a governmental body for purposes of Government Code Chapters 551 (Open Meetings Act) and 552 (Public Information Act). *Education Code 12.057(a)*

Teacher Retirement
System

A district may contract with another district or an open-enrollment charter holder for services at a campus charter. An employee of the district or open-enrollment charter holder providing contracted services to a campus charter is eligible for membership in and benefits from the Teacher Retirement System of Texas (TRS) if the employee would be eligible for membership and benefits if holding the same position at the employing district or open-enrollment charter school operated by the charter holder. *Education Code 12.055(b)*

An employee of an independent school district who is employed on a charter campus or program who qualifies for membership in TRS shall be covered under the system in the same manner and to the same extent as a qualified employee of the independent school district who is employed on a regularly operating campus or in a regularly operating program.

An employee of a charter holder who is employed on a campus or in a program granted a charter and who qualifies for membership in TRS shall be covered under the system in the same manner and to the same extent as a qualified employee of an independent

school district who is employed on a regularly operating campus or in a regularly operating program.

Education Code 12.057(b), (b-1)

Liability

A charter campus or program, and its employees and volunteers, are immune from liability to the same extent as a district, its employees, and volunteers, respectively. *Education Code 12.057(c)*

Placement on Probation or Revocation

A board may place on probation or revoke a charter it grants if the board determines that the campus or program:

1. Committed a material violation of the charter, including by failure to comply with the duty to discharge or refuse to hire certain employees or applicants for employment, as provided by Education Code 12.0631;
2. Failed to satisfy generally accepted accounting standards of fiscal management; or
3. Failed to comply with law governing a charter campus or program, another law, or a state agency rule.

The action a board takes under any item above shall be based on the best interest of campus or program students, the severity of the violation, and any previous violation the campus or program has committed.

Education Code 12.063

Procedure

Each board that grants a charter shall adopt a procedure to be used for placing on probation or revoking a charter it grants.

This procedure must provide an opportunity for a hearing to the campus or program for which the charter is granted and to parents and guardians of students at the campus or in the program. A hearing must be held on the campus or on one of the campuses in the case of a cooperative charter program.

Education Code 12.064

Consent to Medical Treatment

The school in which a minor student is enrolled may consent to medical, dental, psychological, and surgical treatment of that student, provided all of the following conditions are met:

1. The person having the power to consent as otherwise provided by law cannot be contacted.
2. Actual notice to the contrary has not been given by that person.
3. Written authorization to consent has been received from that person.

Family Code 32.001(a)(4)

Form of Consent

Consent to medical treatment under this policy shall be in writing, signed by the school official giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment. The consent must contain:

1. The name of the student.
2. The name of one or both parents, if known, and the name of the managing conservator or guardian of the student, if either has been appointed.
3. The name of the person giving consent and the person's relation to the student.
4. A statement of the nature of the medical treatment to be given.
5. The date on which the treatment is to begin.

Family Code 32.002

Minor's Consent to Treatment

A minor may consent to medical, dental, psychological, and surgical treatment furnished by a licensed physician or dentist if the minor:

1. Is 16 years of age and residing separate and apart from the minor's parents, managing conservator, or guardian, with or without the consent of the parents, conservator, or guardian and regardless of the duration of the residence, and is managing his or her own financial affairs, regardless of the source of the income;
2. Consents to the diagnosis and treatment of any infectious, contagious, or communicable disease required to be reported to the Texas Department of State Health Services (DSHS), including all reportable diseases under Health and Safety Code 81.041;

3. Is unmarried and pregnant, and consents to hospital, medical, or surgical treatment, other than abortion, related to her pregnancy; or
4. Consents to examination and treatment for drug or chemical addiction, drug or chemical dependency, or any other condition directly related to drug or chemical use.

Family Code 32.003; Planned Parenthood of Cent. Mo. v. Danforth, 428 U.S. 52 (1976); Bellotti v. Baird, 443 U.S. 622 (1979)

**Administering
Medication**

Upon adoption of policies concerning the administration of medication to students by district employees, the district, its board, and its employees are immune as described below, provided:

1. The district has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student.
2. When administering prescription medication, the medication is administered either:
 - a. From a container that appears to be the original container and to be properly labeled; or
 - b. From a properly labeled unit dosage container filled by a registered nurse or another qualified district employee, as determined by district policy, from a container that appears to be the original container and to be properly labeled.

**By Volunteer
Professionals**

If a district provides liability insurance for a licensed physician or registered nurse who provides volunteer services to the district, a board may allow the physician or nurse to administer to any student nonprescription medication or medication currently prescribed for the student by the student's personal physician.

**Immunity from Civil
Liability**

A district, a board, and its employees shall be immune from civil liability for damages or injuries resulting from the administration of medication to a student in accordance with this policy.

Education Code 22.052(a), (b)

[See DG regarding protection of nurses for refusal to perform acts.]

**Self-Administration
of Asthma or
Anaphylaxis
Medicine**

A student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine while on school property or at a school-related event or activity if:

1. The medicine has been prescribed for that student as indicated by the prescription label on the medicine;

2. The student has demonstrated to the student's physician or other licensed health-care provider and the school nurse, if available, the skill level necessary to self-administer the prescription medication, including the use of any device required to administer the medication;
3. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health-care provider; and
4. A parent of the student provides to the school:
 - a. Written authorization, signed by the parent, for the student to self-administer the prescription medicine while on school property or at a school-related event or activity; and
 - b. A written statement, signed by the student's physician or other licensed health-care provider, that states:
 - (1) That the student has asthma or anaphylaxis and is capable of self-administering the medicine;
 - (2) The name and purpose of the medicine;
 - (3) The prescribed dosage for the medicine;
 - (4) The times at which or circumstances under which the medicine may be administered; and
 - (5) The period for which the medicine is prescribed.

The physician's statement must be kept on file in the school nurse's office, or, if there is no school nurse, in the office of the principal of the school the student attends.

[See FFAC for care of students with diagnosed food allergies at risk for anaphylaxis.]

**No Waiver of
Immunity**

The provisions above neither waive any liability or immunity nor create any liability for or a cause of action against a district, a board, or its employees.

Education Code 38.015

Sunscreen Products

A student may possess and use a topical sunscreen product while on school property or at a school-related event or activity to avoid overexposure to the sun and not for the medical treatment of an injury or illness if the product is approved by the federal Food and Drug Administration for over-the-counter use. This provision does not waive any immunity from liability of a district, its board, or its

employees; or create any liability for or a cause of action against a district, its board, or its employees. *Education Code 38.021*

Dietary Supplements

A district employee commits a Class C misdemeanor offense if the employee:

1. Knowingly sells, markets, or distributes a dietary supplement that contains performance enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's school district duties; or
2. Knowingly endorses or suggests the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance enhancing compounds by a primary or secondary education student with whom the employee has contact as part of the employee's school district duties.

Education Code 38.011(a), (c)

**Prescription
Medication and
Special Education
Students**

An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

20 U.S.C. 1412(a)(25)

[See FFEB for information regarding psychotropic drugs and psychiatric evaluations]

**Opioid Antagonist
Medication**

A person or organization acting under a standing order issued by a prescriber may store an opioid antagonist and may distribute an opioid antagonist, provided the person or organization does not request or receive compensation for storage or distribution. *Health and Safety Code 483.104*

A prescriber may, directly or by standing order, prescribe an opioid antagonist to a person in a position to assist a person experiencing an opioid-related drug overdose. *Health and Safety Code 483.102; 22 TAC 170.6*

Immunity

A person who, acting in good faith and with reasonable care, administers or does not administer an opioid antagonist to another person whom the person believes is suffering an opioid-related

drug overdose is not subject to criminal prosecution, sanction under any professional licensing statute, or civil liability, for an act or omission resulting from the administration of or failure to administer the opioid antagonist. *Health and Safety Code 483.106*

Low-THC Cannabis

A district may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by the Texas Compassionate-Use Act. *Health and Safety Code 487.201*

**Dextromethorphan
(Certain Cold
Medication)**

A district may not adopt or enforce an ordinance, order, rule, regulation, or policy that governs the sale, distribution, or possession of dextromethorphan. *Health and Safety Code 488.005*

Note: The following provisions apply only to a district that will adopt an unassigned epinephrine auto-injector policy or an unassigned asthma medication policy.

**Maintenance and
Administration of
Epinephrine Auto-
Injectors**

A district may adopt and implement a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors at each campus in the district.

If a policy is adopted, the policy:

1. Must provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis on a school campus; and
2. May provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis at an off-campus school event or while in transit to or from a school event.

A district that adopts a policy must require that each campus have one or more school personnel members or school volunteers authorized and trained to administer an epinephrine auto-injector present during all hours the campus is open.

The supply of epinephrine auto-injectors at each campus must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an epinephrine auto-injector.

Education Code 38.208

Definitions	"All hours the campus is open" is defined as, at a minimum, during regular on-campus school hours, and when school personnel are physically on site for school-sponsored activities.
<i>All Hours the Campus Is Open</i>	
<i>Campus</i>	A "campus" is defined as a unit of a school district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.
<i>Unassigned Epinephrine Auto-Injector</i>	An "unassigned epinephrine auto-injector" is an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the school issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector, issued by a physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157. <i>25 TAC 37.603</i>
Prompt Notification	Local emergency medical services must be promptly notified by the school when an individual is suspected of experiencing anaphylaxis and when an epinephrine auto-injector is administered. If the trained school personnel or school volunteer is the only individual available to notify emergency medical services, the trained individual should administer the unassigned epinephrine auto-injector before notifying emergency medical services. The parent, legal guardian, or emergency contact must be promptly notified by the school when an unassigned epinephrine auto-injector is utilized on their child as soon as is feasible during the emergency response to suspected anaphylaxis. <i>25 TAC 37.605(e)–(f)</i>
Records	School records of the administration of the unassigned epinephrine auto-injector and suspected anaphylaxis must be provided to the parent or guardian of the recipient upon request. <i>25 TAC 37.605(f)</i>
Reports	Not later than the tenth business day after the date a school personnel member or school volunteer administers an epinephrine auto-injector in accordance with district policy, the school shall send a report to the school district; the physician who prescribed the epinephrine auto-injector; and the commissioner of state health services. The report must include the following information: 1. The age of the person who received the administration of the epinephrine auto-injector;

2. Whether the person who received the administration of the epinephrine auto-injector was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the epinephrine auto-injector was administered;
4. The number of doses of epinephrine auto-injector administered;
5. The title of the person who administered the epinephrine auto-injector; and
6. Any other information required by the commissioner of education.

Education Code 38.209

Notifications to the commissioner of DSHS shall be submitted on the designated electronic form available on the DSHS School Health Program website. *25 TAC 37.608*

Personnel or
Volunteers

At each campus in which a school adopts an unassigned epinephrine auto-injector policy, the principal may assign school personnel or school volunteers to be trained to administer unassigned epinephrine auto-injectors or seek school personnel or school volunteers who volunteer to be trained to administer unassigned epinephrine auto-injectors.

In order to increase the number of trained individuals in the administration of unassigned epinephrine auto-injectors, schools may distribute to school personnel or school volunteers in the district, at least once per school year, a notice that includes a description of the request seeking volunteers to be trained to administer an epinephrine auto-injector to a person believed to be experiencing anaphylaxis and a description of the training that the school personnel or school volunteers will receive in the administration of epinephrine with an auto-injector.

25 TAC 37.606(a)–(b)

Signed Statement

Trained school personnel or school volunteers who administer the unassigned epinephrine auto-injector must submit a signed statement indicating that they agree to perform the service of administering an unassigned epinephrine auto-injector to a student or individual that may be experiencing anaphylaxis. *25 TAC 37.606(c)*

Training

A district that adopts an unassigned epinephrine auto-injector written policy is responsible for training school personnel and school volunteers in the recognizing of anaphylaxis signs and symptoms and administration of an unassigned epinephrine auto-injector.

Each assigned school personnel or school volunteer shall receive initial training and an annual refresher training. Training shall be consistent with the most recent [Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs](#)¹ published by the federal Centers for Disease Control and Prevention.

25 TAC 37.607

Training may be provided in a formal training session or through an online education course. Training must include information on properly inspecting unassigned epinephrine auto-injectors for usage and expiration. *25 TAC 37.607(1)–(2)*

Training must include information on implementing emergency procedures, if necessary, after administering an epinephrine auto-injector, and properly disposing of used or expired epinephrine auto-injectors. A district shall maintain records on the required training. *Education Code 38.210*

The initial training must include hands-on training with an epinephrine auto-injector trainer. The annual refresher training must include a hands-on demonstration of administration skills. The training must also include information about promptly notifying local emergency medical services.

Each school campus shall maintain training records and make available upon request a list of those school personnel or school volunteers trained and authorized to administer the unassigned epinephrine auto-injector on the campus.

25 TAC 37.607(3)–(6)

Standing Orders

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe epinephrine auto-injectors in the name of a district in accordance with law. *Education Code 38.211*

A district shall obtain a prescription from an authorized health-care provider each year, to stock, possess, and maintain at least one unassigned adult epinephrine auto-injector pack (two doses) on each school campus.

A school may choose to stock unassigned pediatric epinephrine auto-injector packs, based on the need of the school's population.

25 TAC 37.605(a)

Epinephrine
Coordinator

The superintendent will designate appropriate school personnel to coordinate and manage policy implementation, including training of

school personnel, and the acquisition or purchase, usage, expiration, and disposal of unassigned epinephrine auto-injectors. Throughout the school calendar year, the designated school personnel shall coordinate with each campus to ensure that the unassigned epinephrine auto-injectors are checked monthly for expiration and usage and the findings are documented. *19 TAC 37.605(b)*

Notice to Parents If a district implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors, the district shall provide written notice to a parent or guardian of each student enrolled in the district or school. Notice must be provided before the policy is implemented by the district or school and before the start of each school year. *Education Code 38.212*

A district shall provide electronic or written notice to the parent or guardian of each student.

If a district changes or discontinues the policy under this subchapter, written or electronic notice detailing the change or discontinuation must be provided to the parent or guardian of each student within 15 calendar days.

25 TAC 37.609

Storage Unassigned epinephrine auto-injectors shall be stored in a secure, easily accessible area for an emergency, in accordance with manufacturer's guidelines. It is recommended that the school administrator develop a map to be placed in high traffic areas that indicates the location of the unassigned epinephrine auto-injectors on each school campus. It is recommended that the map also indicates the locations of the automated external defibrillator (AED). *25 TAC 37.605(h)*

Replacement The district shall develop a plan to replace, as soon as reasonably possible, any unassigned epinephrine auto-injector that is used or close to expiration. *25 TAC 37.605(i)*

Disposal Used unassigned epinephrine auto-injectors shall be considered infectious waste and shall be disposed of according to the school's bloodborne pathogen control policy.

Expired unassigned epinephrine auto-injectors shall be disposed of according to the school's medication disposal policy.

25 TAC 37.605(j)–(k) [See DBB]

Gifts, Grants, and Donations A district may accept gifts, grants, donations, and federal and local funds to implement its policy. *Education Code 38.213*

**Maintenance and
Administration of
Asthma Medicine**

A district may voluntarily adopt and implement a written policy ~~authorizing a school nurse to maintain~~ regarding the maintenance, administration, and administer disposal of asthma ~~medicine~~ medication at each campus ~~in the district~~. If a written policy is adopted, the unassigned asthma medication policy must comply with Education Code 38.208. 25 TAC 40.44(a)

The policy must provide that the school nurse may administer prescription asthma medicine to a student only if the school nurse has written notification from a parent or guardian of the student stating that the student has been diagnosed as having asthma and stating that the school nurse may administer prescription asthma medicine to the student. A school nurse may administer the prescription asthma medicine only at a school campus. Education Code 38.208(b-1)

Definitions

Authorized
Health-care
Provider

“Authorized health-care provider” means a physician, as defined in Education Code 38.201, or person who has been delegated prescriptive authority by a physician under Occupations Code Chapter 157.

Campus

“Campus” means a geographic unit of a school district that:

1. Has an assigned administrator;
2. Has enrolled students who are counted for average daily attendance;
3. Has assigned instructional staff;
4. Provides instructional services to students;
5. Has one or more grades in the range from early childhood education through grade 12 or is ungraded; and
6. Is subject to Texas laws.

School Nurse

“School nurse” means a registered nurse, as defined in 19 Administrative Code 153.1022, authorized to administer asthma medication, or licensed vocational nurse working under supervision as described in Occupations Code 301.353. [See DP]

Unassigned
Asthma
Medication

“Unassigned asthma medication” means a fast acting bronchodilator delivered by metered dose inhaler with single use spacer or by nebulizer as a rescue medication, prescribed by an authorized health-care provider in the name of the district with a non-patient-specific standing delegation order for the administration of an asthma medication, and issued by an authorized health-care provider.

25 TAC 40.42

Minimum Dosage Requirement

Subject to the availability of funding, a district that adopts such a policy must secure or obtain the suggested minimum dosage of unassigned asthma medication. 25 TAC 40.44 (a)(2)

Once a district voluntarily adopts an unassigned asthma medication policy, a campus that implements an unassigned asthma medication policy must stock unassigned asthma medication, subject to available funding, as defined by 25 Administrative Code 40.44. 25 TAC 40.45(a)

Optional Review

In development of an unassigned asthma medication policy, a district may consider performing a review to include consultation with school nurses, the local school health advisory committee, local health-care providers, or any department or organization involved with student well-being; campus geography; and student population size.

Policy Requirements

If a district voluntarily adopts an unassigned asthma medication policy, the policy must include:
A process to obtain written authorization from a parent or guardian of the student that the student has been diagnosed as having asthma and stating that the school nurse may administer unassigned asthma medication to the student;

2. A designated campus administrator to coordinate and manage policy implementation that includes:
 - a. Whether to conduct a review at the campus to determine the need for additional doses;
 - b. Training of school nurses;
 - c. Acquiring or purchasing, maintaining, storing, and using unassigned asthma medication, subject to available campus funding; and
 - d. Disposing of expired unassigned asthma medication;
3. A list of school nurses who will be assigned to administer unassigned asthma medication;
4. Locations of unassigned asthma medication;
5. Procedures for notifying a parent, prescribing authorized health-care provider, and the student's primary health-care provider when unassigned asthma medication is administered; and
6. A plan to replace, as soon as reasonably possible, any unassigned asthma medication that is used or close to expiration.

	<u>An adopted unassigned asthma medication policy must be publicly available.</u> <u>25 TAC 40.44(b)–(d)</u> ~~The supply of asthma medicine at each campus must be stored in a secure location and be easily accessible to the school nurse.~~
No Negative Fiscal Impact	The policy may not require a district to purchase prescription asthma medicine or require any other expenditure related to the maintenance or administration of asthma medicine that would result in a negative fiscal impact on the district or school. <u>Education Code 38.208(f)</u> ~~Education Code 38.208(e)–(f)~~
Asthma Medicine Standing Order	A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157, may prescribe asthma medicine in the name of a school district. <i>Education Code 38.211(a)</i> <u>An authorized health-care provider who prescribes unassigned asthma medication under 25 Administrative Code 40.45(b), below, must provide the campus with a standing order for the administration of unassigned asthma medication to a person who:</u> <u>1. Is reasonably believed to be experiencing a symptom of asthma; and</u> <u>2. Has provided written notification and permission as required by the unassigned asthma medication policy.</u> <u>25 TAC 40.45(c)</u>
<u>Prescription of Unassigned Asthma Medicine</u>	<u>A campus must obtain a prescription from an authorized health-care provider each year to stock, possess, and maintain at least two doses of unassigned asthma medication on each campus as described in Education Code 38.208 and any equipment necessary to administer the medication.</u> <u>The campus must renew this prescription or obtain a new prescription annually.</u> <u>The number of additional doses may be determined by an individual campus review led by an authorized health-care provider.</u> <u>25 TAC 40.45(b)</u>
<u>School Nurse Training</u>	<u>A district that chooses to adopt a written unassigned asthma medication policy is responsible for training school nurses about:</u> <u>1. The adopted unassigned asthma medication policy;</u>

- [2. The authorized health-care provider's standing order;](#)
- [3. Follow-up with the prescribing authorized health-care provider and the student's primary health-care provider; and](#)
- [4. The report required after administering an unassigned asthma medication under 25 Administrative Code 40.47 \(see Reports and Records, below\).](#)

[Each campus must maintain training records and must make available upon request a list of school nurses trained and authorized to administer the unassigned asthma medication on the campus.](#)

[25 TAC 40.46](#)

Notice to Parents

[If a district implements an unassigned asthma medication policy, the campus shall provide written or electronic notice to a parent or guardian of each student in accordance with Education Code 38.212.](#)

[If a district changes or discontinues the unassigned asthma medication policy, written or electronic notice detailing the change or discontinuation must be provided to a parent or guardian of each student within 15 calendar days after the change or discontinuation.](#)

[25 TAC 40.48](#)

The district shall provide written notice to a parent or guardian of each student enrolled in the district or school. Notice required under Education Code 38.212 must be provided before a policy is implemented by the district and before the start of each school year.
Education Code 38.212

[Records and Reporting](#)

[Records relating to implementing and administering the school district unassigned asthma medication policy must be retained per the campus record retention schedule.](#)

[The campus must submit a report no later than the tenth business day after the date a school nurse administers asthma medication in accordance with the unassigned asthma medication policy. The report must be included in the student's permanent record and submitted to the school administrator, prescribing authorized health-care provider, the student's primary health-care provider, and to the Department of State Health Services \(DSHS\) commissioner.](#)

[Notifications to the DSHS commissioner must be submitted on the designated \[electronic form\]\(#\)² available on DSHS's School Health Program website found at \[dshs.texas.gov\]\(https://dshs.texas.gov\).](#)

[25 TAC 40.47](#)

Asthma Medicine
Storage and
Disposal

The supply of asthma medicine at each campus must be stored in a secure location and be easily accessible to the school nurse. [Education Code 38.208\(e\)](#)

The unassigned asthma medication must be stored in accordance with the manufacturer's guidelines and local policy of the school district.

Expired unassigned asthma medication and other used or expired supplies must be disposed of in accordance with the manufacturer's guidelines and local policy of the district.

[25 TAC 40.45\(d\)–\(e\)](#)

**Immunity from
Liability**

A person who in good faith takes, or fails to take, any action related to Education Code Chapter 38, Subchapter E, related to the maintenance and administration of epinephrine auto-injectors and asthma medicine, is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act, including:

1. Issuing an order for epinephrine auto-injectors or asthma medicine;
2. Supervising or delegating the administration of an epinephrine auto-injector or asthma medicine;
3. Possessing, maintaining, storing, or disposing of an epinephrine auto-injector or asthma medicine;
4. Prescribing an epinephrine auto-injector or asthma medicine;
5. Dispensing an epinephrine auto-injector or asthma medicine, provided that permission has been granted as provided by Education Code 38.208(b-1) [see Maintenance and Administration of Asthma Medicine, above];
6. Administering, or assisting in administering, an epinephrine auto-injector, provided that permission has been granted as provided by Education Code 38.208(b-1) [see Maintenance and Administration of Epinephrine Auto-Injectors, above];
7. Providing, or assisting in providing, training, consultation, or advice in the development, adoption, or implementation of policies, guidelines, rules, or plans; or
8. Undertaking any other act permitted or required under Education Code Chapter 38, Subchapter E.

A district and school personnel and school volunteers are immune from suit resulting from an act, or failure to act, under Education Code Chapter 38, Subchapter E, including an act or failure to act under related policies and procedures.

An act or failure to act by school personnel or a school volunteer, including an act or failure to act under related policies and procedures, is the exercise of judgment or discretion on the part of the school personnel or school volunteer and is not considered to be a ministerial act for purposes of liability of the school district.

Education Code 38.215; [25 TAC 40.49](#)

¹ CDC Voluntary Guidelines for Managing Food Allergies:

<https://www.cdc.gov/healthyschools/foodallergies/index.htm>

² Required Reporting of Administered Unassigned Asthma Medication to DSHS: <https://www.dshs.texas.gov/schoolhealth/forms/ReportingForm-Asthma.aspx>

- E. 2021-2022 discussion of student dress code
Presenter: Wade Stanford
- F. Long Range Non-Instructional Facility Plan
Presenter: Richard Bishop-Wade Stadford

LONG RANGE PLAN FOR NON-INSTRUCTIONAL FACILITIES



ADA, PLAYER/SPECTATOR SAFETY, FUNCTIONALITY & COSMETICS
FOR BASEBALL, SOFTBALL, HS GYM, TENNIS, PANTHER STADIUM

BASEBALL





ADA:

- RESTROOMS
- CONCESSIONS
- PARKING/FLAT WORK
- STANDS





PLAYER/SPECTATOR SAFETY:

- NET SYSTEM
- DUGOUTS
- BACK STOP
- LIGHTING PACKAGE
- BULLPENS

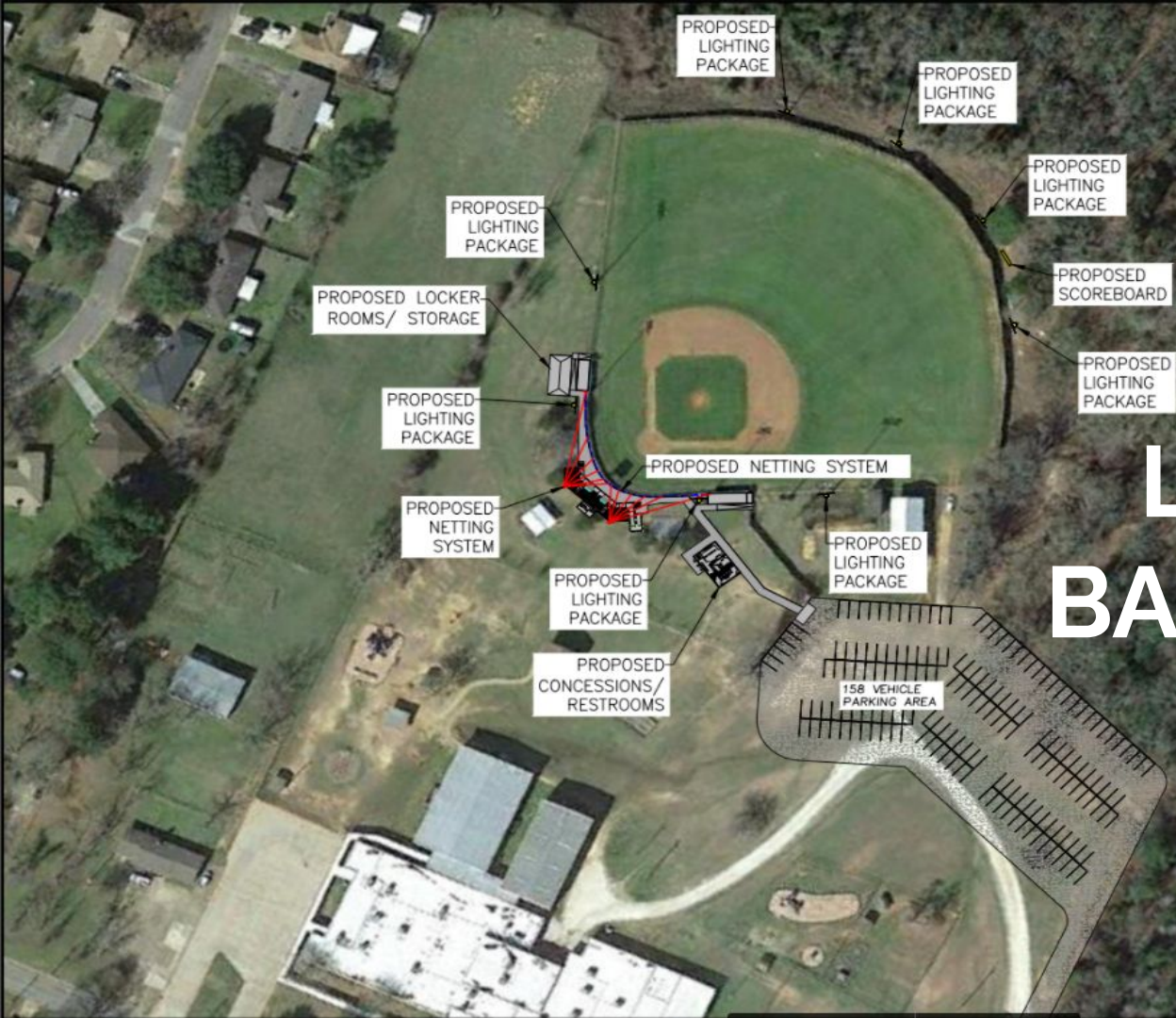




FUNCTIONALITY

- PRESSBOX
- STORAGE
- LOCKER ROOM
- SCOREBOARD





MEASUREMENTS & QUANTITIES	
FEATURES/MATERIALS	DETAILS
PROPOSED CONC. FLATWORK	8,418 SF
PARKING AREA	72,722 SF



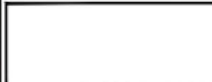
Helas Construction, Inc.
13000 Wood Parmer Lane
Austin, TX 78613

(P) (512) 250-2903
(F) (512) 250-1960
helasconstruction.com

OWNER:
Westwood ISD
Westwood High School
3820 Panther Blvd., Palestine, Texas 75653
(214) 456-7800

PROJECT:
BASEBALL FIELD IMPROVEMENTS

PROJECT LOCATION:
PALESTINE, TEXAS



COMMENTS:
Drawing scale accurate ONLY when printed on 11x17 paper.

DRAWN BY: GDR

All drawings and written material appearing herein constitute original unpublished work, and may not be duplicated, used or disclosed without the written consent of Helas Construction, Inc.

DATE:
JULY 1, 2021

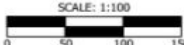
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COLOR RENDERING

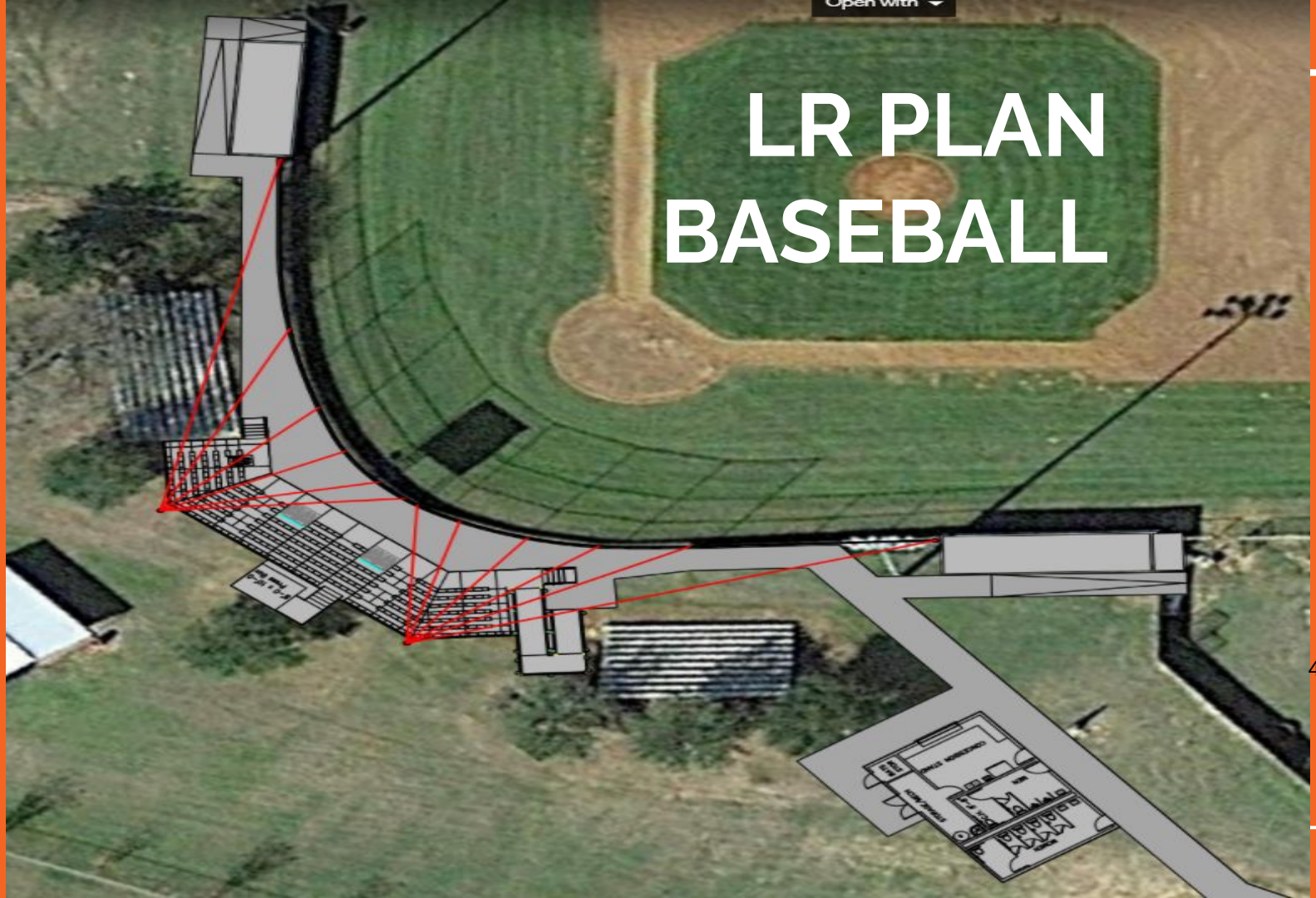
SHEET NUMBER:
1



SCALE: 1:100



LR PLAN BASEBALL



SOFTBALL



SOFTBALL

ADA:

- PARKING/FLAT WORK
- STANDS





PLAYER/SPECTATOR SAFETY:

- NET SYSTEM
- DUGOUTS
- BACK STOP
- LIGHTING PACKAGE
- BULLPENS



SOFTBALL

FUNCTIONALITY

- PRESSBOX
- STORAGE
- LOCKER ROOM
- SCOREBOARD



LR PLAN SOFTBALL

MEASUREMENTS & QUANTITIES	
FEATURES/MATERIALS	DETAILS
PROPOSED CONC. FLATWORK	4,526 SF
PROPOSED NETTING SYSTEM	114 LF



OWNER:
Westwood ISD
Westwood High School
3820 Panther Blvd., Palestine, Texas 75651
803.725.1273

PROJECT:
SOFTBALL FIELD IMPROVEMENTS

PROJECT LOCATION:
PALESTINE, TEXAS



COMMENTS:
Drawing scale accurate ONLY when printed on 11x17 paper.

DRAWN BY: GDR

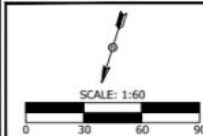
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DATE:
JUNE 30, 2021

REVISION: 454

SHEET TITLE:
COLOR RENDERING

SHEET NUMBER:
1



TENNIS





TENNIS



ADA:

- PARKING/FLAT WORK
- SEATING
- RESTROOMS





TENNIS



PLAYER/SPECTATOR SAFETY:

- RESURFACING COURTS
- SEATING
- RESTROOMS





TENNIS



FUNCTIONALITY

- STORAGE
- SEATING
- SOUND SYSTEM



458

NOTE: FOR CONCEPTUAL PURPOSES ONLY,
ACTUAL COLORS MAY VARY.

LR PLAN TENNIS

RESTROOMS
& STORAGE
BUILDING

45 VEHICLE
PARKING

MEASUREMENTS & QUANTITIES	
FEATURES/MATERIALS	DETAILS
PROPOSED PARKING AREA	19,932 SQ. FT.
PROPOSED CONC. SIDEWALK/FLATWORK	4,610 SQ. FT.

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803.728.1773

PROJECT
TENNIS COURT IMPROVEMENTS

PROJECT LOCATION
PALESTINE, TEXAS

TPSCOURT SURFACES

COMMENTS:

Drawing scale accurate ONLY when printed on 11x17 paper.

CREATED BY: GDR

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DATE:
JUNE 30, 2021

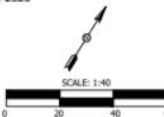
REVISION:

459

SHEET TITLE:
COLOR RENDERING

SHEET NUMBER:
1

© 2020



WHS GYM





WHS GYM



ADA:

- VISITOR BLEACHERS





WHS GYM



PLAYER/SPECTATOR SAFETY:

- VISITOR BLEACHERS
- RETRACTABLE GOALS
- MODIFICATION TO HOME BLEACHERS





WHS GYM



FUNCTIONALITY

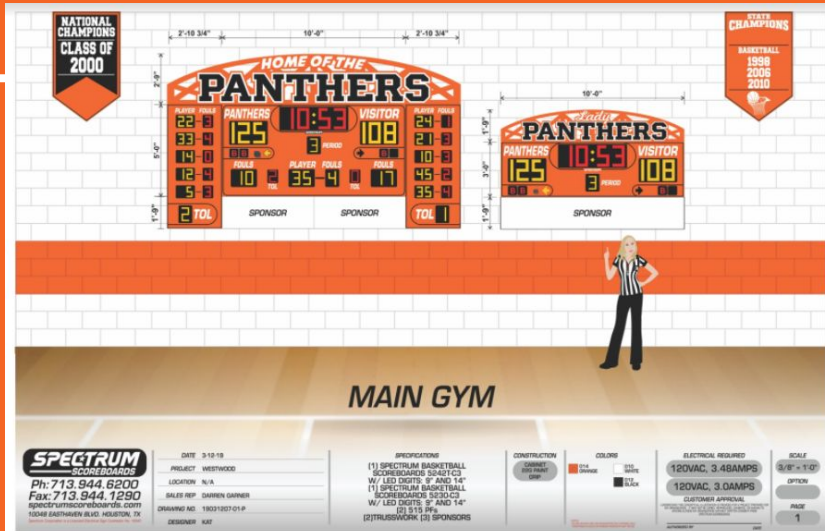
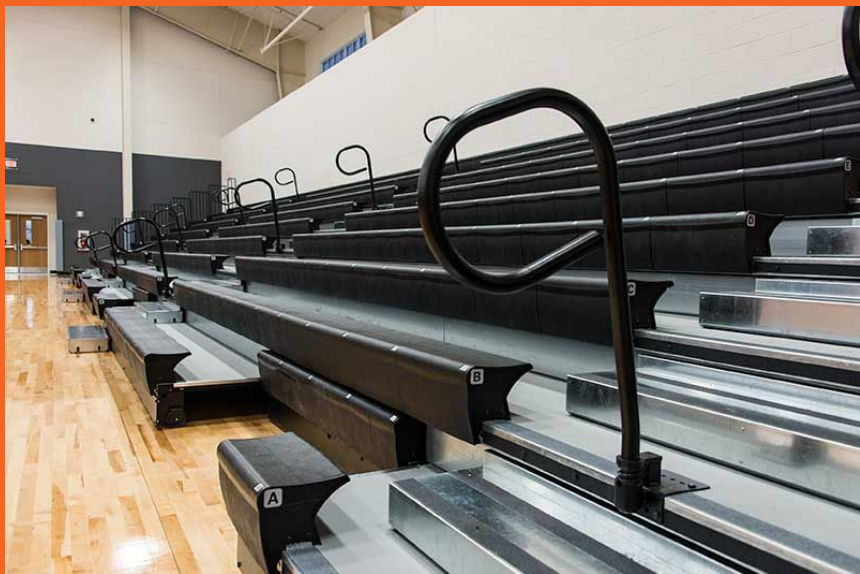
- SCOREBOARDS
- STORAGE
- NEW SCORERS TABLE
- LOCKER ROOM UPDATE

COSMETICS

- NEW GRAPHICS



LR PLAN WHS GYM



PANTHER STADIUM





STADIUM



ADA:

- RESTROOMS
- CONCESSIONS
- VISITOR STANDS/FLAT WORK
- PRESSBOXES



466



STADIUM



PLAYER/SPECTATOR SAFETY:

- TRACK RESURFACE
- NEW TURF INSTALL
- PERIMETER SECURITY FENCING
- LIGHTING PACKAGE
- SHOT/DISCUS RINGS
- RUNWAYS & PITS





STADIUM



FUNCTIONALITY

- PRESSBOX
- SCOREBOARD
- 8TH LANE ON TRACK
- STORAGE
- TICKET BOOTHS
- CHAIR BACK SEATING (HOME)



MEASUREMENTS & QUANTITIES	DETAILS
AREA OF TURF	90,210 SF
TURF PERIMETER	1,238 LF
TRACK OVAL & CHUTE	41,727 SF
D-ZONE	9,950 SF
POLE VAULT RUNWAY	551 SF
LONG JUMP RUNWAY	540 LF (PER)
PROPOSED FLATWORK	2,307 SF

LR PLAN STADIUM



Hellas Construction, Inc. (P) (512) 258-2810
13100 West Palmer Lane (F) (512) 258-1960
Austin, TX 78613 hellasconstruction.com

OWNER:
Westwood ISD
Westwood High School
1820 Panther Blvd., Palestine, Texas 75681
937-759-1773

PROJECT:
SYNTHETIC TURF FOOTBALL FIELD & TRACK

PROJECT LOCATION:
PALESTINE, TEXAS

matrixTURF

epiqTRACKS



COMMENTS:
Drawing scale accurate (ONLY) when printed on 11x17 paper.

CREATED BY: GDR

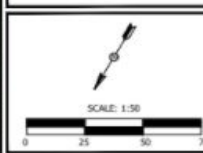
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DATE:
JUNE 29, 2021

REVISION: 469

SHEET TITLE:
COLOR RENDERING

SHEET NUMBER:
1



8. ACTION ITEMS

- A. Board to consider and possibly approve Region VII Educational Services Contract for the District 2021-2022

Presenter: Wade Stanford

Westwood ISD Agenda Item Information

Meeting Date: July 12, 2021

Subject: Region 7 Service Agreements for Contract Year 2021-2022

Administrator Responsible: Wade Stanford

Summary: Proposed services provided by ESC 7 for the 2021-22 school year

Administration's Recommendation: Move forward with proposed Region 7 services

Board Approval Required ☒ YES NO

Service Agreements for Contract Year 2021/2022

As of Tuesday, June 29, 2021, WESTWOOD ISD has proposed the selection of the following services:

Academic Content Cooperative

Academic Content Cooperative	\$16450.00	

Administrative Leadership Cooperative

Administrative Leadership Cooperative	\$3400.00	

Comprehensive Business/Finance/Funding and Accountability/OnDataSuite Cooperative

Business/Finance/Operations & Funding/Accountability Cooperative 10% Discount	\$3373.00	

Career and Technical Education Contracted Services

CTE - Contracted Service	\$4442.00	

Digital Learning

Digital Learning Basic Membership Fee	\$2750.00	

Discovery Education Experience	\$3634.00	

BrainPOP	\$4481.00	

BrainPOP ELL	\$75.00	

Individual ZOOM Accounts	\$20.00	

ESSA Contracted

Title I, Part A Complete Services Package	\$8421.35	

Fine Arts Cooperative

Fine Arts	\$500.00	

Gifted and Talented

G/T	\$10516.00	

Health, Nurses, and PE Cooperative

Nurses, Health, and PE	\$1500.00	

Personnel Services Cooperative

Personnel Cooperative	\$2275.00	

Online Application Consortium	\$2218.00	

Purchasing Cooperative

Purchasing Cooperative	\$1157.00	

Professional School Counselor		
Professional School Counselor		\$1800.00
School Safety and Security Cooperative		
School Safety Cooperative		\$5200.00
Superintendent Academy		
Superintendent Academy		\$800.00
TEKS Resource System		
TEKS Resource System	\$9,090	Call For Pricing*
TEExGUIDE	\$5,000	Call For Pricing*
Bilingual/ESL Title III SSA		
Title III Bilingual/ESL - SSA	\$9,264	Call For Pricing*
Title I, Part C Migrant Education SSA		
Title I, Part C - Migrant Education Program SSA	\$7,415	Call For Pricing*
Region 7 ESC Head Start / ISD Cooperative Agreement		
Head Start		\$0.00
Total of proposed selections		\$73,012.35

Highlighted amounts not included in proposed total.

- B. Board to consider and possibly approve the Region X Educational Services Contract for the District 2021-2022
Presenter: Wade Stanford

Westwood ISD Agenda Item Information

Meeting Date: Jul 12, 2021

Subject: 2021-2022 Region 10 Contract Service Agreement

Administrator Responsible: Wade Stanford

Summary: This Service Agreement provides PEIMS support and services to include workshops, roundtable discussions, meetings, and support calls. Region 10 is used for this Service Agreement due to the fact they support SKYWARD and Region 7 does not.

Administration's Recommendation: The administration recommends the approval of the 2021-2022 Region 10 Contract Service Agreement.

Possible Motion: I move that we approve the 2021-2022 Region 10 Contract Service Agreement as presented.

Attachment: 2021-2022 Region 10 Contract Service Agreement

Board Approval Required

X YES

NO

- C. Board to consider and possibly approve the Annual Retention Stipend
Presenter: Kyle Johnson

Westwood ISD Agenda Item Information

Meeting Date: July 12, 2021

Subject: Bi-Annual Retention Stipend

Administrator Responsible: Mr. Johnson

Summary: Resolution for the board to approve an annual retention stipend, paid in two payments, for every benefits-eligible employee as of time of payment in November 2021 and as of the last day of school, May 20, 2022. This resolution sets forth that ESSER II money will be used for this bi-annual retention stipend and will be paid in November 2021 and June 2022.

Administration's Recommendation: The district recommends a motion to **“approve the retention stipend, to be paid in 2 payments out of ESSER II money, for every benefits eligible employee as of time of payment in November 2021 and as of the last day of school, May 20, 2022.”**

Board Approval Required

X YES

NO

- D. Consideration and possible approval of a one-time purchase of athletic equipment, a scoreboard, and high school gym bleachers.

ONE TIME PURCHASES

JULY 2021



479

WASHERS, TELESCOPIC BLEACHERS, & SCOREBOARDS

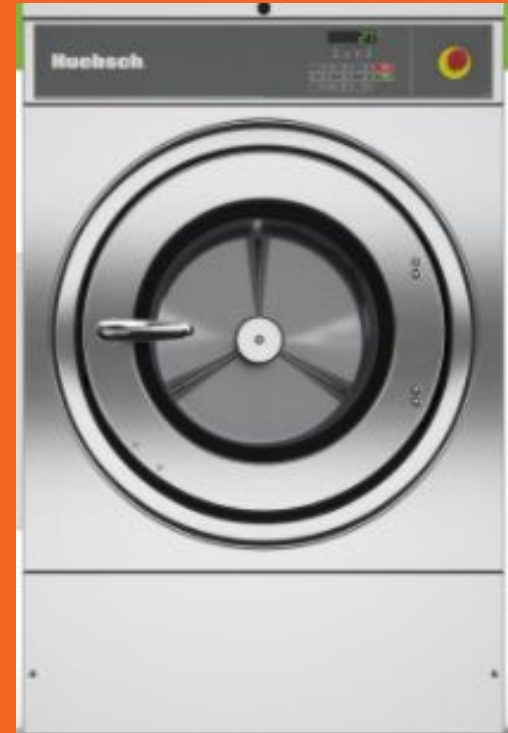
WASHERS



EFFICIENCY AND SANITATION

TIME AND CAPACITY ISSUE:

- 350-400 ATHLETES
- ATHLETIC PERIODS & PRACTICE
- CLEAN AND SANITIZED
- TIME IS AT A PREMIUM
- 60 LBS vs 30 LBS



WASHERS



ATLAS INTERNATIONAL	COMMERCIAL EQUIPMENT
HUEBSCH	SPEED QUEEN
4 - 60 LB. MACHINES & 6" STEEL BASES	4 - 60 LB. MACHINES & 6" STEEL BASES
INSTALL & FREIGHT INCLUDED	INSTALL & FREIGHT INCLUDED
TOTAL \$42,165.00	TOTAL \$49,134.47

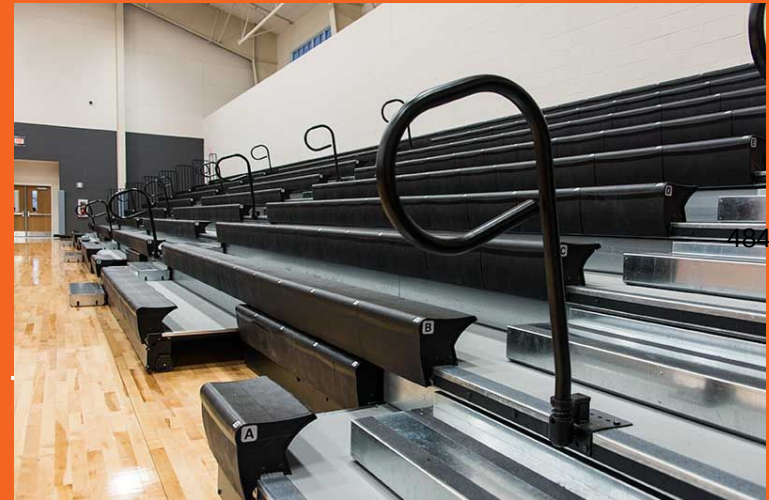
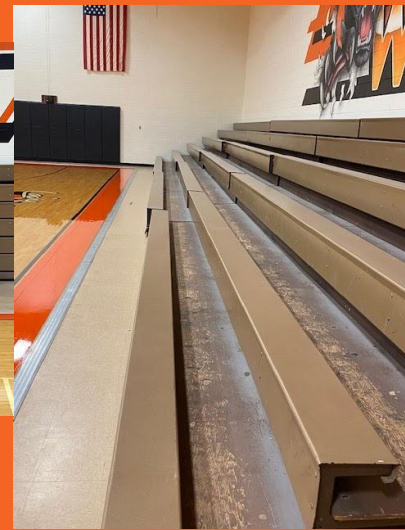
BLEACHERS



EFFICIENCY, DAMAGE & SAFETY

TELESCOPIC BLEACHERS

- ADA
- GYM IS MAC - NEED SPACE
- TIME REQUIRED TO MOVE
- OLD, DAMAGED AND BROKEN
- SHARP ROUGH EDGES
- PLAYER & SPECTATOR SAFETY



BLEACHERS



JOHN F CLARK COMPANY	BSN SPORTS
SHERIDAN BLEACHERS	SHERIDAN BLEACHERS
90 ft - 6 ROWS - Electric	90 ft - 6 Rows - Electric
INSTALL & FREIGHT INCLUDED	INSTALL & FREIGHT INCLUDED
TOTAL \$46,880.00	TOTAL \$60,324.45

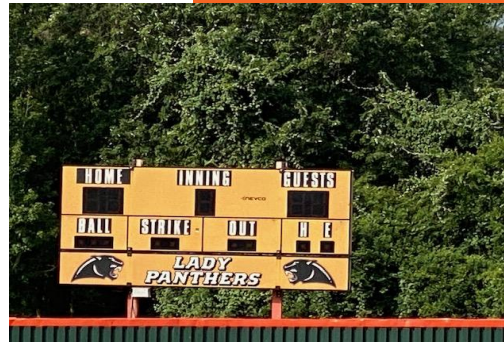
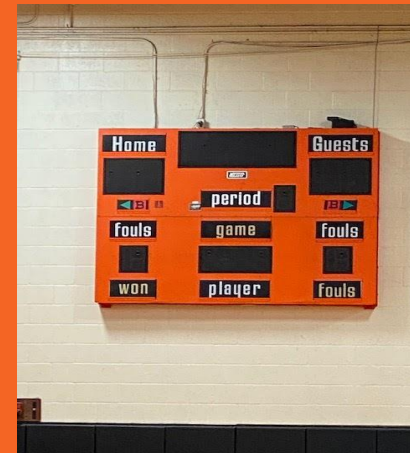
SCOREBOARDS



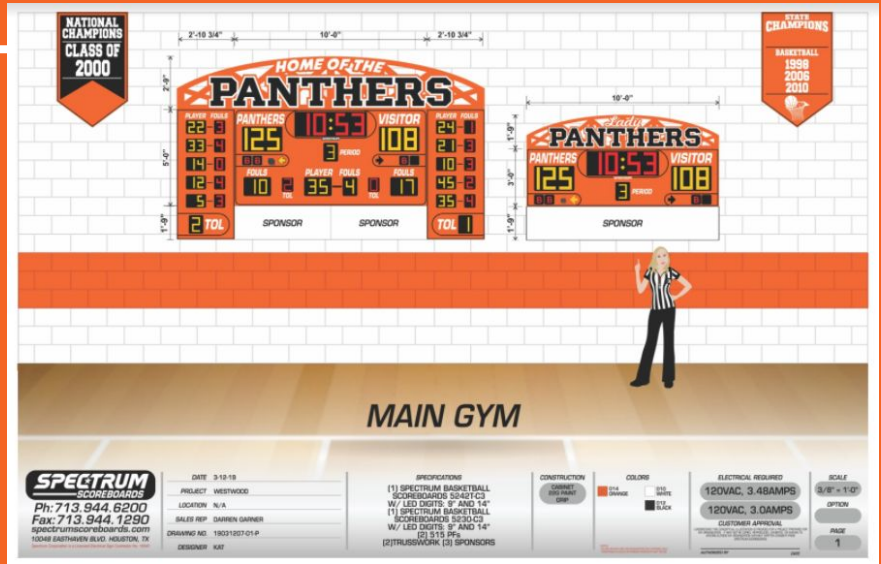
DAMAGE & FUNCTIONALITY

Scoreboards:

- PAINT IS FADED
- WRONG LOGOS
- BAD LIGHTING
- INTERMITTENT BLACKOUTS
- NO STAT BOARDS OR INNING



SCOREBOARDS



SCOREBOARDS



	SPECTRUM	VARSITY (BSN)	
BASEBALL	16,625.50	17,500	
SOFTBALL	16,625.50	17,500	
BASKETBALL	24,056.00	36,750	
INSTALL	INCLUDED	34,000	
TOTAL	\$57,307	\$109,750	

- E. Board to consider and possibly approve the 2021-2022 student dress code
- 9. Board to consider and possibly approve the consent agenda
 - A. Minutes of Regular Board Meeting June 14, 2021, Special Board Meeting June 15, 2021, Special Board Meeting ,June 21, 2021, and Board Workshop, June 21, 2021

Regular Meeting

Monday, June 14, 2021 6:30 PM
Westwood Administration Office

Leonard Armstrong: Present
Carolyn Booker: Present
Angela Choate: Present
Jeff Cooper: Present
Bryan Jones: Present
Mike Kelly: Present
Ronnie Stanhope: Absent

1. CALL TO ORDER AND ESTABLISH QUORUM

2. ROLL CALL

3. INVOCATION

Discussion: Invocation was given by Dr. Carolyn Booker

4. PLEDGE OF ALLEGIANCE/TEXAS PLEDGE

5. ACTION ITEMS

- A. Board to consider and approve the agenda as presented

Action(s):

Agenda was approved as presented. This motion, made by Mike Kelly and seconded by Bryan Jones, Passed.

Voting Detail:

Leonard Armstrong: Yea
Carolyn Booker: Yea
Angela Choate: Yea
Jeff Cooper: Yea
Bryan Jones: Yea
Mike Kelly: Yea
Ronnie Stanhope: Absent

Presenter: Board

Presenter: Board

Voting Summary: Yea: 6, Nay: 0, Absent: 1

6. PUBLIC COMMENTS

Presenter: Board

7. INFORMATION ITEMS

Presenter: Board

- A. Curriculum Moment

Presenter: Christine Bedre

Discussion: Christine Bedre presented a recap of Westwood University's participation by staff, other school district staff, and several from Region 7 Educational Service Center joined in attendance. A total of 170 people participated in the three-day training.

- B. Campus and District Improvement Plans

Presenter: Christine Bedre

Discussion: Christine Bedre presented the campus and district plans for the 2021-2022 school year.

- C. School Health Advisory

Presenter: Tiffany Carwell

Discussion: Tiffany Carwell presented the School Health Advisory Council Update for the 2020-2021

school year and went over involvement and plans to get more parent involvement. Future topics include vaping, Mental Health and Social Emotional needs of students and staff.

D. Finance Update

Discussion: Kyle Johnson presented a spread sheet about our budget overall for the past school year, said our district is currently running pretty solid and will be presenting updates at the next few meetings to close out our 2020-2021 school year.

E. 2021-2022 School Operations

Discussion: Wade Stanford went over our preparation for the 2021-2022 school year and school operations in regards to home-based learning, masks, etc. The Board of Trustees and District Administration has begun collaborating to establish procedures.

F. CTE Course Offerings for Westwood Junior High

Discussion: Christine Bedre presented the master course lists of career and technical education offerings for Westwood Junior High for the 2021-2022 school year.

Presenter: Christine Bedre/Kelly Green

G. ESSER II notice of intent to apply

Discussion: Tiffany Carwell and Kyle Johnson notified the school board of the district's intent to apply for ESSER II federal funding. The purpose of ESSER funds is to provide districts with emergency relief funds to address the impact COVID-19 has had and continues to have on elementary and secondary schools.

Presenter: Tiffany Carwell/Kyle Johnson

H. ESSER III – use of funds plan

Discussion: Tiffany Carwell and Kyle Johnson presented the district use of funds plans for ESSER III. District sent out a thought exchange and parent square to staff and parents to get their input. The district will use at least 20% of the funding to specifically address the missed opportunities for learning by providing a more robust summer school program each summer within the ESSER III grant timeline. The district also plans to use ESSER III funding to increase training and awareness of mental health and social emotional issues affection both students and staff, further supporting counselors in meeting these needs. WISD plans to replace HVAC systems to provide better air quality for our students and staff.

Presenter: Tiffany Carwell/Kyle Johnson

8. ACTION ITEMS

A. Board to consider consent agenda

Action(s):

The consent agenda was approved including Minutes of Regular Board Meeting on May 10, 2021, and Special Board Meeting, May 24, 2021. TEA application for staff development minutes waiver for the 2021-2022 school year. This motion, made

by Mike Kelly and seconded by Leonard Armstrong,
Passed.

Voting Detail:

Leonard	Yea
Armstrong:	
Carolyn Booker:	Yea
Angela Choate:	Yea
Jeff Cooper:	Yea
Bryan Jones:	Yea
Mike Kelly:	Yea
Ronnie Stanhope:	Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

1. Minutes of Regular Board Meeting on May 10, 2021, and Special Board Meeting May 24, 2021
2. Staff Development Waiver

B. Board to consider Proud Panther 2021

Presenter: Wade
Stanford

Action(s):

Lynn Calcote was approved as the Proud Panther for 2021 and will be recognized at a later board meeting. This motion, made by Angela Choate and seconded by Mike Kelly, Passed.

Voting Detail:

Leonard	Yea
Armstrong:	
Carolyn Booker:	Yea
Angela Choate:	Yea
Jeff Cooper:	Yea
Bryan Jones:	Yea
Mike Kelly:	Yea
Ronnie Stanhope:	Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

C. Board to consider resolution in conjunction with Edgar Manual

Action(s):

The Board approved adopting the resolution approving that WISD staff have reviewed and revised the WISD Business Operations Manual to include revisions related to EDGAR and acknowledges that these procedures are used for all expenditures regardless of the funding source. This motion, made by Mike Kelly and seconded by Jeff Cooper, Passed.

Voting Detail:

Leonard	Yea
Armstrong:	
Carolyn Booker:	Yea
Angela Choate:	Yea
Jeff Cooper:	Yea
Bryan Jones:	Yea
Mike Kelly:	Yea
Ronnie Stanhope:	Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

- D. Board to consider paying employees for local days not used during the 2020-2021 school year.

Presenter: Wade Stanford

Action(s):

The Board approved paying employees \$50.00 per day for local days not used for the 2022-2021 school year. This motion, made by Bryan Jones and seconded by Angela Choate, Passed.

Voting Detail:

Leonard	
Armstrong:	Yea
Carolyn Booker:	Yea
Angela Choate:	Yea
Jeff Cooper:	Yea
Bryan Jones:	Yea
Mike Kelly:	Yea
Ronnie Stanhope:	Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

- E. Board to consider one time purchase of athletic equipment, scoreboard, and visitors bleacher for high school gym.

Presenter: Kyle Johnson

Action(s):

No action taken on one time athletic equipment including new scoreboard for the baseball field, the softball field and high school gym and the purchase of the visitor bleachers in the high school gym. This motion, made by Carolyn Booker and seconded by Mike Kelly, Failed.

Voting Detail:

Leonard	
Armstrong:	Yea
Carolyn Booker:	Yea
Angela Choate:	Nay
Jeff Cooper:	Nay
Bryan Jones:	Nay
Mike Kelly:	Yea
Ronnie Stanhope:	Absent

Voting Summary: Yea: 3, Nay: 3, Absent: 1

- F. Board to consider budget amendment for the 2020-2021 school year

Presenter: Kyle Johnson

Action(s):

The budget amendment was approved as presented. This motion, made by Angela Choate and seconded by Jeff Cooper, Passed.

Voting Detail:

Leonard	
Armstrong:	Yea
Carolyn Booker:	Yea
Angela Choate:	Yea
Jeff Cooper:	Yea
Bryan Jones:	Yea

Mike Kelly: Yea
Ronnie Stanhope: Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

- G. Board to consider and possibly adopt TASB
Advocacy Resolution

Action(s):

Board approved submitting three advocacy
resolutions as recommended by TASB. This motion,
made by Jeff Cooper and seconded by Bryan Jones,
Passed.

Voting Detail:

Leonard
Armstrong: Yea
Carolyn Booker: Yea
Angela Choate: Yea
Jeff Cooper: Yea
Bryan Jones: Yea
Mike Kelly: Yea
Ronnie Stanhope: Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

- H. Board to consider 2021-22 Compensation Plan
Effective Date

Presenter: Kyle
Johnson

Action(s):

Board approved all 2021-2022 Contracts or work
schedules beginning on or after July 1, 2021 be
paid the salary established in the 2021-2022
compensation plan to be adopted at a later date.
This motion, made by Carolyn Booker and seconded
by Angela Choate, Passed.

Voting Detail:

Leonard
Armstrong: Yea
Carolyn Booker: Yea
Angela Choate: Yea
Jeff Cooper: Yea
Bryan Jones: Yea
Mike Kelly: Yea
Ronnie Stanhope: Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

9. **CLOSED SESSION**

Discussion: The board went into closed session at
8:08 and came out at 10:19 pm.

10. **Superintendent Evaluation**

11. **Board to consider district of innovation
contract**

12. **Board to consider Assistant Superintendent of
Curriculum and Instruction/Leadership Contract.**

13. **Board to vote in open session on items
discussed in closed session**

- A. **Superintendent's evaluation**

- B. Consider District of Innovation Contract for the 2021-2022 school year

Action(s):

Biff Knight was offered a district of innovation contract in criminal justice for the 2021-2022 school year. This motion, made by Mike Kelly and seconded by Leonard Armstrong, Passed.

Voting Detail:

Leonard	
Armstrong:	Yea
Carolyn Booker:	Yea
Angela Choate:	Yea
Jeff Cooper:	Yea
Bryan Jones:	Yea
Mike Kelly:	Yea
Ronnie Stanhope:	Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

- C. Consider contract for Assistant Superintendent of Curriculum and Instruction/Leadership Contract

Action(s):

Board approved professional contract for Katie Atkins as Assistant Superintendent of Curriculum and Instruction/Leadership. This motion, made by Mike Kelly and seconded by Angela Choate, Passed.

Voting Detail:

Leonard	
Armstrong:	Yea
Carolyn Booker:	Yea
Angela Choate:	Yea
Jeff Cooper:	Yea
Bryan Jones:	Yea
Mike Kelly:	Yea
Ronnie Stanhope:	Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

14. **ADJOURNMENT**

Discussion: Adjournment at 10:25 pm

Board Secretary

Special Board Meeting

Tuesday, June 15, 2021 6:00 PM

Westwood Elementary, 2305 Salt Works Road, Palestine, TX 75803

Leonard Armstrong: Present
Carolyn Booker: Present
Angela Choate: Present
Jeff Cooper: Present
Bryan Jones: Present
Mike Kelly: Present
Ronnie Stanhope: Present

1. CALL TO ORDER AND ESTABLISH QUORUM
2. ROLL CALL
3. INVOCATION
4. PLEDGE OF ALLEGIANCE/TEXAS PLEDGE
5. ACTION ITEMS

- A. Board to consider and approve the agenda as presented **Presenter:** Board

Action(s):

Board approve the agenda as presented. This motion, made by Mike Kelly and seconded by Jeff Cooper, Passed.

Voting Detail:

Leonard Armstrong: Yea
Carolyn Booker: Yea
Angela Choate: Yea
Jeff Cooper: Yea
Bryan Jones: Yea
Mike Kelly: Yea
Ronnie Stanhope: Yea

Voting Summary: Yea: 7, Nay: 0

6. PUBLIC COMMENTS

7. INFORMATION ITEM

- A. Long Range Steering Committee recommendation to the board. **Presenter:** Long Range Steering Committee

Discussion: The Long Range Steering Committee presented a plan to the board after long months of studying the district. Profiles of a learner, the profile of an educator, and the profile of a leader were defined and discussed at the beginning of the committee meetings. After the outlines of our profiles were set, the campuses were visited and observed to see if instructional spaces, collaborative spaces, and

non-academic spaces were providing the best needs for our students and staff. The Long Ranging Steering Committee plans include calling for a school bond in the amount of 38,325,000.00.

8. **ADJOURNMENT**

Discussion: Dr. Carolyn Booker adjourned the meeting at 8:05 pm.

Presenter: Long Range Steering Committee

Board Secretary

Special Board Meeting

Monday, June 21, 2021 11:00 AM
Westwood Administration Office

1. CALL TO ORDER AND ESTABLISH QUORUM
2. ROLL CALL
3. INVOCATION
4. PLEDGE OF ALLEGIANCE/ TEXAS PLEDGE

5. ACTION ITEMS

Presenter: Board

- A. Board to consider and approve the agenda as presented

Presenter: Board

Action(s):

The board approved the agenda as presented. This motion, made by Mike Kelly and seconded by Angela Choate, Passed.

Voting Detail:

Leonard	Yea
Armstrong:	
Carolyn Booker:	Yea
Angela Choate:	Yea
Jeff Cooper:	Yea
Bryan Jones:	Yea
Mike Kelly:	Yea
Ronnie Stanhope:	Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

1. PUBLIC COMMENTS

Presenter: Board

- B. Board to consider SFE Food Service Renewal

Presenter: Kyle Johnson

Action(s):

Board approved SFE Food Service renewal for the 2021-2022 school year. This motion, made by Mike Kelly and seconded by Jeff Cooper, Passed.

Voting Detail:

Leonard	Yea
Armstrong:	
Carolyn Booker:	Yea
Angela Choate:	Yea
Jeff Cooper:	Yea
Bryan Jones:	Yea
Mike Kelly:	Yea
Ronnie Stanhope:	Absent

Voting Summary: Yea: 6, Nay: 0, Absent: 1

6. ADJOURNMENT

Discussion: Adjourned at 11:08 am

Board Workshop

Monday, June 21, 2021 11:10 AM
Westwood Administration Office

Leonard Armstrong:	Present
Carolyn Booker:	Present
Angela Choate:	Present
Jeff Cooper:	Present
Bryan Jones:	Present
Mike Kelly:	Present
Ronnie Stanhope:	Absent

1. **CALL TO ORDER**

2. **INFORMATION ITEM**

Presenter: Kyle
Johnson

A. 2021-2022 Budget Workshop

Discussion: Kyle Johnson presented the 2021-2022
Budget Workshop to the board.

Presenter: Kyle
Johnson

3. **ADJOURMENT**

Discussion: The board adjourned at 1:56 pm.

Board Secretary

B. Campus Fundraisers

WESTWOOD INDEPENDENT SCHOOL DISTRICT
Authorization to Conduct Fund Raising Event

Organization: Coaches Act Act Campus: HS Date submitted 6/30/21
Fundraising Event: Bleacher Creatures
Requested fundraising date/dates: August 18, 2021 - August 31, 2021
Vendor (if applicable) All Out Graphics
702 Elm St. Waller, Tx 77484 936-372-8286
Address City/State Telephone

List specific items that will be sold: +shirts

Price per item: \$ 15.00 Will customer pay in advance? yes

Profit to organization should never be less than 50%; otherwise, explain _____

What will money raised from this fundraiser be used for? Athletic programs

If **NO** vendor is involved; list location of event: _____

Estimated cost to organization to start fundraiser \$ _____

How much will you charge your customer? \$ _____ Will you accept donations? _____

I, Kay Denison, am submitting this fund raising request before my organization starts raising funds. I understand that I am held responsible for ordering and distributing merchandise and collecting all funds submitting funds to the office, to be deposited in my activity account. With the conclusion of this fund raiser, I will complete this form and return to the campus office.

PERMISSION IS GRANTED TO CONDUCT THIS EVENT:

[Signature] 6/29/21
Campus Principal's Signature Date WISD Superintendent's Signature Date

Total Proceeds collected \$ _____

Total Deposited in activity account \$ _____ Total invoice from vendor \$ _____

Expenses incurred for a successful fundraiser \$ _____ (advertising, t-shirts, supplies, etc.)

Total Profit my organization benefitted from this fundraiser \$ _____

I, _____, understand that these funds will not be available until this form is completed and returned to the campus office

C. Investment Report
Presenter: Kyle Johnson

Westwood ISD Agenda Item Information

Meeting Date: July 12, 2021

Subject: Quarterly Investment Report

Administrator Responsible: Mr. Johnson

Summary: The presentation will give the quarterly investment report for the district.

Administration's Recommendation: The district recommends a motion to **“approve the quarterly investment report, as presented.”**

Board Approval Required

X YES

NO

Westwood I.S.D.

MEMO

TO: Board Members
 FROM: Kyle Johnson
 SUBJECT: Investment Report
 DATE: June 14, 2021

This report is for the period March through May, 2021. All cash monies not needed for the everyday operation of the school district are invested in the Govt. Overnight Fund of the Lone Star Investment Pool, one Certificate Of Deposit with First Bank and Trust, and the CDARS program through Texas National Bank of Jacksonville.

General Operating Fund

Purchase Date	Security Type	Amount	Maturity	Int. Rate	Int. Earned

**Lone Star
Beginning Balance \$8,601,080.00**

March	Deposit W/D	\$ (1,200,000)			\$547.18
April	Deposit W/D	\$ 600,000 \$ (800,000)			\$459.26
May	Deposit W/D	\$ 400,000 \$ (800,000)			\$410.91

**Lone Star Ending
Balance \$ 6,802,497 (INC INTEREST) \$ 1,417.35**

Balance

1/10/2021	1-Yr CD	\$ 1,106,050	1/10/2022	0.19%	\$ 517.94	(Int rate 1/10/21)
3/18/2021	CDARS	\$ 1,099,951	3/17/2022	0.50%	\$ 1,973.58	
					\$ 2,491.52	

Total Qtrly Interest **\$ 3,908.87**

c-dars	
3/18	844.08
3/31	210.74
4/30	451.75
5/28	467.01
	1973.58

This report is in compliance with the strategies as approved and the Public Funds Investment Act.

 Wade Stanford
 Superintendent

 Kyle Johnson
 Assistant Superintendent of Finance and Operations

D. Campus and District Improvement plans for the 2021-2022 school year

Westwood Independent School District

Westwood Primary

2021-2022 Campus Improvement Plan



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Mission Statement

Westwood Primary teachers and staff will work in collaboration with parents and community members to provide rigorous learning opportunities, support, resources, and guidance for all students. It is our mission to ready all students to become productive community members who will give back to the community and the next generation.

Vision

Westwood Primary will strive to provide a safe, child-centered learning environment created in partnership with our families, the school, and the community to enable our students to become lifelong learners.

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Comprehensive Needs Assessment

Demographics

Demographics Summary

Westwood Primary is a PK-2nd grade Title I campus located in the rural community of Palestine, Texas. This campus is the only early childhood campus in Westwood ISD serving PK-2nd grade students. It was built in 1978 and additions were added in 1979, 1980 and 2011. Westwood Primary served 357 students for the 2020-2021 school year in grades Pre-Kindergarten to 2nd grade including one Head Start unit. In the 2019-20 school year, the campus served 410 students, which is a decrease of 15%. The campus ended the 2019-2020 year with a 93.31% attendance rate in March due to COVID closure. For the 2020-2021 school year, the campus had a 94% attendance rate.

Due to restrictions related to the pandemic, Westwood Primary offered both virtual and in-person learning during the 2020-2021 school year with approximately 90% of the students attending in-person at the beginning of the year and approximately 98% attending in person by the 6th six weeks period. All grade levels serve students in self-contained classroom settings. We began the year with a virtual teacher per grade level, but due to student numbers and staffing, the campus moved to serving virtual and in-person students in each classroom.

Our economically disadvantaged student population has remained steady throughout the last three years: 2019-2020-73.9%, 2018-2019-74% and 2017-2018-75.3%. The mobility rate at Westwood Primary for the 2019-2020 school year was 18.5% which was an increase of 1.4% from the previous year and an increase of 3% from 2017-2018. Westwood Primary has one LIFE Skills classroom. This year, the ECSC classroom was dissolved due to a lack of student enrollment. Westwood Primary serves a diverse population of students and offers supports for English as Second Language (ESL), Gifted & Talented, Special Education, and Economically Disadvantaged students.

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Based on the 2019-2020 TEA Texas Academic Performance Report, our campus Retention Rates are as follows: Kindergarten-4.4% (a decrease of 4.2% from the following year), 1st grade- 1.2% (a decrease of 2%), and 2nd grade- 2.1% (a 1% increase). There were not any retentions for the 2020-2021 school year.

The average years of experience for our teachers is 5.3 years. About 5.9% of staff members hold Master's degrees. As of 2021, we had only one male staff member with 8.9% (an increase of 3%) of our staff representing minority ethnic groups.

Ethnic Distribution 2019-2020		Mobility Rate
African American	20%	2.7%
Hispanic	24.1%	5.4%
White	51.7%	8.1%
American Indian	.5%	
Asian	.7%	
Pacific Islander	0%	
Two or more races	3%	

Demographics Strengths

Westwood Primary is comprised of a diverse student body. We are continuing to build a culture of transparency, collaboration and progress monitoring to ensure continuous improvement. We are committed to excellence in providing a safe, risk-free, engaging learning environment that teacher the whole child. We strive to nurture students' academic growth and support their social emotional health. We encourage goal setting for all our students and celebrate progress along the way throughout each child's educational journey.

Problem Statements Identifying Demographics Needs

Problem Statement 1: The high mobility rate throughout the years has caused gaps in academic progress. **Root Cause:** Students moving in and out of the district, especially this year due to the COVID pandemic, creates gaps in learning and academic progress.

Problem Statement 2: The high mobility rate has created difficulties in identifying students who may have learning disabilities. **Root Cause:** It is difficult to identify specific academic needs for those students moving in and out of the district throughout the school year. Without consistent data, it is hard to determine if they have gaps in instruction or have a specific learning disability.

Student Learning

Student Learning Summary

STAR Reading Data

	READNG FALL			EARLY SPRING		
	Students	Scale Score	Grade Equivalent	Students	Scale Score	Grade Equivalent
KINDER	10	104	1.5	10	103	1.5
1ST	84	74	1.0	82	75	1.0
2ND	96	153	2.0	94	209	2.4

Early Lit STAR Data

	FALL		Grade	EARLY SPRING		Grade
	STUDENTS	SCALE SCORE		STUDENTS	SCALE SCORE	
Pre-K	60	401		71	549	
Kinder	81	560.8	.5	79	585	.6
1st	80	592	.6	37	618	.7
2nd	17	622	.7	3	588	.5

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STAR Math Data

MATH	FALL			EARLY SPRING		
	STUDENTS	SCALE SCORE	Grade Equivalent	STUDENTS	SCALE SCORE	Grade Equivalent
1ST	93	313	.9	92	334	1.2
2ND	96	437	2.3	95	471	2.7

Student Learning Strengths

Per 2020-2021 data, Westwood Primary School is showing growth in Reading and Math. Other areas of strength identified by CNA Committee:

District Vertical Planning Days scheduled into calendar

Common ELAR curriculum support resources in K-2

Problem Statements Identifying Student Learning Needs

Problem Statement 1: Students will have gaps in learning and possibly show marginal growth due to COVID 19 absences and lack of consistent virtual learning participation.

Root Cause: COVID health and wellness guidelines from TEA & CDC resulted in high absences due to illness or quarantine. Some families lacked consistent technology at home.

Problem Statement 2: Improvement will continue next year on utilization of TEKS objective driven lesson plans and formative assessments. **Root Cause:** Lesson plans sometimes lacked consistency with components such as differentiation, TEKS, HOT, F & P and assessments.

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School Processes & Programs

School Processes & Programs Summary

We implemented PLCs every Wednesday with fidelity in 2020-2021. The campus Effective Schools Framework Focus Area #3, Data-driven instruction, was a priority. Data driven instruction was evidenced by teachers able to disaggregate data and apply it to lessons through differentiation, small group and lesson adjustments. Teacher teams have protected time built into the master schedule to meet frequently and regularly for in-depth conversations about formative and summative student data, effective instructional strategies, and possible adjustments to instructional delivery focused on meeting the needs of both struggling learners and learners needing acceleration.

We completed our second year with CHAMPS in all grades PreK-2. This year we added a Social Emotional Learning class to our rotations schedule for Specials. It is shared with the Art block. Our campus Effective Schools Framework Focus Area #1, a Compelling and aligned vision, mission, goals, values focused on a safe environment and high expectations, was a priority this year. All staff and students are taught, practice and reinforce/model positive behavior expectations with a common language through Energy Bus Principles and CHAMPS.

We include teacher teams and appropriate district supervisors in our hiring process in order to recruit highly qualified staff. Our Superintendent meets with each recommended teacher candidate for hiring approval. We strive to hire highly qualified teachers who put students first and adhere to TEKS and research best practices. New Teachers attend Westwood ISD's New Teacher Academy and a mentor is assigned to ensure success in the classroom. Teachers who are new to the profession attend monthly support meetings with district directors over curriculum and instruction.

We provide support and coaching to help teachers grow professionally. An Instructional Coach position was added during the 2019-2020 school year to support curriculum, instruction and assessment. Staff development is provided through Eduhero, Westwood University, Region Service Center, In-Service PD, and Professional Conferences.

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School Processes & Programs Strengths

We conduct our RTI meetings collaboratively. We include Admin and Teachers in order to ensure that individual student needs are met and learners are set up for success. During the 2019-2020 school year, a district RTI coordinator was assigned to support Response to Intervention data meetings. Our campus RTI teacher and teacher assistant continue to work with identified Tier 3 students in a small group setting.

The Master schedule is designed to include an Intervention block. This reduced our student to teacher ratio for small group instruction and enabled our staff to meet the needs of individual students.

Our campus Effective School Framework Focus Area #2, Objective-driven daily lesson plans with formative assessments, was a priority for the 2019-2020 school year. Teachers created objective driven daily plans with formative assessments aligned to state standards. All teachers created and submitted lesson plans that included clear objectives, opening activities, differentiated paths of instruction to a clearly defined goal, paths that meet specific needs of students with disabilities and English learners, and daily formative assessments. Campus leaders reviewed lesson plans frequently for alignment to standards, the scope and sequence, the expected level of rigor, and provided teachers with feedback and lesson planning support.

A campus Book Study over Relentless by Hamish Brewer as well as a leadership book study on the book, Dare to Lead by Brene Brown further enhanced our campus culture and climate.

Other strengths identified by CNA Committee:

- Effective hiring process with interview team and superintendent
- Thorough New Hire Training

- CHAMPS implementation has made an impact on student behavior
- New SEL specials class has made a significant difference in student behavior as well as coping with COVID trauma
- PLC meetings and RTI meetings to drive instruction
- Campus events such as Kona Ice, virtual Music Programs, CARE Club, Coffee with the Principal, Backpack Program, Awards and Read Across America
- All teachers are required to complete yearly GT training
- An instructional coach is available to assist teachers as needed

Problem Statements Identifying School Processes & Programs Needs

Problem Statement 1 (Prioritized): Response to Intervention (RTI) should be focused not only on interventions for low performing TEKS but also on behavior, extensions and higher level thinking activities as well. This includes planned intervention/extension activities and fluid groupings that change with student progress. **Root Cause:** RtI intervention program lacks consistently in program design and processes for academic, behavior and attendance concerns.

Problem Statement 2: Data analysis and intervention should be implemented with more fidelity and student engagement. **Root Cause:** Teachers need more time, training and practice on data disaggregation and intervention based on data. Consistency and fidelity is needed with the implementation of student data folders/notebooks.

Problem Statement 3: We must offer virtual and face to face instruction to all students due to COVID. Several students did not follow virtual learning guidelines, thus were required to return to campus after the 3rd six weeks. **Root Cause:** Families have fears and concerns about health and well-being due to the pandemic situation.

Problem Statement 4: Staff and students frequently quarantined this year due to COVID, causing loss of learning and instructional time. The campus shut down for two weeks in the winter due to high quarantined numbers. **Root Cause:** Staff and students have had COVID-related symptoms and direct exposure to COVID-positive individuals this school year.

Perceptions

Perceptions Summary

At Westwood Primary, we prepare all students to be actively engaged in meaningful and relevant work for success in the 21st century. We believe that we are service providers to our learners and families. Expectations, values and beliefs are outlined through our Energy Bus principles we teach monthly. Classroom environments are structured to promote a conducive setting for learners to complete assignments and interact with others. For the 2020-2021 school year, flexible innovative furniture was provided to all six first grade classrooms.

Social-emotional learning was implemented this school year to eligible learners and students in PreK-K during the Spring semester.

We maintain communication with our stakeholders via school messenger, school correspondence, marquee, email, Facebook, Twitter, Parent Square, and our campus website. Campus communication is shared with parents in English and Spanish. Parents are encouraged to volunteer at the school. The campus is in compliance with Title I Parent Involvement policies such as sharing a School/Parent Family Compact and hosting an annual Title I Meeting.

We host Meet the Teacher Night before school begins for the year. We offer a variety of activities and programs to involve parents and the community throughout the school year. Invitations to Coffee with the Principal, Head Start Meetings and other committee invitations are offered to parents during the school year where parents can voice ideas and concerns.

A parent survey was conducted in the fall via Parent Square in which one parent participated.

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Perceptions Strengths

Westwood Primary School has a comprehensive Family Engagement Plan. This year, with COVID restrictions, most campus events were held virtually. We have hosted several virtual family and community events this school year such as Open House, Read Across America, Science Night with Dad, Math Night with Dad, Coffee with the Principal, Head Start Parent meetings, Music Programs, ESL Family Night, and Holiday Celebrations. Family engagement projects were held this year such as Pumpkin Project, Black History Month coke bottle project, Family Turkey Feather, and Christmas ornament. Kona Ice was help on campus for students only. May Awards were held on campus with two guests per student attending. Parents are invited to be involved in school decision making by participating in parent meetings held throughout the year. Various forms of communication are in place for all stakeholders in English and Spanish. We frequently recognize students for perfect attendance through incentives and public recognition. Students of the Month for Pk-2 grade and Teacher of the Month are celebrated through a shared video at monthly School Board Meetings.

Other strengths:

SEL program, Energy Bus and CHAMPS

Problem Statements Identifying Perceptions Needs

Problem Statement 1 (Prioritized): There is a lack of parental involvement regarding academics, behavior and school correspondence. **Root Cause:** COVID 19 guidelines have

not allowed the campus to have visitors or hold large gatherings. For virtual or phone communication, different demographic factors may exist (e.g. work schedule, language barrier; relationship level).

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Priority Problem Statements

Problem Statement 2: Response to Intervention (RTI) should be focused not only on interventions for low performing TEKS but also on behavior, extensions and higher level thinking activities as well. This includes planned intervention/extension activities and fluid groupings that change with student progress.

Root Cause 2: RtI intervention program lacks consistently in program design and processes for academic, behavior and attendance concerns.

Problem Statement 2 Areas: School Processes & Programs

Problem Statement 3: There is a lack of parental involvement regarding academics, behavior and school correspondence.

Root Cause 3: COVID 19 guidelines have not allowed the campus to have visitors or hold large gatherings. For virtual or phone communication, different demographic factors may exist (e.g. work schedule, language barrier; relationship level).

Problem Statement 3 Areas: Perceptions

Comprehensive Needs Assessment Data Documentation

The following data were used to verify the comprehensive needs assessment analysis:

Improvement Planning Data

- District goals
- Campus goals
- Campus/District improvement plans (current and prior years)
- Covid-19 Factors and/or waivers

Accountability Data

- Texas Academic Performance Report (TAPR) data
- Federal Report Card Data

Student Data: Assessments

- State and federally required assessment information
- Texas English Language Proficiency Assessment System (TELPAS) and TELPAS Alternate results
- Texas Primary Reading Inventory (TPRI), Tejas LEE, or other alternate early reading assessment results
- Student failure and/or retention rates
- Local diagnostic reading assessment data
- Local benchmark or common assessments data
- Running Records results
- Prekindergarten Self-Assessment Tool
- Texas approved PreK - 2nd grade assessment data
- Other PreK - 2nd grade assessment data

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Student Data: Student Groups

- Race and ethnicity data, including number of students, academic achievement, discipline, attendance, and progress
- Special programs data, including number of students, academic achievement, discipline, attendance, and progress
- Economically Disadvantaged / Non-economically disadvantaged performance, progress, and participation data
- Special education/non-special education population including discipline, progress and participation data
- At-risk/non-at-risk population including performance, progress, discipline, attendance, and mobility data
- Dyslexia Data
- Response to Intervention (RtI) student achievement data

Student Data: Behavior and Other Indicators

- Attendance data
- Mobility rate, including longitudinal data
- Discipline records
- Class size averages by grade and subject
- School safety data
- Enrollment trends

Employee Data

- Professional learning communities (PLC) data
- Staff surveys and/or other feedback
- Teacher/Student Ratio
- State certified and high quality staff data
- Campus leadership data
- Campus department and/or faculty meeting discussions and data
- Professional development needs assessment data
- TTESS data

Parent/Community Data

- Parent surveys and/or other feedback
- Parent engagement rate
- Community surveys and/or other feedback

Support Systems and Other Data

- Organizational structure data
- Processes and procedures for teaching and learning, including program implementation
- Communications data
- Budgets/entitlements and expenditures data

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Goals

Goal 1: Student Academic Achievement - Improve and support learning for all students by providing meaningful and relevant educational opportunities.

Performance Objective 1: Achievement of all students, as measured by assessments and classroom performance, shall continually improve. Emphasis is placed on reading, writing and math.

Evaluation Data Sources: Renaissance STAR testing, CBA's, local grades, TPRI, LLI, F & P progress tests, teacher observations, family and community involvement records.

Strategy 1 Details	Reviews			
Strategy 1: Utilize Renaissance Flow 360 applications (Star Reading, Star Early Literacy, Star Math), and Accelerated Reader 360 to drive instruction, practice, and formative assessment. TEKS Resource System and the Fountas & Pinnell Classroom will be used as well to support learning opportunities for all students. Staff Responsible for Monitoring: Teachers, Instructional Coach Title I Schoolwide Elements: 2.4, 2.5, 2.6 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Use performance data and progress monitoring to drive instruction and RTI. Intensive small group instruction to target specific gaps in learning will occur during the school day. A variety of instructional materials to be used for all interventions: - Mentoring Minds - LLI - Learning A-Z programs - Imagine Learning Staff Responsible for Monitoring: Teachers, Instructional Coach Title I Schoolwide Elements: 2.4, 2.5, 2.6 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: Tier I: Students struggling with universal or core instruction for all students will be identified through progress monitoring and a variety of grade level data results. The classroom teacher will implement intervention strategies for a minimum of six weeks with progress documentation. After six weeks an RTI data meeting will be held to analyze data to determine placement in the RTI tiers. Staff Responsible for Monitoring: Teachers, RTI Team Title I Schoolwide Elements: 2.4, 2.5 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June

Strategy 4 Details	Reviews			
Strategy 4: Tier II: Struggling students will work in small groups within the classroom with the classroom teacher. Interventions will be used for a six week period with progress documentation. After this time period, if the student is still not making adequate progress the RTI Team will review the data and decide whether or not to move the student to Tier III. Staff Responsible for Monitoring: Teachers, RTI Team Title I Schoolwide Elements: 2.6 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 5 Details	Reviews			
Strategy 5: Tier III: Students will work individually or in very small groups in the RTI lab during their scheduled time period. Time span for Tier III will vary. If the student is still not making adequate progress the student may be referred for further evaluation. Staff Responsible for Monitoring: RTI Team Title I Schoolwide Elements: 2.6 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 6 Details	Reviews			
Strategy 6: Ongoing assessment such as CBA's, progress tests, Renaissance Star Reading & Math, Renaissance Star Early Lit, TPRI, and LLI will be administered throughout the school year to target TEKS. Staff Responsible for Monitoring: Teachers, Instructional Coach, Admin Title I Schoolwide Elements: 2.4, 2.6 - TEA Priorities: Build a foundation of reading and math	Formative			Summative
	Nov	Jan	Mar	June
				522
Strategy 7 Details	Reviews			
Strategy 7: All test results will be analyzed to determine weaknesses in the area of curriculum and/or instruction and to make data driven decisions when placing students in available programs. Staff Responsible for Monitoring: Teachers, Instructional Coach, Counselor, Admin Title I Schoolwide Elements: 2.4, 2.6 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 8 Details	Reviews			
Strategy 8: Student participation in AR Point Clubs will be promoted. Staff Responsible for Monitoring: All Staff Title I Schoolwide Elements: 2.5 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June

Strategy 9 Details	Reviews			
Strategy 9: Kindergarten and 1st grade students flagged on the dyslexia screener through TPRI will be evaluated for dyslexia. Students who qualify will then be eligible for the Dyslexia program. Staff Responsible for Monitoring: 504 Committee, Dyslexia Teacher Title I Schoolwide Elements: 2.6 - TEA Priorities: Build a foundation of reading and math	Formative			Summative
	Nov	Jan	Mar	June
Strategy 10 Details	Reviews			
Strategy 10: Students will use Interactive Notebooks across the curriculum on a regular basis beginning no later than the 2nd week of school as a tool to scaffold academic content. Strategy's Expected Result/Impact: Reading, Writing, Comprehension Staff Responsible for Monitoring: Teacher, Support Team, Admin Title I Schoolwide Elements: 2.5 - TEA Priorities: Build a foundation of reading and math	Formative			Summative
	Nov	Jan	Mar	June
 0%  100%   No Progress Accomplished Continue/Modify Discontinue				

Goal 2: Campus Environment- Promote an environment that engages and connects students to each other and with staff. Students thrive when they are engaged in learning and feel a sense of belonging in our school.

Performance Objective 1: Create safe and inclusive opportunities- Create meaningful and positive relationships with all students; Know and practice all safety protocols.

Evaluation Data Sources: Safety and security reports; drill logs; discipline data; CHAMPS data

Strategy 1 Details	Reviews			
Strategy 1: Utilize a Campus Crisis Management Plan and complete all safety drills as directed by WISD Safety and Security Department. Staff Responsible for Monitoring: All Staff	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: All visitors will be required to check in at the office using our campus Raptor Visitor System and present a valid photo ID before entering the building in order to detect possible offenders. Staff Responsible for Monitoring: Reception Staff, Raptor Building Level Users	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: All students leaving campus early will be required to be signed out in the office by a parent. Staff Responsible for Monitoring: All Staff	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: All campus exterior doors will remain locked from the outside during school hours. Staff Responsible for Monitoring: All Staff	Formative			Summative
	Nov	Jan	Mar	June
Strategy 5 Details	Reviews			
Strategy 5: CHAMPS will be utilized across all grade levels as a proactive and positive approach to classroom management. Students will be recognized for achievements through Energy Bus principles and public recognition on a regular basis. Staff Responsible for Monitoring: All Staff, Admin	Formative			Summative
	Nov	Jan	Mar	June
Strategy 6 Details	Reviews			
Strategy 6: Information will be made available to parents and students concerning possible health issues associated with school such as flu, head lice, and pinkeye. Staff Responsible for Monitoring: School Nurse	Formative			Summative
	Nov	Jan	Mar	June

Strategy 7 Details	Reviews			
Strategy 7: All parents will be required to show a Pick-Up Ticket at afternoon pick-up for safety purposes. Staff Responsible for Monitoring: All Staff	Formative			Summative
	Nov	Jan	Mar	June
 No Progress  Accomplished  Continue/Modify  Discontinue				

Goal 2: Campus Environment- Promote an environment that engages and connects students to each other and with staff. Students thrive when they are engaged in learning and feel a sense of belonging in our school.

Performance Objective 2: Promote attendance in PK-2 grade to meet and/or exceed 96%.

Evaluation Data Sources: PEIMS reports

Strategy 1 Details	Reviews			
Strategy 1: Parents will be informed of legal and local attendance policies as well as the consequences of poor attendance. Staff Responsible for Monitoring: PEIMS Clerk	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Attendance letters will be mailed out each six week period for students who have excessive absences, tardies, and/or early sign-releases. Staff Responsible for Monitoring: PEIMS Clerk	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: Student Perfect Attendance recognition every 6 weeks on TV foyer monitor. Staff Responsible for Monitoring: PEIMS Clerk Counselor	Formative			Summative
	Nov	Jan	Mar	June
				526
Strategy 4 Details	Reviews			
Strategy 4: Students with perfect attendance will be rewarded each six weeks with an ice cream coupon. Staff Responsible for Monitoring: PEIMS Clerk Counselor	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

Goal 3: Human Capital & Resource Stewardship - Recruit, retain and maintain a highly-qualified staff by nurturing talents through meaningful professional learning and encouraging the management of resources in a fiscally responsible way while meeting student needs.

Performance Objective 1: Staff are encouraged to embrace innovation with a flexible, relevant, and solution-oriented mindset: Demonstrate enthusiasm for innovation; Seek creative solutions to constraints.

Evaluation Data Sources: Teacher surveys, lesson plans, staff meetings agendas, and decreased teacher absences.

Strategy 1 Details	Reviews			
Strategy 1: Staff will participate in training sessions and apply new learning to meet the pre-determined needs of the campus. Staff Responsible for Monitoring: Curriculum Director, Teachers, Admin Title I Schoolwide Elements: 2.5 - TEA Priorities: Recruit, support, retain teachers and principals, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Grade levels will have one full day at the end of each marking period, student free, to dis-aggregate data and plan instruction unless participating in the Reading Academy. Staff Responsible for Monitoring: Curriculum Director, Teachers, Admin Title I Schoolwide Elements: 2.4, 2.5, 2.6 - TEA Priorities: Recruit, support, retain teachers and principals, Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
				527
Strategy 3 Details	Reviews			
Strategy 3: Teachers will participate and apply new learning of instructional technology applications. Staff Responsible for Monitoring: Teachers, Admin, Technology Staff Title I Schoolwide Elements: 2.4, 2.5 - TEA Priorities: Recruit, support, retain teachers and principals, Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Teachers will apply PLC protocols that utilize data gathered from Formative and Summative Assessments to design instruction and adjust based on student needs. Staff Responsible for Monitoring: Teachers, Admin, Instructional Coach Title I Schoolwide Elements: 2.4, 2.6 - TEA Priorities: Recruit, support, retain teachers and principals, Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June

Strategy 5 Details	Reviews			
Strategy 5: Employees' children will automatically qualify for our full day pre-k program. Staff Responsible for Monitoring: Admin, PEIMS clerk TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
Strategy 6 Details	Reviews			
Strategy 6: Parents/guardians will be notified if their child's teacher(s) are not certified. Staff Responsible for Monitoring: Principal	Formative			Summative
	Nov	Jan	Mar	June
Strategy 7 Details	Reviews			
Strategy 7: Staff development /Team meetings will be held only once a month after school. Team building, Social-Emotional checks, and/or professional activities will be a focus at staff meetings. Staff Responsible for Monitoring: Admin, Counselor TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
Strategy 8 Details	Reviews			
Strategy 8: Staff with perfect attendance will receive recognition and an incentive every 6 weeks. Staff Responsible for Monitoring: Secretary, Admin TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
				528
Strategy 9 Details	Reviews			
Strategy 9: Grade level teams will meet weekly to collaboratively plan and access grade level data. Staff Responsible for Monitoring: Grade Level Chairs, Instructional Coach, Admin Title I Schoolwide Elements: 2.4, 2.5, 2.6 - TEA Priorities: Recruit, support, retain teachers and principals, Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

Goal 3: Human Capital & Resource Stewardship - Recruit, retain and maintain a highly-qualified staff by nurturing talents through meaningful professional learning and encouraging the management of resources in a fiscally responsible way while meeting student needs.

Performance Objective 2: Staff use resources in an effective and efficient way that serves others: Commit to campus and district goals in making resource allocation decisions; Strategically plan professional learning related to campus and district goals.

Evaluation Data Sources: Staff attendance rates; lesson plans; walkthrough data; coaching feedback; materials costs

Strategy 1 Details	Reviews			
Strategy 1: K- 2 grade will utilize Fountas and Pinnell resources and materials for ELAR instruction. Staff Responsible for Monitoring: Teachers, Admin, Instructional Coach Title I Schoolwide Elements: 2.4, 2.5 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Teachers participate in professional learning sessions in the area of Instruction, Curriculum and Technology that are offered onsite by a district staff facilitator. Staff Responsible for Monitoring: Teachers, Admin, Instructional Coach Title I Schoolwide Elements: 2.4, 2.5, 2.6 - TEA Priorities: Recruit, support, retain teachers and principals, Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: Teachers will be provided an opportunity to acquire and maintain G/T certification. Staff Responsible for Monitoring: Admin TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Teachers will be provided an opportunity to acquire ESL certification with reimbursement by the district when certification is acquired. Staff Responsible for Monitoring: Admin TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
Strategy 5 Details	Reviews			
Strategy 5: Paraprofessionals in grades PK-2 will help teachers manage the classroom, lead appropriate instructional activities, and assist students through small group or one-on-one research based interventions recommended by the classroom teacher. Staff Responsible for Monitoring: Teachers Paraprofessionals Title I Schoolwide Elements: 2.5 - TEA Priorities: Recruit, support, retain teachers and principals, Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June

Strategy 6 Details	Reviews			
Strategy 6: Instructional Coach will meet with each grade level regularly to discuss vertical alignment, lesson plans, assessment data, resource allocations, and academic concerns. Staff Responsible for Monitoring: Instructional Coach, Admin Title I Schoolwide Elements: 2.4, 2.5, 2.6 - TEA Priorities: Recruit, support, retain teachers and principals, Build a foundation of reading and math, Improve low-performing schools - Additional Targeted Support Strategy	Formative			Summative
	Nov	Jan	Mar	June
Strategy 7 Details	Reviews			
Strategy 7: Google Drive, Parent Square, Email, Telephone, School Mail will be used to share committee minutes, meeting agendas, and other information to appropriate/applicable persons. Staff Responsible for Monitoring: All Staff	Formative			Summative
	Nov	Jan	Mar	June
Strategy 8 Details	Reviews			
Strategy 8: Teachers will engage in a book study to be discussed and analyzed throughout the year at scheduled times. Staff Responsible for Monitoring: Admin TEA Priorities: Recruit, support, retain teachers and principals - Comprehensive Support Strategy	Formative			Summative
	Nov	Jan	Mar	June
Strategy 9 Details	Reviews			
Strategy 9: Teachers will utilize the Guided Reading Books and Literacy Library materials to support teaching and learning goals. Staff Responsible for Monitoring: Instructional Coach, Admin Title I Schoolwide Elements: 2.4, 2.5, 2.6 - TEA Priorities: Build a foundation of reading and math	Formative			Summative
	Nov	Jan	Mar	June
 0%  100%   No Progress Accomplished Continue/Modify Discontinue				

Goal 4: Community Engagement - Through intentional partnerships with parents, local businesses and the community, we will develop stronger bonds with our stakeholders and create relationships to benefit the achievement of all students.

Performance Objective 1: Westwood Primary will create an environment that is conducive to parental and community involvement to promote student learning and related academic success.

Evaluation Data Sources: Community/family surveys, volunteer records; business partner records.

Strategy 1 Details	Reviews			
Strategy 1: A campus Meet the Teacher/Orientation Night will be held before school starts to allow families to meet the child's teacher face to face and familiarize new students and their families with the campus. Parent and Family Engagement Policy will be shared. Staff Responsible for Monitoring: Teachers, Counselor, Admin Title I Schoolwide Elements: 3.1, 3.2	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: A teacher contact with parents and students, prior to school starting, to begin building relationships and connecting parents to school. Staff Responsible for Monitoring: Teachers TEA Priorities: Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: Parent conferences will be held at least twice a year via telephone, virtual format or in person if allowable to discuss progress toward specific learning and behavior goals. Staff Responsible for Monitoring: Teachers Title I Schoolwide Elements: 3.2 - TEA Priorities: Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Stakeholder participation in multiple events throughout the school year that provide positive experiences for participants. Examples are not limited to: Storybook Character Pumpkins; Family Turkey Feathers, Pumpkin Patch In-a-Box, Teacher Appreciation, virtual Read Alouds, virtual Music Programs, and other virtual events or family projects. Staff Responsible for Monitoring: All Staff Title I Schoolwide Elements: 3.2	Formative			Summative
	Nov	Jan	Mar	June

Strategy 5 Details	Reviews			
Strategy 5: Staff will help organize virtual or pre-recorded parent programs or informational items focusing on culture, making good choices, and strengthening the family. Strategy's Expected Result/Impact: Staff Responsible for Monitoring: Head Start Site Staff, Counselor, Admin Title I Schoolwide Elements: 3.2	Formative			Summative
	Nov	Jan	Mar	June
Strategy 6 Details	Reviews			
Strategy 6: Inform parents and students about careers and college opportunities during College and Career Week. Staff Responsible for Monitoring: Counselor	Formative			Summative
	Nov	Jan	Mar	June
Strategy 7 Details	Reviews			
Strategy 7: Use of social media to promote events and recognize students. Staff Responsible for Monitoring: Admin	Formative			Summative
	Nov	Jan	Mar	June
				532
 0%  100%  Continue/Modify  Discontinue No Progress Accomplished Continue/Modify Discontinue				

Goal 4: Community Engagement - Through intentional partnerships with parents, local businesses and the community, we will develop stronger bonds with our stakeholders and create relationships to benefit the achievement of all students.

Performance Objective 2: Communicate with all stakeholders to understand diverse perspectives: Practice active listening regarding differing opinions; Understand the diverse backgrounds of the community to build relationships; Demonstrate care and respect for others. Represent the campus and profession in a positive manner.

Evaluation Data Sources: Campus surveys; parent conferences; staff attendance at after-school events; participation in district Energy Bus initiative.

Strategy 1 Details	Reviews			
Strategy 1: Counselor provides required training to staff, guidance lessons to classes, and meets with students in small groups and/or individually. Staff Responsible for Monitoring: Counselor, Admin	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Provide Coffee with the Principal Chats in a virtual format welcoming parents and community members to ask questions, share feedback and develop relationships with campus administrators and staff. Staff Responsible for Monitoring: Admin	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: Staff are dedicated to the Seven Principles of The Energy Bus and are purposeful and persistent with developing rapport, establishing trust, building relationships with students and creating a positive campus culture. Staff Responsible for Monitoring: All Staff TEA Priorities: Recruit, support, retain teachers and principals, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Ensure parents feel supported and confident sending their children to the Primary School. Staff members will actively collaborate and communicate with stakeholders inside/outside the school to support the campus mission and vision. Staff Responsible for Monitoring: All Staff	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

Goal 5: Technology - Stay current with technological hardware, software, and learner-centered use of technology in all classrooms.

Performance Objective 1: Teachers will integrate student-centered technology throughout the curriculum.

Evaluation Data Sources: Lesson Plans; Walkthrough data; coaching conferences; technology usage reports

Strategy 1 Details	Reviews			
Strategy 1: We will examine possibilities for new educational software and technology equipment to continue to update our campus. Staff Responsible for Monitoring: Technology Staff, Admin Title I Schoolwide Elements: 2.4, 2.5 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Staff participation in training and application of instructional technology and use of equipment. Staff Responsible for Monitoring: Technology Staff, Admin Title I Schoolwide Elements: 2.5 - TEA Priorities: Build a foundation of reading and math, Improve low-performing schools	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: Computer lab and iPads will be utilized to implement the Technology TEKS. Staff Responsible for Monitoring: Computer Lab staff, Teachers Title I Schoolwide Elements: 2.4, 2.5	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

State Compensatory

Personnel for Westwood Primary

<u>Name</u>	<u>Position</u>	<u>Program</u>	<u>FTE</u>
Abena Prempeh	Head Start Aide	Westwood Primary	1
Angelia Fredrickson	Pre-K Aide	Westwood Primary	1
Beth Boger	Pre-K Teacher	Westwood Primary	1
Bonnie Starr	Pre-K Aide	Westwood Primary	1
Cassidee Bruton	Pre-K Teacher	Westwood Primary	1
Diana Rodriguez	Pre-K Aide	Westwood Primary	1
Karen Enoch-Whaley	RtI Aide	Westwood Primary	1
Misti Warren	Pre-K Aide	Westwood Primary	1
Patricia Catala-Cano	Head Start Teacher	Westwood Primary	1
Roxy Wendland	Classroom Aide	Westwood Primary	1
Shametriss Owens	Classroom Aide	Westwood Primary	1
Talia Hodge	Pre-K Teacher	Westwood Primary	1
Terri Flusche	Classroom Aide	Westwood Primary	1
Vacancy	Pre-K Teacher	Westwood Primary	1
Vacancy	Pre-K Aide	Westwood Primary	1
Vacancy	Dyslexia Teacher	Westwood Primary	1
Virginia Gayso	Pre-K Teacher	Westwood Primary	1

Title I Personnel

<u>Name</u>	<u>Position</u>	<u>Program</u>	<u>FTE</u>
Amanda Cox	Instructional Coach	Instruction	1
Amy Camp	Response to Intervention	Intervention	1
Vacant	Computer Lab Paraprofessional	Intervention	1

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Addendums

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Westwood Independent School District

Westwood Elementary

2021-2022 Campus Improvement Plan



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Mission Statement

Westwood Elementary Panthers will receive a quality, competitive, innovative education that promotes well-rounded, career-oriented lifelong learners who are intrinsically motivated!

Vision

We build high expectations that are academically and socially driven through positive relationships that share a common goal.

Value Statement

We value parents as children's first and best teachers. We value those who teach, lead, serve, and learn by example. We value empowering students to exceed expectations in an engaging, inspiring, and challenging learning environment. We value building relationships with all stakeholders. We value self-discipline and reflection. We value open and honest communication delivered with kindness and compassion.

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Comprehensive Needs Assessment

Demographics

Demographics Summary

Westwood Elementary serves students in grades 3-6 of Westwood ISD in Palestine, TX. The following population counts are based on the 2017-2016 Texas Academic Performance Report (TAPR) released from TEA.

Overall Population Counts

- Total Students: 471
- Grade 3 Population: 135
- Grade 4 Population: 103
- Grade 5 Population: 121
- Grade 6 Population: 112

Race and Ethnicity Rate

- African American: 84 (17.8%)
- Hispanic: 126 (26.8%)
- White: 232 (49.3%)
- American Indian: 5 (1.1%)
- Two or More Races: 24 (5.1%)

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Sub-Populations

- Economically Disadvantaged: 310 (65.8%)
- Non-Educationally Disadvantaged 161 (34.2%)
- ELL: 32 (6.8%)
- At-Risk: 258 (54.8%)

The reported mobility rate of Westwood Elementary students is a total of 101 students which equates to 19.2% of the total student population. The overall retention rate is 6.2% of the student population with the highest occurrences of retention happening in third grade. The average class size is between 19-20 students per class.

Westwood Elementary has a staff that consists of 48 total members. 32 of which are teachers, 2 professional support staff, and 3 campus level administrators (Principal, Assistant Principal, and Counselor. 12 Instructional Support Paraprofessionals also are on staff. Within the staff include 2 minority members. Most teachers hold a bachelor degree while 3 of which hold a masters degree. Most of the staff have 1-5 years of experience in education

Demographics Strengths

Staffing allocations are carefully arranged to foster high achievement for students. A top priority is to create class sizes that are at an achievable capacity. All staff members participate in quality professional training to ensure the implementation of instructional programs.

It is noted that the retention rate decreases once students have made the transition from the primary campus after a successful third grade year. Learning gaps show closure rates once students make that transitional year.

Problem Statements Identifying Demographics Needs

Problem Statement 1 (Prioritized): Students in grades 3-6 struggle in basic foundational skills which effects student performance on curriculum based measures, benchmarks, and STAAR assessments. **Root Cause:** Students are struggling due to lack of experiences, exposure, stamina, problem solving, and inferencing skills.

Student Learning

Student Learning Summary

Westwood Elementary Spring 2017 STAAR Performance Data

The following represents students that performed At Grade Level or Above.

- Reading 2016: 65% 2017: 67%
- Math 2016: 63% 2017: 66%
- Writing 2016: 58% 2017: 48%
- Science 2016: 57% 2017: 47%

During the 2017-2018 school year RTI systems were implemented along with a personalized instruction hour each day. STAR Math and Reading Screeners were measured in BOY, MOY, and EOY intervals to track student progress. Based on this measurement tool significant growth was recorded throughout the campus; many students showing 2-3 years growth in performance.

Student Learning Strengths

With the implementation of Campus Blitz (personalized instruction) students were able to be grouped with students that are identified needing the same on-level instruction. These groups are designed with a small group teaching model to provide quality support to meet the needs of students.

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Problem Statements Identifying Student Learning Needs

Problem Statement 1 (Prioritized): Students show wide gaps in learning and are identified as missing critical foundational skills that prohibit their successful on state mandated grade level content. **Root Cause:** Students lack foundational skills needed to master grade level concepts.

School Processes & Programs

School Processes & Programs Summary

Westwood Elementary partners with a variety of companies/programs to assist students and also partners with Anderson County Special Education Co-Op to assist our special education student population. Campus counseling services and related assistance is available. Outside community services include ACCESS and outside counseling, therapist, and psychologist as needed.

Instructional

- TEKS Resource System
- Renaissance Learning
- Reading A-Z
- Istation / TPRI
- Imagine Learning (ESL)
- Brain Pop
- Discovery Education
- Edmentum (Study Island, Plato, ESL Reading Smart, Reading Mate)
- Flocabulary
- HARCOURT

- PEARSON

- MCGRAW HILL
- Moving with Math
- LLI

- Project Wisdom

- Mentoring Minds Motivation Series

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Personnel (recruit/support/retain)

- New Teacher Academy (3 days) for all new staff to the district
- Mentor teacher/program for NTP teachers
- Point of Contact for seasoned teachers new to the district
- New to Profession (NTP) Meetings at the central office (monthly) (one hour each)
- Campus and district level coaching and support to complete certifications, requirements, and help in the classroom.
- Eduhero online professional learning (district-wide)

Administrative

- New Leaders
- New Principals Academy
- Administrative Organizations / Conferences for professional development (TEPSA, TASSP, TASA, TCWSE)

District Processes & Programs Strengths

- Westwood ISD uses the TEKS Resource System, which is aligned to the TEKS and ELPS, as a set curriculum.
- District vertical alignment was implemented in the 2017-2018 school year (two half days).

School Processes & Programs Strengths

Westwood Elementary has implemented TEKS Resource System as a set curriculum. Utilizing the Scope and Sequence with fidelity ensures that all content is taught and scaffolded in a method that increases student performance. The school counselor provides "Words of Wisdom" each morning to students as a method of character development. A personalized instruction hour that provides intervention and extension opportunities is built into the instructional schedule with the intent of providing targeted instructional growth points for all students.

Problem Statements Identifying School Processes & Programs Needs

Problem Statement 1 (Prioritized): Campus STAAR Score results were 64% at Approaches Grade Level or Above. **Root Cause:** Lack of intervention systems to support learners in closing achievement gaps.

Perceptions

Perceptions Summary

The staff of Westwood Elementary believe that effective partnerships with all stakeholders is essential to student success. It is imperative to build positive relationships with all. Home visits were implemented during the 2017-2018 school year. The following communication platforms are used:

- Skyward Student Management System
- Twitter
- Facebook
- Call Systems
- BAND (staff only)
- School Website
- Remind
- Class Dojo
- Conferences/Report Card Pickup

Perceptions Strengths

The focus on building effective partnerships is a priority. Building positive relationships through consistent and transparent communication.

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Problem Statements Identifying Perceptions Needs

Problem Statement 1 (Prioritized): Students lack internal motivation and have become use to the feeling of not being successful. **Root Cause:** Staff lack in understanding circumstances of students from low economic backgrounds.

Priority Problem Statements

Problem Statement 1: Students in grades 3-6 struggle in basic foundational skills which effects student performance on curriculum based measures, benchmarks, and STAAR assessments.

Root Cause 1: Students are struggling due to lack of experiences, exposure, stamina, problem solving, and inferencing skills.

Problem Statement 1 Areas: Demographics

Problem Statement 2: Students show wide gaps in learning and are identified as missing critical foundational skills that prohibit their successful on state mandated grade level content.

Root Cause 2: Students lack foundational skills needed to master grade level concepts.

Problem Statement 2 Areas: Student Learning

Problem Statement 3: Campus STAAR Score results were 64% at Approaches Grade Level or Above.

Root Cause 3: Lack of intervention systems to support learners in closing achievement gaps.

Problem Statement 3 Areas: School Processes & Programs

Problem Statement 4: Students lack internal motivation and have become use to the feeling of not being successful.

Root Cause 4: Staff lack in understanding circumstances of students from low economic backgrounds.

Problem Statement 4 Areas: Perceptions

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Comprehensive Needs Assessment Data Documentation

The following data were used to verify the comprehensive needs assessment analysis:

Improvement Planning Data

- District goals

Accountability Data

- Texas Academic Performance Report (TAPR) data
- Accountability Distinction Designations
- Federal Report Card Data

Student Data: Assessments

- State and federally required assessment information
- (STAAR) current and longitudinal results, including all versions
- STAAR released test questions
- Student Success Initiative (SSI) data for Grades 5 and 8
- SSI: Istation Indicators of Progress (ISIP) accelerated reading assessment data for Grades 3-5 (TEA approved statewide license)
- Running Records results
- Observation Survey results
- Istation Indicators of Progress (ISIP) reading assessment data for Grades PK-2

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Student Data: Student Groups

- STEM/STEAM data
- Dyslexia Data

Student Data: Behavior and Other Indicators

- Attendance data
- Mobility rate, including longitudinal data
- Discipline records
- Student surveys and/or other feedback

Employee Data

- Professional learning communities (PLC) data
- Staff surveys and/or other feedback
- Teacher/Student Ratio
- Campus leadership data
- Campus department and/or faculty meeting discussions and data
- Professional development needs assessment data
- Evaluation(s) of professional development implementation and impact

Parent/Community Data

- Parent surveys and/or other feedback
- Parent engagement rate
- Community surveys and/or other feedback

Support Systems and Other Data

- Organizational structure data
- Processes and procedures for teaching and learning, including program implementation
- Communications data
- Capacity and resources data
- Study of best practices

Goals

Goal 1: Westwood Elementary aspires to develop students who display strong character and are logical, ethical decision makers.

Performance Objective 1: By May 2022, given character education directly correlated to TEC 29.906, a decrease of 10% in discipline referrals will be documented.

Evaluation Data Sources: Discipline Referral Data

Strategy 1 Details	Reviews			
Strategy 1: Develop and implement character education programs for K-12 such as ESTEEM, DARE, Project Wisdom, etc. to emphasize and promote positive citizenship traits. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselor	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Develop, implement, and evaluate current programs and policies that are used to prevent and decrease incidents of harassment, bullying, and dating violence. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselor Campus Teachers	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: The SHAC shall meet on a regular basis to review Coordinated School Health Program and additional health related programs. Staff Responsible for Monitoring: Superintendent Federal/Special Programs Director School nurse(s) SHAC Committee	Formative			Summative
	Nov	Jan	Mar	June

Strategy 4 Details	Reviews			
Strategy 4: Recruit knowledgeable and motivational speakers to provide positive examples to students. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselors	Formative			Summative
	Nov	Jan	Mar	June
 No Progress  Accomplished  Continue/Modify  Discontinue				

Goal 2: To increase STAAR performance scores by 10 percentile points in all subject areas.

Performance Objective 1: By May 2022, academic standards will result in a 10% increase in the area of masters grade level on the Texas state assessment.

Evaluation Data Sources: STAAR/TELPAS scores, ESSA Performance Goals, Accountability measures/System Safeguards

Strategy 1 Details	Reviews			
Strategy 1: Restructure the instructional schedule to increase student learning time. Staff Responsible for Monitoring: Campus Administration Campus Leadership Team Instructional Staff	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Utilize a personalized instruction hour, Panther Academy, to provide both intervention and extension opportunities to learners that support their individual learning level. Strategy's Expected Result/Impact: Improved performance by students on assessments data. Staff Responsible for Monitoring: Campus Administration Instructional Coach RTI Coordinator SPED Staff Classroom Teachers Title I Schoolwide Elements: 2.4, 2.5, 2.6	Formative			Summative
	Nov	Jan	Mar	June
				552
Strategy 3 Details	Reviews			
Strategy 3: Implement RTI systems that monitor student performance and utilize data to determine instructional plans to close learning gaps Staff Responsible for Monitoring: Campus Administration Instructional Staff RTI Coordinator	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Use Curriculum Based Measurements to track student performance and use data as a guide to instructional design practices. Staff Responsible for Monitoring: Campus Administration Campus Counselor Instructional Staff Campus Leadership Team Instructional Coach	Formative			Summative
	Nov	Jan	Mar	June

Strategy 5 Details	Reviews			
Strategy 5: Implement a system of monitoring lesson plans for correct alignment and high levels of rigor that provides quality feedback to maximize student learning outcomes. Staff Responsible for Monitoring: Campus Administration Campus Leadership Team Instructional Coach Classroom Teachers	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify × Discontinue				

Goal 3: Westwood Elementary recruits a highly effective teaching staff with the idea of achieving a staff reflective of the Westwood ISD student body and that serve as role models both inside and outside the classroom.

Performance Objective 1: Westwood Elementary will provide a professional and positive learning environment by recruiting, employing, retaining, supporting, and commending excellent staff.

Evaluation Data Sources: Feedback surveys (new teacher academy, mentor program, and new to profession meeting attendance), certification monitoring, job fair attendance/recruitment data, job advertisement data through specific websites.

Strategy 1 Details	Reviews			
Strategy 1: Survey feedback will be evaluated each six weeks cycle with quality reflective conversations and restructure opportunities as needed. Staff Responsible for Monitoring: Campus Administration Campus Counselor Instructional Staff	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Provide orientation and mentoring services for teachers recently hired by the district. Staff Responsible for Monitoring: District Administration Campus Administration Campus Mentor Teachers	Formative			Summative
	Nov	Jan	Mar	June
				554
Strategy 3 Details	Reviews			
Strategy 3: Recognize staff members who exemplify a positive role model through attendance, appearance, and professional & interpersonal communication Staff Responsible for Monitoring: District Administration Campus Administration Mentor Teacher	Formative			Summative
	Nov	Jan	Mar	June
0% 100% → × No Progress Accomplished Continue/Modify Discontinue				

Goal 4: Develop a school environment that is safe, orderly, and positive for all that focuses on student success.

Performance Objective 1: To promote a positive school climate and promote partnerships for students, staff, and community members.

Evaluation Data Sources: Safety Audit
Discipline Records
Lesson Plans
Safety Drill Logs

Strategy 1 Details	Reviews			
Strategy 1: Development of EOP and Reunification Plans Staff Responsible for Monitoring: District Administration Campus Administration Campus Staff District Safety Coordinator	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Monthly safety drills that simulate a vareity of possible situations Staff Responsible for Monitoring: District Administration Campus Administration Campus Staff District Safety Coordinator	Formative			Summative
	Nov	Jan	Mar	June
				555
Strategy 3 Details	Reviews			
Strategy 3: Continuation of "Project Wisdom" Year Two implementation to provote character development. Staff Responsible for Monitoring: Campus Administration Campus Counselor Campus Staff	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Provide team bonding opportunities for faculty and staff that encourage out of school activities amongst one another. Staff Responsible for Monitoring: Campus Administration Campus Counselor Campus Staff	Formative			Summative
	Nov	Jan	Mar	June
0% 100% → × No Progress Accomplished Continue/Modify Discontinue				

Goal 5: By the end of the 2021-2022 school year, 50% of the special education population will show growth of at least one year in mathematics and reading.

Performance Objective 1: Develop and implement personalized instructional plans.

Evaluation Data Sources: LLI Progress Monitoring
Moving With Math Progress Monitoring
Diagnostic and Screening Data Platforms
RTI Monitoring

Strategy 1 Details	Reviews			
Strategy 1: Implement an Inclusion/ Co-Teaching Model to emphasize the least restrictive environment for special education students. Staff Responsible for Monitoring: District Administration District Special Programs Coordinator Campus Administration Campus Counselor Campus Staff Campus Leadership Team Anderson County SPED Co-Op	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Training sessions that educate professionals on SPED laws and codes. Staff Responsible for Monitoring: District Administration District Special Programs Coordinator Campus Administration Campus Counselor Campus Staff Campus Leadership Team Anderson County SPED Co-Op	Formative			Summative ⁵⁵⁶
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: Use of Campus BLITZ that promotes closing gaps in foundational skills. Staff Responsible for Monitoring: District Administration District Special Programs Coordinator Campus Administration Campus Counselor Campus Staff Campus Leadership Team Anderson County SPED Co-Op	Formative			Summative
	Nov	Jan	Mar	June

Strategy 4 Details	Reviews			
Strategy 4: Use of a vareity of data sets to monitor student goals from IEPs, TEK Mastery, etc. Staff Responsible for Monitoring: District Administration District Special Programs Coordinator Campus Administration Campus Counselor Campus Staff Campus Leadership Team Anderson County SPED Co-Op	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify × Discontinue				

Title I Personnel

<u>Name</u>	<u>Position</u>	<u>Program</u>	<u>FTE</u>
Jayci Mannix	Computer Lab Paraprofessional	Intervention	1
Katelynn Hutchens	Instructional Paraprofessional	Intervention	1
Kathy Elton	Response to Intervention	Intervention	1
Kayla Warren	Instructional Coach	Instruction	1
Trisha Howell	Instructional Paraprofessional	Intervention	1

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Addendums

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Westwood Independent School District

Westwood Junior High

2021-2022 Campus Improvement Plan

Accountability Rating: Not Rated: Declared State of Disaster



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Board Approval Date: June 14, 2021
Public Presentation Date: July 12, 2021

Mission Statement

The staff of Westwood Junior High will work in partnership with families and community members to provide academically and socially enriched opportunities, support, and guidance for all students. It is our continued mission to ready our students to become civically responsible members of the community in the future.

Vision

Westwood Junior High will promote a secure, learner focused environment that works collaboratively with parents, community members and staff in order to prepare future ready students in a positive and engaging educational manner.

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Goal 2: Westwood Junior High will recruit, support, and retain highly effective educators and administrators that are representative of our student body.	9
Goal 3: Westwood Junior High will promote parent and community engagement through a variety of programs, events and trainings that will help build a collaborative team of committed partners working together to provide the best in educational opportunities for all of our students.	12
Goal 4: Westwood Junior High will strive to maintain are inviting, safe, and secure for the students, staff and visitors.	13
Goal 5: Westwood Junior High adheres to district protocols and procedures to ensure financial stability and accuracy.	16
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Comprehensive Needs Assessment

Student Achievement

Student Achievement Summary

Students have shown gaps in math coming from the 6th grade to 7th grade for the past 5 years, showing a weakness in foundational math skills and a lack of endurance in work habits. Student population shows an average of 1 to 3 year below grade level math ability, excluding those students that are placed in advanced math.

Student Achievement Strengths

We have seen an increase in student growth for 8th grade core subject STAAR performance.

Problem Statements Identifying Student Achievement Needs

Problem Statement 1: There is a significant gap in incoming 7th grade math skills. **Root Cause:** Inconsistent math instruction in the students previous years.

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Curriculum, Instruction, and Assessment

Curriculum, Instruction, and Assessment Summary

Due to inconsistent staffing and inexperienced teachers, the curriculum is not tightly aligned with instruction. We have seen a drastic drop in math scores this year.

Curriculum, Instruction, and Assessment Strengths

The RtI process in place did yield a 35-40% improvement in student Tier 1 placement at the conclusion of the 2020-2021 school year.

Problem Statements Identifying Curriculum, Instruction, and Assessment Needs

Problem Statement 1: Due to inconsistency in classroom instruction and inexperienced core teachers, the students have not made adequate growth and STAAR scores reported 24.7% passing rate for 7th grade math (73 students testing). **Root Cause:** Two new classroom teachers in the math department that were not using a tightly aligned curriculum. There were a large number of home-based students during the first semester of the year and 1 teacher was out multiple days due to COVID quarantine.

School Context and Organization

School Context and Organization Summary

39% of the teaching staff were out multiple days due to athletic and or band events, or family leave. Due to lack of substitutes available, paraprofessionals were used to cover classes with high frequency. This resulted in lack of instruction happening in class and the virtual students were not receiving effective instruction while the teacher was away. In addition, we had several staff members that were out due to COVID circumstances.

School Context and Organization Strengths

Paraprofessionals are adept and filling in for teachers as needed.

Problem Statements Identifying School Context and Organization Needs

Problem Statement 1: There are 39% of our staff that are obligated to dual responsibilities, which has resulted in a less than effective or consistent instructional program on campus. **Root Cause:** Too many teachers out of the classrooms very frequently fulfilling other job requirements.

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Priority Problem Statements

566

Goals

Goal 1: Westwood Junior High will ensure that students receive quality instruction that is aligned to the Texas Essential Knowledge and Skills (TEKS) so that students are continually showing academic growth and are prepared for college, career, and military readiness.

Performance Objective 1: By May 2022, the overall STAAR scores in each tested subject area for 7th and 8th grade will report a 10% increase in the "meets" designation.

Evaluation Data Sources: STAAR Results

Strategy 1 Details		Reviews			
Strategy 1: 6 week progress monitoring to identify at-risk student & TEK objectives that need to be addressed to meet criteria to advance in Tier identification. Strategy's Expected Result/Impact: Increased number of students being successful in Tier 1 classroom instruction. Staff Responsible for Monitoring: Administration, Classroom Teachers		Formative			Summative
		Nov	Jan	Mar	June
		 0%  100%   No Progress Accomplished Continue/Modify Discontinue			

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Goal 1: Westwood Junior High will ensure that students receive quality instruction that is aligned to the Texas Essential Knowledge and Skills (TEKS) so that students are continually showing academic growth and are prepared for college, career, and military readiness.

Performance Objective 2: By the end of the 2021-2022 school year, we will have an 20 % increase in students receiving Tier 1 instruction (RtI) in their reading and math classes.

Evaluation Data Sources: Ren. Learn STAR data, benchmark results, progress monitoring data points, RtI groupings.

Strategy 1 Details	Reviews			
Strategy 1: Train teachers on analyzing and focusing on TEKS and implement strategies to address each TEK as intended planning for student expectations to be achieved at mastery level. Strategy's Expected Result/Impact: Assessment data indicates students achieving mastery level on TEKS. Staff Responsible for Monitoring: Administration, Instructional Coach	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Provide training within each department on identifying indicators/qualifiers for each Tier level and conduct BOY, MOY & EOY progress monitoring sessions for teachers to analyze data to classify students in each RtI Tier. Strategy's Expected Result/Impact: Teacher awareness of individual student needs and improved student success in the classroom. Staff Responsible for Monitoring: Quenton Woods, Administration	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: All staff members will participate in book study, If You Don't Feed the Students, They S.T.A.R.V.E. Begin the study at the beginning of August of 2021 and complete by the end of the 2nd 6-week of fall 2021. Strategy's Expected Result/Impact: Shared vision across campus to promote equality for all students and address gaps in instructional practices .	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				568

Goal 2: Westwood Junior High will recruit, support, and retain highly effective educators and administrators that are representative of our student body.

Performance Objective 1: We will maintain an 85% retention rate of staff members within the district with the continued support in the areas of mentoring, professional development, opportunities for continued education and advancement into leadership roles.

Evaluation Data Sources: Percent of contracts returned in March and number of staff remaining on campus.

Strategy 1 Details	Reviews			
Strategy 1: Provide new staff members with a mentor to assist in all areas their first year in the district or on the junior high campus as applicable. Strategy's Expected Result/Impact: Support and retain staff members. Staff Responsible for Monitoring: Administration, Asst. Superintendent of Leadership and Instruction TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Provide opportunities for staff to attend virtual and face-to-face trainings throughout the year, including teacher led trainings on campus. Strategy's Expected Result/Impact: Increase effectiveness of staff in the classroom and in leadership roles. Build teacher capacity. Staff Responsible for Monitoring: Administration, Asst. Superintendent of Leadership and Instruction TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
				569
Strategy 3 Details	Reviews			
Strategy 3: Continue the distribution of bi-annual retention incentives to staff members that are given in December and June. Strategy's Expected Result/Impact: Retaining staff members across the district. Staff Responsible for Monitoring: Administration, Assistant Superintendent of Finance TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

Goal 2: Westwood Junior High will recruit, support, and retain highly effective educators and administrators that are representative of our student body.

Performance Objective 2: Build leadership capacity in all areas across campus to ensure equability of instruction and shared vision for our students, staff and campus.

Evaluation Data Sources: Staff participation numbers in leading trainings, PLCs, classroom visits, conducting coaching sessions with fellow staff. T-TESS evaluations. Retention numbers.

Strategy 1 Details	Reviews			
Strategy 1: Provide formal and informal opportunities for all instructional staff to engage in leadership practices. Strategy's Expected Result/Impact: Develop leadership capacity and promote content & instructional effectiveness across campus. Staff Responsible for Monitoring: Administrators, Instructional Coach	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Provide training in coaching sessions and schedule for teachers to participate each six week period. (Get Better Faster) Strategy's Expected Result/Impact: Improved instructional practices and staff gaining expertise in their areas. Staff Responsible for Monitoring: Administration, Instructional Coach	Formative			Summative
	Nov	Jan	Mar	June
0% 100% → × 570 No Progress Accomplished Continue/Modify Discontinue				

Goal 2: Westwood Junior High will recruit, support, and retain highly effective educators and administrators that are representative of our student body.

Performance Objective 3: All staff members will attend a minimum of 18 hours of staff development including social and emotional learning, content focused strategies, and equitable instruction across campus.

Evaluation Data Sources: Staff Portfolios, Certificates of Completion, Eduhero Reports, Westwood University Reports

Strategy 1 Details	Reviews			
Strategy 1: Provide all staff members professional development opportunities through Region 7, ACSEC, Westwood University and other avenues as applicable. Strategy's Expected Result/Impact: Increased capacity and effectiveness of staff. Staff Responsible for Monitoring: Administration, Instructional Coach, Assistant Superintendent of Leadership and Instruction	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Provide training for all teachers in Get Better Faster in the fall of 2022-2023 school year and use in unison with coaching sessions in the classrooms. Strategy's Expected Result/Impact: Increased teacher capacity and effectiveness in the classroom. Build a team of collaborative teachers with a shared vision for our campus.	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: All staff members will participate in book study, If You Don't Feed the Students, They S.T.A.R.V.E. Begin the study at the beginning of August of 2021 and complete by the end of the 2nd 6-week of fall 2021. Strategy's Expected Result/Impact: Build communication among staff and increase awareness of inequality across campus. Develop plan for improved expectations for all students. Staff Responsible for Monitoring: Administration	Formative			Summative
	Nov	Jan	Mar	June
0% 100% → ✗ No Progress Accomplished Continue/Modify Discontinue				

Goal 3: Westwood Junior High will promote parent and community engagement through a variety of programs, events and trainings that will help build a collaborative team of committed partners working together to provide the best in educational opportunities for all of our students.

Performance Objective 1: Events will be a minimum of 6 events scheduled during the 2021-2022 school year that will provide parents and community members the opportunity to participate in campus trainings, celebrations, academic exhibits.

Evaluation Data Sources: Campus calendar, sign in sheets, Google Forms.

Strategy 1 Details	Reviews			
Strategy 1: Create schedule prior to the first of the 2021-2022 school year to be shared that includes events for the year and the purpose of each event. Strategy's Expected Result/Impact: Increased events for the campus and community. Staff Responsible for Monitoring: Administration	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Provide trainings for parents in the area of social emotional learning, including cyber bullying, sexting, self-harming, vaping. Strategy's Expected Result/Impact: Promote the development of students who display strong character and ethical decision making skills. Staff Responsible for Monitoring: Administration, Counselor, District Nurse	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue 572				

Goal 4: Westwood Junior High will strive to maintain are inviting, safe, and secure for the students, staff and visitors.

Performance Objective 1: By May 2022 Westwood Junior High will have conducted 100% of safety drills and required trainings.

Evaluation Data Sources: Documentation files kept by Administrative Assistant

Strategy 1 Details	Reviews			
Strategy 1: Provide training for all staff members at the start of the school year with drill procedures and assigning roles to administrative teams. Strategy's Expected Result/Impact: All staff prepared for drills Staff Responsible for Monitoring: Assistant Principal	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Schedule all drills prior to the school year and share with Safety Team in Google Calendar Strategy's Expected Result/Impact: Ensuring that all required drills are preplanned to be completed in alignment with semesters. Staff Responsible for Monitoring: Assistant Principal	Formative			Summative
	Nov	Jan	Mar	June
 0%  100%   No Progress Accomplished Continue/Modify Discontinue				

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Goal 4: Westwood Junior High will strive to maintain are inviting, safe, and secure for the students, staff and visitors.

Performance Objective 2: Ensure that all staff are utilizing RAPTOR Emergency System with 80% accuracy.

Evaluation Data Sources: RAPTOR reports

Strategy 1 Details	Reviews			
Strategy 1: Provide RAPTOR training in the back to school training in August 2021, with practice drills conducted before the first day of school. Strategy's Expected Result/Impact: Knowledgeable and trained staff in the use of RAPTOR and who to contact should the system not work. Staff Responsible for Monitoring: Assistant Principal	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Meet with Safety Team prior to the start of 2021-2022 school year and establish duties for each. Strategy's Expected Result/Impact: Cohesive Safety Team that are prepared to deal with issues or drills that may arise. Staff Responsible for Monitoring: Assistant Principal	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

Goal 4: Westwood Junior High will strive to maintain are inviting, safe, and secure for the students, staff and visitors.

Performance Objective 3: The campus will provide training for all staff and inform parents of the policies and procedures for medical treatment plans, food allergy awareness and treatment, bullying, dating violence , and Stop the Bleed.

Evaluation Data Sources: Eduhero reports. Meeting sign-in sheets.

Strategy 1 Details	Reviews			
Strategy 1: Eduhero courses completed by staff. Strategy's Expected Result/Impact: Increased knowledge of policies and procedures. Staff Responsible for Monitoring: Administration , Nurse, Counselor	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Schedule parent trainings related to bullying including cyberbullying and sexting.	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

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Goal 5: Westwood Junior High adheres to district protocols and procedures to ensure financial stability and accuracy.

Performance Objective 1: Periodic reviews of budget expenditures that will ensure stability and continuity of services, supplies and resources throughout the school year.

Evaluation Data Sources: accurate budget expenditures, with no excessive expenditures

Strategy 1 Details	Reviews			
Strategy 1: Materials inventory kept up-to-date Strategy's Expected Result/Impact: Instructional needs readily available for teaching staff. Staff Responsible for Monitoring: Administrative Assistant	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Annual review of renewals and expenditures to ensure utilization and relevance to campus goals. Strategy's Expected Result/Impact: Efficiency in expenditures. Staff Responsible for Monitoring: Administration, Administrative Assistant	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

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Addendums

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Westwood Independent School District

Westwood High School

2021-2022 Campus Improvement Plan



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Mission Statement

Westwood ISD...We prepare future ready students in a positive and engaging educational environment.

At WISD, we believe:

1. In academic excellence for all students
2. In developing leaders at all levels
3. Every person is a leader--they lead from where they are
4. Our students want to excel and have pride in accomplishments
5. Pride and tradition are foundational to our success
6. Students have a place to belong
7. Parental involvement is welcome and parents are encouraged to have a voice
8. Our staff has an unbelievable desire to be excellent and to improve their craft on a daily basis
9. In being the best
10. We are all part of the Panther Family

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Vision

Westwood ISD...Where Panthers excel today and lead tomorrow

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Priority Problem Statements

Problem Statement 1: LEP and Spec Ed populations continue to score at or below state average on STAAR

Root Cause 1: Early implementation of inclusion model and very few teachers with ESL experience or certification

Problem Statement 1 Areas: Student Achievement

Problem Statement 2: Student TSI testing availability and passing rate needs to increase

Root Cause 2: Lack of early testing availability and poor preparation

Problem Statement 2 Areas: Student Achievement

Problem Statement 3: A lack of student/teacher involvement in groups, clubs, and academic and extracurricular activities

Root Cause 3: Staff retention issues that lead to inconsistent faculty leadership, sponsorship, and recruitment.

Problem Statement 3 Areas: School Culture and Climate

Problem Statement 4: Difficulties in staff recruitment remain an issue at the High School campus.

Root Cause 4: A lack of quality applicants to draw from in certain areas and an inability of new staff/coaches to commit long term to a district or continue to commute. 581

Problem Statement 4 Areas: Staff Quality, Recruitment, and Retention

Problem Statement 5: Inconsistent implementation of district wide instructional practices involving TEKS Resource, Eduphoria, data collection, and appropriate instructional rigor.

Root Cause 5: Transition into one to one instruction as well as synchronous learning slowed growth in these areas.

Problem Statement 5 Areas: Curriculum, Instruction, and Assessment

Comprehensive Needs Assessment Data Documentation

The following data were used to verify the comprehensive needs assessment analysis:

Improvement Planning Data

- District goals

Accountability Data

- Texas Academic Performance Report (TAPR) data
- Student Achievement Domain
- Student Progress Domain
- Closing the Gaps Domain
- Comprehensive, Targeted, and/or Additional Targeted Support Identification data
- Accountability Distinction Designations
- Federal Report Card Data

Student Data: Assessments

- STAAR released test questions
- Postsecondary college, career or military-ready graduates
- Advanced Placement (AP) and/or International Baccalaureate (IB) assessment data
- SAT and/or ACT assessment data
- PSAT

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Goals

Goal 1: Westwood High School teaches the Texas Essential Knowledge and Skills (TEKS) so that student scores, attendance, completion and graduation rates, and college and career readiness standards exceed state standards

Performance Objective 1: By May 2022 English STAAR scores will see a 10% increase towards the Approaches designation in all groups.

Targeted or ESF High Priority

Evaluation Data Sources: Local Assessments and STAAR data

Strategy 1 Details	Reviews			
Strategy 1: Adhere to TEKS Resource System and implement effective aligned instruction in the classroom Strategy's Expected Result/Impact: Create assessments and instruction aligned to appropriate State Standards in ELA Staff Responsible for Monitoring: Administration and Classroom Teachers TEA Priorities: Build a foundation of reading and math	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Train teachers on analyzing and breaking down the TEKS and implement strategies to deliver instruction at the necessary rigor Strategy's Expected Result/Impact: Steady growth in formal unit assessments Staff Responsible for Monitoring: Administration and Classroom Teachers	Formative			Summative
	Nov	Jan	Mar	June
Strategy 3 Details	Reviews			
Strategy 3: 3) Identify appropriate groupings of students to receive targeted instruction during 2nd Period Strategy's Expected Result/Impact: Measured growth of all groups on Benchmarks and Formal Assessments Staff Responsible for Monitoring: Campus Admin and Classroom Teachers	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Implement researched based instructional strategies through new PD opportunities geared toward English STAAR success Strategy's Expected Result/Impact: Students use new strategies focused on reading and writing skills. Staff Responsible for Monitoring: Dist/Campus Admin and Classroom Teachers	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

Goal 1: Westwood High School teaches the Texas Essential Knowledge and Skills (TEKS) so that student scores, attendance, completion and graduation rates, and college and career readiness standards exceed state standards

Performance Objective 2: Increase attendance rates to 97% for the 2021-22 school year.

Evaluation Data Sources: PIEMS reports/data

Strategy 1 Details	Reviews			
Strategy 1: PEIMS monitoring to identify students with attendance issues. Strategy's Expected Result/Impact: Prevent students from losing credit and/or Truancy issues/charges Staff Responsible for Monitoring: PEIMS director, Campus Admin, and campus PEIMS director	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Student incentives and awards each six weeks Strategy's Expected Result/Impact: Increase in attendance Staff Responsible for Monitoring: PEIMS and Admin	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify × Discontinue				

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Goal 2: Westwood High School recruits a highly effective teaching staff that is representative of the Westwood ISD student body and that is able to effectively meet the academic needs of our students as well as serve as positive role models.

Performance Objective 1: Retain 90% of overall HS staff by the end of 2021-22 school year (2018 saw 64% of staff loss and at the end of 2021 staff loss was at 15%)

Evaluation Data Sources: Signed Contracts 2021

Strategy 1 Details	Reviews			
Strategy 1: Recruit quality educators at local, state, and national online and on-site job fairs. Strategy's Expected Result/Impact: Qualified and effective administrators are hired and retained at the campus level. Staff Responsible for Monitoring: Campus administrators and teachers. TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Provide mentor opportunities to train new and/or struggling teachers and administrators. Strategy's Expected Result/Impact: Qualified and effective administrators are hired and retained at the campus level. Staff Responsible for Monitoring: Campus administrators and teachers. TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
				585
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

Goal 2: Westwood High School recruits a highly effective teaching staff that is representative of the Westwood ISD student body and that is able to effectively meet the academic needs of our students as well as serve as positive role models.

Performance Objective 2: Build staff instructional capacity through continued implementation and supervision of district instructional practices that build a teacher support system from admin and peers.

Evaluation Data Sources: T-TESS reports, Get Better Faster model, and staff mentoring programs

Strategy 1 Details	Reviews			
Strategy 1: Implementation of the Observation Feedback model by Instructional coach and administrators. Strategy's Expected Result/Impact: Provide staff the opportunity to share effective instructional strategies among their peers. Staff Responsible for Monitoring: Campus and district teachers and administrators. TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Create and provide a structured PLC model that provides guidance for all departments' planning days. Strategy's Expected Result/Impact: Campus departments provide support of new and veterans teachers. Staff Responsible for Monitoring: Campus and district teachers and administrators. TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
				586
Strategy 3 Details	Reviews			
Strategy 3: Provide all new and/or struggling teachers with trained mentors in a structured and tracked mentorship program. Strategy's Expected Result/Impact: New teachers will provide quality education to their students. Staff Responsible for Monitoring: Campus and district teachers, administrators, and mentors.	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

Goal 3: Westwood High School supports all student populations and student programs towards CCMR. The graduating class of 2022 will see 95% of all seniors with an accountability point.

Performance Objective 1: By May 2022 95% of juniors will have taken all parts of the TSI test.

Evaluation Data Sources: TSI scores, implementation and grades from English and Math college prep programs, and Dual Credit scores.

Strategy 1 Details	Reviews			
Strategy 1: Continue to grow course offerings through the Dual Credit Partnership with TVCC and increase 10th grade dual credit enrollment. Strategy's Expected Result/Impact: Graduating seniors can have as many as 36 or more college credit hours/reach more students through dual credit and 6 hour requirement Staff Responsible for Monitoring: Dist/Campus Admin and HS Counselor	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Offer TSI testing to all seniors and retest opportunities as a TSI approved testing center Strategy's Expected Result/Impact: Increase total number of students reaching TSI passing standards. Staff Responsible for Monitoring: counselor, campus admin	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify × Discontinue 587				

Goal 3: Westwood High School supports all student populations and student programs towards CCMR. The graduating class of 2022 will see 95% of all seniors with an accountability point.

Performance Objective 2: By May 2022 four of the 7 CTE pathways will establish and maintain community partnerships for field experience.

Evaluation Data Sources: CTE and TEA pathway guidelines and completion data.

Strategy 1 Details		Reviews			
Strategy 1: Continue to implement CTE strands that lead into industry based/TEA approved certification opportunities. Strategy's Expected Result/Impact: Allow students to complete industry certifications in areas such as CNA, Tech based certs, and Vet Tech/Welding Staff Responsible for Monitoring: Campus admin, special programs coordinator, CTE teachers		Formative			Summative
		Nov	Jan	Mar	June
 No Progress  Accomplished  Continue/Modify  Discontinue					

Goal 3: Westwood High School supports all student populations and student programs towards CCMR. The graduating class of 2022 will see 95% of all seniors with an accountability point.

Performance Objective 3: Pre AP/AP courses and teachers will align PD and curriculum to better prepare students for the rigor of Dual Credit and AP exams.

Evaluation Data Sources: Dual Credit passing rates as well as AP pass rates.

Strategy 1 Details	Reviews			
Strategy 1: Pre AP/AP teachers will attend new College Board training to receive curriculum and instructional strategies to better prepare and align to AP tests. Strategy's Expected Result/Impact: Raised rigor and passing numbers in AP tests such as World History, Biology, and Calculus Staff Responsible for Monitoring: Campus/Dist Admin, classroom teachers	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify × Discontinue				

Goal 3: Westwood High School supports all student populations and student programs towards CCMR. The graduating class of 2022 will see 95% of all seniors with an accountability point.

Performance Objective 4: By May 2022 the Inclusion Model will continue to progress to help increase Special Ed STAAR scores by 10% in all areas towards the Approaches designation.

Evaluation Data Sources: RTI data, Weekly meetings with Inclusion updates, local assessment scores, STAAR scores.

Strategy 1 Details	Reviews			
Strategy 1: Continue to utilize the COOP and Region 7 for inclusion support for teachers in Math and English Strategy's Expected Result/Impact: Create a team teaching model that integrates supports for students in need while maintaining an appropriate level of rigor Staff Responsible for Monitoring: Dist/campus admin, Spec Ed COOP, inclusion and classroom teachers	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Math and English Inclusion teachers will be involved in weekly department meetings and planning days. Strategy's Expected Result/Impact: Incremental increases in formal assessments and benchmarks as well as RTI data Staff Responsible for Monitoring: Campus/ Dist Admin, inclusion and classroom teachers in math and English	Formative			Summative
	Nov	Jan	Mar	June
 0%  100%   No Progress Accomplished Continue/Modify Discontinue 590				

Goal 4: Westwood High School follows district guidelines and procedures set forth for monitoring budgets, grant money, and expenses so that resources remain available for proper academic operations.

Performance Objective 1: Periodic reviews of grant money and overall expenditures to ensure that funds are being properly utilized in appropriate areas.

Evaluation Data Sources: Monthly budget reports.

Goal 4: Westwood High School follows district guidelines and procedures set forth for monitoring budgets, grant money, and expenses so that resources remain available for proper academic operations.

Performance Objective 2: Staff will receive ongoing training in timely and effective ways to request and obtain funds.

Evaluation Data Sources: Travel requests, Activity Account Disbursements, department budget requests, and grant money requests

Strategy 1 Details	Reviews			
Strategy 1: Create in person training and video postings of proper district approved steps in requesting and obtaining funds as well as travel Strategy's Expected Result/Impact: Timely requests for funds and travel by all staff Staff Responsible for Monitoring: Admin Assistant, campus princ, dist financial advisor, dist C&I TEA Priorities: Recruit, support, retain teachers and principals	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify × Discontinue				

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Goal 5: Westwood High School will maintain and operate facilities that promote a safe and healthy environment for all students.

Performance Objective 1: By May 2022 100% of all district and state safety drills will have been completed and documented.

Evaluation Data Sources: State documentation sheets.

Strategy 1 Details	Reviews			
Strategy 1: Monthly and yearly safety procedures will be put on the campus calendar and executed and involve all staff and students Strategy's Expected Result/Impact: Create awareness and proficiency in execution of drills Staff Responsible for Monitoring: Asst Principal, Princ, Maintenance Director	Formative			Summative
	Nov	Jan	Mar	June
 0%  100%  Continue/Modify  Discontinue No Progress Accomplished				

Goal 5: Westwood High School will maintain and operate facilities that promote a safe and healthy environment for all students.

Performance Objective 2: By May 2022 there will be a 10% decrease in discipline violations resulting in a loss of class time (DAEP, Suspension, or ISS).

Evaluation Data Sources: Skyward entries and PIEMS data

Strategy 1 Details	Reviews			
Strategy 1: Regular admin walk-throughs in classes as well as peer observations and mentoring of struggling teachers Strategy's Expected Result/Impact: Decrease classroom referrals Staff Responsible for Monitoring: Classroom teachers, Admin	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify × Discontinue				

Addendums

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Westwood Independent School District

District Improvement Plan

2021-2022



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Mission Statement

Westwood ISD... We prepare future ready students in a positive and engaging educational environment.

Vision

Westwood ISD... Where Panthers excel today and lead tomorrow.

Core Beliefs

At WISD, we believe:

In academic excellence for all students
In developing leaders at all levels
Every person is a leader - they lead from where they are
Our students want to excel and have pride in accomplishments
Pride and tradition are foundational to our success
Students have a place to belong
Parental involvement is welcome and parents are encouraged to have a voice
Our staff has an unbelievable desire to be excellent and to improve their craft on a daily basis
In being the best
We are all a part of the Panther family

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Goal 6: Westwood ISD plans to continually upgrade facilities to include new technology and provide a safe and healthy environment for all students.	31
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Comprehensive Needs Assessment

Demographics

Demographics Summary

The Westwood Independent School District students are described in the attached 2019-2020 TAPR report on pages 23 and 24. The report displays both the State of Texas and WISD. The student attendance rate has stayed consistent around the 95.6%. This rate is equal to or higher than the regional and state rate. Campuses offer proactive incentives encouraging students to attend school and educate parents on the importance of consistent school attendance. Campuses present perfect attendance awards at the end of the school year and on awards nights to recognize students for their hard work and efforts. As part of campus intervention for students with attendance problems, PEIMS clerks send home warning letters, call parents, and schedule attendance meetings with the parents to increase awareness of potential attendance issues. On every campus, the attendance committee has been formed to consider attendance issues and prevent truancy.

Programs for special student populations continue to be an area of focus for all campuses. Teachers are being challenged to increase their certifications to include English as a Second Language (ESL), Special Education, and training in other high-demand areas such as Gifted and Talented (GT). In the 2019-20 school year, the district served 212 students with disabilities.

The district currently serves 92 English learners through an English as a Second Language program. In the school year 2019-20, zero of the 84 identified ELs met reclassification criteria. Of the 84 students, 22 were served through a content-based program, 50 through a pull-out program, and 12 through an alternative language program. The alternative language program is in place due to some students not being served by an ESL certified teacher during the school year. Although not certified, these teachers are required to go through Sheltered Instruction training provided by the regional service center. 599

The district currently serves 42 Gifted & Talented students. Students are identified through a referral and formal assessment process. GT-trained classroom teachers teach identified gifted learners.

According to the latest data on the 2019-2020 TAPR, 26.9% of the WISD student population are identified as students with disabilities.

Based on the past two years of data, there is a decrease in the retention of highly qualified teachers. The staff retention rate for 2018-2019 was 63%, and 2017-2018 was 68%. Providing quality staff development both on- and off-site, district funding of specialized certification areas, continuing quality intensive mentoring programs, increase payment of campus mentors, the addition of district instructional coaches, weekly team/grade level meetings for instructional planning as well as other programs will continue to build and grow.

The last district average for teacher's salaries was \$40,781, which is \$13,341 less than the state average. WISD has a lower teaching salary than surrounding schools. Some additional stipends are offered but not bonus pay.

Strategies and structures are in place to build capacity at the WISD mentoring program. The district will continue to strive to offer common planning periods for department and grade levels and implement district and campus vertical alignment days. District and campus administration support and regional support with enhanced course offerings to better curriculum and instruction. In the Summer of 2021, WISD will continue to offer Westwood University face-to-face, providing high-quality professional development options.

Demographics Strengths

WISD has a held high attendance rate of 96% for the past 5 years.

The staff demographics are beginning to mirror the student demographics.

Problem Statements Identifying Demographics Needs

Problem Statement 1: The district's mobility percentage is at 16.1%. This is above the state average at 15.3%. **Root Cause:** The district does not fully implement teacher training and programs and services that attract and keep students from all demographics.

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Student Learning

Student Learning Summary

- Diagnostically, students' understandings are checked, and subsequent instruction is planned.
- TEA's Data-Driven Instruction model is being used in K-12 (emphasized in the 2019-2020 school year in tested subjects) to ensure re-teach low-tested TEKS. Exit tickets are created, used, and evaluated to monitor student performance (growth).
- Instructional coaches have been added to the WISD teaching and learning team to assist campuses and teachers with teaching and learning, data, re-teachers, professional development, and much more. (19-20 school year)
- Implementation of a new ELAR curriculum from kindergarten through eighth grade. (during the 19-20 school year)
- Extensive ELAR training for Kindergarten through eighth-grade teachers was held in the district, emphasizing reader/writer workshop instructional model, phonics, and guided reading. (19-20 school year)
- Consulting with ELAR specialist on implementation of curriculums Kindergarten through eighth grade. (19-20 school year)
- Implementation of Exploros in grades 4-8 for social studies contents supplemental resources and training for teachers. (2021-2022 school year)
- Implementation of PK-high school STEMScopes Science to assist with science instruction as well as training for teachers plus the addition of STEMScopes Math for grades K-5. (2021-2022 school year)
- TEXguides and Implementing the TEKS Resource System pacing guides were implemented to assist teachers with pacing sequences and activities. (19-20 school year)⁶⁰¹
- Hired Response to Intervention (RTi) director for all campuses to assist with tracking student progress, tiering student levels, implementation of remediation, and behavior intervention.
- Implementation of Exact Path remediation in RTi tier 2 students in the classroom on the Elementary (math only), Junior High, and High School campuses.
- Implementation of additional guided reading for tier 2 students at the primary and elementary to intervene with reading.
- Implementation of Freckle math for the supplement at the Primary and Elementary campuses.
- Continuation of LLI (Leveled Literacy Intervention) for Primary and Elementary campuses for tier 3 reading RTi.
- Assessment of learning, or summative assessment, provides teachers and students with information about the attainment of content knowledge.
- Formative assessments are embedded into the district curriculum for each unit. These formative assessments help the teacher gauge the level of learning for each unit. Examples of formative assessments are projects and performances, writing assignments, tests, hands-on learning, and asking questions.
- Looking district-wide from 2018 and 2019 STAAR assessments, gains are visible across all reporting categories (approaches, meets, masters) for science and social studies.

Student Learning Strengths

- The graduation rate is 6.1% higher than the state average.
- RHSP/SAP/FHSP-E/FHSP-DLA Graduates increased for the district by .2% and is 4.2% higher than the state average.
- College, Career, and Military Readiness increased from 5.5% from the 2017-2018 school year to the 2018-2019 school year.
- Dual credit - credits earned are 6.1% higher than the state average.
- Career/Military Ready graduates increased from 33.7% in 2018 to 46.6% in 2019 and are 6.5% higher than the state average.
- Graduates with completed IEP and Workforce Readiness increased from 5.9% in 2018 to 8.3% in 2019 and is 6% higher than the state average.
- Graduates completing a CTE Coherent Sequence of coursework aligned with Industry-Based Certifications increased from 46.5% in 2018 to 77.8% in 2019, leading the state average by 22.2%.
- Graduates completing CTE coherent Sequence increased 3.9% from 2018 (82.2%) to 2019 (86.1%), leading the state by 27.1%.
- TSIA results for Reading increased drastically for the subject area of reading from 46.5% in 2018 to 55.6% in 2019. Mathematics and both subject areas held a steady increase. Both reading and math combined to lead the state average by 17.3%
- Both SAT and ACT Scores increased to be equal or comparable to the state average.

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Problem Statements Identifying Student Learning Needs

Problem Statement 1: Student performance from third grade to high school is consistently below the region and state averages. **Root Cause:** Inconsistency of reading curriculum and Tier 1 instruction across grade levels and campuses.

Problem Statement 2: Student performance from third-grade to seventh-grade scores are lower than the region and state averages. **Root Cause:** Inconsistency of data-driven instruction across grade levels from K-12th grade.

District Processes & Programs

District Processes & Programs Summary

Instructional/Curricular (Offered within the district on various campuses)

WISD partners with a variety of companies/programs to assist students and also partners with Anderson County Special Education Co-Op to assist our special education student population. Campus counseling services and related assistance is available, along with offering PRS (pregnancy-related services) for WISD students. The increase of Industry-Based Certification offerings continues at the high school level. Outside community services include ACCESS and outside counseling, therapist, and psychologist as needed.

In the 2019-2020 school year, each campus underwent the Effective School Framework needs assessment. Campus administration worked collaboratively to create a small or large gap approach for the identified areas. The campuses will utilize data to implement into daily leadership and data-driven instruction. ESF framework will be reflected in campus needs assessment as well as improvement plans.

Curriculum Programs:

- TEKS Resource System as a district curriculum utilizing pacing guides and TEXGuides for aligned activities
- Renaissance Learning for Reading and Mathematics Assessment + online ebooks for PK-8th grade
- Pre-Kindergarten-Circle Testing
- Kindergarten-second grade - TPRI assessment (mClass)
- Imagine Learning (ESL support)
- Brain Pop (all campuses)
- Discovery Education (All campuses)
- STEMScopes Math and Science plus kits for the 2021-2022 school year to utilize as a supplement with specific TEKS in TEKS Resource System.
- Exploros for grades 4-8th to assist with specific TEKS in TEKS Resource System for social studies instructional content.
- Edmentum (Exact path, Study Island, Plato, ESL Reading Smart)
- Flocabulary (elementary only)
- Benchmark Ready to Advance for PK
- Benchmark Assessment System for ELAR RTi intervention point of data and guidance for guided reading for grades K-5.
- Fountas and Pinnell Classroom + Guided Reading for grades K-5
- Lucy Calkins Reader/Writer Workshop + Classroom libraries and book clubs for grades 6-8.
- Classroom libraries and book clubs from Booksource for grades 9-12

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-HARCOURT

-PEARSON

-MCGRAW HILL

-*Intervention*: Fountas and Pinnell: Leveled Literacy Intervention and Guided Reading (grades 1-6)

Personnel (recruit/support/retain)

- Recruitment and Retention bonuses in the fall and spring semester.
- New Teacher Academy (3 days) for all new staff to the district
- Free Pre-Kindergarten for staff children
- Mentor teacher/program for NTP teachers
- Point of Contact for seasoned teachers new to the district
- New to Profession (NTP) Meetings at the central office (monthly) (one hour each)
- Campus and district-level coaching and support to complete certifications, requirements, and help in the classroom
- Instructional coaching assistance by the WISD teaching and learning team
- Eduhero online professional learning (district-wide)

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Administrative

-New Principals Academy (via ESC 7)

-Administrative Organizations / Conferences for professional development

(TEPSA, TASSP, TASA, TCWSE)

District Processes & Programs Strengths

-Westwood ISD uses the TEKS Resource System, which is aligned to the TEKS and ELPS, as a set curriculum.

-District vertical alignment days were continued and transition into planning days for horizontal alignment between teams for the 2020-2021 and 2021-2022 school year allowing teachers more time for preparation.

- All campuses implemented intervention during the school day for reading/mathematics.
- Westwood Primary and Elementary implemented a standard intervention block for all grade levels on the master schedule.
- Westwood Elementary implemented PAATH class as a special rotation to assist with extending the learning due to COVID-19.
- Westwood ISD has focused on RtI across all four campuses with the help of the RTi Director.
- High School, Junior High School, Elementary, and Primary Campuses implemented PLCsfor all subject/grade levels.
- Utilization of instructional coaches across the district with a focus on core subjects (reading and mathematics)
- Pre-k through 8 recently adopted a new ELAR curriculum that has an emphasis on balanced literacy.
- District PD provided throughout the school year on identified needs
- Westwood Primary School implemented a Robotics Program for GT students.

Problem Statements Identifying District Processes & Programs Needs

Problem Statement 1: All campuses are currently performing lower than the region and state percentages on state assessments. **Root Cause:** Implementation of various new programs across the district without time to systemically implement and show evidence of growth in student learning due to COVID-19.

Perceptions

Perceptions Summary

Instructional, Curricular, Personnel (recruit/support/retain), Organizational, and Administrative:

WISD programs and processes include the Skyward student management system, parent meetings sign-in sheets, scheduled parent conferences, family engagement, community food program grants, district, and community Google surveys.

Current Communication Model:

WISD Audiences:

- Internal:
 - Pre-K - 12th Grade students
 - WISD Staff (district, campus, auxiliary, paraprofessional, professionals, substitutes, and volunteers)
 - WISD Board of Trustees
- External:
 - Parents
 - Taxpayers
 - Stakeholders
 - Media
 - Civic/Business Leaders
 - Neighborhood Groups / Realtors
 - Prospective Residents of the District
 - Neighboring School Districts
 - Legislators

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WISD Communication Channels (Both Internal and External):

- The Westwood ISD website (www.westwoodisd.net)
- Individual campus websites

- Westwood ISD Facebook/Twitter Accounts/Instagram/YouTube
- "Westwood Way" SMORE by the superintendent
- Eduphoria/Skyward
- Local Media (Palestine Herald Press, KYYK, 98.3)
- Community Surveys (Posted on the district/campus website and sent through school messenger)
- Safe School - online reporting platform open to the public
- SMORE
- Parent Square APP and Website for all communication

Perceptions Strengths

- A plan for the future is in place which includes evaluation of building use and technical applications.
- The district uses many means of communication in order to keep students, teachers, and families apprised of school programs and plans.
- Teachers are provided in-service opportunities in order to “backward plan” in order to more prepare students to successfully master the teaching objectives. 607
- Teachers are encouraged to find ways to praise student success. *New teachers are provided mentors and administrative support.
- Teachers are given feedback via leadership walks and learning walks, in which administrators and instructional leaders provide help to teachers with regard to meeting state standards.
- WISD schools are proactive in creating a warm and friendly environment for both staff and students.
- Syncing capabilities for Synchronous learning by students who are Home Based Learners.

Problem Statements Identifying Perceptions Needs

Problem Statement 1: There is a need to increase awareness and opportunities to cultivate partnerships between schools, families, and the community. **Root Cause:** Families and communities lack awareness of becoming more involved in cultivating partnerships with campuses or the district.

Priority Problem Statements

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Comprehensive Needs Assessment Data Documentation

The following data were used to verify the comprehensive needs assessment analysis:

Improvement Planning Data

- District goals
- Campus goals
- HB3 Reading and math goals for PreK-3
- HB3 CCMR goals
- Performance Objectives with summative review (prior year)
- Campus/District improvement plans (current and prior years)
- Planning and decision making committee(s) meeting data
- State and federal planning requirements
- Covid-19 Factors and/or waivers

Accountability Data

- Texas Academic Performance Report (TAPR) data
- Student Achievement Domain
- Student Progress Domain
- Closing the Gaps Domain
- Effective Schools Framework data
- Comprehensive, Targeted, and/or Additional Targeted Support Identification data
- Accountability Distinction Designations
- Federal Report Card Data
- RDA data
- Alternative Education Accountability (AEA) data
- Local Accountability Systems (LAS) data

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Student Data: Student Groups

- Race and ethnicity data, including number of students, academic achievement, discipline, attendance, and progress
- Special programs data, including number of students, academic achievement, discipline, attendance, and progress
- Economically Disadvantaged / Non-economically disadvantaged performance, progress, and participation data
- Male / Female performance, progress, and participation data
- Special education/non-special education population including discipline, progress and participation data
- Migrant/non-migrant population including performance, progress, discipline, attendance and mobility data
- At-risk/non-at-risk population including performance, progress, discipline, attendance, and mobility data
- EL/non-EL or LEP data, including academic achievement, progress, support and accommodation needs, race, ethnicity, gender, etc.
- Career and Technical Education (CTE) data, including coherent sequence coursework, program growth and student achievement by race, ethnicity, gender, etc.
- Section 504 data
- Homeless data
- Gifted and talented data
- Dyslexia Data
- Response to Intervention (RtI) student achievement data

- Dual-credit and/or college prep course completion data
- Pregnancy and related services data

Student Data: Behavior and Other Indicators

- Completion rates and/or graduation rates data
- Annual dropout rate data
- Attendance data
- Mobility rate, including longitudinal data
- Discipline records
- Violence and/or violence prevention records
- Tobacco, alcohol, and other drug-use data
- Student surveys and/or other feedback
- Class size averages by grade and subject
- School safety data
- Enrollment trends

Employee Data

- Professional learning communities (PLC) data
- Staff surveys and/or other feedback
- Teacher/Student Ratio
- State certified and high quality staff data
- Campus leadership data
- Campus department and/or faculty meeting discussions and data
- Professional development needs assessment data
- Evaluation(s) of professional development implementation and impact
- TTESS data
- T-PESS data

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Parent/Community Data

- Parent surveys and/or other feedback
- Parent engagement rate
- Community surveys and/or other feedback

Goals

Goal 1: Westwood ISD aspires to develop students who display strong character and are logical, ethical decision makers.

Performance Objective 1: By May 2022, character education, social-emotional guidance, and discipline referrals will show a decrease of 10% in disciplinary classroom removals.

Evaluation Data Sources: Discipline Referral Data (Skyward, TSDS)

Strategy 1 Details	Reviews			
Strategy 1: Implement a character program for K-12 to emphasize and promote positive character traits. Strategy's Expected Result/Impact: Positive behavior reinforcement characteristics in students. Staff Responsible for Monitoring: District Administration Campus Administration Campus counselors	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Explore research based programs and implement those that will prevent and decrease incidents related to mental health, suicide, harassment, bullying, and dating violence. Strategy's Expected Result/Impact: Students will have a clear understanding of proper social interactions and well being. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselors Campus Teachers	Formative			Summative
	Nov	Jan	Mar	June
				611
Strategy 3 Details	Reviews			
Strategy 3: The SHAC shall meet on a regular basis to review and make recommendations pertaining to the Coordinated School Health Program, policies, and additional health related programs. Strategy's Expected Result/Impact: District will be a healthy and safe environment for all stakeholders. Encouragement of parent involvement will increase throughout the school year. Staff Responsible for Monitoring: District Administration Federal/Special Programs Director School nurse(s) SHAC Committee	Formative			Summative
	Nov	Jan	Mar	June

Strategy 4 Details		Reviews			
Strategy 4: All WISD campuses will participate in age appropriate community service programs. Strategy's Expected Result/Impact: Instill the importance of public service to the local community in both students and staff. Staff Responsible for Monitoring: Campus Administration Campus School Organizations Parent Volunteers Campus Counselors		Formative			Summative
		Nov	Jan	Mar	June
Strategy 5 Details		Reviews			
Strategy 5: Explore various district and community opportunities to recognize students, staff members, and stakeholders for exhibiting positive character traits. Strategy's Expected Result/Impact: Exposure of positive character traits in the community from our students and others who are showcased; therefore, increasing the display of positive characteristics in others. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselors Campus Teachers		Formative			Summative
		Nov	Jan	Mar	June
Strategy 6 Details		Reviews			
Strategy 6: Recruit knowledgeable and motivational speakers and/or programs to provide positive character examples to students and staff. Strategy's Expected Result/Impact: To give students and staff exposure to various positive interactions throughout the school year resulting in higher morale across the district. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselors		Formative			Summative
		Nov	Jan	Mar	June
Strategy 7 Details		Reviews			
Strategy 7: Sustain the district comprehensive guidance plan to coordinate activities and goals among campuses. Strategy's Expected Result/Impact: To sustain a vertically aligned guidance plan that will be exposed to all students throughout the district. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselors		Formative			Summative
		Nov	Jan	Mar	June

Strategy 8 Details	Reviews			
Strategy 8: Develop a calendar of events targeting Energy Bus principles, strategies and team-building activities throughout the school year at both the campus and district level. Strategy's Expected Result/Impact: Provide continued activities that focus on personal responsibility and positivity. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselors	Formative			Summative
	Nov	Jan	Mar	June
Strategy 9 Details	Reviews			
Strategy 9: Continue implementation of the ESTEEM program in grades 5-9. This curriculum addresses in-depth 12 risky behaviors and 9 character-building skills as well as many other pertinent topics. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselors Teachers	Formative			Summative
	Nov	Jan	Mar	June
Strategy 10 Details	Reviews			
Strategy 10: Continued implementation of Pregnancy-Related Services for students who are pregnant and/or in the postpartum period to the student adjust academically, mentally, and physically to stay in school. Strategy's Expected Result/Impact: The student is provided with support from the district that will help keep them from dropping out of school. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselors Teachers	Formative			Summative
	Nov	Jan	Mar	June
				613
0% 100% → ✗ No Progress Accomplished Continue/Modify Discontinue				

Goal 2: Westwood ISD will build a strong academic foundation better preparing students for college, career, and military readiness (CCMR).

Performance Objective 1: By the end of the 2021-2022 school year; 100% of students in each subgroup will show growth in both the reading and mathematics state assessments.

Targeted or ESF High Priority

Evaluation Data Sources: STAAR state assessment results reflecting subgroups in the State Accountability, RDA and TAPR report

Strategy 1 Details	Reviews			
Strategy 1: Utilize TEKS Resource System aligned curriculum with Implementing the TEKS pacing tools and TEXGuide activities to ensure alignment of instructional delivery based on TEKS with an emphasis on the performance assessments to monitor student growth. Strategy's Expected Result/Impact: Monitoring growth between performance assessments in TEKS Resource System units and re-teaches. Staff Responsible for Monitoring: District Administration Campus Administration Instructional Coaches Classroom Teachers ESC 7 - Curriculum Specialists	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Reimplement a cohesive district assessment calendar for 2021-2022, including CBA (curriculum-based assessments), local benchmarks, Benchmark Assessment BOY/MOY/EOY, TPRI, CLI Engage Circle, and AP, SAT, ACT, TSIA, and any other exams used to monitor student growth and progress. Strategy's Expected Result/Impact: To create consistency and awareness across the district related to local and state assessments. Staff Responsible for Monitoring: District Administration Campus Administration Instructional Coaches District Testing Coordinator Teacher Leaders	Formative			Summative
	Nov	Jan	Mar	June

Strategy 3 Details	Reviews			
Strategy 3: Increase use of both local and state data collected to provide evidence of learning to assist with targeted intervention. Strategy's Expected Result/Impact: Targeted intervention groups created to increase student growth in both reading and mathematics. Staff Responsible for Monitoring: District Administration Campus Administration Instructional Coaches RTI Director RTI Interventionist Classroom Teachers Instructional Support Staff	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Utilize and continue various campus intervention programs to assist at-risk students with academic success in english language arts and reading as well as mathematics. Strategy's Expected Result/Impact: Students served through intervention programs will show growth on both local and state assessments. Staff Responsible for Monitoring: District Administration Campus Administration RTi Director Campus Counselors Classroom Teachers Title I Staff Paraprofessionals	Formative			Summative
	Nov	Jan	Mar	June
				615
Strategy 5 Details	Reviews			
Strategy 5: Provide continued professional development, coaching, and modeling of both instructional strategies and technology. Strategy's Expected Result/Impact: Increase usages of instructional programs, applications, and usage of available technology devices across district classrooms. Staff Responsible for Monitoring: District Administration Campus Administration Instructional Coaches Technology Staff Teacher Leaders	Formative			Summative
	Nov	Jan	Mar	June

Strategy 6 Details	Reviews			
Strategy 6: Provide administrators, teachers, and paraprofessionals high quality, ongoing professional development aligned to the TEKS that is student-centered and student led. Strategy's Expected Result/Impact: Ensure quality instruction as shown on T TESS and data. Staff Responsible for Monitoring: District Administration Campus Administration Teachers	Formative			Summative
	Nov	Jan	Mar	June
Strategy 7 Details	Reviews			
Strategy 7: Continue participation in Title III SSA with Region 7 ESC for services to ensure high academic standards for LEP students. (PBMAS) Staff Responsible for Monitoring: District Administration Campus Administration	Formative			Summative
	Nov	Jan	Mar	June
Strategy 8 Details	Reviews			
Strategy 8: Continue to refine current processes and instruction across the district for RtI that adheres to addressing student learning needs. Strategy's Expected Result/Impact: Reduction of the number of students served in Tier two and three . Staff Responsible for Monitoring: Campus Administration District RtI coordinator Campus RtI Teachers Results Driven Accountability	Formative			Summative
	Nov	Jan	Mar	June
				616
Strategy 9 Details	Reviews			
Strategy 9: Partner with inclusion specialist to implement inclusion strategies assisting students served through Special Education, Section 504, and ESL with grade-level curriculum and testing. Strategy's Expected Result/Impact: Consistency of instruction and use of designated supports daily. Staff Responsible for Monitoring: District Administration Campus Administration Anderson County Special Education Co-op Diagnosticians Counselors Testing Specialist Campus Teachers Results Driven Accountability	Formative			Summative
	Nov	Jan	Mar	June

Strategy 10 Details	Reviews			
Strategy 10: Continue the Action Coaching framework with instructional coaches across the district assisting teachers with teaching and learning strategies by modeling, coaching, and feedback resulting in higher student engagement. Strategy's Expected Result/Impact: Growth of students in both reading and mathematics as well as student engagement as shown by discipline referrals. Staff Responsible for Monitoring: District Administration Campus Administration Instructional Coaches Results Driven Accountability	Formative			Summative
	Nov	Jan	Mar	June
Strategy 11 Details	Reviews			
Strategy 11: Pilot the implementation of student-led parent conferences focusing on reading and mathematics progress in multiple grade levels. Strategy's Expected Result/Impact: Student ownership of progress and parent support/engagement Staff Responsible for Monitoring: District Administration Campus Administration Instructional Coaches Teachers	Formative			Summative
	Nov	Jan	Mar	June
0% No Progress 100% Accomplished → Continue/Modify × Discontinue				

Goal 2: Westwood ISD will build a strong academic foundation better preparing students for college, career, and military readiness (CCMR).

Performance Objective 2: Westwood ISD will implement measures to increase the number of students that meet college, career, and military readiness standards (CCMR).

Evaluation Data Sources: Increased number of student enrollment in post-secondary institutions, number of students intending to enlist in the military, Industry-Based Certifications and endorsements, and increase participation and performance on TSI, SAT, ACT, and ASVAB.

Strategy 1 Details	Reviews			
Strategy 1: Enhance professional development to inform faculty of CCMR standards and develop campus specific plans for implementation. Strategy's Expected Result/Impact: CCMR standards will be implemented in daily teaching and learning. Staff Responsible for Monitoring: Campus Administration Campus Counselors College and Technical Career Education Department (CTE)	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Create a Programs of Study for students and parents including information about each high school pathway, courses, aligned dual credit courses, industry-based certificates, and workforce information including potential jobs and pay to better prepare students for post-secondary education. Strategy's Expected Result/Impact: Students will understand how to be better prepared for their post-secondary setting. Staff Responsible for Monitoring: District Administration CTE Coordinator Campus Administration Campus Counselors Campus Staff	Formative			Summative
	Nov	Jan	Mar	June
				618
Strategy 3 Details	Reviews			
Strategy 3: Provide an informational parent guide consisting of meetings, dates, and upcoming opportunities. (ie. College application procedures, FASFA application, scholarship opportunities, available industry based certifications, and military careers. Strategy's Expected Result/Impact: Parents and students will be informed of possible post-secondary opportunities with an increase in participation. Staff Responsible for Monitoring: Campus Administrators CTE Coordinator Counselors	Formative			Summative
	Nov	Jan	Mar	June

Strategy 4 Details	Reviews			
Strategy 4: Host College Week throughout the district. Encourage all students and employees to wear college colors all week. Strategy's Expected Result/Impact: The district will have a culture of college, career and military awareness and readiness. Staff Responsible for Monitoring: District Administration Campus Administration CTE Coordinator Campus Counselors	Formative			Summative
	Nov	Jan	Mar	June
Strategy 5 Details	Reviews			
Strategy 5: Continue to pay for students' first attempt at SAT/ACT tests or TSI upon completion of online prep sessions, as available, to better prepare students for the exams. Offer ASVAB for all interested students. Strategy's Expected Result/Impact: Students will be better prepared for college and military. Staff Responsible for Monitoring: Campus Administrator Campus Counselors	Formative			Summative
	Nov	Jan	Mar	June
Strategy 6 Details	Reviews			
Strategy 6: Continue Dual-Credit partnerships with local colleges/universities. Strategy's Expected Result/Impact: Students will graduate from high school having already completed several college courses. Staff Responsible for Monitoring: Campus Administration Campus Counselors	Formative			Summative
	Nov	Jan	Mar	June
				619
Strategy 7 Details	Reviews			
Strategy 7: Increase PAP and AP course offerings for students and training for appropriate staff members. Strategy's Expected Result/Impact: Higher pass rate of students on the AP exam. Staff Responsible for Monitoring: Campus Administration Campus Counselors Campus Teachers	Formative			Summative
	Nov	Jan	Mar	June
Strategy 8 Details	Reviews			
Strategy 8: Create an age-appropriate college and career fair to enhance student connection to real world opportunities in grades K-12. Strategy's Expected Result/Impact: Deeper exposure to college and career opportunities for students.	Formative			Summative
	Nov	Jan	Mar	June

Staff Responsible for Monitoring: District Administration Campus Administration CTE Coordinator Campus Counselors					
0% No Progress		100% Accomplished	→ Continue/Modify	× Discontinue	

Goal 3: Westwood ISD will recruit, support, and retain teachers and principals through a systemic evaluation process resulting in a decrease in teacher and principal turnover rate.

Performance Objective 1: 100% of all students will be taught by highly effective and qualified teachers as well as paraprofessionals will be high quality and SBEC certified.

Evaluation Data Sources: Certification data of teachers from SBEC, Equity Plan

Strategy 1 Details	Reviews			
Strategy 1: Provide professional development to all new paraprofessionals to ensure high quality assistance. Strategy's Expected Result/Impact: Students and teachers will be provided with high quality assistance from paraprofessionals. Staff Responsible for Monitoring: District Administration Human Resource Specialist Campus Administrators Administrative Assistants	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Westwood ISD will pay above the state-base for certified teachers to attract quality applicants. Strategy's Expected Result/Impact: Westwood ISD will attract high quality applications by paying above state -base. Staff Responsible for Monitoring: Superintendent District Administration Payroll Department	Formative			Summative
	Nov	Jan	Mar	June
				621
Strategy 3 Details	Reviews			
Strategy 3: Continue to provide extra local leave days for staff use and to offer a "Buy Back" plan for unused local leave days. Strategy's Expected Result/Impact: Staff will use local leave days only when necessary resulting in high staff attendance. Staff Responsible for Monitoring: Superintendent Payroll Department	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Plan and execute Campus and District employee celebrations. Strategy's Expected Result/Impact: Higher staff morale. Staff Responsible for Monitoring: District Administration Campus Administration Campus Action Teams	Formative			Summative
	Nov	Jan	Mar	June

Strategy 5 Details	Reviews			
Strategy 5: Encourage enrollment and participation in "Ready, Set, Teach" program to prepare students to pursue a teaching degree and certification. Strategy's Expected Result/Impact: Students will pursue an education in teaching and return to Westwood ISD to teach. Staff Responsible for Monitoring: District Administration Campus Administration Campus Counselors	Formative			Summative
	Nov	Jan	Mar	June
Strategy 6 Details	Reviews			
Strategy 6: Conduct recruitment activities to ensure highly qualified personnel in all positions. Participate in local university job fairs, postings on multiple sites/organizations, virtual job fairs, and maintain active website. Strategy's Expected Result/Impact: Recruitment of high quality personnel. Staff Responsible for Monitoring: District Administration Campus Administration	Formative			Summative
	Nov	Jan	Mar	June
Strategy 7 Details	Reviews			
Strategy 7: Provide New Employee orientation and mentoring services for new to profession teachers recently hired by the district. Strategy's Expected Result/Impact: Recently hired staff and teachers will become prepared for the upcoming school year resulting in a decrease staff turnover. Staff Responsible for Monitoring: District Administration Campus Administration Campus Mentor Teachers	Formative			Summative
	Nov	Jan	Mar	June
				622
Strategy 8 Details	Reviews			
Strategy 8: Provide professional development in areas identified by needs assessments and those required by the state (conflict resolution, discipline management, technology integration, violence prevention and intervention, blood-borne pathogens exposure control). Staff Responsible for Monitoring: District Administration Campus Administration School Nurse(s)	Formative			Summative
	Nov	Jan	Mar	June
Strategy 9 Details	Reviews			
Strategy 9: Provide stipends to secondary math, science, and Spanish teachers. Strategy's Expected Result/Impact: Help recruit high demand teaching areas to fill hard to staff positions. Staff Responsible for Monitoring: District Administration	Formative			Summative
	Nov	Jan	Mar	June

Strategy 10 Details	Reviews			
Strategy 10: Assist teachers in maintaining certification or attaining certification as approved including alternative certification programs if appropriate. Strategy's Expected Result/Impact: To ensure all teaching staff are highly qualified within their teaching field. Staff Responsible for Monitoring: District Administration Human Resource Specilist Campus Administration Campus teacher mentors	Formative			Summative
	Nov	Jan	Mar	June
Strategy 11 Details	Reviews			
Strategy 11: Recognize staff members who exemplify a positive role model through attendance, appearance, and professional & interpersonal communication. Strategy's Expected Result/Impact: Recognition of exemplary staff member to model to others. Staff Responsible for Monitoring: District Administration Campus Administration Mentor Teacher	Formative			Summative
	Nov	Jan	Mar	June
0% 100% → × No Progress Accomplished Continue/Modify Discontinue				

Goal 4: Westwood ISD works to improve superintendent-board-faculty-community relationships/partnerships through open communication.

Performance Objective 1: Westwood ISD will increase board, staff, community, and parent communication and participation to meet the needs of students, parents, and staff in an open, honest, and timely manner.

Evaluation Data Sources: Parental, staff, and community participation through logs, feedback, and surveys.

Strategy 1 Details	Reviews			
Strategy 1: Continue to expand the school district's presence, identity, initiatives, and accomplishments throughout the community through a variety of media, including the local newspaper, the school district's website, videos, Facebook, Twitter, and other up and coming media sources. Strategy's Expected Result/Impact: Transparent communication with all stakeholders. Staff Responsible for Monitoring: Superintendent, Technology Director, District Administration Campus Administrators	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Actively encourage parents and community members to participate in school activities by publicizing events and maintaining district/campus activity calendars on the website and on the district's Facebook account. Strategy's Expected Result/Impact: Connection of weekly/daily information for parents and students; therefore, increasing parent and community support. Staff Responsible for Monitoring: District Administration Campus Administration Technology Director Campus Webmasters	Formative			Summative
	Nov	Jan	Mar	June
				624
Strategy 3 Details	Reviews			
Strategy 3: Provide Substitute Teacher Orientation to inform substitutes of Westwood ISD policies and procedures. Provide training on interpersonal skills and relationships with students. Strategy's Expected Result/Impact: Model and communicate procedures, positivity, and mentoring of students to community assisting in the absence of teachers. Staff Responsible for Monitoring: District Administration Human Resource Specialist	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Host activities to involve parents and community such as Meet the Teacher, Meet the Panthers, Open Houses, curriculum nights, career days, family nights, STAAR nights, Coffee with the Counselors/Principals, Facebook Live, Zoom meetings, and Google Hangouts. Strategy's Expected Result/Impact: Increase in parental engagement. Staff Responsible for Monitoring: District Administration, Campus Administration Counselors Testing Specialist	Formative			Summative
	Nov	Jan	Mar	June

Strategy 5 Details	Reviews			
Strategy 5: Consistently include parents in site-based decision-making committee meetings to assist in the development of: DIP, CIP, Title I Compacts and District and Campus Parent and Family Engagement Policy. Strategy's Expected Result/Impact: Parent input and engagement in district/campus processes and procedures. Staff Responsible for Monitoring: District Administration, Campus Administration	Formative			Summative
	Nov	Jan	Mar	June
Strategy 6 Details	Reviews			
Strategy 6: Create and implement a volunteer program to execute across the district. Strategy's Expected Result/Impact: Increase of parent involvement at various campuses. Staff Responsible for Monitoring: District Administration Campus Administration Human Resource Specialist	Formative			Summative
	Nov	Jan	Mar	June
 No Progress  Accomplished  Continue/Modify  Discontinue				

Goal 5: Westwood ISD ensures fiscal stability so that resources remain available for proper academic operations.

Performance Objective 1: Westwood ISD will operate in a fiscally sound manner.

Evaluation Data Sources: Audits and reports

Strategy 1 Details		Reviews			
Strategy 1: Detailed budgeting, prudent investing monitoring of expenses and cost cutting efforts. Strategy's Expected Result/Impact: Maintain transparent and sound communication. Staff Responsible for Monitoring: District Administration Campus Administration		Formative			Summative
		Nov	Jan	Mar	June
0% No Progress 100% Accomplished		→ Continue/Modify		✗ Discontinue	

Goal 6: Westwood ISD plans to continually upgrade facilities to include new technology and provide a safe and healthy environment for all students.

Performance Objective 1: Westwood ISD will implement best practices for safe and orderly schools.

Evaluation Data Sources: Surveys, SHAC, counseling records, building, and maintenance reports safety evaluations, discipline records.

Strategy 1 Details	Reviews			
Strategy 1: Continue the long-range steering committee & facility assessment discussion, and explore next steps for district buildings. Strategy's Expected Result/Impact: Increase student safety and performance. Staff Responsible for Monitoring: Superintendent Assistant Superintendent of Finance and Operations Director of Maintenance	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Provide and track CPR/First Aid/Health required training for coaches, band directors, cheerleader sponsor, bus drivers, and high school seniors. Strategy's Expected Result/Impact: 100% of required participants will be CPR/First Aid certified. Staff Responsible for Monitoring: District Administration Campus Administration Athletic Director Campus Nurses	Formative			Summative
	Nov	Jan	Mar	June
				627
Strategy 3 Details	Reviews			
Strategy 3: Ensure each campus has a trained Crisis Prevention Intervention core team. Strategy's Expected Result/Impact: Proactive safety across the district with 100% trained staff teams. Staff Responsible for Monitoring: District Administration Campus Administration Director of Maintenance Campus Nurses	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Create a learning environment of high expectations for all students through strict enforcement of Code of Conduct, shared pride in accomplishments and appearance, and include counseling, character education, DARE, Red Ribbon activities, and Energy Bus character tickets (fuel your ride). Strategy's Expected Result/Impact: Bringing awareness to students and staff to ensure safety post K-12 education. Staff Responsible for Monitoring: Campus Administrators Teachers Law Enforcement	Formative			Summative
	Nov	Jan	Mar	June

Strategy 5 Details	Reviews			
Strategy 5: SHAC continue to meet regularly to address district-wide health and safety concerns and report to school board annually. Strategy's Expected Result/Impact: Continue a culture of proactive school health and safety awareness across the district. Staff Responsible for Monitoring: Federal/Special Programs Director SHAC members	Formative			Summative
	Nov	Jan	Mar	June
Strategy 6 Details	Reviews			
Strategy 6: Review campus and district safety plans to include: - Table Top Scenario Drills - Required Campus Drills - Emergency Management Drills - Child Abuse Awareness - Level of implement web-based visitor management and tracking software on all campuses (i.e. Raptor) - Develop an emergency preparedness plan - Continue and expand the Guardian Program - Add surveillance equipment as needed - Additional outside WiFi access points - AED Defibrillator placement and training Strategy's Expected Result/Impact: Preparation in the event of an emergency 100% of staff and students respond appropriately. Staff Responsible for Monitoring: District and Campus Administrators Site Based Decision Making Team Superintendent Safety Audit Coordinator Technology Director Transportation Director	Formative			Summative
	Nov	Jan	Mar	June
				628
0% 100% → × No Progress Accomplished Continue/Modify Discontinue				

Goal 6: Westwood ISD plans to continually upgrade facilities to include new technology and provide a safe and healthy environment for all students.

Performance Objective 2: Utilize technology consistently in the delivery of instruction that engages students in a way that is consistent and natural in the learning process and is aligned to the TEKS and the WISD adopted curriculum.

Evaluation Data Sources: Increase technology usage of both devices and instructional programs/APPS as evident through classroom observations.

Strategy 1 Details	Reviews			
Strategy 1: Executing a district-wide plan to modernize technology. Strategy's Expected Result/Impact: Cohesive plan to phase in throughout multiple years, meeting the needs of learners. Staff Responsible for Monitoring: District Administration Campus Administration Director of Technology District Technology Committee	Formative			Summative
	Nov	Jan	Mar	June
Strategy 2 Details	Reviews			
Strategy 2: Professional development plan for both instructional technology and general technology program use. Strategy's Expected Result/Impact: Increased usage of technology within daily instruction as observed through walkthroughs. Staff Responsible for Monitoring: District Administration Campus Administration Technology Director Instructional Coaches	Formative			Summative
	Nov	Jan	Mar	June
				629
Strategy 3 Details	Reviews			
Strategy 3: Piloting of digital portfolios with various grade level teachers and students. Strategy's Expected Result/Impact: Gradual building of student work through a digital component. Staff Responsible for Monitoring: District Administration Campus Administration Technology Director Instructional Coaches	Formative			Summative
	Nov	Jan	Mar	June
Strategy 4 Details	Reviews			
Strategy 4: Increased emphasis of tying technology to curriculum/integration such as Google Classroom, NearPod, Flip Grid, etc. Staff Responsible for Monitoring: District Administration	Formative			Summative
	Nov	Jan	Mar	June

Campus Administration Instructional coaches Teachers				
0% No Progress 100% Accomplished → Continue/Modify ✗ Discontinue				

State Compensatory

Personnel for District Improvement Plan

<u>Name</u>	<u>Position</u>	<u>Program</u>	<u>FTE</u>
Abena Prempeh	Head Start Aide	Westwood Primary	1
Angelina Frederickson	Westwood Primary	Pre-K Aide	1
Ashlyn Jones	Classroom Aide	Westwood Elementary	1
Beth Boger	Pre-K Teacher	Westwood Primary	1
Bonnie Starr	Pre-K Aide	Westwood Primary	1
Cassidee Bruton	Pre-K Teacher	Westwood Primary	1
Diana Rodriquez	Pre-K Aide	Westwood Primary	1
Ebony Mickens	Classroom Aide	Westwood High School	1
Haley Avery	Instructional Coach	Westwood Junior High and High School	1
Jaclyn Schitoskey	RtI Teacher	Westwood Elementary	1
Karen Enoch-Whaley	RtI Aide	Westwood Primary	1
Kasie Ardry	Classroom Aide	Westwood Elementary	1
Misti Warren	Classroom Aide	Pre-K Aide	1
Patricia Catala-Cano	Head Start Teacher	Westwood Primary	1
Quentin Woods	RtI Coordinator	District	1
Roxy Wendland	Classroom Aide	Westwood Primary	1
Shametris Owens	Classroom Aide	Westwood Primary	1
Talia Hodge	Pre-K Teacher	Westwood Primary	1
Terri Flusche	Classroom Aide	Westwood Primary	1
Vacancy	Dyslexia Teacher	Westwood Primary	1
Vacancy	Pre-K Teacher	Westwood Primary	1
Vacancy	Pre-K Aide	Westwood Primary	1
Virginia Gayso	Pre-K Teacher	Westwood Primary	1

Title I Personnel

<u>Name</u>	<u>Position</u>	<u>Program</u>	<u>FTE</u>
Amanda Cox	Primary Instructional Coach	Instruction	1
Amy Camp	Primary Teacher	Reading and Math Intervention	1
Heather Thompson	Elementary Paraprofessional	Computer Lab	1
Jermaine Williams	Elementary Paraprofessional	Intervention	1
Katelynn Hutchens	Elementary Paraprofessional	Intervention	1
Kathy Elton	Elementary Teacher	Reading and Math Intervention	1
Kayla Warren	Elementary Instructional Coach	Instruction	1
Vacant	Primary Paraprofessional	Computer Lab	1

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Addendums

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2019-20 Texas Academic Performance Report

District Name: **WESTWOOD ISD**

District Number: **001908**

2020 Accountability Rating: **Not Rated: Declared State of Disaster**

2020 Special Education Determination Status:

Meets Requirements

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District Name: WESTWOOD ISD
 County Name: ANDERSON
 District Number: 001908

Texas Education Agency
Texas Academic Performance Report
2019-20 District STAAR Performance

Please note that due to the cancellation of spring 2020 State of Texas
 Assessments of Academic Readiness (STAAR) due to the COVID-19 pandemic,
 the Performance section of this year's report is not updated.

		State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continu- ously Enrolled	Non- Continu- ously Enrolled	Econ Disadv	EL (Current & Monitored)
STAAR Performance Rates by Tested Grade, Subject, and Performance Level																	
Grade 3 Reading																	
At Approaches Grade Level or Above	2019	76%	75%	57%	43%	52%	64%	-	-	-	*	36%	-	64%	30%	53%	55%
	2018	77%	77%	67%	53%	64%	71%	*	-	-	60%	39%	*	64%	76%	66%	56%
At Meets Grade Level or Above	2019	45%	42%	31%	21%	16%	42%	-	-	-	*	27%	-	35%	15%	30%	18%
	2018	43%	42%	29%	24%	20%	32%	*	-	-	40%	28%	*	28%	32%	26%	11%
At Masters Grade Level	2019	27%	25%	18%	14%	8%	25%	-	-	-	*	9%	-	21%	5%	17%	0%
	2018	25%	23%	18%	12%	16%	21%	*	-	-	20%	6%	*	16%	24%	17%	11%
Grade 3 Mathematics																	
At Approaches Grade Level or Above	2019	79%	79%	54%	43%	40%	64%	-	-	-	*	27%	-	60%	30%	51%	36%
	2018	78%	78%	59%	47%	56%	63%	*	-	-	60%	33%	*	56%	68%	58%	67%
At Meets Grade Level or Above	2019	49%	47%	24%	14%	8%	36%	-	-	-	*	18%	-	29%	5%	24%	9%
	2018	47%	44%	28%	24%	32%	27%	*	-	-	40%	28%	*	26%	32%	26%	~~23%~~ 23%
At Masters Grade Level	2019	25%	23%	6%	7%	0%	9%	-	-	-	*	9%	-	7%	5%	8%	0%
	2018	23%	20%	11%	6%	12%	11%	*	-	-	20%	6%	*	9%	16%	12%	11%
Grade 4 Reading																	
At Approaches Grade Level or Above	2019	75%	74%	58%	38%	52%	69%	-	-	-	*	35%	*	59%	58%	54%	40%
	2018	73%	72%	60%	38%	57%	65%	*	-	-	*	25%	*	60%	61%	54%	55%
At Meets Grade Level or Above	2019	44%	43%	31%	19%	26%	36%	-	-	-	*	25%	*	30%	33%	24%	20%
	2018	46%	43%	33%	19%	37%	34%	*	-	-	*	13%	*	33%	33%	26%	9%
At Masters Grade Level	2019	22%	20%	17%	14%	4%	23%	-	-	-	*	10%	*	18%	15%	8%	0%
	2018	24%	21%	11%	6%	9%	14%	*	-	-	*	0%	*	10%	12%	8%	0%
Grade 4 Mathematics																	
At Approaches Grade Level or Above	2019	75%	75%	63%	48%	61%	69%	-	-	-	*	40%	*	60%	70%	61%	60%
	2018	78%	79%	61%	35%	54%	72%	*	-	-	*	11%	*	61%	59%	52%	27%
At Meets Grade Level or Above	2019	48%	46%	43%	38%	36%	48%	-	-	-	*	30%	*	41%	48%	39%	20%
	2018	49%	47%	25%	18%	14%	34%	*	-	-	*	11%	*	28%	18%	16%	0%
At Masters Grade Level	2019	28%	26%	20%	19%	14%	21%	-	-	-	*	10%	*	20%	21%	15%	0%
	2018	27%	23%	8%	6%	6%	11%	*	-	-	*	0%	*	10%	3%	5%	0%
Grade 4 Writing																	
At Approaches Grade Level or Above	2019	67%	64%	57%	57%	43%	62%	-	-	-	*	25%	*	53%	67%	56%	20%
	2018	63%	60%	55%	35%	43%	65%	*	-	-	*	11%	*	56%	53%	48%	45%
At Meets Grade Level or Above	2019	35%	31%	28%	24%	25%	30%	-	-	-	*	20%	*	31%	21%	23%	10%
	2018	39%	35%	23%	6%	23%	26%	*	-	-	*	11%	*	22%	26%	16%	18%
At Masters Grade Level	2019	11%	8%	9%	0%	4%	13%	-	-	-	*	10%	*	11%	3%	5%	0%
	2018	11%	8%	1%	0%	0%	2%	*	-	-	*	0%	*	1%	0%	0%	0%

District Name: WESTWOOD ISD
County Name: ANDERSON
District Number: 001908

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Grade 5 Reading^																	
At Approaches Grade Level or Above	2019	86%	85%	77%	67%	73%	82%	-	*	-	*	33%	*	80%	69%	74%	55%
	2018	84%	83%	75%	57%	65%	86%	*	-	-	67%	50%	*	77%	67%	67%	71%
At Meets Grade Level or Above	2019	54%	50%	34%	33%	33%	34%	-	*	-	*	7%	*	35%	33%	28%	9%
	2018	54%	50%	40%	29%	15%	50%	*	-	-	56%	25%	*	44%	22%	27%	0%
At Masters Grade Level	2019	29%	26%	16%	11%	18%	15%	-	*	-	*	0%	*	14%	19%	14%	0%
	2018	26%	23%	13%	14%	5%	16%	*	-	-	11%	25%	*	16%	0%	11%	0%
Grade 5 Mathematics^																	
At Approaches Grade Level or Above	2019	90%	89%	77%	61%	76%	82%	-	*	-	*	33%	*	77%	75%	71%	82%
	2018	91%	91%	82%	64%	75%	89%	*	-	-	89%	75%	*	84%	72%	78%	71%
At Meets Grade Level or Above	2019	58%	56%	31%	17%	27%	35%	-	*	-	*	7%	*	31%	31%	25%	18%
	2018	58%	56%	45%	21%	35%	52%	*	-	-	67%	38%	*	47%	39%	36%	29%
At Masters Grade Level	2019	36%	34%	17%	11%	18%	17%	-	*	-	*	0%	*	13%	25%	13%	0%
	2018	30%	28%	16%	14%	5%	23%	*	-	-	11%	13%	*	20%	0%	9%	37
Grade 5 Science																	
At Approaches Grade Level or Above	2019	75%	73%	69%	56%	61%	77%	-	*	-	*	27%	*	73%	61%	63%	36%
	2018	76%	75%	64%	50%	45%	75%	*	-	-	67%	50%	*	66%	56%	56%	0%
At Meets Grade Level or Above	2019	49%	46%	31%	11%	33%	34%	-	*	-	*	7%	*	32%	28%	28%	9%
	2018	41%	38%	17%	14%	15%	18%	*	-	-	22%	25%	*	20%	6%	9%	0%
At Masters Grade Level	2019	24%	21%	11%	0%	18%	11%	-	*	-	*	0%	*	8%	17%	11%	9%
	2018	17%	14%	5%	7%	0%	5%	*	-	-	11%	13%	*	6%	0%	0%	0%
Grade 6 Reading																	
At Approaches Grade Level or Above	2019	68%	66%	59%	54%	40%	62%	*	-	-	86%	30%	*	65%	40%	50%	14%
	2018	69%	66%	54%	38%	59%	59%	*	-	-	40%	24%	*	62%	35%	44%	33%
At Meets Grade Level or Above	2019	37%	34%	29%	15%	27%	34%	*	-	-	29%	10%	*	30%	25%	18%	0%
	2018	39%	34%	32%	14%	35%	39%	*	-	-	20%	24%	*	38%	18%	33%	17%
At Masters Grade Level	2019	18%	15%	12%	15%	13%	10%	*	-	-	14%	0%	*	12%	10%	8%	0%
	2018	19%	15%	13%	0%	11%	22%	*	-	-	0%	12%	*	15%	9%	11%	0%
Grade 6 Mathematics																	
At Approaches Grade Level or Above	2019	81%	80%	70%	38%	60%	78%	*	-	-	86%	30%	*	68%	75%	62%	57%
	2018	77%	75%	66%	55%	63%	74%	*	-	-	80%	39%	*	70%	59%	56%	69%
At Meets Grade Level or Above	2019	47%	44%	24%	15%	27%	22%	*	-	-	57%	20%	*	27%	15%	20%	0%
	2018	44%	40%	31%	14%	29%	44%	*	-	-	0%	22%	*	34%	24%	29%	31%
At Masters Grade Level	2019	21%	17%	6%	8%	7%	6%	*	-	-	0%	0%	*	6%	5%	2%	0%
	2018	18%	15%	16%	9%	16%	20%	*	-	-	0%	11%	*	17%	12%	15%	8%
Grade 7 Reading																	
At Approaches Grade Level or Above	2019	76%	75%	57%	48%	65%	65%	*	-	-	0%	26%	*	60%	48%	47%	18%
	2018	74%	73%	63%	57%	64%	67%	*	-	-	67%	10%	*	64%	59%	59%	50%

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At Meets Grade Level or Above	2019	49%	46%	32%	19%	35%	40%	*	-	-	0%	11%	*	34%	26%	25%	0%
	2018	48%	45%	36%	30%	33%	46%	*	-	-	0%	10%	*	37%	33%	29%	17%
At Masters Grade Level	2019	29%	27%	17%	5%	15%	27%	*	-	-	0%	5%	*	19%	13%	13%	0%
	2018	29%	25%	16%	9%	18%	21%	*	-	-	0%	10%	*	15%	19%	9%	6%
Grade 7 Mathematics																	
At Approaches Grade Level or Above	2019	75%	74%	57%	38%	62%	70%	*	-	-	29%	33%	*	61%	46%	54%	67%
	2018	72%	72%	55%	50%	52%	61%	*	-	-	67%	36%	*	56%	52%	51%	60%
At Meets Grade Level or Above	2019	43%	41%	16%	0%	14%	30%	*	-	-	0%	11%	*	18%	13%	11%	11%
	2018	40%	38%	12%	5%	19%	14%	*	-	-	0%	9%	*	13%	10%	9%	20%
At Masters Grade Level	2019	17%	16%	3%	0%	0%	9%	*	-	-	0%	6%	*	2%	8%	3%	0%
	2018	18%	16%	0%	0%	0%	0%	*	-	-	0%	0%	*	0%	0%	0%	0%
Grade 7 Writing																	
At Approaches Grade Level or Above	2019	70%	70%	55%	43%	58%	63%	*	-	-	29%	16%	*	56%	52%	48%	36%
	2018	69%	68%	*	*	-	-	-	-	-	-	*	-	*	-	*	-
At Meets Grade Level or Above	2019	42%	39%	29%	19%	25%	42%	*	-	-	0%	11%	*	34%	16%	23%	63%
	2018	43%	40%	*	*	-	-	-	-	-	-	*	-	*	-	*	63%
At Masters Grade Level	2019	18%	15%	12%	0%	8%	23%	*	-	-	0%	5%	*	12%	13%	10%	0%
	2018	15%	11%	*	*	-	-	-	-	-	-	*	-	*	-	*	-
Grade 8 Reading^																	
At Approaches Grade Level or Above	2019	86%	84%	76%	83%	74%	72%	-	*	-	80%	33%	*	76%	76%	75%	64%
	2018	86%	86%	79%	73%	92%	77%	*	-	-	80%	38%	-	81%	74%	80%	67%
At Meets Grade Level or Above	2019	55%	51%	42%	42%	45%	46%	-	*	-	0%	17%	*	46%	29%	38%	29%
	2018	49%	48%	40%	27%	32%	45%	*	-	-	60%	0%	-	47%	26%	38%	0%
At Masters Grade Level	2019	28%	25%	16%	0%	23%	22%	-	*	-	0%	0%	*	18%	10%	13%	7%
	2018	27%	25%	18%	9%	12%	20%	*	-	-	40%	0%	-	16%	20%	20%	0%
Grade 8 Mathematics^																	
At Approaches Grade Level or Above	2019	88%	86%	83%	84%	80%	83%	-	-	-	100%	46%	*	86%	74%	83%	79%
	2018	86%	86%	89%	73%	93%	91%	*	-	-	*	38%	-	92%	82%	93%	88%
At Meets Grade Level or Above	2019	57%	54%	47%	32%	47%	58%	-	-	-	20%	23%	*	48%	44%	44%	29%
	2018	51%	50%	57%	36%	55%	62%	*	-	-	*	8%	-	61%	44%	53%	50%
At Masters Grade Level	2019	17%	15%	8%	0%	13%	10%	-	-	-	0%	0%	*	7%	11%	11%	7%
	2018	15%	15%	11%	18%	14%	9%	*	-	-	*	0%	-	10%	15%	13%	0%
Grade 8 Science																	
At Approaches Grade Level or Above	2019	81%	78%	62%	50%	65%	66%	-	*	-	*	27%	*	61%	67%	60%	57%
	2018	76%	75%	68%	58%	64%	72%	*	-	-	80%	31%	-	74%	56%	66%	33%
At Meets Grade Level or Above	2019	51%	46%	33%	21%	26%	44%	-	*	-	*	9%	*	30%	43%	27%	0%
	2018	52%	49%	33%	17%	20%	42%	*	-	-	20%	0%	-	38%	22%	34%	17%
At Masters Grade Level	2019	25%	21%	11%	13%	3%	16%	-	*	-	*	9%	*	13%	0%	7%	0%
	2018	28%	24%	7%	0%	4%	10%	*	-	-	0%	0%	-	10%	0%	11%	0%

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		State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continu- ously Enrolled	Non- Continu- ously Enrolled	Econ Disadv	EL (Current & Monitored)
Grade 8 Social Studies																	
At Approaches Grade Level or Above	2019	69%	66%	54%	54%	48%	56%	-	*	-	*	27%	*	56%	43%	48%	43%
	2018	65%	61%	57%	17%	64%	63%	*	-	-	60%	8%	-	58%	56%	54%	33%
At Meets Grade Level or Above	2019	37%	33%	19%	17%	16%	24%	-	*	-	*	9%	*	19%	19%	18%	7%
	2018	36%	31%	22%	8%	32%	24%	*	-	-	0%	0%	-	26%	14%	21%	17%
At Masters Grade Level	2019	21%	18%	5%	0%	3%	10%	-	*	-	*	0%	*	4%	10%	6%	0%
	2018	21%	17%	10%	0%	16%	11%	*	-	-	0%	0%	-	13%	6%	13%	17%
End of Course English I																	
At Approaches Grade Level or Above	2019	68%	68%	58%	42%	65%	60%	*	*	-	71%	8%	*	61%	49%	55%	45%
	2018	65%	67%	60%	32%	59%	73%	-	*	-	*	28%	*	62%	56%	58%	35%
At Meets Grade Level or Above	2019	50%	48%	40%	19%	49%	45%	*	*	-	43%	4%	*	41%	37%	40%	27%
	2018	44%	43%	36%	23%	26%	49%	-	*	-	*	8%	*	36%	38%	36%	6%
At Masters Grade Level	2019	11%	10%	4%	0%	3%	6%	*	*	-	0%	0%	*	4%	2%	2%	0%
	2018	7%	6%	3%	0%	0%	6%	-	*	-	*	4%	*	3%	4%	3%	63%
End of Course English II																	
At Approaches Grade Level or Above	2019	68%	68%	58%	48%	63%	63%	-	*	-	*	14%	-	61%	46%	60%	55%
	2018	67%	68%	69%	63%	56%	79%	*	*	-	67%	17%	*	69%	67%	73%	38%
At Meets Grade Level or Above	2019	49%	48%	38%	24%	23%	54%	-	*	-	*	10%	-	39%	36%	38%	9%
	2018	48%	48%	47%	43%	30%	56%	*	*	-	67%	0%	*	50%	39%	49%	8%
At Masters Grade Level	2019	8%	6%	3%	0%	0%	6%	-	*	-	*	10%	-	4%	0%	4%	0%
	2018	8%	7%	1%	0%	0%	2%	*	*	-	0%	0%	*	0%	3%	0%	0%
End of Course Algebra I																	
At Approaches Grade Level or Above	2019	85%	82%	83%	50%	97%	86%	*	*	-	*	32%	*	86%	73%	86%	86%
	2018	83%	83%	86%	83%	83%	87%	-	*	-	*	37%	-	86%	86%	85%	70%
At Meets Grade Level or Above	2019	61%	53%	59%	33%	68%	61%	*	*	-	*	9%	*	63%	43%	55%	57%
	2018	55%	50%	61%	46%	59%	67%	-	*	-	*	11%	-	64%	55%	67%	50%
At Masters Grade Level	2019	37%	31%	40%	22%	58%	38%	*	*	-	*	9%	*	46%	20%	35%	29%
	2018	32%	27%	34%	21%	24%	45%	-	*	-	*	0%	-	33%	36%	33%	20%
End of Course Biology																	
At Approaches Grade Level or Above	2019	88%	89%	94%	84%	93%	97%	-	*	-	*	70%	-	95%	93%	95%	57%
	2018	87%	88%	78%	70%	78%	79%	-	*	-	*	38%	*	80%	73%	77%	*
At Meets Grade Level or Above	2019	62%	60%	62%	26%	60%	76%	-	*	-	*	30%	-	64%	57%	61%	29%
	2018	59%	56%	51%	40%	33%	67%	-	*	-	*	0%	*	50%	53%	46%	*
At Masters Grade Level	2019	25%	21%	25%	0%	17%	37%	-	*	-	*	10%	-	29%	14%	26%	0%
	2018	24%	19%	29%	10%	22%	42%	-	*	-	*	0%	*	27%	33%	23%	*
End of Course U.S. History																	
At Approaches Grade Level or Above	2019	93%	92%	89%	82%	85%	92%	*	-	-	100%	42%	*	90%	83%	90%	57%
	2018	92%	91%	87%	80%	79%	94%	-	*	-	*	40%	*	92%	69%	88%	67%
At Meets Grade Level or Above	2019	73%	70%	61%	46%	50%	72%	*	-	-	67%	8%	*	60%	63%	60%	43%
	2018	70%	67%	59%	50%	47%	72%	-	*	-	*	20%	*	60%	56%	62%	17%

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At Masters Grade Level	2019	45%	38%	27%	14%	30%	32%	*	-	-	17%	0%	*	26%	29%	33%	29%
	2018	40%	35%	21%	20%	11%	25%	-	*	-	*	10%	*	22%	19%	18%	0%
All Grades All Subjects																	
At Approaches Grade Level or Above	2019	78%	77%	67%	56%	65%	72%	40%	100%	-	59%	30%	66%	69%	61%	63%	51%
	2018	77%	76%	68%	54%	64%	74%	46%	71%	-	72%	32%	60%	69%	63%	63%	51%
At Meets Grade Level or Above	2019	50%	47%	36%	24%	33%	43%	10%	50%	-	25%	14%	24%	38%	32%	32%	15%
	2018	48%	45%	36%	25%	31%	42%	17%	43%	-	35%	14%	38%	38%	30%	32%	17%
At Masters Grade Level	2019	24%	21%	14%	6%	13%	18%	10%	30%	-	7%	5%	15%	14%	12%	12%	3%
	2018	22%	19%	12%	7%	9%	15%	0%	29%	-	8%	5%	11%	12%	11%	11%	3%
All Grades ELA/Reading																	
At Approaches Grade Level or Above	2019	75%	74%	62%	53%	63%	67%	*	*	-	50%	25%	64%	66%	53%	58%	45%
	2018	74%	74%	65%	50%	63%	72%	56%	*	-	64%	28%	58%	67%	61%	62%	47%
At Meets Grade Level or Above	2019	48%	45%	35%	25%	33%	42%	*	*	-	20%	13%	29%	37%	31%	30%	15%
	2018	46%	44%	37%	27%	29%	44%	33%	*	-	40%	13%	42%	39%	31%	33%	14%
At Masters Grade Level	2019	21%	18%	12%	6%	11%	16%	*	*	-	5%	5%	21%	13%	9%	10%	1%
	2018	19%	17%	11%	5%	9%	15%	0%	*	-	10%	6%	11%	11%	11%	10%	2%
All Grades Mathematics																	
At Approaches Grade Level or Above	2019	82%	81%	71%	54%	70%	77%	*	*	-	67%	35%	71%	72%	65%	67%	67%
	2018	81%	81%	72%	58%	68%	78%	38%	*	-	80%	38%	63%	73%	70%	67%	63%
At Meets Grade Level or Above	2019	52%	49%	37%	23%	34%	43%	*	*	-	33%	17%	21%	39%	31%	32%	20%
	2018	50%	47%	38%	23%	35%	46%	13%	*	-	37%	18%	38%	40%	33%	34%	27%
At Masters Grade Level	2019	26%	24%	16%	10%	17%	18%	*	*	-	9%	6%	7%	16%	15%	13%	4%
	2018	24%	21%	15%	10%	12%	18%	0%	*	-	9%	4%	13%	15%	14%	13%	5%
All Grades Writing																	
At Approaches Grade Level or Above	2019	68%	67%	56%	50%	51%	62%	*	-	-	45%	21%	*	54%	59%	52%	29%
	2018	66%	64%	55%	39%	43%	65%	*	-	-	*	20%	*	56%	53%	49%	45%
At Meets Grade Level or Above	2019	38%	35%	29%	21%	25%	35%	*	-	-	18%	15%	*	32%	19%	23%	5%
	2018	41%	38%	24%	11%	23%	26%	*	-	-	*	20%	*	22%	26%	18%	18%
At Masters Grade Level	2019	14%	12%	10%	0%	6%	17%	*	-	-	9%	8%	*	11%	8%	8%	0%
	2018	13%	9%	2%	6%	0%	2%	*	-	-	*	10%	*	2%	0%	1%	0%
All Grades Science																	
At Approaches Grade Level or Above	2019	81%	80%	75%	62%	72%	81%	-	*	-	67%	39%	60%	76%	73%	71%	50%
	2018	80%	79%	68%	58%	59%	74%	*	*	-	73%	38%	80%	72%	59%	63%	29%
At Meets Grade Level or Above	2019	54%	51%	42%	20%	39%	52%	-	*	-	11%	14%	20%	42%	41%	37%	9%
	2018	51%	48%	31%	22%	20%	39%	*	*	-	20%	7%	40%	33%	25%	25%	6%
At Masters Grade Level	2019	25%	21%	16%	5%	13%	22%	-	*	-	0%	6%	20%	17%	12%	14%	3%
	2018	23%	19%	10%	6%	6%	14%	*	*	-	7%	3%	20%	11%	7%	8%	0%
All Grades Social Studies																	
At Approaches Grade Level or Above	2019	81%	79%	71%	69%	63%	74%	*	*	-	80%	35%	*	72%	64%	65%	48%
	2018	78%	76%	69%	56%	70%	72%	*	*	-	71%	22%	*	72%	60%	67%	50%

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			Region		African		American				Two or	Special	Special	Continu-	Non-		EL
		State	07	District	American	Hispanic	White	Indian	Asian	Pacific	More	Ed	Ed	ously	Continu-	Econ	(Current
										Islander	Races	(Current)	(Former)	Enrolled	ously	Disadv	&
																	Monitored)
At Meets Grade Level or Above	2019	55%	51%	40%	33%	29%	48%	*	*	-	40%	9%	*	39%	42%	36%	19%
	2018	53%	49%	37%	34%	39%	38%	*	*	-	14%	9%	*	41%	27%	37%	17%
At Masters Grade Level	2019	33%	28%	16%	8%	14%	21%	*	*	-	10%	0%	*	15%	20%	17%	10%
	2018	31%	26%	15%	13%	14%	15%	*	*	-	0%	4%	*	16%	10%	14%	8%

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Texas Education Agency Texas Academic Performance Report 2019-20 District Progress

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		State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed (Current)	Special Ed (Former)	Continu- ously Enrolled	Non- Continu- ously Enrolled	Econ Disadv	EL (Current & Monitored)
School Progress Domain - Academic Growth Score by Grade and Subject																	
Grade 4 ELA/Reading	2019	61	60	47	30	33	58	-	-	-	*	33	*	49	40	40	33
	2018	63	62	63	78	61	62	*	-	-	*	63	*	64	62	60	36
Grade 4 Mathematics	2019	65	65	75	75	70	78	-	-	-	*	70	*	74	78	72	56
	2018	65	65	66	74	60	69	*	-	-	*	67	*	69	59	66	55
Grade 5 ELA/Reading	2019	81	80	80	91	68	83	-	*	-	*	73	*	83	72	79	65
	2018	80	79	71	81	70	68	*	-	-	78	83	*	69	81	71	86
Grade 5 Mathematics	2019	83	83	78	83	85	75	-	*	-	*	77	*	80	74	77	85
	2018	81	81	79	100	80	76	*	-	-	67	67	*	85	56	78	100
Grade 6 ELA/Reading	2019	42	40	40	46	37	40	*	-	-	43	38	*	41	39	36	7
	2018	47	43	38	23	44	42	*	-	-	30	29	*	44	23	33	21
Grade 6 Mathematics	2019	54	51	41	38	47	41	*	-	-	36	25	*	35	61	48	36
	2018	56	53	63	33	62	74	*	-	-	80	61	*	64	61	63	642 ³
Grade 7 ELA/Reading	2019	77	80	73	67	76	76	*	-	-	57	68	*	76	65	68	73
	2018	76	74	66	61	70	68	*	-	-	50	50	*	67	65	62	64
Grade 7 Mathematics	2019	62	66	55	50	63	56	*	-	-	36	67	*	56	50	56	61
	2018	67	70	61	60	60	67	*	-	-	58	82	*	65	53	64	57
Grade 8 ELA/Reading	2019	77	76	70	75	68	66	-	*	-	90	50	*	71	68	70	71
	2018	79	79	81	80	85	81	*	-	-	70	62	-	79	88	79	70
Grade 8 Mathematics	2019	82	83	73	72	73	70	-	-	-	100	64	*	75	65	76	75
	2018	81	83	81	90	80	78	*	-	-	*	85	-	80	83	91	71
End of Course English II	2019	69	67	66	69	60	69	-	*	-	*	59	-	69	55	66	92
	2018	67	67	74	68	65	82	*	-	-	67	59	-	77	64	71	67
End of Course Algebra I	2019	75	69	70	57	80	70	*	*	-	*	29	*	75	50	66	58
	2018	72	68	80	70	74	85	-	*	-	*	38	-	82	76	79	56
All Grades Both Subjects	2019	69	68	65	65	66	67	25	100	-	54	56	80	67	61	64	62
	2018	69	69	69	65	66	72	54	*	-	66	60	69	70	64	68	60
All Grades ELA/Reading	2019	68	67	64	64	60	66	*	*	-	55	54	92	66	57	61	59
	2018	69	67	65	62	64	67	64	-	-	61	53	58	66	62	62	53
All Grades Mathematics	2019	70	69	67	65	72	67	*	*	-	53	58	68	68	64	67	65
	2018	70	70	72	67	68	76	42	*	-	72	66	81	74	66	73	66

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2019-20 District Prior Year and Student Success Initiative

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		State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
Progress of Prior-Year Non-Proficient Students														
Sum of Grades 4-8														
Reading	2019	41%	41%	35%	35%	29%	40%	*	-	-	25%	16%	32%	22%
	2018	38%	39%	31%	21%	33%	35%	*	-	-	*	19%	27%	31%
Mathematics	2019	45%	45%	41%	36%	45%	40%	*	-	-	50%	20%	37%	50%
	2018	47%	48%	41%	29%	40%	48%	*	-	-	60%	21%	37%	32%
Student Success Initiative														
Grade 5 Reading														
Students Meeting Approaches Grade Level on First STAAR Administration														
	2019	78%	76%	64%	50%	61%	68%	-	*	-	*	7%	62%	20%
Students Requiring Accelerated Instruction														
	2019	22%	24%	36%	50%	39%	32%	-	*	-	*	93%	38%	80%
STAAR Cumulative Met Standard														
	2019	86%	85%	76%	67%	73%	81%	-	*	-	*	29%	73%	643 20%
Grade 5 Mathematics														
Students Meeting Approaches Grade Level on First STAAR Administration														
	2019	83%	83%	67%	44%	64%	75%	-	*	-	*	14%	62%	40%
Students Requiring Accelerated Instruction														
	2019	17%	17%	33%	56%	36%	25%	-	*	-	*	86%	38%	60%
STAAR Cumulative Met Standard														
	2019	90%	89%	76%	61%	76%	81%	-	*	-	*	29%	71%	80%
Grade 8 Reading														
Students Meeting Approaches Grade Level on First STAAR Administration														
	2019	78%	76%	66%	70%	68%	66%	-	*	-	40%	27%	67%	30%
Students Requiring Accelerated Instruction														
	2019	22%	24%	34%	30%	32%	34%	-	*	-	60%	73%	33%	70%
STAAR Cumulative Met Standard														
	2019	85%	84%	75%	83%	74%	72%	-	*	-	80%	27%	75%	50%
Grade 8 Mathematics														
Students Meeting Approaches Grade Level on First STAAR Administration														
	2019	82%	81%	79%	83%	77%	79%	-	-	-	80%	42%	80%	70%
Students Requiring Accelerated Instruction														
	2019	18%	19%	21%	17%	23%	21%	-	-	-	20%	58%	20%	30%
STAAR Cumulative Met Standard														
	2019	88%	86%	83%	83%	80%	83%	-	-	-	100%	42%	83%	70%

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Bilingual Education/English as a Second Language

(Current EL Students)

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		State	Region 07	District	Bilingual Education	BE-Trans Early Exit	BE-Trans Late Exit	BE-Dual Two-Way	BE-Dual One-Way	ESL	ESL Content	ESL Pull-Out	LEP No Services	LEP with Services	Total EL
STAAR Performance Rate by Subject and Performance Level															
All Grades All Subjects															
At Approaches Grade Level or Above	2019	78%	77%	67%	-	-	-	-	-	35%	25%	36%	64%	35%	37%
	2018	77%	76%	68%	-	-	-	-	-	34%	34%	31%	56%	34%	35%
At Meets Grade Level or Above	2019	50%	47%	36%	-	-	-	-	-	9%	13%	8%	0%	9%	8%
	2018	48%	45%	36%	-	-	-	-	-	3%	3%	3%	22%	3%	5%
At Masters Grade Level	2019	24%	21%	14%	-	-	-	-	-	3%	0%	3%	0%	3%	3%
	2018	22%	19%	12%	-	-	-	-	-	0%	0%	0%	0%	0%	0%
All Grades ELA/Reading															
At Approaches Grade Level or Above	2019	75%	74%	62%	-	-	-	-	-	29%	38%	27%	50%	29%	31%
	2018	74%	74%	65%	-	-	-	-	-	26%	31%	18%	40%	26%	28%
At Meets Grade Level or Above	2019	48%	45%	35%	-	-	-	-	-	9%	13%	8%	0%	9%	8%
	2018	46%	44%	37%	-	-	-	-	-	0%	0%	0%	0%	0%	0%
At Masters Grade Level	2019	21%	18%	12%	-	-	-	-	-	2%	0%	2%	0%	2%	2%
	2018	19%	17%	11%	-	-	-	-	-	0%	0%	0%	0%	0%	0%
All Grades Mathematics															
At Approaches Grade Level or Above	2019	82%	81%	71%	-	-	-	-	-	54%	13%	63%	*	54%	54%
	2018	81%	81%	72%	-	-	-	-	-	49%	50%	40%	*	49%	50%
At Meets Grade Level or Above	2019	52%	49%	37%	-	-	-	-	-	11%	13%	11%	*	11%	10%
	2018	50%	47%	38%	-	-	-	-	-	7%	8%	0%	*	7%	6%
At Masters Grade Level	2019	26%	24%	16%	-	-	-	-	-	2%	0%	3%	*	2%	2%
	2018	24%	21%	15%	-	-	-	-	-	0%	0%	0%	*	0%	0%
All Grades Writing															
At Approaches Grade Level or Above	2019	68%	67%	56%	-	-	-	-	-	7%	-	7%	-	7%	7%
	2018	66%	64%	55%	-	-	-	-	-	*	*	-	*	*	20%
At Meets Grade Level or Above	2019	38%	35%	29%	-	-	-	-	-	0%	-	0%	-	0%	0%
	2018	41%	38%	24%	-	-	-	-	-	*	*	-	*	*	0%
At Masters Grade Level	2019	14%	12%	10%	-	-	-	-	-	0%	-	0%	-	0%	0%
	2018	13%	9%	2%	-	-	-	-	-	*	*	-	*	*	0%
All Grades Science															
At Approaches Grade Level or Above	2019	81%	80%	75%	-	-	-	-	-	28%	-	28%	*	28%	38%
	2018	80%	79%	68%	-	-	-	-	-	17%	10%	*	-	17%	17%
At Meets Grade Level or Above	2019	54%	51%	42%	-	-	-	-	-	6%	-	6%	*	6%	5%
	2018	51%	48%	31%	-	-	-	-	-	0%	0%	*	-	0%	0%
At Masters Grade Level	2019	25%	21%	16%	-	-	-	-	-	0%	-	0%	*	0%	0%
	2018	23%	19%	10%	-	-	-	-	-	0%	0%	*	-	0%	0%
All Grades Social Studies															
At Approaches Grade Level or Above	2019	81%	79%	71%	-	-	-	-	-	36%	-	36%	-	36%	36%
	2018	78%	76%	69%	-	-	-	-	-	44%	*	60%	-	44%	44%
At Meets Grade Level or Above	2019	55%	51%	40%	-	-	-	-	-	14%	-	14%	-	14%	14%
	2018	53%	49%	37%	-	-	-	-	-	11%	*	20%	-	11%	11%
At Masters Grade Level	2019	33%	28%	16%	-	-	-	-	-	14%	-	14%	-	14%	14%
	2018	31%	26%	15%	-	-	-	-	-	0%	*	0%	-	0%	0%
School Progress Domain - Academic Growth Score															
All Grades Both Subjects	2019	69%	68%	65%	-	-	-	-	-	58%	-	58%	*	58%	59%
	2018	69%	69%	69%	-	-	-	-	-	56%	59%	25%	80%	56%	58%
All Grades ELA/Reading	2019	68%	67%	64%	-	-	-	-	-	53%	-	53%	*	53%	54%
	2018	69%	67%	65%	-	-	-	-	-	56%	57%	*	*	56%	59%
All Grades Mathematics	2019	70%	69%	67%	-	-	-	-	-	64%	-	64%	*	64%	65%

District Name: WESTWOOD ISD
 County Name: ANDERSON
 District Number: 001908

Texas Education Agency
Texas Academic Performance Report
2019-20 District STAAR Performance

Bilingual Education/English as a Second Language

(Current EL Students)

Please note that due to the cancellation of spring 2020 State of Texas
 Assessments of Academic Readiness (STAAR) due to the COVID-19 pandemic,
 the Performance section of this year's report is not updated.

		State	Region 07	District	Bilingual Education	BE-Trans Early Exit	BE-Trans Late Exit	BE-Dual Two-Way	BE-Dual One-Way	ESL	ESL Content	ESL Pull-Out	LEP No Services	LEP with Services	Total EL
	2018	70%	70%	72%	-	-	-	-	-	56%	62%	*	*	56%	57%
Progress of Prior Year STAAR Non-Proficient Students (Percent of Non-Proficient Passing STAAR)															
Reading	2019	41%	41%	35%	-	-	-	-	-	22%	-	22%	-	22%	22%
	2018	38%	39%	31%	-	-	-	-	-	28%	28%	-	*	28%	31%
Mathematics	2019	45%	45%	41%	-	-	-	-	-	53%	-	53%	*	53%	50%
	2018	47%	48%	41%	-	-	-	-	-	33%	33%	-	*	33%	32%

District Name: WESTWOOD ISD
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Texas Education Agency
Texas Academic Performance Report
2019-20 District STAAR Participation

Please note that due to the cancellation of spring 2020 State of Texas
 Assessments of Academic Readiness (STAAR) due to the COVID-19 pandemic,
 the Participation section of this year's report is not updated.

	State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
2019 STAAR Participation (All Grades)													
All Tests													
Assessment Participant	99%	99%	100%	100%	100%	100%	100%	100%	-	100%	100%	100%	100%
Included in Accountability	94%	93%	94%	89%	96%	95%	100%	63%	-	94%	96%	92%	87%
Not Included in Accountability													
Mobile	4%	6%	6%	10%	4%	5%	0%	38%	-	6%	4%	7%	12%
Other Exclusions	1%	1%	0%	0%	0%	0%	0%	0%	-	0%	0%	0%	1%
Not Tested	1%	1%	0%	0%	0%	0%	0%	0%	-	0%	0%	0%	0%
Absent	1%	1%	0%	0%	0%	0%	0%	0%	-	0%	0%	0%	0%
Other	0%	0%	0%	0%	0%	0%	0%	0%	-	0%	0%	0%	0%
2018 STAAR Participation (All Grades)													646
All Tests													
Assessment Participant	99%	100%	100%	100%	100%	100%	100%	100%	-	100%	100%	100%	99%
Included in Accountability	94%	95%	92%	92%	94%	91%	100%	78%	-	93%	90%	90%	86%
Not Included in Accountability													
Mobile	4%	4%	7%	8%	4%	8%	0%	22%	-	7%	7%	9%	10%
Other Exclusions	1%	1%	1%	0%	1%	0%	0%	0%	-	0%	3%	1%	3%
Not Tested	1%	0%	0%	0%	0%	0%	0%	0%	-	0%	0%	0%	1%
Absent	1%	0%	0%	0%	0%	0%	0%	0%	-	0%	0%	0%	1%
Other	0%	0%	0%	0%	0%	0%	0%	0%	-	0%	0%	0%	0%

Texas Education Agency

Texas Academic Performance Report

2019-20 District Attendance, Graduation, and Dropout Rates

District Name: WESTWOOD ISD

County Name: ANDERSON

District Number: 001908

	State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
Attendance Rate													
2018-19	95.4%	95.8%	95.6%	95.8%	96.2%	95.2%	96.6%	98.4%	-	94.9%	94.6%	95.2%	97.1%
2017-18	95.4%	95.7%	95.7%	96.5%	95.8%	95.3%	94.5%	*	-	95.6%	94.7%	95.0%	96.5%
Annual Dropout Rate (Gr 7-8)													
2018-19	0.4%	0.4%	0.0%	0.0%	0.0%	0.0%	*	-	-	0.0%	0.0%	0.0%	0.0%
2017-18	0.4%	0.1%	0.4%	2.3%	0.0%	0.0%	*	-	-	0.0%	0.0%	0.7%	0.0%
Annual Dropout Rate (Gr 9-12)													
2018-19	1.9%	1.4%	0.5%	2.2%	0.0%	0.0%	*	0.0%	-	0.0%	0.0%	0.9%	0.0%
2017-18	1.9%	0.9%	0.4%	1.0%	1.0%	0.0%	*	0.0%	-	0.0%	0.0%	0.5%	0.0%
4-Year Longitudinal Rate (Gr 9-12)													
Class of 2019													
Graduated	90.0%	92.4%	96.1%	95.2%	94.1%	97.1%	-	*	-	*	100.0%	95.3%	100.0%
Received TxCHSE	0.5%	0.4%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	0.0%
Continued HS	3.7%	3.2%	1.3%	0.0%	0.0%	2.9%	-	*	-	*	0.0%	2.3%	0.0%
Dropped Out	5.9%	4.0%	2.6%	4.8%	5.9%	0.0%	-	*	-	*	0.0%	2.3%	0.0%
Graduates and TxCHSE	90.4%	92.8%	96.1%	95.2%	94.1%	97.1%	-	*	-	*	100.0%	95.3%	100.0%
Graduates, TxCHSE, and Continuers	94.1%	96.0%	97.4%	95.2%	94.1%	100.0%	-	*	-	*	100.0%	97.7%	647 100.0%
Class of 2018													
Graduated	90.0%	93.3%	99.0%	95.8%	100.0%	100.0%	*	-	-	100.0%	100.0%	98.0%	*
Received TxCHSE	0.4%	0.3%	0.0%	0.0%	0.0%	0.0%	*	-	-	0.0%	0.0%	0.0%	*
Continued HS	3.8%	2.8%	0.0%	0.0%	0.0%	0.0%	*	-	-	0.0%	0.0%	0.0%	*
Dropped Out	5.7%	3.5%	1.0%	4.2%	0.0%	0.0%	*	-	-	0.0%	0.0%	2.0%	*
Graduates and TxCHSE	90.4%	93.7%	99.0%	95.8%	100.0%	100.0%	*	-	-	100.0%	100.0%	98.0%	*
Graduates, TxCHSE, and Continuers	94.3%	96.5%	99.0%	95.8%	100.0%	100.0%	*	-	-	100.0%	100.0%	98.0%	*
5-Year Extended Longitudinal Rate (Gr 9-12)													
Class of 2018													
Graduated	92.2%	95.4%	99.0%	95.8%	100.0%	100.0%	*	-	-	100.0%	100.0%	98.0%	*
Received TxCHSE	0.6%	0.5%	0.0%	0.0%	0.0%	0.0%	*	-	-	0.0%	0.0%	0.0%	*
Continued HS	1.1%	0.5%	0.0%	0.0%	0.0%	0.0%	*	-	-	0.0%	0.0%	0.0%	*
Dropped Out	6.1%	3.6%	1.0%	4.2%	0.0%	0.0%	*	-	-	0.0%	0.0%	2.0%	*
Graduates and TxCHSE	92.8%	95.9%	99.0%	95.8%	100.0%	100.0%	*	-	-	100.0%	100.0%	98.0%	*
Graduates, TxCHSE, and Continuers	93.9%	96.4%	99.0%	95.8%	100.0%	100.0%	*	-	-	100.0%	100.0%	98.0%	*
Class of 2017													
Graduated	92.0%	94.7%	99.0%	100.0%	100.0%	98.4%	-	*	-	*	100.0%	95.8%	*
Received TxCHSE	0.6%	0.7%	1.0%	0.0%	0.0%	1.6%	-	*	-	*	0.0%	4.2%	*
Continued HS	1.1%	0.4%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	*
Dropped Out	6.3%	4.2%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	*
Graduates and TxCHSE	92.6%	95.4%	100.0%	100.0%	100.0%	100.0%	-	*	-	*	100.0%	100.0%	*
Graduates, TxCHSE, and Continuers	93.7%	95.8%	100.0%	100.0%	100.0%	100.0%	-	*	-	*	100.0%	100.0%	*
6-Year Extended Longitudinal Rate (Gr 9-12)													

Texas Education Agency
Texas Academic Performance Report
2019-20 District Attendance, Graduation, and Dropout Rates

District Name: WESTWOOD ISD

County Name: ANDERSON

District Number: 001908

	State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
Class of 2017													
Graduated	92.4%	95.0%	99.0%	100.0%	100.0%	98.4%	-	*	-	*	100.0%	95.8%	*
Received TxCHSE	0.7%	0.8%	1.0%	0.0%	0.0%	1.6%	-	*	-	*	0.0%	4.2%	*
Continued HS	0.6%	0.2%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	*
Dropped Out	6.3%	4.0%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	*
Graduates and TxCHSE	93.2%	95.8%	100.0%	100.0%	100.0%	100.0%	-	*	-	*	100.0%	100.0%	*
Graduates, TxCHSE, and Continuers	93.7%	96.0%	100.0%	100.0%	100.0%	100.0%	-	*	-	*	100.0%	100.0%	*
Class of 2016													
Graduated	92.1%	94.5%	94.5%	95.2%	100.0%	92.1%	-	-	-	-	87.5%	96.1%	*
Received TxCHSE	0.8%	0.9%	4.6%	4.8%	0.0%	6.3%	-	-	-	-	0.0%	2.0%	*
Continued HS	0.5%	0.1%	0.0%	0.0%	0.0%	0.0%	-	-	-	-	0.0%	0.0%	*
Dropped Out	6.6%	4.4%	0.9%	0.0%	0.0%	1.6%	-	-	-	-	12.5%	2.0%	*
Graduates and TxCHSE	92.9%	95.4%	99.1%	100.0%	100.0%	98.4%	-	-	-	-	87.5%	98.0%	*
Graduates, TxCHSE, and Continuers	93.4%	95.6%	99.1%	100.0%	100.0%	98.4%	-	-	-	-	87.5%	98.0%	*
4-Year Federal Graduation Rate Without Exclusions (Gr 9-12)													
Class of 2019	90.0%	92.4%	96.1%	95.2%	94.1%	97.1%	-	*	-	*	100.0%	95.3%	100.0%
Class of 2018	90.0%	93.3%	98.0%	92.0%	100.0%	100.0%	*	-	-	100.0%	91.7%	96.1%	*
RHSP/DAP Graduates (Longitudinal Rate)													648
Class of 2019	73.3%	65.4%	-	-	-	-	-	-	-	-	-	-	-
Class of 2018	68.5%	45.5%	-	-	-	-	-	-	-	-	-	-	-
FHSP-E Graduates (Longitudinal Rate)													
Class of 2019	4.2%	4.6%	1.4%	0.0%	0.0%	3.0%	-	*	-	*	0.0%	2.5%	*
Class of 2018	5.0%	5.6%	0.0%	0.0%	0.0%	0.0%	*	-	-	*	0.0%	0.0%	*
FHSP-DLA Graduates (Longitudinal Rate)													
Class of 2019	83.5%	84.2%	90.4%	94.7%	93.8%	84.8%	-	*	-	*	0.0%	92.5%	*
Class of 2018	82.0%	83.9%	91.6%	86.4%	89.5%	93.9%	*	-	-	*	11.1%	89.6%	*
RHSP/DAP/FHSP-E/FHSP-DLA Graduates (Longitudinal Rate)													
Class of 2019	87.6%	88.7%	91.8%	94.7%	93.8%	87.9%	-	*	-	*	0.0%	95.0%	*
Class of 2018	86.8%	89.0%	91.6%	86.4%	89.5%	93.9%	*	-	-	*	11.1%	89.6%	*
RHSP/DAP Graduates (Annual Rate)													
2018-19	32.7%	37.5%	-	-	-	-	-	-	-	-	-	-	-
2017-18	37.7%	25.5%	*	-	*	-	-	-	-	-	*	-	-
FHSP-E Graduates (Annual Rate)													
2018-19	4.4%	4.4%	1.4%	0.0%	0.0%	3.0%	-	*	-	*	0.0%	2.6%	*
2017-18	4.9%	5.2%	0.0%	0.0%	0.0%	0.0%	-	-	-	*	0.0%	0.0%	*
FHSP-DLA Graduates (Annual Rate)													
2018-19	82.1%	83.1%	90.1%	95.0%	92.3%	84.8%	-	*	-	*	0.0%	92.1%	*
2017-18	81.5%	83.5%	90.8%	85.7%	90.9%	92.2%	-	-	-	*	11.1%	86.4%	*
RHSP/DAP/FHSP-E/FHSP-DLA Graduates (Annual Rate)													

District Name: WESTWOOD ISD

County Name: ANDERSON

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Texas Education Agency
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	State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
2018-19	85.9%	87.3%	91.5%	95.0%	92.3%	87.9%	-	*	-	*	0.0%	94.7%	*
2017-18	85.1%	87.8%	89.9%	85.7%	87.0%	92.2%	-	-	-	*	10.0%	86.4%	*

District Name: WESTWOOD ISD
 County Name: ANDERSON
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Texas Education Agency
Texas Academic Performance Report
2019-20 District Graduation Profile

	District Count	District Percent	State Count	State Percent
Graduates (2018-19 Annual Graduates)				
Total Graduates	72	100.0%	355,615	100.0%
By Ethnicity:				
African American	21	29.2%	43,953	12.4%
Hispanic	13	18.1%	180,673	50.8%
White	33	45.8%	105,577	29.7%
American Indian	0	0.0%	1,293	0.4%
Asian	3	4.2%	16,564	4.7%
Pacific Islander	0	0.0%	537	0.2%
Two or More Races	2	2.8%	7,018	2.0%
By Graduation Type:				
Minimum H.S. Program	0	0.0%	2,248	0.6%
Recommended H.S. Program/Distinguished Achievement Program	0	0.0%	1,090	0.3%
Foundation H.S. Program (No Endorsement)	7	9.7%	51,579	14.5%
Foundation H.S. Program (Endorsement)	1	1.4%	15,160	4.3%
Foundation H.S. Program (DLA)	64	88.9%	285,538	80.3%
Special Education Graduates	6	8.3%	27,598	7.8%
Economically Disadvantaged Graduates	39	54.2%	186,364	52.4%
LEP Graduates	5	6.9%	25,189	7.1%
At-Risk Graduates	26	36.1%	146,432	41.2%

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Texas Education Agency

Texas Academic Performance Report

2019-20 District College, Career, and Military Readiness (CCMR)

District Name: WESTWOOD ISD

County Name: ANDERSON

District Number: 001908

	State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
College, Career, and Military Ready Graduates (Student Achievement)													
College, Career, or Military Ready (Annual Graduates)													
2018-19	72.9%	74.2%	69.4%	66.7%	50.0%	77.3%	-	*	-	*	100.0%	66.7%	20.0%
2017-18	65.5%	64.5%	63.9%	59.1%	65.2%	65.7%	-	-	-	60.0%	70.8%	63.3%	*
College Ready Graduates													
College Ready (Annual Graduates)													
2018-19	53.0%	47.5%	41.7%	42.9%	23.1%	48.5%	-	*	-	*	0.0%	41.0%	0.0%
2017-18	50.0%	42.8%	40.6%	31.8%	43.5%	47.1%	-	-	-	0.0%	0.0%	28.9%	*
TSI Criteria Graduates (Annual Graduates)													
English Language Arts													
2018-19	60.7%	51.5%	55.6%	57.1%	23.1%	66.7%	-	*	-	*	16.7%	56.4%	20.0%
2017-18	58.2%	48.1%	49.5%	40.9%	47.8%	58.8%	-	-	-	0.0%	0.0%	37.8%	*
Mathematics													
2018-19	48.6%	40.3%	44.4%	47.6%	30.8%	45.5%	-	*	-	*	0.0%	41.0%	20.0%
2017-18	46.0%	37.5%	35.6%	31.8%	43.5%	37.3%	-	-	-	0.0%	0.0%	24.4%	*
Both Subjects													
2018-19	44.2%	35.9%	38.9%	42.9%	23.1%	42.4%	-	*	-	*	0.0%	38.5%	0.0%
2017-18	42.1%	32.7%	34.7%	31.8%	43.5%	35.3%	-	-	-	0.0%	0.0%	24.4%	651 *
Dual Course Credits (Annual Graduates)													
Any Subject													
2018-19	23.1%	31.1%	29.2%	19.0%	23.1%	39.4%	-	*	-	*	0.0%	25.6%	0.0%
2017-18	20.7%	27.7%	32.7%	27.3%	39.1%	35.3%	-	-	-	0.0%	0.0%	24.4%	*
AP/IB Met Criteria in Any Subject (Annual Graduates)													
Any Subject													
2018-19	21.1%	8.0%	5.6%	0.0%	0.0%	12.1%	-	*	-	*	0.0%	7.7%	0.0%
2017-18	20.4%	7.6%	5.9%	0.0%	4.3%	9.8%	-	-	-	0.0%	0.0%	2.2%	*
Associate's Degree													
Associate's Degree (Annual Graduates)													
2018-19	1.9%	1.8%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	0.0%
2017-18	1.4%	0.7%	0.0%	0.0%	0.0%	0.0%	-	-	-	0.0%	0.0%	0.0%	*
OnRamps Course Credits (Annual Graduates)													
2018-19	2.3%	0.5%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	0.0%
2017-18	1.0%	0.3%	0.0%	0.0%	0.0%	0.0%	-	-	-	0.0%	0.0%	0.0%	*
Career/Military Ready Graduates													
Career or Military Ready (Annual Graduates)													
2018-19	40.4%	50.2%	46.5%	42.9%	38.5%	50.0%	-	*	-	*	100.0%	44.9%	20.0%
2017-18	28.7%	37.3%	33.7%	34.1%	34.8%	30.4%	-	-	-	60.0%	70.8%	40.0%	*
Approved Industry-Based Certification (Annual Graduates)													
2018-19	10.7%	11.6%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	0.0%
2017-18	4.8%	7.8%	0.0%	0.0%	0.0%	0.0%	-	-	-	0.0%	0.0%	0.0%	*
Graduate with Completed IEP and Workforce Readiness (Annual Graduates)													

Texas Education Agency
Texas Academic Performance Report
2019-20 District College, Career, and Military Readiness (CCMR)

District Name: WESTWOOD ISD

County Name: ANDERSON

District Number: 001908

	State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
2018-19	2.3%	3.1%	8.3%	4.8%	7.7%	12.1%	-	*	-	*	100.0%	5.1%	0.0%
2017-18	1.7%	1.9%	5.9%	13.6%	8.7%	2.0%	-	-	-	0.0%	50.0%	11.1%	*
CTE Coherent Sequence Coursework Aligned with Industry-Based Certifications (Annual Graduates)													
2018-19	55.6%	74.0%	77.8%	76.2%	69.2%	78.8%	-	*	-	*	66.7%	74.4%	40.0%
2017-18	38.7%	52.6%	46.5%	40.9%	52.2%	41.2%	-	-	-	100.0%	50.0%	46.7%	*
U.S. Armed Forces Enlistment (Annual Graduates)													
2018-19	5.0%	6.3%	2.8%	0.0%	0.0%	3.0%	-	*	-	*	0.0%	5.1%	0.0%
2017-18	4.3%	4.9%	6.9%	4.5%	0.0%	9.8%	-	-	-	20.0%	8.3%	11.1%	*
Graduates under an Advanced Degree Plan and Identified as a current Special Education Student (Annual Graduates)													
2018-19	2.7%	3.3%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	0.0%
2017-18	2.6%	3.0%	1.0%	0.0%	4.3%	0.0%	-	-	-	0.0%	8.3%	0.0%	*
Graduates with Level I or Level II Certificate (Annual Graduates)													
2018-19	0.6%	0.6%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	0.0%
2017-18	0.6%	0.3%	0.0%	0.0%	0.0%	0.0%	-	-	-	0.0%	0.0%	0.0%	*

Texas Education Agency
Texas Academic Performance Report
2019-20 District CCMR-Related Indicators

District Name: WESTWOOD ISD

County Name: ANDERSON

District Number: 001908

	State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
TSIA Results (Graduates >= Criterion) (Annual Graduates)													
Reading													
2018-19	33.4%	36.2%	55.6%	57.1%	23.1%	66.7%	-	*	-	*	16.7%	56.4%	20.0%
2017-18	32.1%	33.5%	46.5%	40.9%	47.8%	52.9%	-	-	-	0.0%	0.0%	35.6%	*
Mathematics													
2018-19	24.7%	25.8%	41.7%	47.6%	30.8%	39.4%	-	*	-	*	0.0%	41.0%	20.0%
2017-18	23.7%	24.5%	32.7%	27.3%	43.5%	33.3%	-	-	-	0.0%	0.0%	24.4%	*
Both Subjects													
2018-19	18.8%	20.3%	36.1%	42.9%	23.1%	36.4%	-	*	-	*	0.0%	38.5%	0.0%
2017-18	18.1%	19.0%	31.7%	27.3%	43.5%	31.4%	-	-	-	0.0%	0.0%	24.4%	*
CTE Coherent Sequence (Annual Graduates)													
2018-19	59.0%	76.1%	86.1%	85.7%	84.6%	84.8%	-	*	-	*	83.3%	84.6%	60.0%
2017-18	58.4%	76.2%	82.2%	77.3%	78.3%	84.3%	-	-	-	100.0%	66.7%	84.4%	*
Completed and Received Credit for College Prep Courses (Annual Graduates)													
English Language Arts													
2018-19	5.1%	3.8%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	0.0%
2017-18	2.0%	2.2%	0.0%	0.0%	0.0%	0.0%	-	-	-	0.0%	0.0%	0.0%	*
Mathematics													
2018-19	7.3%	5.5%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	0.0%
2017-18	3.9%	3.6%	0.0%	0.0%	0.0%	0.0%	-	-	-	0.0%	0.0%	0.0%	653 *
Both Subjects													
2018-19	2.6%	2.2%	0.0%	0.0%	0.0%	0.0%	-	*	-	*	0.0%	0.0%	0.0%
2017-18	0.9%	0.5%	0.0%	0.0%	0.0%	0.0%	-	-	-	0.0%	0.0%	0.0%	*
AP/IB Results (Participation) (Grades 11-12)													
All Subjects													
2019	25.2%	11.7%	7.0%	2.1%	13.3%	7.5%	*	20.0%	-	0.0%	n/a	9.2%	n/a
2018	25.8%	11.6%	11.3%	14.0%	12.8%	10.8%	-	*	-	0.0%	n/a	8.0%	n/a
English Language Arts													
2019	14.5%	6.6%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	0.0%	n/a	0.0%	n/a
2018	15.3%	6.6%	0.0%	0.0%	0.0%	0.0%	-	*	-	0.0%	n/a	0.0%	n/a
Mathematics													
2019	7.4%	2.4%	4.3%	0.0%	10.0%	5.4%	*	0.0%	-	0.0%	n/a	5.7%	n/a
2018	7.3%	2.7%	0.0%	0.0%	0.0%	0.0%	-	*	-	0.0%	n/a	0.0%	n/a
Science													
2019	10.4%	3.9%	3.2%	2.1%	3.3%	3.2%	*	20.0%	-	0.0%	n/a	4.6%	n/a
2018	10.8%	4.0%	9.7%	11.6%	12.8%	8.6%	-	*	-	0.0%	n/a	5.7%	n/a
Social Studies													
2019	13.9%	5.0%	0.0%	0.0%	0.0%	0.0%	*	0.0%	-	0.0%	n/a	0.0%	n/a
2018	14.5%	5.4%	1.6%	2.3%	0.0%	2.2%	-	*	-	0.0%	n/a	2.3%	n/a
AP/IB Results (Examinees >= Criterion) (Grades 11-12)													
All Subjects													
2019	51.0%	39.8%	23.1%	*	*	42.9%	-	*	-	-	n/a	25.0%	n/a
2018	50.7%	42.4%	28.6%	0.0%	20.0%	50.0%	-	-	-	-	n/a	0.0%	n/a
English Language Arts													
2019	41.2%	35.2%	-	-	-	-	-	-	-	-	n/a	-	n/a
2018	42.5%	40.4%	-	-	-	-	-	-	-	-	n/a	-	n/a

Texas Education Agency
Texas Academic Performance Report
2019-20 District CCMR-Related Indicators

District Name: WESTWOOD ISD

County Name: ANDERSON

District Number: 001908

	State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
Mathematics													
2019	52.2%	42.0%	0.0%	-	*	0.0%	-	-	-	-	n/a	0.0%	n/a
2018	52.8%	40.7%	-	-	-	-	-	-	-	-	n/a	-	n/a
Science													
2019	40.6%	40.3%	50.0%	*	*	*	-	*	-	-	n/a	*	n/a
2018	38.0%	32.6%	27.8%	0.0%	20.0%	50.0%	-	-	-	-	n/a	0.0%	n/a
Social Studies													
2019	46.3%	31.7%	-	-	-	-	-	-	-	-	n/a	-	n/a
2018	44.6%	34.4%	*	*	-	*	-	-	-	-	n/a	*	n/a
SAT/ACT Results (Annual Graduates)													
Tested													
2018-19	75.0%	54.2%	44.4%	57.1%	30.8%	39.4%	-	*	-	*	n/a	43.6%	n/a
2017-18	74.6%	55.7%	40.6%	54.5%	21.7%	39.2%	-	?	-	40.0%	n/a	28.6%	n/a
At/Above Criterion for All													
Examinees													
2018-19	36.1%	33.6%	31.3%	8.3%	*	53.8%	-	*	-	*	n/a	23.5%	n/a
2017-18	37.9%	32.6%	31.7%	25.0%	80.0%	30.0%	-	*	-	*	n/a	21.4%	n/a
Average SAT Score (Annual Graduates)													
All Subjects													
2018-19	1027	1046	1024	961	*	1066	-	*	-	*	n/a	1023	654 n/a
2017-18	1036	1051	1023	975	*	1075	-	*	-	*	n/a	1014	n/a
English Language Arts and Writing													
2018-19	517	530	519	484	*	542	-	*	-	*	n/a	515	n/a
2017-18	521	532	512	491	*	553	-	*	-	*	n/a	519	n/a
Mathematics													
2018-19	510	516	505	477	*	524	-	*	-	*	n/a	508	n/a
2017-18	515	519	510	484	*	522	-	*	-	*	n/a	495	n/a
Average ACT Score (Annual Graduates)													
All Subjects													
2018-19	20.6	20.0	20.6	18.4	*	22.0	-	*	-	-	n/a	20.1	n/a
2017-18	20.6	19.9	20.5	19.3	*	20.4	-	-	-	-	n/a	20.4	n/a
English Language Arts													
2018-19	20.3	19.8	20.2	18.1	*	20.3	-	*	-	-	n/a	19.2	n/a
2017-18	20.3	19.5	21.0	18.6	*	21.7	-	-	-	-	n/a	21.4	n/a
Mathematics													
2018-19	20.4	19.7	20.5	17.6	*	23.6	-	*	-	-	n/a	21.0	n/a
2017-18	20.6	19.6	19.4	18.8	*	18.4	-	-	-	-	n/a	18.7	n/a
Science													
2018-19	20.8	20.4	21.2	19.6	*	23.2	-	*	-	-	n/a	21.0	n/a
2017-18	20.9	20.2	20.3	20.8	*	19.5	-	-	-	-	n/a	20.1	n/a

Texas Education Agency
Texas Academic Performance Report
2019-20 District Other Postsecondary Indicators

District Name: WESTWOOD ISD

County Name: ANDERSON

District Number: 001908

	State	Region 07	District	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL (Current)
Advanced Dual-Credit Course Completion (Grades 9-12)													
Any Subject													
2018-19	44.6%	40.5%	43.3%	38.1%	42.1%	44.7%	*	66.7%	-	50.0%	6.3%	42.2%	13.3%
2017-18	43.4%	39.5%	47.4%	46.2%	41.2%	51.5%	*	16.7%	-	42.9%	9.3%	48.2%	5.6%
English Language Arts													
2018-19	17.8%	16.0%	7.1%	6.2%	5.3%	7.9%	*	16.7%	-	7.7%	0.0%	7.0%	0.0%
2017-18	17.3%	15.0%	10.2%	7.5%	10.6%	11.9%	*	16.7%	-	0.0%	0.0%	7.2%	0.0%
Mathematics													
2018-19	20.4%	19.3%	13.6%	14.3%	10.8%	13.8%	*	50.0%	-	0.0%	0.0%	11.4%	0.0%
2017-18	20.7%	19.5%	15.0%	14.0%	12.8%	16.3%	*	0.0%	-	25.0%	5.3%	16.9%	0.0%
Science													
2018-19	21.7%	21.3%	15.5%	19.5%	12.2%	14.4%	*	50.0%	-	15.4%	4.4%	17.0%	7.1%
2017-18	21.2%	21.1%	25.0%	25.0%	25.0%	25.5%	*	0.0%	-	30.8%	5.4%	24.8%	5.9%
Social Studies													
2018-19	23.6%	14.9%	25.0%	13.9%	27.0%	28.7%	*	0.0%	-	35.7%	0.0%	23.0%	6.7%
2017-18	22.8%	15.2%	24.0%	22.8%	22.9%	26.7%	*	16.7%	-	0.0%	0.0%	22.7%	0.0%
Graduates Enrolled in Texas Institution of Higher Education (TX IHE)													
2017-18	53.4%	51.1%	48.5%	68.2%	47.8%	45.1%	-	-	-	0.0%	25.0%	44.9%	*
2016-17	54.6%	52.6%	42.6%	47.4%	33.3%	40.3%	*	*	-	*	10.0%	46.2%	*
Graduates in TX IHE Completing One Year Without Enrollment in a Developmental Education Course													655
2017-18	60.7%	56.8%	63.8%	28.6%	90.0%	73.9%	-	-	-	-	*	42.9%	-
2016-17	59.2%	53.9%	69.2%	37.5%	*	83.3%	-	*	-	*	*	50.0%	-

Texas Education Agency
Texas Academic Performance Report
2019-20 District Student Information

District Name: WESTWOOD ISD

County Name: ANDERSON

District Number: 001908

Student Information	----- Membership -----				----- Enrollment -----			
	----- District -----		----- State -----		----- District -----		----- State -----	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Total Students	1,514	100.0%	5,479,173	100.0%	1,514	100.0%	5,493,940	100.0%
Students by Grade:								
Early Childhood Education	3	0.2%	16,848	0.3%	3	0.2%	25,883	0.5%
Pre-Kindergarten	89	5.9%	248,413	4.5%	89	5.9%	249,226	4.5%
Kindergarten	98	6.5%	383,585	7.0%	98	6.5%	384,114	7.0%
Grade 1	115	7.6%	391,175	7.1%	115	7.6%	391,449	7.1%
Grade 2	101	6.7%	388,370	7.1%	101	6.7%	388,675	7.1%
Grade 3	113	7.5%	391,565	7.1%	113	7.5%	391,795	7.1%
Grade 4	110	7.3%	399,883	7.3%	110	7.3%	400,111	7.3%
Grade 5	115	7.6%	417,272	7.6%	115	7.6%	417,444	7.6%
Grade 6	116	7.7%	422,605	7.7%	116	7.7%	422,740	7.7%
Grade 7	94	6.2%	423,421	7.7%	94	6.2%	423,545	7.7%
Grade 8	119	7.9%	411,170	7.5%	119	7.9%	411,272	7.5%
Grade 9	123	8.1%	448,929	8.2%	123	8.1%	449,122	8.2%
Grade 10	125	8.3%	406,785	7.4%	125	8.3%	407,044	7.4%
Grade 11	98	6.5%	376,894	6.9%	98	6.5%	377,208	6.9%
Grade 12	95	6.3%	352,258	6.4%	95	6.3%	354,312	6.4%
Ethnic Distribution:								
African American	296	19.6%	691,582	12.6%	296	19.6%	692,925	12.6%
Hispanic	370	24.4%	2,892,928	52.8%	370	24.4%	2,899,504	52.8%
White	768	50.7%	1,477,699	27.0%	768	50.7%	1,483,688	27.0%
American Indian	11	0.7%	19,999	0.4%	11	0.7%	20,062	0.4%
Asian	6	0.4%	250,065	4.6%	6	0.4%	250,463	4.6%
Pacific Islander	0	0.0%	8,466	0.2%	0	0.0%	8,481	0.2%
Two or More Races	63	4.2%	138,434	2.5%	63	4.2%	138,817	2.5%
Sex:								
Female	735	48.5%	2,673,270	48.8%	735	48.5%	2,678,619	48.8%
Male	779	51.5%	2,805,903	51.2%	779	51.5%	2,815,321	51.2%
Economically Disadvantaged	970	64.1%	3,303,974	60.3%	970	64.1%	3,309,610	60.2%
Non-Educationally Disadvantaged	544	35.9%	2,175,199	39.7%	544	35.9%	2,184,330	39.8%
Section 504 Students	90	5.9%	376,734	6.9%	90	5.9%	376,956	6.9%
English Learners (EL)	92	6.1%	1,112,674	20.3%	92	6.1%	1,113,536	20.3%
Students w/ Disciplinary Placements (2018-19)	11	0.6%	82,551	1.5%				
Students w/ Dyslexia	58	3.8%	224,619	4.1%	58	3.8%	224,741	4.1%
Foster Care	18	1.2%	17,393	0.3%	18	1.2%	17,451	0.3%
Homeless	3	0.2%	78,178	1.4%	3	0.2%	78,296	1.4%
Immigrant	8	0.5%	126,747	2.3%	8	0.5%	126,858	2.3%
Migrant	0	0.0%	18,888	0.3%	0	0.0%	18,992	0.3%
Title I	861	56.9%	3,568,526	65.1%	861	56.9%	3,576,850	65.1%
Military Connected	3	0.2%	105,751	1.9%	3	0.2%	105,787	1.9%
At-Risk	806	53.2%	2,773,390	50.6%	806	53.2%	2,776,481	50.5%

District Name: WESTWOOD ISD
 County Name: ANDERSON
 District Number: 001908

Texas Education Agency
 Texas Academic Performance Report
 2019-20 District Student Information

Student Information	----- Membership -----				----- Enrollment -----			
	----- District -----		----- State -----		----- District -----		----- State -----	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Students by Instructional Program:								
Bilingual/ESL Education	84	5.5%	1,128,904	20.6%	84	5.5%	1,129,558	20.6%
Career & Technical Education	407	26.9%	1,512,219	27.6%				
Career & Technical Education (9-12 grades only)	335	76.0%	805,496	50.8%	335	76.0%	806,117	50.8%
Gifted & Talented Education	42	2.8%	444,125	8.1%	42	2.8%	444,196	8.1%
Special Education	212	14.0%	577,868	10.5%	212	14.0%	587,987	10.7%
Students with Disabilities by Type of Primary Disability:								
Total Students with Disabilities	212		577,868					
By Type of Primary Disability								
Students with Intellectual Disabilities	128	60.4%	245,216	42.4%				
Students with Physical Disabilities	30	14.2%	123,847	21.4%				
Students with Autism	**	**	79,952	13.8%				
Students with Behavioral Disabilities	32	15.1%	120,042	20.8%				
Students with Non-Categorical Early Childhood	*	*	8,811	1.5%				
Mobility (2018-19):								
Total Mobile Students	238	16.1%	806,375	15.3%				657

Student Information	-Non-Special Education Rates-		-Special Education Rates-	
	District	State	District	State
Retention Rates by Grade:				
Kindergarten	4.4%	1.6%	12.5%	5.5%
Grade 1	1.2%	2.9%	0.0%	4.9%
Grade 2	2.1%	1.6%	4.0%	2.0%
Grade 3	2.2%	0.9%	0.0%	0.8%
Grade 4	2.0%	0.5%	0.0%	0.4%
Grade 5	0.0%	0.4%	0.0%	0.5%
Grade 6	1.2%	0.4%	0.0%	0.5%
Grade 7	0.0%	0.5%	0.0%	0.6%
Grade 8	1.0%	0.4%	0.0%	0.6%
Grade 9	1.0%	7.8%	14.3%	13.1%

	----- District -----		----- State -----	
	Count	Percent	Count	Percent
Data Quality:				
Underreported Students	0	0.0%	5,686	0.2%

Texas Education Agency
Texas Academic Performance Report
2019-20 District Student Information

District Name: WESTWOOD ISD
County Name: ANDERSON
District Number: 001908

<u>Class Size Information</u>	<u>District</u>	<u>State</u>
Class Size Averages by Grade and Subject (Derived from teacher responsibility records):		
Elementary:		
Kindergarten	16.9	19.0
Grade 1	18.7	18.9
Grade 2	19.6	18.8
Grade 3	18.6	19.0
Grade 4	17.8	19.2
Grade 5	18.7	20.9
Grade 6	22.0	20.4
Secondary:		
English/Language Arts	17.4	16.4
Foreign Languages	16.8	18.7
Mathematics	16.3	17.8
Science	16.1	18.8
Social Studies	14.8	19.3

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Texas Education Agency
Texas Academic Performance Report
2019-20 District Staff Information

District Name: WESTWOOD ISD

County Name: ANDERSON

District Number: 001908

Staff Information	District		State	
	Count	Percent	Count	Percent
Total Staff	245.9	100.0%	734,726.4	100.0%
Professional Staff:	132.7	54.0%	468,132.4	63.7%
Teachers	113.4	46.1%	363,121.3	49.4%
Professional Support	9.0	3.7%	74,698.8	10.2%
Campus Administration (School Leadership)	6.3	2.5%	21,960.1	3.0%
Central Administration	4.0	1.6%	8,352.3	1.1%
Educational Aides:	48.5	19.7%	78,096.8	10.6%
Auxiliary Staff:	64.7	26.3%	188,497.2	25.7%
Librarians & Counselors (Headcount):				
Librarians				
Full-time	1.0	n/a	4,373.0	n/a
Part-time	0.0	n/a	595.0	n/a
Counselors				
Full-time	3.0	n/a	12,901.0	n/a
Part-time	1.0	n/a	1,103.0	n/a
Total Minority Staff:	54.1	22.0%	375,758.9	51.1%
Teachers by Ethnicity and Sex:				
African American	7.4	6.5%	39,132.5	10.8%
Hispanic	3.0	2.6%	102,099.7	28.1%
White	100.0	88.2%	209,453.0	57.7%
American Indian	1.0	0.9%	1,239.6	0.3%
Asian	1.0	0.9%	6,393.2	1.8%
Pacific Islander	0.0	0.0%	638.2	0.2%
Two or More Races	1.0	0.9%	4,165.2	1.1%
Males	32.4	28.6%	86,302.4	23.8%
Females	81.0	71.4%	276,818.8	76.2%
Teachers by Highest Degree Held:				
No Degree	0.0	0.0%	4,859.9	1.3%
Bachelors	93.6	82.5%	266,596.3	73.4%
Masters	19.8	17.5%	89,088.4	24.5%
Doctorate	0.0	0.0%	2,576.8	0.7%
Teachers by Years of Experience:				
Beginning Teachers	7.0	6.2%	26,878.7	7.4%
1-5 Years Experience	37.5	33.1%	101,305.8	27.9%
6-10 Years Experience	22.2	19.5%	70,305.4	19.4%
11-20 Years Experience	28.9	25.5%	106,767.7	29.4%
Over 20 Years Experience	17.9	15.7%	57,863.9	15.9%
Number of Students per Teacher	13.4	n/a	15.1	n/a

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District Name: WESTWOOD ISD
 County Name: ANDERSON
 District Number: 001908

Texas Education Agency
 Texas Academic Performance Report
 2019-20 District Staff Information

Staff Information	District	State	
Experience of Campus Leadership:			
Average Years Experience of Principals	5.0	6.2	
Average Years Experience of Principals with District	4.8	5.3	
Average Years Experience of Assistant Principals	1.0	5.3	
Average Years Experience of Assistant Principals with District	1.0	4.7	
Average Years Experience of Teachers:	10.6	11.1	
Average Years Experience of Teachers with District:	3.4	7.2	
Average Teacher Salary by Years of Experience (regular duties only):			
Beginning Teachers	\$31,997	\$49,868	
1-5 Years Experience	\$39,810	\$52,823	
6-10 Years Experience	\$45,901	\$55,756	
11-20 Years Experience	\$53,580	\$59,308	
Over 20 Years Experience	\$51,465	\$65,449	
Average Actual Salaries (regular duties only):			
Teachers	\$45,862	\$57,091	
Professional Support	\$58,834	\$67,352	
Campus Administration (School Leadership)	\$75,947	\$82,512	
Central Administration	\$102,933	\$108,367	660
Instructional Staff Percent:	59.2%	64.6%	
Turnover Rate for Teachers:	38.1%	16.8%	
Staff Exclusions:			
Shared Services Arrangement Staff:			
Professional Staff	0.0	1,122.5	
Educational Aides	0.0	189.0	
Auxiliary Staff	0.0	399.5	
Contracted Instructional Staff:	0.0	6,309.0	

District Name: WESTWOOD ISD
 County Name: ANDERSON
 District Number: 001908

Texas Education Agency
 Texas Academic Performance Report
 2019-20 District Staff Information

Program Information	District		State	
	Count	Percent	Count	Percent
Teachers by Program (population served):				
Bilingual/ESL Education	0.4	0.3%	23,626.0	6.5%
Career & Technical Education	7.4	6.5%	18,120.4	5.0%
Compensatory Education	4.4	3.8%	10,147.3	2.8%
Gifted & Talented Education	0.0	0.0%	7,053.3	1.9%
Regular Education	91.7	80.9%	257,548.7	70.9%
Special Education	5.9	5.2%	33,620.4	9.3%
Other	3.6	3.2%	13,005.2	3.6%

- '/' Indicates that rates for reading and mathematics are based on the cumulative results from the first and second administrations of STAAR.
- '*' Indicates results are masked due to small numbers to protect student confidentiality.
- '**' When only one student disability group is masked, then the second smallest student disability group is masked regardless of size.
- '-' Indicates there are no students in the group.
- 'n/a' Indicates data reporting is not applicable for this group.
- '?' Indicates that the data for this item were statistically improbable or were reported outside a reasonable range.

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[Link to: PEIMS Financial Standard Reports 2018-19 Financial Actual Report](#)

2021-22 Priority for Service (PFS) Action Plan for Migrant Students

As part of the Every Student Succeeds Act (ESSA), the Priority for Service (PFS) Action Plan is a required program activity for the Migrant Education Program. In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who are failing, or most at risk of failing, to meet the challenging State academic standards; or have dropped out of school. [§1304 [20 U.S.C. 6394](d)].

The Priority for Service Report on NGS must be used to determine who to serve first and foremost with MEP funds. Students are identified as PFS if they meet the following criteria:

Priority for Service Criteria	
Grades 3-12, Ungraded (UG) or Out of School (OS)	- Who have made a qualifying move within the previous 1-year period; <u>AND</u> - Have failed one or more of the state assessments (TAKS/STAAR), or were granted a TAKS LEP⁶⁶² Postponement, were Absent, Not Tested or were not enrolled in a Texas school during the state assessment testing period for their grade level.
Grades K-3	- Who have made a qualifying move within the previous 1-year period; <u>AND</u> - Have been designated LEP in the Student Designation section of the New Generation System (NGS) Supplemental Program Component; <u>or</u> - For students in grades K-2, who have been retained, or are over age for their current grade level.

The following document is provided by TEA for districts to help document efforts that are being conducted on behalf of Priority for Service students. It contains all of the required components as described in Part 4 of the ESSA Application in the Provisions and Assurances, but also allows room for districts to add additional activities. Each district's plan must clearly articulate criteria for defining student success, including timelines for achieving stated goals and objectives.

NOTE: This document can be obtained electronically in MS Word format from the regional ESC MEP Coordinator.

School District: Westwood ISD
Region: 7

Priority for Service (PFS) Action Plan

School Year: 2021-22

Filled Out By: Tiffany Carwell
Date: June 3, 2021

Note: Title I, Part C Coordinator or MEP staff will include the PFS Action Plan in the District Improvement Plan as a separate section appropriately labeled or identified (e.g., “Migrant PFS Action Plan Section”), rather than integrating the action plan elements with other DIP sections that focus on other student population groups (e.g., bilingual, ESL, economically disadvantage).

<u>Goal(s):</u> 100% of eligible migratory, Priority For Service Students will be entered in to the NGS data system by the NGS data technician. These students will be monitored and needs will be assessed and addressed throughout the school year and in the summer school program.	<u>Objective(s):</u> To ensure 100% of the PFS students are prepared to transition to the next grade level through supports offered at the campus level.

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Required Strategies	Timeline	Person(s) Responsible	Documentation
Monitor the progress of MEP students who are on PFS.			
Monthly, run NGS Priority for Service (PFS) reports to identify migrant children and youth who require priority access to MEP services.	Before the end of each month, August 2021-July 2022	NGS Specialist	PFS tracking report
Before the first day of school, develop a PFS Action Plan for serving PFS students. The plan must clearly articulate criteria for defining student success, including timelines for achieving stated goals and objectives.	Before 1 st Day of School	MEP contact	PFS report
Additional Activities			
Required Strategies	Timeline	Person(s) Responsible	Documentation
Communicate the progress and determine needs of PFS migrant students.			
During the academic calendar, the Title I, Part C Migrant Coordinator or MEP staff will provide campus principals and appropriate campus staff information on the Priority for Service criteria and updated NGS Priority for Service reports.	ongoing	district migrant contact, principal, teacher or district assigned personnel	PFS reports/ completed student reviews
During the academic calendar, the Title I, Part C Migrant Coordinator or MEP staff will provide parents of PFS information on the Priority for Service criteria.	end of each grading period	district staff	emails, posts, flyers, parent meeting sign-ins, report cards, state assessment letters
During the academic calendar, the district's Title I, Part C Migrant Coordinator or MEP staff will make	ongoing	MEP staff	calendars, meeting notes

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individualized home and /or community visits to update parents on the academic progress of their children.			
Additional Activities			
▪			
Provide services to PFS migrant students.			
▪ The district's Title I, Part C Migrant Coordinator or MEP staff will use the PFS reports to give priority placement to these students in migrant education program activities.	ongoing as student enrolls in school	MEP staff	Bright Beginning documentation, class rosters
▪ The district's Title I, Part C Migrant Coordinator or MEP staff will ensure that PFS students receive priority access to instructional services as well as social workers and community social services/agencies.	ongoing	MEP staff	PFS student review forms, attendance reports, appointment documentation
▪ The district's Title I, Part C migrant coordinator or MEP staff will determine what federal, state, or local programs serve PFS students.	ongoing	MEP staff	PFS student review forms
Additional Activities			
▪			

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LEA Signature_____
Date Completed

Strategy 1: Professional Development Districts will participate in effective professional development activities in order to accurately and effectively identify and recruit migrant students and out of school youths.

Required Activity	Method	Responsible Staff	Estimated Time Frame	Materials	Method of Evaluation
Meet federal requirements for annual Identification and Recruitment (ID&R) training	Participate in training	Migrant Contact	Before TEA deadline	State ID&R training, ID&R manual	Certificate
ID&R training for any new ESC or district Migrant staff and other non-migrant staff	Participate in training	Migrant Contact	As requested	State ID&R training, ID&R manual	Certificate
Updates from TEA and Education Service Center (ESC)	Receive updated information	ESC Migrant Specialist	As updates become available	Emails	Copies of updates
Migrant Education Program Advisory Council	Required activity to develop: Needs Assessment Plan, Priority for Service Action Plans, Review Statewide Delivery Plan, ID&R Planning and quality control plan	Westwood ISD and ESC Migrant Contacts	September, 2020 and April, 2021	District data, plan	666 Certificate, Needs Assessment Plan, PFS Action Plan, ID&R Plan
Migrant Education Program Advisory Council will develop Priority for Service Action Plan Template, ID&R Action Plan Template and Needs Assessment Plan.	ESC 7 MEP Advisory Council Workshop	Westwood ISD and ESC Migrant Contacts	September, 2020 and April, 2021	Action Plan Templates, PowerPoint	Certificate, Needs Assessment Plan, PFS Action Plan Template and ID&R Action Plan Template

Strategy 2: Identification and Recruitment Process ESC 7 and districts will actively, accurately and effectively identify and recruit migrant students and out of school youths.

Required Activity	Method	Responsible Staff	Estimated Time Frame	Materials	Method of Evaluation
Actively and safely recruit Out of School Youth (OSY)	Meeting community members, churches, Chambers of Commerce, businesses	ESC OSY Recruiter, ESC Migrant Specialist, ESC Migrant Recruiter	Ongoing	Flyers, Newspapers	Agendas, flyers, newspaper
	Employers surveyed	ESC OSY Recruiter	Ongoing	Employer survey	Completed surveys
	ESC Recruiters follow ESC7 Safety Procedures	ESC Recruiters	Ongoing	ESC7 Procedures	Procedures reviewed with Recruiters
	Contact potentially eligible migrant families-by conducting family surveys during school registration and throughout the year.	Westwood ISD and ESC	Year round	Family survey	NGS district reports, completed surveys 667
Identification of children and youth who are under the age of 22, moved across school district lines alone or with parents in order to obtain temporary or seasonal agricultural employment due to economic necessity.	Screening family surveys	Westwood ISD and ESC	Upon enrollment or identification	Family survey	NGS district reports, completed surveys
	Use New Generation System and Migrant Student Interstate Exchange (NGS and MSIX) to verify previously eligible Migrant students	Project districts and ESC	Upon enrollment or identification	Family survey	NGS district reports, completed surveys
	Tracking late enrollment, early withdrawal	Westwood ISD and ESC	Upon enrollment and withdrawal	Family surveys and withdrawals	NGS district reports, completed surveys
Required Activity	Method	Responsible Staff	Estimated Time Frame	Materials	Method of Evaluation

**Identification and Recruitment
Action Plan 2021-2022**

Complete Certificate of Eligibility (COE)	Recruiter completes COE and Supplemental Documentation Form (SDF) during family interview. Submit completed COE and SDF to designated reviewer for review	ESC Recruiters	Within 5 days of parent signatures	COEs	Completed COE
Review COEs	Reviewer reviews COE and SDF, returns COE and SDF to recruiter if additional information is needed, then submits to New Generation System (NGS) Terminal Site for entry into to NGS.	Recruiter, Reviewer, NGS data entry personnel	Within 7 days of parent signature.	COEs	Completed COE with 2 signatures and NGS report.
Conduct Residency Verification	Verify continued residency for all currently eligible migrant children who have not made a new qualifying move during the current reporting period. Recruiter will request school record to verify enrollment and/or obtain parent signature for unenrolled youth.	District Migrant Contact, ESC Migrant Department	September 1, 2020- November 1, 2020. For 2 yr old turning 3, on or after 3rd birthday	COEs, School records	Updated COE, parent signature, NGS residency verification report
Notify the school district when students qualify for the Migrant Education Program	Letter and a copy of the COE is sent to District Migrant Contact and to PEIMS Coordinator	ESC7 Migrant Department	Within 7 days of entry into NGS.	COE, letter	District's receipt of letter

Required Activity	Method	Responsible Staff	Estimated Time Frame	Materials	Method of Evaluation

**Identification and Recruitment
Action Plan 2021-2022**

Maintain a strong system of Quality Control	Eligibility Review-Forward COEs with more than one comment to ESC for review. Follow protocol for COEs that warrant further review by the ESC and/or State MEP as outlined in the ID&R Manual. Project Districts send a copy of COEs to ESC.	Recruiters, Reviewers, MEP administrators, ESC MEP contact	Ongoing	Documentation forms, re-interview documentation	Completed documentation forms, Re-interview documentation
	Work with the ESC to provide training support to MEP recruiters, designated reviewers and other MEP staff as specific needs are observed throughout the year.	All MEP staff	Ongoing	Manual, Documentation forms	Certificate
Annual Evaluation of ID&R Program	Analyze data	ESC and districts	May, 2021	NGS forms	Completed NGS forms 669
Maintain up-to-date records on file	Maintain updated active and inactive records. Retain records for seven (7) years.	ESC and districts	Ongoing	COEs	COE records
Coordinate with ESC for annual eligibility validation	Validate eligibility through re-interview process according to instructions set forth by TEA	ESC, MEP staff, previously identified children selected by State MEP	January - June, 2021	COEs, TEA guidance	TEA report

Required Activity	Method	Responsible Staff	Estimated Time Frame	Materials	Method of Evaluation

**Identification and Recruitment
Action Plan 2021-2022**

Maps, intraregional networking and interagency coordination	Recruiter is in contact with growers regarding hiring practices, crops and growing seasons.	OSY Recruiter	Ongoing	Data	Data
	Develop maps for recruiters	All MEP staff	Ongoing	Map	Map
	Coordinate/network with local/regional organizations that provide services to migrant workers and their families by meeting with staff and sharing information with entities listed on the back of the COE.	MEP staff	Ongoing	List of entities	Calendars, agendas, data

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Strategy 3: Family and Community Relations and Coordination Region 7 Project and SSA districts will actively, accurately and effectively work with families and community members.

Required Activities	Activity	Responsible Staff	Estimated Time Frame	Materials	Method of Evaluation

**Identification and Recruitment
Action Plan 2021-2022**

Parent Advisory Committee (PAC)	Parent questionnaire	ESC and Westwood ISD	September - October 2020	Questionnaire and listserv	Completed questionnaire
	Gather data	ESC and Westwood ISD	November, 2020	Documentation	Completed documentation
	Provide appropriate meeting based on data	ESC and Westwood ISD	Fall Semester and Spring Semester	Data, determined by needs, invitations, announcements	Agenda, sign in sheets, invitations
Business Relations and Coordination	Meet with Chambers of Commerce, churches, community members and businesses	ESC Migrant staff	Ongoing	Determined by needs, invitations, announcements	Documentation of meeting, time accounting
	Invite Community and Businesses to PAC	ESC and Westwood ISD	Fall Semester and Spring Semester	Determined by needs, invitations, announcements	Agenda, sign in sheets, invitations
Services	Provide school supplies and Summer Education Program materials as determined by needs assessment to Migrant Students.	ESC Migrant staff	Ongoing	NGS enrollment report, supplies, books	Signature on Delivery form

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10. **CLOSED SESSION**

- A. Consider and possibly approve District of Innovation Contract- Ag. Science
- B. Superintendent's evaluation and contract consideration
- C. Acknowledge professional contracts for the 2021-2022 school year
- D. Board's self evaluation

11. **Board to vote on items discussed in closed session**

- 12. Consider and possibly approve District on Innovation Contract - Ag. Science for the 2021-2022 school year
- 13. Board to consider and possibly approve Superintendent's Contract
- 14. Board to acknowledge professional contracts

15. **ADJOURNMENT**

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the board will conduct a closed meeting in accordance with the ~~Texas Open Meetings Act~~, Government Code, Chapter 551, Subchapters D and E or Texas Government Code section 418.183(f). Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting. [See BEC(LEGAL)]

The notice for this meeting was posted in compliance with the Texas Open Meeting Act on:

For the Board of Trustees