

Notice of Regular Business Meeting
The Board of Trustees
Fort Bend Independent School District

Monday, December 14, 2020

Notice is hereby given that a Board of Trustees Regular Business Meeting will be held on Monday, December 14, 2020, beginning at 6:00 PM in the Board Room of the Administration Building, 16431 Lexington Blvd., Sugar Land, TX 77479. Members of the public may view the live stream of the meeting at following address: <https://www.fortbendisd.com/March29LIVESTREAM>. Members of the public may also register to address the Board at the following address: <https://www.fortbendisd.com/cms/lib/TX01917858/Centricity/Domain/83/New%20Regular%20Business%20Address%20Form%201-12-21.pdf>. Requests to address the Board must be submitted no later than 4:30 p.m. on the day of the meeting. It is the Board of Trustees' intent that a quorum of the Board of Trustees will be physically present at this location, although one or more Trustees may participate via video conference. The agenda packet for the meeting can be found here: <https://meetings.boardbook.org/Public/Organization/649>.

1. Call to order at 6:00 PM with announcement by the chair as to the presence of a quorum, that the meeting has been duly called and that notice of the meeting has been posted for the time and manner required by law
2. Pledge of Allegiance
3. Invocation
4. Recognitions 4
5. Audience Items
6. Information
 - A. Board Goal 1: Fort Bend ISD will provide an equitable learning environment that provides all students access to the FBISD curriculum
 1. 2020-21 Student Achievement Update 7
7. Convene in closed session under Texas Open Meetings Act, Texas Government Code, Chapter 551 under the following sections: 551.071 - For the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law; Section 551.072 - Consider purchase, exchange, lease, or value of real property, Section 551.074 - Personnel matters, Section 551.076 - Security matters, Section 551.082 - Student discipline matter or complaint, or Section 551.0821 - Personally identifiable information about public school student
8. Reconvene in Open Session
9. Consider Action on Closed Session Items
10. Board Members' Report
 - A. Activity Report
 - B. Special Reports
11. Consent Agenda

All items under the Consent Agenda are acted upon by one motion. Upon a Board Member's request, any item on the Consent Agenda shall be moved to the Action portion of the regular agenda.

 - A. Board Governance
 1. Consider Approval of Revisions to Local Board Policies 8
 - a. CNB (Local): Transportation Management: District Vehicles 11
 - b. COB (Local): Food and Nutrition Management: Free and Reduced-Price Meals 13

c. DIA (Local): Employee Welfare: Freedom from Discrimination, Harassment and Retaliation	14
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4. Consider Approval of a Contract with Mobile Modular Management Corporation to Lease a Maximum of 20 Modular Buildings, Review a Job Order Contract with J. R. Thomas Group, Inc. to Set Up and Install Required Modular Building Infrastructure, Review a Design Services Agreement with Molina Walker Almaguer Architects, and Review Approval of the Project Budget	76
5. Consider Approval of an Electrical Services Easement with CenterPoint Energy for the New Agricultural Facility at Marshall High School	78
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a. Consider Approval of the Purchase of Band Uniforms and Related Items for Elkins High School	88
b. Consider Approval of the Purchase of a RouteFinder Software Upgrade	90
c. Consider Approval of the Purchase of Staff Augmentation Services from Multiple Vendors	92
12. Action	
A. Board Goal 5: Fort Bend ISD will develop a culture that embraces care, respect, safety, and inclusion	
1. Consider Adoption of a Resolution to Authorize Paid Leave Benefits to Employees Required to Quarantine or Isolate Due to COVID-19	94
13. Review Future Board Meeting Agenda Items	97
14. 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 following Fort Bend ISD Goals may be referenced in agenda items included in this document:

Goal 1: Fort Bend ISD will provide an equitable learning environment that provides all students access to the FBISD curriculum.

- Goal 2: Fort Bend ISD will ensure students own and are responsible for their learning, behavior, and progress through the FBISD curriculum.
- Goal 3: Fort Bend ISD will provide an inclusive, collaborative, and fluid learning environment with opportunities for both risk-taking and success.
- Goal 4: Fort Bend ISD will develop students' social-emotional, academic, literacy, language, and life skills in a robust Collaborative Community at every school.
- Goal 5: Fort Bend ISD will develop an organizational culture that embraces care, respect, safety, and inclusion.

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Recognitions
Department: Communications

Recommendation

The Administration recommends that the Board recognize:

- Quail Valley Middle School student for being a Dr. Martin D. Jenkins Scholar Award winner
- Quail Valley Middle School student for winning the 2020 Congressional App Challenge
- Dulles High School Academic Decathlon Team for winning the Irving Online Invitational Meet
- Fort Bend ISD students for winning second and third place at the Houston Community College IDEAS Pitch Competition
- Fort Bend ISD Materials Management Department for receiving the Texas Association of School Board Officials Award of Merit
- James Reese Career and Technical Center for being awarded a LEED recognition
- James Reese Career and Technical Center for being awarded the Texas Association of School Administrators and Texas Association of School Boards Stars of Distinction for School Architecture Project Award.

Summary

Nicholas Ufeli, a seventh-grade student at Quail Valley Middle School, is the winner of the Dr. Martin D. Jenkins Scholar Award. The award is designed to honor the achievements of highly gifted black students who excel academically. As an award winner, Nicholas received a \$300 cash award, National Association for Gifted Children Convention registration, and a scholarship to attend a summer residential program at Purdue University.

Tavishi Sinha, a seventh-grade student at Quail Valley Middle School, is the winner of the 2020 Congressional App Challenge for developing an app to help a national non-profit organization called, "Teens Helping Seniors". The app helps to combat the spread of COVID-19 while simplifying grocery delivery processes. Tavishi's app will be displayed at the U.S. Capitol Building as well as on the House of Representative's website, www.House.gov.

The Dulles High School (DHS) Academic Decathlon Team won the Irving (California) Online Invitational Meet. The last Texas school won this invitational in 2000. Additionally, three of the DHS students were recognized as top scorers.

- Team – Kathryn Phung (first place scorer), Ashith Regi (second place scorer), Abigail Diltz (third place scorer), Saloni Modi, Allezay Sheikh, Hemant Kanwar, Huda Hashmi, Tanay Mannikar, Amber Hsieh, David Zhao, Jeffrey Jiang, Anthony Pasala, Catherine Leon Lemons, Sahaar Khoja, Arnold Wang, Isabella Ramirez, Joshua Wang, Atira Anurachmand, Daniel Epega, Afiya Dhanani, Megan Wang, Mark Gabino, Earlene Sun, Leah Melendez, Kevin Duong, Chinaza Chinagozim, Alain Champigny, Conrad Leung, Rachel Thomas, Christina Subonj
- Coaches – Kelsey Halfen, Andrew Hartman, Mark Rosenbalm, Rybecca Kirkpatrick, and Casey Johnston

Two student teams from Fort Bend ISD were finalists in the Houston Community College (HCC) student pitch competition called, IDEAS Pitch Competition. The HCC IDEAS Pitch Competition is designed for students to share their creative ideas and social innovations. Students pitch a product or services to a panel of judges that explores innovative approaches to answering pressing sustainability and societal needs.

- Second Place Winner: Dulles High School – Sophia Zhao, Hannah Chu, Sahaar Khoja, Bonnie Ho, and Cheeraj Mulani
 - Project – Hexawrap, a reusable beeswax wrap that stops 500 plastic bags and two rolls of plastic wrap from contributing to plastic pollution and the decline of the bee population each year.
- Third Place Winner: Clements High School – Amaris Shi, Amber Qu, Gigi Gong, and Sophia Fu
 - Project – Product is an innovative new writing utensil that aids in the mission of reducing plastic usage, the double-sided feature of the pen promotes flexibility and greater utility.

The Fort Bend ISD Materials Management Department has received the Texas Association of School Board Officials Award of Merit. The Award of Merit was created to recognize schools that are committed to following professional standards in the acquisition of goods and services. The District received high marks in the areas of Policy/Procedure, Staff Knowledge and Engagement, P-Card Program, Warehousing, Appropriate use of Technology, and Communication Outreach.

The James Reese Career and Technical Center has been deemed a Leadership in Energy and Environmental Design (LEED)-certified building. LEED provides a rigorous third-party verification on resource efficiency for building projects. Points are achieved in the areas of Sustainable Sites, Water Efficiency, Energy & Atmosphere, Material & Resources, Indoor Environmental Quality, Innovation and Regional Priority.

The James Reese Career and Technical Center was awarded the Texas Association of School Administrators and Texas Association of School Boards Stars of Distinction in School Architecture Projects Award. The school will be included in the 2020-21 Exhibit of School Architecture, which celebrates excellence in planning and design of the learning environment. The Reese Center was chosen for the areas of design, value, community, and planning.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Veronica V. Sopher
Chief Communications Officer

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Information: 2020-21 Student
Achievement Update
References: District Goal 1
Department: School Leadership and
Academic Affairs

Summary

The Administration will provide an update on the 2020-21 first quarter student achievement outcomes and continued efforts to support student achievement during the COVID-19 Pandemic.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Joe Rodriguez
Chief of Schools

Beth Martinez
Chief Academic Officer

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Consideration and Approval:
Revisions to Policies CNB (Local),
COB (Local), DIA (Local), FFH
(Local), FFI (Local), FFA (Local),
and FL (Local)
References: Board Policy: Local policies
for CNB, COB, DIA, FFH, FFI,
FFA, and FL
Department: Chief of Staff and
Collaborative Communities

Recommendation

Consideration and possible approval of proposed revisions to policies CNB (Local), COB (Local), DIA (Local), FFH (Local), FFI (Local), FFA (Local), and FL (Local).

Summary

CNB (Local): Transportation Management: District Vehicles

The Administration is recommending revision of this policy to:

- Add a philosophy statement.
- Add language to include a vehicle management schedule as a result of a recommendation from the Transportation Department audit.
- Articulate language that District vehicles could be used by emergency service authorities in the event of an emergency or disaster with Superintendent authorization.

COB (Local): Food and Nutrition Management: Free and Reduced-Price Meals

The Administration is recommending this newly created local policy to:

- Further address free and reduced-price meals for families and articulate the Community Eligibility Provision (CEP) as recommended from the Child Nutrition Department audit.

DIA (Local): Employee Welfare: Freedom from Discrimination, Harassment and Retaliation

The Administration is recommending revision of this policy to:

- Address changes in Title IX regulations which includes clarifying language on examples of prohibited harassment, sex-based harassment and sexual harassment.
- Articulate the District's response to reports of harassment, the formal complaint process and standard of evidence.
- Provide examples of retaliation.
- Further articulate access to this policy and the corresponding procedures.

FFH (Local): Student Welfare: Freedom from Discrimination, Harassment and Retaliation

The Administration is recommending revision of this policy to:

- Address changes in Title IX regulations which includes clarifying language on examples of prohibited harassment, sex-based harassment, gender-based harassment and dating violence.
- Add a section on investigation of reports other than Title IX.
- Articulate the District's response to reports of sexual harassment prohibited under Title IX, the formal complaint process and standard of evidence.
- Add a section on retaliation including examples and a section on false claim.
- Further articulate access to this policy and the corresponding procedures.

FFI (Local): Student Welfare: Freedom from Bullying

The Administration is recommending this revision of this policy to:

- Provide further articulation on false reporting and possible consequences

The following policies have not gone through our Policy Committee to allow the Committee to focus their time on policies that are Board priorities. To honor the work of our School Health Advisory Council (SHAC), the Policy Committee recommended the draft FFA (Local) policy come straight to our Board for review. Policy FL (Local) has received minor revisions to ensure the District remains in compliance as a result of the Legislative Policy Update from the 86th Legislative Session.

FFA (Local): Student Welfare: Wellness and Health Services

The Administration is recommending revision of this policy to:

- Add a philosophy statement.
- Include a statement to establish administrative procedures to support the policy and wellness plan.
- Expand and articulate the wellness goals and the promotion of healthy food and beverage choices and the involvement of Child Nutrition and Special Education Services in nutrition education programs.
- Further articulate limiting the use of food as a reward and state possible exceptions for students in Special Education or Specialized programs.
- Include language supporting our community learning and embracing mental health as an opportunity and remove any perceived stigmas around mental health.
- Further articulate physical activity expectations.
- Include an evaluation and annual reporting component to support ongoing continuous improvement.

FL (Local): Student Records

The Administration is recommending revision of this policy to:

- Include articulation on protection of student records in an online virtual learning environment.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Anthony Indelicato
Chief of Staff and Collaborative Communities

TRANSPORTATION MANAGEMENT
DISTRICT VEHICLES

CNB
(LOCAL)

PHILOSOPHY

The Board believes a safe and well-maintained fleet of District vehicles contributes to a supportive climate and a safe learning and working environment.

DISTRICT VEHICLES
NO NONSCHOOL USE

The Superintendent or designee shall develop and implement administrative procedures to manage the use, maintenance, procurement and retirement of District vehicles. Administrative procedures shall address requesting, scheduling, and using District vehicles for extracurricular activities, field trips, and other school-related purposes. ~~District shall not permit use of District vehicles for nonschool purposes.~~

~~EMERGENCY USE exception~~

~~In case of emergencies or disasters, the Superintendent or designee may authorize the use of District vehicles by civil defense, health, or emergency service authorities.~~

USE OF DISTRICT
VEHICLES BY
EMPLOYEES

District vehicles shall be driven only by authorized District employees, in accordance with administrative procedures for requesting, scheduling, and using such vehicles.

MOTOR VEHICLE
RECORDS

An employee's Motor Vehicle Record (MVR) must be approved by authorized District personnel prior to utilizing or renting a vehicle on behalf of the District.

District shall not permit use of District vehicles for non-school purposes.

NO PERSONAL
USE

Personal use of District vehicles other than for normal commuting purposes shall be prohibited without prior approval from the Superintendent or designee. Commuting shall be defined as traveling from the employee's home to the employee's work location or business meeting location and returning home at the end of the business day. An employee transporting his or her children or family members to and from school, day care, or a spouse's place of employment is not considered a part of normal commuting and therefore shall be prohibited. Violations of this policy shall be subject to disciplinary measures that may include termination in accordance with the appropriate policies. [See DCD, DF series]

If a Fort Bend ISD police officer is subject to performing a law enforcement function within Fort Bend County, the Chief of Police or designee may authorize the use of a District Police vehicle.

TRANSPORTATION MANAGEMENT
DISTRICT VEHICLES

CNB
(LOCAL)

EMERGENCY USE
EXCEPTION

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

REPLACEMENT AND
EXPANSION

The Superintendent or designee shall develop administrative procedures which shall include a vehicle management schedule for the retirement and replacement of buses and District fleet vehicles. The vehicle management schedule shall include:

- Vehicle purchases schedule;
- Vehicle retirement schedule; and
- Consistent average fleet age in District vehicles.
- _____
- _____

INSURANCE
CONSIDERATIONS

The employee's insurance shall be considered primary if an accident occurs during the workday or while the employee is on District business if the employee is driving a vehicle other than one that is District-owned.

~~SCHOOL-RELATED
USE~~

~~The Superintendent or designee shall develop administrative regulations for requesting, scheduling, and using District vehicles for extracurricular activities, field trips, and other school-related purposes.~~

~~[See Board policy GKD regarding nonschool use of school facilities]~~

FOOD AND NUTRITION MANAGEMENT
FREE AND REDUCED-PRICE MEALS

COB
(LOCAL)

Philosophy

The Board believes ~~all when~~ students ~~shall~~ have access to a nutritious breakfast and lunch, they are better equipped to allow students to reach their full potential. ~~and recognizes the benefits provided by the National School Lunch Program and School Breakfast Program.~~

Free and Reduced-Price Meals

The District participates in the National School Lunch Program and School Breakfast Program. Families who complete an application and are approved for meal benefits receive meals at a free or reduced-price meals based on eligibility.

Eligibility Appeals

The Superintendent shall establish administrative procedures to address appeals regarding a student's eligibility for free or reduced-price meals. A parent or student may appeal the decision of the hearing official in accordance with FNG(LOCAL).

Community Eligibility Provision

The District also participates in the CEP program. With funds from the federal CEP program, the District shall provide regular meal service to students at no cost at identified campuses, as authorized by the U.S. Department of Agriculture (USDA). [See COB(LEGAL)]

Furthermore, participation in CEP:

- Lessens administrative costs, with no need to track unpaid meal charges.
- Brings streamlined meal service operations and provides more time for students to consume their food.

The Superintendent shall establish administrative procedures to determine CEP participation for eligible campuses including annual review of campuses and corresponding with TDA for eligibility.

Civil Rights Complaints

A person alleging discrimination in school meal programs based on race, color, national origin, sex, age, or disability shall be informed of the procedures and right to file a complaint with the Texas Department of Agriculture (TDA) Food and Nutrition office and the USDA. Complaints received by District personnel shall be forwarded to TDA.

Note: This policy addresses discrimination, harassment, and retaliation ~~against involving~~ District employees. [For Title IX and other provisions regarding](#) ~~For~~ discrimination, harassment, and retaliation ~~against involving~~ students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

Philosophy

The Board believes that student success is best achieved in a supportive climate and safe working environment. Therefore, the District shall provide a working environment in which all employees are treated with dignity and respect.

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law.

Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

~~Prohibited Conduct~~

~~In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.~~

Definitions

Solely for purposes of this policy, ~~in addition to individuals currently employed by the District,~~ the term “employee” includes former employees, applicants for employment, and unpaid interns.

Discrimination

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee’s employment.

[In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.](#)

~~Prohibited Conduct~~

~~In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.~~

[Prohibited conduct also includes sexual harassment as defined by Title IX. \[See FFH\(LEGAL\)\]](#)

Prohibited Harassment

~~Prohibited harassment~~ **Harassment** of an employee is defined as physical, verbal, or nonverbal conduct based on an employee’s race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, ~~or hostile, or offensive~~ work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

Examples

Examples of prohibited harassment may include, but are not limited to, offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening, intimidating, or humiliating conduct; offensive derogatory jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Sex-Based Harassment

As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]

~~Harassment includes conduct that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, computer, camera, electronic mail, instant messaging, text messaging, social media application, internet website, or any other internet-based communication tool.~~

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, ~~or hostile, or offensive~~ work environment.

Examples

Examples of sexual harassment may include, but are not limited to, sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual

Retaliation	<p><u>nature; and other sexually motivated conduct, contact, or communication, including electronic communication.</u></p>
	<p>The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.</p> <p>Retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, or unjustified punishments. Unlawful retaliation does not include petty slights or annoyances.</p>
Reporting Procedures	<p>Any<u>An</u> employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.</p> <p>Alternatively, the employee may report the alleged acts to one of the District officials below.</p>
<u>Definition of District Officials</u>	<p>For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.</p>
Title IX Coordinator	<p>Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]</p>
ADA / Section 504 Coordinator	<p>Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]</p>
Superintendent	<p>The Superintendent shall serve as coordinator for purposes of District compliance with all other <u>nondiscrimination</u>antidiscrimination laws.</p>
Alternative Reporting Procedures	<p>An employee shall not be required to report prohibited conduct to the person alleged to have committed <u>the conduct</u>it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	<p><u>To ensure the District's prompt investigation, reports</u>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.</p>

Notice of Report

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

**Investigation of
Reports Other Than
Title IX the Report**

[Any District employee who receives a report of prohibited conduct based on sex, including sexual harassment, shall immediately notify the Title IX coordinator.](#)

[The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. \[See FFH\(LEGAL\)\] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, see the procedures below at Response to Sexual Harassment—Title IX.](#)

The District may request, but shall not ~~require~~insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

[Initial Assessment](#)

Upon receipt or notice of a report, the District official shall determine whether the allegations, if ~~proved~~proven, would constitute prohibited conduct as defined by this policy. If so, the District ~~official~~ shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

Interim Action

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

District Investigation

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal or supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

**Concluding the
Investigation**

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct occurred. The report shall be filed with the District official overseeing the investigation.

District Action

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

~~The District may take action based on Improper Conduct~~

~~If the results of an investigation reveal improper, even if the reveals improper conduct that did not rise to the level of prohibited or unlawful conduct, the District may take action, the District may take disciplinary action in accordance with the Employee Handbook or other corrective action reasonably calculated to address the conduct.~~

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 and comply with applicable law.

Appeal

A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.

The complainant may have a right to file a complaint with appropriate state or federal agencies.

Response to Sexual Harassment—Title IX

For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).

General Response

When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
- Consider the complainant's wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to

Title IX Formal
Complaint Process

both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and administrative procedures.

To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;

	<p><u>9. A description of the supportive measures available to the complainant and respondent;</u></p> <p><u>10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;</u></p> <p><u>11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and</u></p> <p><u>12. Other local procedures as determined by the Superintendent.</u></p>
<u>Standard of Evidence</u>	<p><u>The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.</u></p>
<u>Retaliation</u>	<p><u>The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or otherwise participates or refuses to participate in an investigation.</u></p>
<u>Examples</u>	<p><u>Examples of retaliation may include, but are not limited to, termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, intimidation, coercion, unjustified negative evaluations, unjustified negative references, or increased surveillance.</u></p>
<u>False Claim</u>	<p><u>An employee who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment shall be subject to appropriate disciplinary action in accordance with law.</u></p>
Records Retention	<p><u>The District shall retain copies of allegations Copies of reports alleging prohibited conduct, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but shall be maintained by the District for no less than the minimum amount a period of time required by law. at least three years. [See CPC]</u></p> <p><u>[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]</u></p>
Access to Policy and Procedures	<p><u>Information regarding this This policy and anythe accompanying procedures shall be distributed annually administrative regulations shall be available on the District's website. Information related to</u></p>

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District employees. Copies of the policy and ~~procedures~~ administrative regulations shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices provided annually in the Employee Handbook.

Note: This policy addresses discrimination, harassment, and retaliation ~~against involving~~ District students. ~~For Title IX and other For~~ provisions regarding discrimination, harassment, and retaliation ~~against involving~~ District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.

Philosophy

The Board believes student success is best achieved in a supportive climate and safe environment. Therefore, the District shall provide a learning environment in which all students in the school community are treated with dignity and respect.

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy.

Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Discrimination

Discrimination against a student is defined as 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 adversely affects the student.

In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

Prohibited Conduct

In this policy, the term “prohibited conduct” includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Discrimination

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

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

Prohibited Harassment

Prohibited harassmentHarassment of a student is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, religion, sex, gender, national origin, age, disability, or any

other basis prohibited by law, ~~when the conduct that~~ is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or hostile, ~~or offensive~~ educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Prohibited harassment includes dating violence as defined by [law](#) and this policy.

Examples

Examples of prohibited harassment may include, but are not limited to, ~~offensive or derogatory~~ language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; ~~offensive-derogatory~~ jokes, name calling, slurs, or rumors; cyber-harassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Sex-Based Harassment

As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]

Sexual Harassment

~~Harassment includes harassment that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, computer, camera, electronic mail, instant messaging, text messaging, social media application, Internet website, or any other Internet-based communication tool.~~

~~Sexual Harassment~~
By an Employee

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or

2. The conduct is so severe, persistent, or pervasive that it:
 - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
 - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or other inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DH]

By Others

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or hostile, ~~or offensive~~ educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of sexual harassment of a student may include, but are not limited to, sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, contact, or communications, including electronic communication.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

Gender-Based Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the 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. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

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1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or hostile, ~~or offensive~~ educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include, but are not limited to, ~~offensive~~ derogatory jokes, name-calling, slurs, or rumors; cyberharassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

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. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or hostile, ~~or offensive~~ educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Retaliation

~~The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or participates in an investigation.~~

~~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.~~

<p>Examples</p>	<p>Examples of dating violence against a student may include, but are not limited to, physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include, but are not limited to, destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.</p>
<p>Reporting Procedures</p> <p>Student Report</p>	<p>AnyTo obtain assistance and intervention, any student who be-lieves that he or she has experienced prohibited conduct, or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee, or the appropriate District official listed in this policy.</p>
<p>Employee Report</p>	<p>Any District employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.</p>
<p>Definition of District Officials</p>	<p>Anyone who observes, overhears, or otherwise witnesses the prohibited conduct shall report it as soon as possible after the alleged act or knowledge of the alleged act. A failure to report in a timely manner may impair the District's ability to investigate and address the prohibited conduct.</p> <p>For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.</p>
<p>Title IX Coordinator</p>	<p>Reports of discrimination based on sex, including sexual harassment, /gender-based harassment, or dating violence, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]</p>
<p>ADA / Section 504 Coordinator</p>	<p>Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]</p>
<p>Superintendent</p>	<p>The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.</p>
<p>Alternative Reporting Procedures</p>	<p>An individual shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p>
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	<p>A report may be made verbally, in writing, or anonymously. The principal or designee shall reduce any oral reports to written form. Anyone may anonymously report through a telephone hot line, electronic message system, or other available means. The Title IX coordinator shall reduce the anonymous report to written form and provide to the principal or designee.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	<p>To ensure the District's prompt investigation, reports Reports of prohibited conduct 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.</p>
False Report	<p>A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action.</p>
Notice to Parents	<p>The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.</p> <p>[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]</p>
Investigation of Reports Other Than Title IX	<p>The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Sexual Harassment—Title IX. Report</p> <p>The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
Initial Assessment	<p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved proven, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.</p> <p>If the District official determines that the allegations, if proved proven, would not constitute prohibited conduct as defined</p>

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	by this policy, the District official shall refer the complaint for consideration under FFI.
Interim Action	If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.
District Investigation	<p>The investigation may be conducted by the District official or a designee, such as the <u>campus</u> principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
Notification of Outcome	Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.
District Action	If the results of an investigation indicate that prohibited conduct, as defined in this policy , occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.
Prohibited Conduct	

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<i>Corrective Action</i>	Examples of corrective action may include, <u>but are not limited to</u> , a training program for those involved in the <u>reporteecomplaint</u> , a comprehensive education program for the school community, counseling to the <u>victimtargeted student</u> and the student who engaged in prohibited conduct, follow-up inquiries to determine if 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 prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.
Bullying	If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.
Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct, <u>as defined in this policy</u> , or bullying, <u>as defined in FFI</u> , the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.
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 and comply with applicable law.
Appeal	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent shall be informed of his or her right to file a complaint with the <u>United StatesU.S.</u> Department of Education Office for Civil Rights.
<u>Response to Sexual Harassment–Title IX</u> <u>General Response</u>	<u>For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).</u> <u>When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:</u> <ul style="list-style-type: none"><u>• Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;</u><u>• Consider the complainant's wishes with respect to supportive measures; and</u><u>• Explain to the complainant the option and process for filing a formal complaint.</u>

Title IX Formal
Complaint Process

The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct.

To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;

	<p>8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;</p> <p>9. A description of the supportive measures available to the complainant and respondent;</p> <p>10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;</p> <p>11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and</p> <p>12. Other local procedures as determined by the Superintendent.</p>
Standard of Evidence	<p>The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.</p>
Retaliation	<p>The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or otherwise participates or refuses to participate in an investigation.</p>
Examples	<p>Examples of retaliation may include, but are not limited to, threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.</p>
False Claim	<p>A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.</p>
Records Retention	<p>The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records controlretention schedules, but for no less than the minimum amount of time required by law. [See CPC]</p> <p>[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]</p>

**Access to Policy and
Procedures**

Information regarding this This policy and anythe accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted administrative regulations shall be available on the District's website. Information related to the extent practicable, policy and readily available at each campus and the District's administrative offices. regulations shall be provided annually in the Student/Parent and Employee Handbooks.

Note: This policy addresses bullying and cyberbullying of District students. For provisions regarding discrimination of District students on the basis of race, religion, gender, national origin, disability, or any other basis prohibited by law, 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.

Philosophy

The Board believes student success is best achieved in a supportive climate and safe environment. Therefore, the District shall provide a learning environment in which all students in the school community are treated with dignity and respect. In alignment with providing a safe learning environment, proactive prevention of bullying, communication, and training for staff and students shall be a priority.

Bullying Prohibited

Bullying, cyberbullying, and retaliation, as defined by this policy, are prohibited.

Retaliation

Retaliation against anyone, including a targeted student or witness who in good faith makes a report of bullying or cyberbullying or provides information concerning an incident or participates in an investigation, is a violation of District policy and is prohibited.

Definitions

Bullying

Bullying is when one or more students engages in behavior directed toward another student that exploits an imbalance of power through written or verbal expression, expression through electronic means, or physical conduct that:

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

Cyberbullying

Cyberbullying means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, computer, camera, electronic mail, instant messaging, text messaging, social media application, Internet website, or any other Internet-based communication tool.

Retaliation

Retaliation occurs when an aggressor harasses, intimidates, or further bullies a student who has, in good faith, made a report of bullying or cyberbullying, served as a witness, or participated in an investigation. Retaliation may include, but is not limited to, threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions.

School community includes all students, school employees, administrators, parents, volunteers, and visitors.

Aggressor is a person of the school community who engages in the bullying, cyberbullying, or retaliation of a student.

Targeted student is a person who has experienced bullying, cyberbullying, or retaliation.

Scope

This policy applies to:

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

Reporting

To obtain assistance and intervention, any student who has experienced bullying or cyberbullying, or believes that another student has experienced bullying, should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee.

Anyone who observes, overhears, or otherwise witnesses bullying, cyberbullying, or retaliation shall report the prohibited conduct as soon as possible after the alleged act or knowledge of the alleged act. A failure to timely report may impair the District's ability to investigate and address the prohibited conduct.

Any District employee who observes, overhears, suspects, or receives notice of bullying, cyberbullying, or retaliation shall immediately notify the principal or designee and take appropriate action to stop the bullying, cyberbullying, or intimidation and to prevent its reoccurrence.

A report may be made verbally, in writing, or anonymously. The principal or designee shall reduce any oral reports to written form. Anyone may anonymously report through a telephone hotline, electronic message system, or other available means. The Title IX coordinator shall reduce the anonymous report to written form and provide to the principal or designee.

False Report

A student who intentionally makes a false claim, offers a false statements, or refuses to cooperate with a campus or District investigation regarding bullying, cyberbullying, or retaliation shall be subject to appropriate disciplinary action according to the Student Code of Conduct. A student who forwards, repeats or retweets telephone, computer, camera, electronic mail, instant messaging, text messaging, social media application, Internet website or any other Internet-based communication that is false or infringes upon the rights of the targeted student may be disciplined according to the Student Code of Conduct.

Notice to Parents

The principal or designee shall make reasonable attempts to notify the parent or guardian of the targeted student and the alleged aggressor as soon as possible, but in no event more than three days after the incident is reported. The principal or designee shall notify the parent or guardian of the alleged aggressor within five business days after the date the incident is reported.

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.

The school counselor shall serve as an impartial, non-reporting resource for interpersonal conflicts and discord involving two or more students.

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within five 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.

District Action

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary or

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	corrective action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.
Discipline	<p>A targeted student who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.</p> <p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p>
Counseling	The principal or designee shall notify the targeted student, aggressor, and any students who witnessed the bullying of available counseling options.
Corrective Action	<p>Corrective action may include, but is not limited to:</p> <ol style="list-style-type: none">1. A training program for the individuals involved in the complaint;2. A comprehensive education program for the school community;3. Follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred;4. Involving parents and students in efforts to identify problems and improve the school climate;5. Increasing staff monitoring of areas where bullying has occurred; and6. Reaffirming the District's policy against bullying.
Transfers	The principal or designee shall refer to policy FDB for transfer provisions.
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 person submitting the report, targeted student, persons against whom a report is filed, aggressor, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
Appeal	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL).
Records Retention	Retention of records shall be in accordance with CPC(LOCAL).

**Access to Policy and
Procedures**

This policy and the accompanying administrative regulations shall be available on the District's website. Information related to the policy and administrative regulations shall be provided annually in the Student/Parent and Employee Handbooks.

PHILOSOPHY

The Board believes that the District shall develop a culture where students can reach their full potential in a climate that promotes students' learning, leadership, well-being and Profile of a Graduate attributes. Students shall be inspired and equipped with skills to make healthy life choices about nutrition, health, wellness and physical activity during their years in Fort Bend ISD and throughout their lives.

PURPOSE

~~The Fort Bend ISD wellness policy exists to develop a culture where students can reach their full potential in a climate that promotes students' learning, leadership, and well-being. Students shall be inspired and equipped with skills to make healthy life choices about nutrition, health, and physical activity during their years in Fort Bend ISD and throughout their lives.~~

WELLNESS PLAN

The District shall continually seek to develop and provide a wellness plan in ~~consultation~~ collaboration with the local ~~S~~chool ~~H~~health ~~A~~advisory ~~C~~ouncil (SHAC) and with involvement from representatives of the diverse student body, school food service, school administration, the Board, parents, and the public. The wellness plan shall address wellness goals as described herein regarding nutrition education, nutrition promotion, marketing food and beverages to students, physical activity, and school-based activities. [See BDF and, EHAA(LEGAL), and FFA(REGULATION)]

The Superintendent shall establish administrative procedures that support this policy and the District's wellness plan.

GUIDELINES

~~The District shall follow wellness and nutrition guidelines that advance student health and reduce childhood obesity.~~ The District's wellness plan shall promote the general physical, mental/emotional, and social wellness and safety of all students through nutrition education, physical activity, and other school-based activities. School-based activities shall include, but are not be limited to, programs intended to prevent bullying, prevention, improve students' social-emotional competency, reduce risky behaviors and teach effective mental health competency, and interpersonal communication skills. [See FFBA(LOCAL), FFB(LOCAL) AND FFAE(LOCAL)]

In addition to legal requirements, the District shall:

- Develop student, staff and community opportunities to discuss mental health with the purpose to improve community understanding, raise awareness and remove the stigma of mental health conditions.

The District shall ensure that nutrition guidelines for reimbursable school meals ~~should at least~~ meet or exceed the minimum guidelines for the federal regulations and guidance, and that all foods

WELLNESS GOALS

sold on each campus during the school day are in accordance with District, state, and federal standards. [See CO(LEGAL)]

In addition to legal requirements, the District shall:

- Enforce District, state and federal guidelines for food and/or beverages sold to students throughout the school day to include fundraisers and vending machines. The District shall not allow any "exemption days".
- Establish age-appropriate guidelines for food and/or beverages provided, but not sold to, students during classroom parties, classroom snacks, school celebrations or events. [See CO(LEGAL) and FFA(REGULATION)]
- Prohibit the use of food as a punishment.
- Encourage the use of non-food based incentives and rewards in the classroom.
- Allow the use of food as a student's preferred reinforcer when tied to the positive behavior interventions and supports, or as part of an Individualized Education Program (IEP), Behavior Intervention Plan (BIP), and/or Specialized Support Program as part of a tiered intervention plan, and in special circumstances as long as considerations have been made related to possible connections to mental health and healthy eating behaviors.
- ~~Provide all instructional staff with education and guidelines on the appropriate use of foods in the classroom. [See FFA(REGULATION)]~~
- ~~NUTRITION EDUCATION~~
- _____

NUTRITION
EDUCATION

The District establishes the following goals for nutrition education:

1. Students shall receive evidence-based nutrition education that fosters the adoption and maintenance of healthy eating behaviors.
2. Nutrition education shall be age-appropriate and reflect the diversity within the school environment.
3. Nutrition education shall be a District-wide priority and shall be integrated into other areas of the curriculum, as appropriate.
4. Educational nutrition information shall be shared with families and the public to positively influence the health of students

NUTRITION
PROMOTION

and community members and to inform them of state and federal nutrition standards.

4-5. The Child Nutrition Department's Registered Dietitians shall work collaboratively with other District departments on all nutrition-related curriculum and initiatives.

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage participation in school meal programs, such as allowing adequate seat time and space for students to fully participate in the meal programs.

~~Students and staff shall receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students, and is most effective when implemented consistently through a comprehensive and multi-channel approach by school and instructional staff, parents, students, and the community.~~

The District shall promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion shall occur through at least:

1. Implementing evidence-based, healthy food promotion techniques;
2. Ensuring that foods sold to students during the school day meet all District, state, and federal standards; ~~and~~
3. Providing education opportunities to ~~Ensuring that~~ food service staff, all instructional staff, and other school personnel that encourages the coordination ~~and the~~ promotion of nutrition messages in the cafeteria, classroom, and other appropriate settings; ~~and.~~

4. Nutrition promotion messages will be made available in both English and Spanish at minimum.

3-5. The District will provide students adequate time to eat meals at school. Specific time allowances shall be established based on campus enrollment, the campus master schedule and shall be influenced by evidence-based best practices set forth by national organizations such as, but not limited to, the Alliance for Healthier Generation, Centers for Disease Control and Prevention and US Department of Agriculture.

MARKETING FOOD
AND BEVERAGES TO
STUDENTS

~~The District shall establish guidelines for school-sponsored fund-raising activities and concessions at school-related events that involve selling or serving food.~~ The District shall be committed to providing an inclusive and compassionate environment that ensures opportunities for all students to practice healthy mindful eating and physical activity behaviors throughout the school day while minimizing commercial distractions. ~~The District strives to teach students how to make informed choices about nutrition, health, and physical activity. It is the intent of the District to protect and promote students' health by permitting advertising and marketing consistent with the District's wellness policy.~~ Marketing and advertising for any of foods and/or beverages on-campus intended for consumption during the school day shall be items that shall meet all state and federal nutrition standards [see CO(LEGAL) ~~and FFA(REGULATION)~~].

PHYSICAL ACTIVITY

The District shall implement, in accordance with law, a coordinated health program with physical education and physical activity components and shall offer at least the required amount of physical activity for all grades [see EHAB and EHAC].

PHYSICAL ACTIVITY

The District shall provide opportunities and support for all students to be physically active on a regular basis and to develop the skills, behaviors, and confidence needed to lead a physically active life.

The District shall make appropriate before-school and after-school physical activity programs available and shall encourage students to participate.

1. Elementary-aged students shall have the opportunity to participate in a minimum of 135 minutes of structured physical activity weekly as required by Texas Education Code 28.002(l), unless indicated in student's 504 plan, special education plan or the like. ~~Students shall not be denied P~~participation in physical activities conducted during the minimum time requirement shall not be withheld as punishment or for any other reason unless approved by campus administration. The 135 minutes of structured physical activity shall be listed on the master schedule.
2. ~~In addition, All~~ elementary ~~campuses~~ students shall have the opportunity to participate in at least 30 minutes of provide unstructured recess on a daily basis. No more than ten minutes of recess shall be structured physical activity and count towards the minimum time requirement. At least 20 minutes of daily recess shall be unstructured physical activity. In addition, elementary campuses shall provide unstructured recess

on a daily basis. Unstructured recess time may not count toward the 135 minutes of required structured physical activity.

3. Staff shall be educated on the Recess Guidelines and the Recess Guidelines shall be posted on the District and/or campus website for parents to view. Staff shall encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible. Middle school students shall be offered structured physical education classes and fitness/sports clubs that meet the needs of all students, including those students who do not excel athletically.
4. Outdoor recess will be offered when weather is feasible for outdoor play. In the event the weather is not feasible, staff and teachers will conduct indoor recess. Each high school campus shall offer structured physical education classes and fitness clubs that encourage and support the development of the skills, behaviors, and confidence needed to live a physically active life.
5. The District shall not permit the denial of the required 135 minutes of physical activity, physical education class, and/or unstructured recess as punishment for inappropriate behavior and/or failure to complete or turn in assignments with the exception of severe discipline consequences assigned by the principal or assistant principal (i.e. In School Suspension (ISS), Out of School Suspension (OSS)).
- ~~5.6.~~ All elementary students will be provided equal opportunities to participate in the required 135 minutes of structured physical activity. The District will ensure appropriate accommodations to allow for equitable participation for all students. All schools shall help students understand the short and long-term benefits of a physically active and healthy lifestyle.
- ~~6.~~ The District shall provide an environment that fosters safe and enjoyable physical activity for all students, including those not enrolled in a physical education class or competitive sport.
7. Middle school students shall be provided with the opportunity to participate in at least 30 minutes of moderate to vigorous physical activity daily for at least five semesters as part of the District's physical education program unless indicated (i.e. a student's 504 plan, special education plan). The District shall encourage parents and guardians to support their children's participation in physical activities.

8. ~~The District shall require one full credit of physical education class or approved substitute be required for graduation. The District shall encourage students, parents, staff, and community members to use the available recreational facilities at their neighborhood campus that are available outside of the school day.~~
9. Physical education classes shall encourage students to participate in moderate to vigorous physical activity for at least 50 percent of the physical education class time.
10. ~~The campus will offer opportunities for students to participate in physical activity either before and/or after school through a variety of physical activities that encourage and support the development of the skills, behaviors and confidence needed to live a physically active life, including those students who do not excel athletically. The District shall encourage all instructional staff to integrate physical activity into the academic curriculum where appropriate.~~
11. ~~All schools shall help students understand the evidence-based short and long-term benefits of a physically active and healthy lifestyle.~~
12. ~~The District physical activity program shall promote student physical fitness through individualized fitness and an activity assessment.~~
13. ~~The District shall provide an environment that fosters safe and enjoyable physical activity for all students, including those not enrolled in a physical education class or competitive sport.~~
14. ~~The District shall encourage parents and guardians to support their children's participation in physical activities.~~
15. ~~The District shall ensure that its grounds and facilities are safe and that equipment is available for students to be active.~~
16. ~~The District shall encourage students, parents, staff and community members to use the available recreational facilities at their neighborhood campus that are available outside of the school day. The District shall provide information regarding which indoor and outdoor facilities are available for public use on the District webpage.~~
17. ~~The District recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. The District shall encourage all instructional staff to integrate physical activity into the academic curriculum where appropriate.~~

OTHER SCHOOL-
BASED ACTIVITIES

~~The District shall not permit the denial of the required 135 minutes of physical activity, physical education class, and/or unstructured recess as punishment for inappropriate behavior and/or failure to complete assignments with the exception of severe discipline consequences assigned by the principal or assistant principal (ISS, OSS, and the like).~~

The District establishes the following goals to create an environment that promotes healthy food choices, conducive to healthful eating, physical activity, and social emotional wellness, and to express a consistent wellness message through other school-based activities:

1. Each principal shall create a campus-based school health advisory council (Wellness Committee) to coordinate physi-cal, mental/emotional and social health and wellness initiatives in compliance with this policy. The council shall be responsible for reporting the implementation and accountability of the District wellness policy. The principal shall ~~develop a system to~~ annually identify Wellness Committee members that may include parents, staff, administrators, students, school nurses, child nutrition services, and community members.
2. Physical, mental/emotional and social wellness for students, families and staff shall be promoted at suitable school events. Each campus shall provide a clean, safe, and comfortable environment where students are provided with sufficient time to eat their meals. [See FFA(REGULATION)]
3. The District shall make mental health services available to students and staff. Wellness for students, families, and staff shall be promoted at suitable school events.
4. The District shall make available substance abuse, dating violence and suicide prevention information and resources to students and staff. provide opportunities for ongoing professional training and development for all instructional staff in all areas of coordinated school health.
5. The District shall provide opportunities for ongoing professional training and development for all instructional staff in all areas of coordinated school health. Classroom teachers will be provided resources for integrating physical and mental wellness activities into the classroom. -other coordinated

IMPLEMENTATION

~~school health services that support the overall wellness of students, staff, and community members.~~

6. The District shall provide other coordinated school health services that support the overall physical, mental/emotional and social wellness of students, staff and community members. The District employee wellness program shall implement strategies to support staff in improving their overall health, well-being and quality of life by providing health and wellness education, a diverse selection of wellness programs, and an atmosphere that is conducive to health improvements. The District Employee Benefits and Wellness Department will maintain a staff committee focused on creating an employee benefits and wellness culture that will empower employees to lead healthier and well-balanced lives.

~~6.7.~~ Each campus shall include in the Campus Improvement Plan (CIP) strategies, metrics and milestones ~~and performance objectives~~ related to coordinated school health implementation. [See BQ and BQB]

The Superintendent, in coordination with the FBISD Department of Social Emotional Learning (SEL) and Comprehensive Health and the FBISD Teaching and Learning Department and the Child Nutrition Department, shall oversee the implementation and evaluation of this policy and shall develop administrative ~~regulations procedures~~ for periodically measuring, ~~and~~ monitoring and reporting the successful implementation of the wellness policy. Results shall be reported to the The School Health Advisory Council (SHAC) and to the FBISD Board of Trustees on an annual basis, along with an action plan for continued improvement. The SHAC shall review the policy and program results annually and make implementation recommendations to the Superintendent.

The District shall actively inform families, the public, and the SHAC each year of basic information about this policy, including its content, any updates to the policy, and its implementation status. The District shall make this information available via the District website and/or District-wide communications.

- At least once every three years, the District shall evaluate compliance with the wellness policy and assess the implementation of the District wellness plan. The evaluation shall include:
 - The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;

STUDENT WELFARE
WELLNESS AND HEALTH SERVICES

FFA
(LOCAL)

- How the wellness policy compares to other model wellness policies;
- A description of the progress made in attaining the goals of the District's wellness policy and wellness plan; and
- A report to the SHAC and Board.

Comprehensive System

The Superintendent or designee shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation and shall ensure through reasonable procedures that records are accessed by authorized persons only, as allowed by this policy. These data and records, including but not limited to paper, electronic or otherwise shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school officials.

Cumulative Record

A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.

This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for non-enrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent. [See CPC]

Custodian of Records

The principal is custodian of all records for currently enrolled students. The Superintendent or designee is the custodian of records for students who have withdrawn or graduated. The student handbook made available to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent's business address.

Types of Education Records

The record custodian shall be responsible for the education records of the District. These records may include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluations.
4. All documentation regarding a student's testing history and any accelerated instruction he or she has received, including any documentation of discussion or action by a grade placement committee convened for the student.
5. Health services record, including:
 - a. The results of any tuberculin tests required by the District.
 - b. The findings of screening or health appraisal programs the District conducts or provides. [See FFAA]

STUDENT RECORDS

FL
(LOCAL)

- c. Immunization records. [See FFAB]
6. Attendance records.
7. Student questionnaires.
8. Records of teacher, school counselor, or administrative conferences with the student or pertaining to the student.
9. Verified reports of serious or recurrent behavior patterns.
10. Copies of correspondence with parents and others concerned with the student.
11. Records transferred from other districts in which the student was enrolled.
12. Records pertaining to participation in extracurricular activities.
13. Information relating to student participation in special programs.
14. Records of fees assessed and paid.
15. Records pertaining to student and parent complaints.
16. Other records that may contribute to an understanding of the student.

Access by Parents

The District shall make a student's records available to the student's parents, as permitted by law. The records custodian or designee shall use reasonable procedures to verify the requester's identity before disclosing student records containing personally identifiable information.

Records may be reviewed in person during regular school hours without charge upon written request to the records custodian. For in-person viewing, the records custodian or designee shall be available to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and records to be viewed shall be restricted to use only in the Superintendent's, principal's, or school counselor's office, or other restricted area designated by the records custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

Copies of records are available at a per copy cost, payable in advance. Copies of records must be requested in writing. Parents may be denied copies of records if they fail to follow proper procedures or pay the copying charge. If the student qualifies for free or

reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of a parent, one copy of the record shall be provided at no charge.

A parent may continue to have access to his or her child's records under specific circumstances after the student has attained 18 years of age or is attending an institution of postsecondary education. [See FL(LEGAL)]

Access by School Officials

A school official shall be allowed access to student records if he or she has a legitimate educational interest in the records. For non-District employees, confidentiality and privacy of student records shall not be compromised.

For the purposes of this policy, "school officials" shall include:

1. An employee, Board member, or agent of the District, including an attorney, a consultant, a contractor, a volunteer, a school resource officer, and any outside service provider used by the District to perform institutional services.
2. An employee of a cooperative of which the District is a member or of a facility with which the District contracts for placement of students with disabilities.
3. A contractor retained by a cooperative of which the District is a member or by a facility with which the District contracts for placement of students with disabilities.
4. A parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

Prior to receiving access to student records, a contractor shall agree to maintain confidentiality of student data as required by law or District procedures. All contractors provided with student records shall follow the same rules as employees concerning privacy of the records and shall return the records upon completion of the assignment.

A school official has a "legitimate educational interest" in a student's records when he or she is:

1. Working with the student;
2. Considering disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities;
3. Compiling statistical data;

4. Reviewing an education record to fulfill the official's professional responsibility; or
5. Investigating or evaluating programs.

**Transcripts and
Transfers of Records**

The District may request transcripts from previously attended schools for students transferring into District schools; however, the ultimate responsibility for obtaining transcripts from sending schools rests with the parent or student, if 18 or older.

For purposes of a student's enrollment or transfer, the District shall promptly forward in accordance with the timeline provided in law education records upon request to officials of other schools or school systems in which the student intends to enroll or enrolls. [See FD(LEGAL), Required Documentation] The District may return an education record to the school identified as the source of the record.

**Records
Responsibility for
Students in Special
Education**

The special education director shall be responsible for ensuring the confidentiality of any personally identifiable information in records of students in special education.

A current listing of names and positions of persons who have access to records of students in special education is maintained at the special education department office.

**Procedure to Amend
Records**

Within 15 District business days of the record custodian's receipt of a request to amend records, the District shall notify the parents in writing of its decision on the request and, if the request is denied, of their right to a hearing. If a hearing is requested, it shall be held within ten District business days after the request is received.

Parents shall be notified in advance of the date, time, and place of the hearing. An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be given a full and fair opportunity to present evidence and, at their own expense, may be assisted or represented at the hearing.

The parents shall be notified of the decision in writing within ten District business days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the parents shall be informed that they have 30 District business days within which to exercise their right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the District's decision.

**Directory
Information**

The District has designated the following categories of information as directory information: student name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; degrees, honors, and awards received; dates of attendance; grade level; most recent educational institution attended; participation in officially recognized activities and sports; and weight and height of members of athletic teams.

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Consideration and Approval:
Minutes of Previous Meetings
Reference: Board Policy BE (Local)
Department: Office of the Superintendent

Recommendation

Consideration and possible approval of minutes of the following Fort Bend ISD Board of Trustee meetings:

- November 9, 2020: Regular Business Meeting
- November 16, 2020: Special Called Meeting to Swear In Elected Board Members

Summary

Board Policy BE (Local) states, "Board action shall be carefully recorded by the Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the President and the Secretary of the Board."

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Garrett Rosier
Recording Secretary

Minutes
Board of Trustees
Regular Business Meeting
November 9, 2020

A Board of Trustees Regular Business Meeting was held on Monday, November 9, 2020, beginning at 6:00 PM in the Board Room of the Administration Building located at 16431 Lexington Blvd., Sugar Land, Texas. Members of the public viewed the Live Stream of the meeting at the following address: <https://www.fortbendisd.com/November9MeetingLIVESTREAM>.

Members of the public also registered to address the Board at the following address: <https://www.fortbendisd.com/cms/lib/TX01917858/Centricity/Domain/83/New%20Regular%20Business%20Address%20Form.pdf>. Requests to address the Board were submitted no later than 4:30 p.m. on the day of the meeting. It was the Board of Trustees' intent that a quorum of the Board of Trustees would be physically present at this location. One or more Trustees participated by video conference. The agenda packet for the meeting can be found here: <https://v3.boardbook.org/Public/PublicHome.aspx?ak=888888>. This meeting was recorded as required by law and the recording is available to the public at:

<https://www.youtube.com/watch?v=QYUg1qgxamI>

Presiding Officer.....Mr. Jason Burdine, President

Board Members Present

- Ms. Addie Heyliger, Vice President (arrived at 6:10 p.m.)
- Mr. Dave Rosenthal, Secretary
- Mrs. Allison Drew (via video conference)
- Mrs. Grayle James (via video conference)
- Mr. Jim Rice
- Mrs. Kristin Tassin (arrived at 6:06 p.m.)

School Officials Present

- Charles E. Dupre, Ed.D., Superintendent of Schools
- Diana Sayavedra, Deputy Superintendent of Schools
- Joe Rodriguez, Ed.D., Chief of Schools
- Beth Martinez, Chief Academic Officer
- Veronica Sopher, Chief Communications Officer
- Bryan Guinn, Chief Financial Officer
- Gwyn Touchet, Chief Human Resources and Organizational Transformation Officer
- Long Pham, Chief Information Officer
- Oscar Perez, Chief Operations Officer
- Anthony Indelicato, Ed.D., Chief of Staff and Collaborative Communities
- Robert Scamardo, FBISD General Counsel
- David Rider, Chief of FBISD Police Department
- Garrett Rosier, Recording Secretary (via video conference)

Others Present

Rick Morris, Board Counsel
Parents, Patrons, Staff and Employees

1-3. Meeting Called to Order, Pledges of Allegiance, Silent Invocation

President Burdine called the meeting to order at 6:00 p.m. announcing the presence of a quorum and that the meeting had been duly called and the notice posted for the time and manner required by law. Mr. Burdine then asked the audience to join the Board in the Pledges of Allegiance, led by Kaiden Ibarra, a fifth grader at Rita Drabek Elementary School. Finally, Mr. Burdine asked the Board and audience to remain standing for the Silent Invocation.

4. Recognitions

Kaiden Ibarra, a fifth grader from Rita Drabek Elementary School, was chosen by his principal to lead the Pledges of Allegiance. Kaiden was chosen for being a long time Drabek Dragon who has participated in the Drabek Choir program. Kaiden was also recognized for being inducted into the Elementary National Honor Society.

The Sartartia Middle School Honor Orchestra, selected from middle schools across the state, was selected to perform as an Invited Orchestra at the Texas Music Educators Association Annual 2021 Convention. The group will record their live performance which will then be broadcast during the February 2021 convention.

Renita Johnson, a teacher and coach at Clements High School, was one of two inductees to the Texas Forensic Association, 2020-21 Hall of Fame class. Ms. Johnson was selected as an honoree, for actively teaching forensics, for having served the organization in a meritorious fashion, and for her contributions as a leader and a mentor throughout the speech & debate community.

5. Audience Items

Ms. Prince addressed the Trustees regarding elementary education materials.

6. Information

A. Board Governance

1. Update on Ongoing Efforts to Support Student Learning During COVID

The Administration provided an update on the District's Term Three Transition Plan, including minor adjustments to the Fall Back to School plan, the Term Three transition timeline, campus logistics planning, the master schedule plan and staffing. In addition, staff provided information regarding the feedback collected from various stakeholders that informed the plan.

Dr. Dupre, Superintendent of Schools, discussed the following information regarding the District's Term Three Transition Plan:

- Cycle of Improvement
- Term Three Timeline
- Looking Ahead – Term Four

Dr. Joe Rodriguez, Chief of Schools, discussed the following information regarding the District's Term Three Transition Plan:

- Campus Logistics Planning
- Master Schedules
- Staffing

Ms. Stephanie Williams, Executive Director of Human Resources and Organizational Transformation discussed the following information regarding the District's Term Three Transition Plan:

- Revised 2020-21 School Year Calendar

Mr. Rosenthal requested that the Administration provide the Trustees with more information on high school utilization and capacity. Specifically, closing Fine Arts and Athletics Programs before temporarily overflowing students to another campus.

Mrs. Tassin requested that the Administration seek principal, teacher, counselor, and nurse feedback before planning schedules to assist in determining which changes will work and which will not.

Mrs. James requested that the Administration provide the Trustees with more information regarding student engagement and performance. Specifically, information on which campuses have students that are over/under performing and if there are any lessons the District can learn from those campuses.

Mr. Rice requested that the Administration inform the Trustees as to how many temporary buildings are in the District's inventory, where they are, and for what purposes they are currently being used.

7. Convene in Closed Session

The Trustees convened in closed session at 7:20 p.m. under Texas Open Meetings Act, Texas Government Code, Chapter 551 under the following sections: Section 551.071 – For a private consultation with their attorney on any or all subjects or matters authorized by law; Section 551.072 – Consider purchase, exchange, lease, or value of real property; Section 551.074 – Personnel matters; Section 551.076 – Security matters; Section 551.082 – Student discipline matter or complaint; Section 551.0821 – Personally identifiable information about public school students.

8. Reconvene in Open Session

The Trustees reconvened in open session at 8:00 p.m.

9. Consider Action on Closed Session Items

None.

10. Board Members' Report

A. Activity Report

Mr. Rosenthal reported that the Trustees had attended and/or participated in the following activities since the October 19, 2020 Regular Board Meeting: Board Policy Committee Meeting; Student Leadership 101, Session 3: Impact of Elections on Public and Non-Profit Policy; 6th Annual Sugar Shindig Virtual Voting; 6th Annual Sugar Shindig Virtual Event; Pandemic Stakeholder Advisory Committee Meetings; The Great Cupcake Chase Scavenger Hunt; Superintendent's Summative Evaluation; Board Audit Committee Meeting, All In Mentoring – Blue Ridge Elementary School, Lakeview Elementary School Campus Visit, Sugar Mill Elementary School Campus Visit, and Regular Business Meeting.

B. Special Reports

None.

11. Consent Agenda

MOTION was made by Mr. Rice and SECONDED by Mrs. Tassin that the Board of Trustees approve the Consent Agenda in its entirety as presented. MOTION CARRIED. Ayes 7 – Noes 0.

A. Board Governance

1. Consider Approval of the 2020-21 General Fund Budget Amendment

The Administration requested Board approval of a General Fund Budget Amendment for 2020-21.

Fund	Function	Amount
Revenue Amendment		
199	00 – State Revenue	\$10,329,515
Expenditure Amendment		
199	11 – Instruction	\$9,085,000
199	12 – Instructional Resources Media	\$106,000
199	13 – Curriculum Development	\$200,000
199	21 – Instructional Leadership	\$267,000
199	23 – School Leadership	\$715,000
199	31 – Guidance Counseling Evaluation	\$511,000
199	32 – Social Work Services	\$22,000
199	33 – Health Services	\$849,515
199	34 – Student Transportation	\$229,000
199	36 – Co-Curricular Extra-Curricular	\$187,000
199	41 – General Administration	\$232,000
199	51 – Facilities Maint And Operations	\$518,000
199	52 – Security & Monitoring	\$115,000
199	53 – Data Processing	\$185,000
199	61 – Community Services	\$8,000
	Total Expenditure Increase	\$13,209,515

2. Consider Approval of the Repayment of Hurricane Harvey Reimbursements to the Texas Education Agency

The Administration requested Board approval of repayment to the Texas Education Agency for Hurricane Harvey reimbursements paid to the District.

3. Consider Approval of a Resolution to Change Authorized Investment Pool Signers

The Administration requested Board approval of a resolution for changes to the District's authorized signers at three investment pools.

4. Consider Approval of Revisions to Local Board Policies

- a. BP (Local): Administrative Regulations
- b. CH (Local): Purchasing and Acquisition
- c. CQ (Local): Technology Resources
- d. CQB (Local): Cybersecurity
- e. FC (Local): School Attendance Areas
- f. FDE (Local): Admissions: School Safety Transfers

5. Consider Approval of Previous Meeting Minutes

- a. October 12, 2020: Called Meeting and Agenda Review
- b. October 19, 2020: Regular Business Meeting
- c. October 28, 2020: Superintendent's Summative Evaluation

B. Board Goal 1: Fort Bend ISD will provide an equitable learning environment that provides all students access to the FBISD curriculum

1. Consider Approval of the Revisions to the 2020-21 School Year Calendar

The Administration requested Board approval of revisions to the 2020-21 school year calendar.

C. Scalable Systems

1. Consider Approval of Including 37 Additional Campuses to Previously Approved Drinking Fountain Replacement Package PKG017

The Administration requested Board approval to include 37 additional campuses to the Drinking Fountain Replacement Package (PKG017) and approval of a revised budget for a new total amount of \$963,009.

CSP Contract	Package Number	Description	Revised Project Budget
CSP20-086DE	PKG017	Drinking Fountain Replacements	\$963,009

Based on the drinking fountain audit generated by Facilities, it has been determined that an additional 37 campuses/facilities would require installation of two drinking fountains with bottle fillers. Upon completion of the re-allocation of available funding within the package from various categories, staff requires an additional \$280,000 from Bond 2018 Program Contingency to cover the additional scope of work for PKG017.

2. Consider Approval of an Easement between Fort Bend ISD and Fort Bend County Drainage District for a New Detention Pond at Hodges Bend Transportation Center

The Administration requested Board approval of executing an easement between Fort Bend ISD and Fort Bend County Drainage District for a new detention pond at Hodges Bend Transportation Center along FM 1464 and Clodine Street, and authorization for the Board President to execute this easement.

3. Consider Approval of a Construction Services Agreement with Prime Contractors, Inc., for the Renovations of the Mercer Complex and Don Cook Natatorium

The Administration requested Board approval of a Construction Services Agreement with Prime Contractors, Inc., for the renovations of Mercer Complex and Don Cook Natatorium (PKG014), for a contract amount of \$9,246,500, approval of the new project budget, and authorization for the Superintendent to execute the contract documents. The final ranking of the contractors is as follows:

Firm Name	CSP Score	Base Bid Amount
Prime Contractors, Inc.	85.89	\$9,500,000
Jamail & Smith Construction, LP	74.85	\$9,200,000
Millennium Project Solutions, Inc.	71.02	\$8,998,000
Crain Group, LLC	70.46	\$12,500,000
E Contractors USA, LLC	DNQ	\$7,000,000
ICI Construction, Inc.	DNQ	\$1,600,000
Nash Industries, Inc.	DNQ	\$6,735,000
Satterfield & Pontikes Construction	DNQ	\$7,627,000
Teal Construction Company	DNQ	\$9,400,000

This contract will include the scope identified on the base bid, plus the Alternate 1 – Base Bid adjustment and Value Engineering items for a total contract amount of \$9,246,500.

The renovations required to meet accessibility, energy, and City codes exceed the original funds allocated for PKG014. Consequently, a revised budget of \$11,523,750 is required to perform the described scope of work and ensure the Mercer Complex is up to code compliance.

Staff requests utilization of \$4,450,000 from Bond 2018 Program Contingency for this purpose. The revised detailed project budget for PKG014 Mercer Complex and Don Cook Natatorium Renovations is provided in the table below.

CSP Contract	Package Number	Description	Revised Project Budget
CSP20-023KB	PKG014	Renovations of Mercer Complex and Don Cook Natatorium	\$11,523,750

4. Consider Approval of Purchases Exceeding \$50,000, Specifically for:

a. Consider Approval of the Purchase of Benefit Services Pertaining to the Affordable Care Act

The Administration requested Board approval for the continued purchase of services necessary to administer Fort Bend ISD's reporting requirements to meet provisions of the Affordable Care Act from Eligibility Tracking Calculators, LLC, through the Choice Partners purchasing cooperative, in an amount not to exceed \$910,000, and authorization for the Superintendent to negotiate and execute the agreements through September 2024. Vendor: Eligibility Tracking Calculators, LLC. Fund Source: Health Insurance Fund.

b. Consider Approval of the Purchase of Network Infrastructure Cabling and Technology Services

The Administration requested Board approval for the continued purchase of infrastructure cabling and technology services from multiple vendors in an amount not to exceed \$5,000,000 over a five-year period, and authorization for the Superintendent to negotiate and execute the agreements through June 2026. This date aligns with the Erate funding period. Vendors: Network Cabling Services, Inc., and MCA Communications, Inc. Fund Sources: General Funds and Bond Funds.

5. 2018 Bond Program

a. Consider Approval of the Schematic Design for Elementary School 54

The Administration requested Board approval of the Schematic Design for new Elementary School 54 located in Sienna.

b. Consider Approval of Using the 2018 Bond Program Contingency as Proposed

The Administration requested Board approval of using the 2018 Bond Program Contingency as proposed.

12. Action

None.

13. Review Future Board Meeting Agenda Items

Dr. Dupre reviewed a list of future Board Meeting agenda items and workshop topics.

14. Adjournment

Having no further business before the Board, MOTION was made by Mrs. Tassin to adjourn the meeting at 8:03 p.m.

Jason Burdine, President

Dave Rosenthal, Secretary

Minutes
Board of Trustees
Special Called Meeting
Canvass Election Results & Administer Oath of Office to Newly Elected Trustees
November 16, 2020

The Fort Bend ISD Board of Trustees convened a Special Called Meeting on Monday, November 16, 2020, beginning at 6:00 p.m. in the Board Room of the Administration Building located at 16431 Lexington Blvd., Sugar Land, Texas, to canvass the results of the November 3, 2020 General Election and to administer oath of office to newly elected Trustees. Members of the public viewed the Live Stream of the meeting at the following address: <https://www.fortbendisd.com/November16-Canvass/SwearInLIVESTREAM>. Members of the public also registered to address the Board at the following address: <https://www.fortbendisd.com/cms/lib/TX01917858/Centricity/Domain/83/New%20Regular%20Business%20Address%20Form.pdf>. Requests to address the Board were submitted no later than 4:30 p.m. on the day of the meeting. It was the Board of Trustees' intent that a quorum of the Board of Trustees would be physically present at this location, although one or more Trustees may have participated by video conference. The agenda packet for the meeting can be found here: <https://v3.boardbook.org/Public/PublicHome.aspx?ak=888888>. This meeting was recorded as required by law and the recording is available to the public at:

https://www.youtube.com/watch?v=v9_-L-e8cj4

Presiding Officer.....Mr. Jason Burdine, President

Board Members Present

Ms. Addie Heyliger, Vice President
Mr. Dave Rosenthal, Secretary
Mrs. Allison Drew
Mrs. Grayle James
Mr. Jim Rice
Mrs. Kristin Tassin

School Officials Present

Charles E. Dupre, Ed.D., Superintendent of Schools
Diana Sayavedra, Deputy Superintendent of Schools (via video conference)
Joe Rodriguez, Ed.D., Chief of Schools (via video conference)
Beth Martinez, Chief Academic Officer (via video conference)
Veronica Sopher, Chief Communications Officer (via video conference)
Bryan Guinn, Chief Financial Officer (via video conference)
Gwyn Touchet, Chief Human Resources and Organizational Transformation Officer (via video conference)
Long Pham, Chief Information Officer (via video conference)
Oscar Perez, Chief Operations Officer (via video conference)
Anthony Indelicato, Ed.D., Chief of Staff and Collaborative Communities (via video conference)
Robert Scamardo, FBISD General Counsel (via video conference)
David Rider, Chief of FBISD Police Department (via video conference)
Garrett Rosier, Recording Secretary

Others Present

Representative Ron Reynolds, Texas House of Representatives, District 27
Judge K. P. George, Fort Bend County Judge
Constable Daryl Smith, Fort Bend County, Precinct 2
Guests of Retiring Trustees
Newly elected Trustees
Guests of newly elected Trustees
Rick Morris, Board Counsel
Parents, Patrons, Staff and Employees
News Media

1. Meeting Called to Order

President Burdine called the meeting to order at 6:02 p.m. announcing the presence of a quorum and that the meeting had been duly called and the notice posted for the time and manner required by law.

Prior to commencing the Audience Items agenda item, Dr. Charles Dupre, Superintendent of Schools, formally announced his intent to resign his position as Fort Bend ISD Superintendent by December 2021.

2. Audience Items

None.

3. Recognitions

Miss Sofie Marino, a junior at Clements High School, and member of the prestigious 2020 Texas Music Educators Association All-State Choir, sang "For Good" from the Broadway Musical, *Wicked*.

Miss Eloka Dike and Miss Crystal Ike, seniors at Kempner High School, recited an original poem entitled, "Profile of a Graduate".

Dr. Dupre recognized Board President Jason Burdine, Past Board President Kristin Tassin, and Trustee Allison Drew for their years of dedicated service to the District's 77,000 students and 10,000 staff members.

In the following order, the Trustees gave prepared comments: Mrs. Allison Drew, Ms. Addie Heyliger, Mr. Jason Burdine, Mrs. Kristin Tassin, Mrs. Grayle James, Mr. Dave Rosenthal, and Mr. Jim Rice.

4. Action

A. Canvass Returns and Declare Results of the November 3, 2020 General Election

Mr. Burdine was in receipt of the Summary of Returns from Mr. John Oldham, Fort Bend County Elections Administrator. Mr. Burdine stated that the purpose of the meeting was to canvass the election returns and declare the results of the November 3, 2020, Fort Bend Independent School District General Election.

Mr. Burdine read the following election results:

Position 1:

Jason Burdine: 52,554 votes

Angie Hanan: 84,157 votes

Position 4:

Kristin Tassin: 65,067 votes

Shirley Rose-Gilliam: 70,643 votes

Position 5:

Denetta Williams: 53,050 votes

Reggie Abraham: 31,365 votes

Allison Drew: 47,536 votes

MOTION was made by Ms. Heyliger and SECONDED by Mrs. James to authorize the President of the Board to certify the tabulation of Precinct Returns from the Fort Bend County Elections Administrator and to declare Angie Hanan as duly elected Trustee to serve the full term for East Side, Position 1, Shirley Rose-Gilliam as duly elected Trustee to serve the full term for At-Large, Position 4, and Denetta Williams as duly elected Trustee to serve the full term for West Side, Position 5. MOTION CARRIED. Ayes 7 – Noes 0.

Prior to Administering the Oath of Office to Newly Elected Trustees, President Burdine announced that the Board would take a short break. The break began at 7:05 p.m.

The Board returned from the break at 7:10 p.m.

Prior to beginning the oaths, Vice President Heyliger announced a correction to the motion authorizing the President of the Board to certify the tabulation of precinct returns. Mrs. Hanan was elected to West Side, Position 1, not East Side, Position 1. Also, Ms. Williams was elected to East Side, Position 5, not West Side, Position 5.

5. Administer Oath of Office to Newly Elected Trustees

Mr. Garrett Rosier, Board Recording Secretary, administered the Oath of Office to newly elected Trustee Angie Hanan.

Representative Ron Reynolds, Texas House of Representatives, District 27, administered the Oath of Office to newly elected Trustee Dr. Shirley Rose-Gilliam.

Mr. Garrett Rosier, Board Recording Secretary, administered the Oath of Office to newly elected Trustee Denetta Williams.

6. Convene in Closed Session

The Trustees convened in closed session at 7:16 p.m. under Texas Open Meetings Act, Texas Government Code, Chapter 551 under the following sections: Section 551.071 – For a private consultation with their attorney on any or all subjects or matters authorized by law; Section 551.072 – Consider purchase, exchange, lease, or value of real property; Section 551.074 – Personnel matters; Section 551.076 – Security matters; Section 551.082 – Student discipline matter or complaint; Section 551.0821 – Personally identifiable information about public school students.

A. Section 551.074: Personnel Matters

1. Deliberate Selection of Board Officers

7. Reconvene in Open Session

The Trustees reconvened in open session at 7:38 p.m.

8. Consider Action on Closed Session Items

Vice President Heyliger called for motions to elect Board Officers.

MOTION was made by Mrs. James and SECONDED by Mr. Rice to nominate Ms. Heyliger for the office of President, Fort Bend ISD Board of Trustees. Ms. Heyliger was elected by unanimous vote.

MOTION was made by Dr. Rose-Gilliam to nominate Mr. Rosenthal for the office of Vice President, Fort Bend ISD Board of Trustees. Mr. Rosenthal was elected by unanimous vote.

MOTION was made by Mrs. Hanan to nominate Mrs. James for the office of Secretary, Fort Bend ISD Board of Trustees. Mrs. James was elected by unanimous vote.

9. Adjournment

Having no further business before the Board, MOTION was made by Mr. Rosenthal to adjourn the meeting at 7:40 p.m.

Jason Burdine, President

Dave Rosenthal, Secretary

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Consideration and Approval:
Professional Service Agreement
for Services Associated with Bond
2018 Program
References: Board Policy CV (Local)
Scalable Systems
Department: Operations and Information
Technology

Recommendation

Consideration and possible approval of an increase in the spending amount for the professional services agreement with Combs Consulting Group for the execution of technology consulting services associated with the Bond 2018 program in an amount not-to-exceed \$445,000.

Summary

On December 17, 2018, the Board approved a contract with Combs Consulting Group to support work on the 2018 Bond that was authorized by voters. The contract with Combs provides current technology trends, design and construction oversight, along with implementation of new technology standards for new campuses and renovation projects. The services also include design oversight and coordination, review, quality control, and confirmation of the scope of work at each site once projects move forward. The contract approved by the Board totals \$1,954,150 and includes a 10 percent contingency.

Staff has identified additional work for Combs Consulting, such as design work for the installation of the audio-visual replacement and upgrade project and recommends increasing the amount of the contract by \$445,000. To date, \$1,779,600 has been obligated against the original contract, with \$177,550 remaining. The additional request amount will be allocated amongst 2018 Bond Technology projects that have a need for design work. Funds were included in 2018 Bond Technology projects for this work.

Initial approved contract amount	\$1,954,150
Additional amount needed for IT projects (Includes 10% contingency)	\$445,000
Revised Contract Amount	\$2,399,150

This increase in the contract amount for Combs Consulting will enable the District to continue making progress with its 2018 bond projects.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Long Pham
Chief Information Officer

Oscar Perez
Chief Operations Officer

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Consideration and Approval:
District-Wide Cafeteria and Library
Audio Visual Refresh – East Zone
References: Scalable Systems
Department: Business and Finance

Summary

Consideration and possible approval of a Construction Services Agreement with Piraino Consulting, Inc., for a cafeteria and library audio-visual refresh at various campuses in the East Zone of the District, for a total contract amount of \$2,493,571, and authorization for the Superintendent to negotiate and execute the agreements.

Background

On December 17, 2018, the Board approved all project budgets for the 2018 Bond Program. The 2018 Bond included funds to replace and upgrade audio-visual equipment in classrooms, cafeterias, libraries, and auditoriums throughout the District and totals \$31.1 million. This phase of the project will replace aging and obsolete audio-visual equipment in cafeterias and libraries.

On July 7, 2020, Fort Bend ISD issued a Competitive Sealed Proposal (CSP) 20-111DE soliciting proposals for a District-wide cafeteria and library audio-visual refresh – East Zone as part of the 2018 Bond Program. Six firms submitted responses to the CSP. An evaluation team composed of Fort Bend ISD staff members from the Information Technology, Business and Finance, Risk Management, Design and Construction, and Project Management Departments evaluated the proposals using a standard CSP evaluation matrix. The final ranking of the submissions is below:

Firm Name	CSP Score	Base Bid Amount
Piraino Consulting, Inc.	71.25	\$2,528,253
Facility Solutions Group	70.33	\$2,543,900
Broadcast Works	52.84	\$1,840,200
Batts Audio, Video & Lighting	40.09	\$2,140,501
Ford Audio-Video Systems, LLC	34.52	\$2,939,515
Troxell Communication	DNQ	

The project scope includes upgrades, replacements, and installation of new audio-visual equipment through a turnkey solution in the cafeterias and in the libraries at 33 campuses in the East Zone of the District.

Campuses in the East Zone that were constructed in the last five years have up-to-date equipment and will not be refreshed.

Through the purchase of these items and services, the District is enhancing the educational experience of its students and is providing technology to support faculty and staff.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Bryan Guinn
Chief Financial Officer

Long Pham
Chief Information Officer

Evaluation Summary
 CSP 20-111DE Districtwide Cafeteria and Library Audio Visual Refresh - East Zone

Vendor	Purchase Price (40 pts. max)	Vendor's Experience and Reputation, Past Experience with FBISD and Other School Districts (19 pts. max)	Quality of the Vendor's Goods and Services, Quality of Contractor's Response in the Proposal, Project Plan and Schedule (21 pts. max)	Vendor's Safety Record (5 pts. max)	Vendor's Proposed Personnel (5 pts. max)	Vendor's Financial Capability (5 pts. max)	SBEP Commitment (5 pts. max)	Proposer's Total Score (100 pts. max)
Piraino Consulting, Inc.	28.92	16.18	14.75	3.35	3.50	4.30	0.25	71.25
Facility Solutions Group	29.26	15.12	11.35	3.25	3.30	4.30	3.75	70.33
Broadcast Works	40.00	5.67	1.50	0.10	0.65	3.55	1.38	52.84
Batts Audio, Video & Lighting	33.12	3.40	0.00	0.00	0.50	2.82	0.25	40.09
Ford Audio-Video Systems, LLC	24.38	4.67	0.00	0.28	0.50	4.45	0.25	34.52

*Zero scores reflect absence of bid requirements.

CSP 20-111DE

Districtwide Cafeteria and Library Audio Visual Refresh – East Zone

	Evaluation Criteria (Government Code 2269)	Point System
1	The Price; Section 2269.055.a (1) Total Proposed Pricing - Provides thoroughly developed, competitive pricing using the tables in Pricing Delivery information section of the CSP (40 pts)	40 points
2	Vendor’s Experience and Reputation; Section 2269.055.a (2) Provides a summary of nature of work, on time delivery and quality of recent work contracted with FBISD and/or other school districts of similar scope and scale. (14 pts)	19 points
	Past Experience with FBISD and Other School Districts Provides a summary of nature of work, on time delivery and quality of work contracted with FBISD and/or other school districts and FBISD’s assessment of the presented summary. (5 pts)	
3	Quality of the of the Vendor’s Goods or Services; Section 2269.055.a (3) Contractor’s products should be new and be of the highest quality with an option to substitute for a company branded item of equivalent quality. (14 pts)	21 points
	Quality of Contractor’s Response in the Proposal Effectively responds and processes all request for information and documentation included in this CSP (2 pts)	
	Project Plan and Schedule (5 pts)	
4	Vendor’s Safety Record; Section 2269.055.a (5) Provides a summary of Experience Modification Rate (EMR) for the last three years, as well as a summary of company’s safety policies and procedures (5 pts)	5 points
5	Vendor’s Proposed Personnel; Section 2269.055.a (6) Proposed personnel, personnel directly assigned to work on this project (5 pts)	5 points
6	Vendor’s Financial Capability appropriate to the size and scope of the project; Section 2269.055.a (7) Provide proof of insurance, financial stability and Letter of Surety from Bonding Company (5 pts)	5 points
7	SBE Commitment; CV (Local) 2017.04 (5 pts)	5 points
	TOTAL	100 points

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Consideration and Approval:
District-Wide Cafeteria and Library
Audio Visual Refresh – West Zone
References: Scalable Systems
Department: Business and Finance

Summary

Consideration and possible approval of a Construction Services Agreement with Piraino Consulting, Inc., for a cafeteria and library audio-visual refresh at various campuses in the West Zone of the District, for a total contract amount of \$2,493,571, and authorization for the Superintendent to negotiate and execute the agreements.

Background

On December 17, 2018, the Board approved all project budgets for the 2018 Bond Program. The 2018 Bond included funds to replace and upgrade audio-visual equipment in classrooms, cafeterias, libraries, and auditoriums throughout the District and totals \$31.1 million. This phase of the project will replace aging and obsolete audio-visual equipment in cafeterias and libraries.

On July 7, 2020, Fort Bend ISD issued a Competitive Sealed Proposal (CSP) 21-006DE soliciting proposals for a District-wide cafeteria and library audio-visual refresh – West Zone as part of the 2018 Bond Program. Six firms submitted responses to the CSP. An evaluation team composed of Fort Bend ISD staff members from the Information Technology, Business and Finance, Risk Management, Design and Construction, and Project Management Departments evaluated the proposals using a standard CSP evaluation matrix. The final ranking of the submissions is below:

Firm Name	CSP Score	Base Bid Amount
Piraino Consulting, Inc.	72.03	\$2,642,518
Facility Solutions Group	67.78	\$2,825,800
E Contractors	66.18	\$2,850,000
Broadcast Works	51.74	\$1,954,790
Batts Audio, Video & Lighting	39.08	\$2,373,536
Ford Audio-Video Systems, LLC	34.74	\$3,159,138

The project scope includes upgrades, replacements, and installation of new audio-visual equipment through a turnkey solution in the cafeterias and in the libraries at 36 campuses in the West Zone of the District.

Campuses in the West Zone that were constructed in the last five years have up-to-date equipment and will not be refreshed.

Through the purchase of these items and services, the District is enhancing the educational experience of its students and is providing technology to support faculty and staff.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Bryan Guinn
Chief Financial Officer

Long Pham
Chief Information Officer

Evaluation Summary
 CSP 21-006DE Districtwide Cafeteria and Library Audio Visual Refresh - West Zone

Vendor	Purchase Price (40 pts. max)	Vendor's Experience and Reputation, Past Experience with FBISD and Other School Districts (19 pts. max)	Quality of the Vendor's Goods and Services, Quality of Contractor's Response in the Proposal, Project Plan and Schedule (21 pts. max)	Vendor's Safety Record (5 pts. max)	Vendor's Proposed Personnel (5 pts. max)	Vendor's Financial Capability (5 pts. max)	SBEP Commitment (5 pts. max)	Proposer's Total Score (100 pts. max)
Piraino Consulting, Inc.	30.20	16.18	14.75	2.85	3.50	4.30	0.25	72.03
Facility Solutions Group	26.78	14.12	12.25	3.45	3.05	4.38	3.75	67.78
E Contractors	27.72	10.42	16.05	0.95	2.60	4.19	4.25	66.18
Broadcast Works	40.00	5.67	1.50	0.25	0.65	3.55	0.13	51.74
Batts Audio, Video & Lighting	31.88	3.40	0.00	0.00	0.50	3.05	0.25	39.08
Ford Audio-Video Systems, LLC	24.11	4.67	0.00	0.83	0.50	4.39	0.25	34.74

*Zero scores reflect absence of bid requirements.

CSP 21-006DE

Districtwide Cafeteria and Library Audio Visual Refresh – West Zone

	Evaluation Criteria (Government Code 2269)	Point System
1	The Price; Section 2269.055.a (1) Total Proposed Pricing - Provides thoroughly developed, competitive pricing using the tables in Pricing Delivery information section of the CSP (40 pts)	40 points
2	Vendor’s Experience and Reputation; Section 2269.055.a (2) Provides a summary of nature of work, on time delivery and quality of recent work contracted with FBISD and/or other school districts of similar scope and scale. (14 pts)	19 points
	Past experience with FBISD and Other School Districts Provides a summary of nature of work, on time delivery and quality of work contracted with FBISD and/or other school districts and FBISD’s assessment of the presented summary. (5 pts)	
3	Quality of the Vendor’s Goods or Services; Section 2269.055.a (3) Contractor’s products should be new and of the highest quality with an option to substitute for a company branded item of equivalent quality. (14 pts)	21 points
	Quality of Contractor’s Response in the Proposal Effectively responds and processes all request for information and documentation included in this CSP (2 pts)	
	Project Plan and Schedule (5 pts)	
4	Vendor’s Safety Record; Section 2269.055.a (5) Provides a summary of Experience Modification Rate (EMR) for the last three years, as well as a summary of company’s safety policies and procedures (5 pts)	5 points
5	Vendor’s Proposed Personnel; Section 2269.055.a (6) Proposed Personnel, personnel directly assigned to work on this project (5 pts)	5 points
6	Vendor’s Financial Capability Appropriate to the Size and Scope of the Project; Section 2269.055.a (7) Provide proof of insurance, financial stability and Letter of Surety from Bonding Company (5 pts)	5 points
7	SBE Commitment; CV (Local) 2017.04 (5 pts)	5 points
	TOTAL	100 points

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Consideration and Approval:
Lease and/or Relocation of
Portable Classroom Buildings
References: Board Policy CV (Local)
Scalable Systems
Department: Operations

Recommendation

Consideration and possible approval of executing a contract with Mobile Modular Management Corporation to lease a maximum of 20 modular buildings; a Job Order Contract (JOC) with J.R. Thomas Group, Inc., for set up and installation of all necessary infrastructure to support the leased and/or relocated T-Buildings, approval of a design services agreement with Molina Walker Almaguer Architects, approval of the project budget of \$3,839,000, and authorization for the Superintendent to negotiate and execute or terminate the respective contracts.

Summary

The Design & Construction Department (D&C) obtained quotes for the lease of modular buildings to be installed as an additional measure to alleviate possible capacity issues surrounding the face-to-face learning model and increase campus capacities to safely house students and staff.

D&C invited Mobile Modular Management Corporation, through the Buy Board Purchasing Cooperative 556-18, to participate in providing a lease proposal for 20 modular buildings under a 24-month lease agreement. Additionally, the department invited a JOC, from the list of BOT approved JOCs (per CSP 19-039KB), to participate in providing a per-unit proposal for the set-up and installation of leased buildings and/or relocation and repair of existing portable classroom buildings owned by the District.

The scope of work required to establish the modular classrooms to support the face-to-face learning model includes, but is not limited to: building set-up, site preparation required to receive the modular buildings, fire alarm system modifications, concrete sidewalks, landings, intercom systems, HVAC systems, and walkway canopies.

The proposed budget also includes scope to complete, and provide, the necessary technology to support the added classrooms, professional services to facilitate the design and permit process, and a site development allowance to cover site preparation.

The following table summarizes the anticipated costs per unit associated with leasing portable buildings and installation of such buildings at the receiving campuses.

Estimated Budget Per-Unit	Cost
Modular Building – One-time set-up and removal Cost (per unit)	\$24,500
24-month lease per Unit	\$19,200
Construction set-up (Fire Alarm, Intercom, Electrical, Concrete walks, Canopies)	\$95,000
Contingency (10%)	\$10,000
Bond (2%)	\$2,000
<i>Subtotal (Mobile Modular / J.R. Thomas) Per-Unit</i>	<i>\$150,700</i>
<i>Subtotal – 20 Modular Buildings</i>	<i>\$3,014,000</i>
Professional Design Services (MWA)	\$115,000
Site Development	\$150,000
Technology & Activation/Deactivation	\$400,000
Furniture, Fixtures, and Equipment (FF&E)	\$160,000
<i>Subtotal Other</i>	<i>\$825,000</i>
Total Budget – 20 Modular Buildings (12-month lease)	\$3,839,000

The portable classroom building lease and installation will be funded through General Funds (199), Federal Funds, and Bond 2014 Contingency.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Oscar Perez
Chief Operations Officer

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Consideration and Approval:
CenterPoint Energy Utility
Easement – New Agriculture
Facility at Marshall High School
References: Board Policy CV (Local)
Scalable Systems
Department: Operations

Recommendation

Consideration and possible approval of a utility easement with CenterPoint Energy for the electrical services to the new agriculture facility at Marshall High School, and authorization for the Board President and/or designee to execute this easement.

Summary

The utility easement is required by CenterPoint Energy for the provider to install permanent overhead electrical service to the new agriculture facility at Marshall HS.

The overhead electrical service for the new agriculture facility at Marshall High School has been designed to adjoin and extend the existing utility easement near the North property line in order to provide new overhead service to the agriculture building.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Oscar Perez
Chief Operations Officer

UTILITY EASEMENT

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS }
COUNTY OF FORT BEND}

KNOW ALL PERSONS BY THESE PRESENTS:

THAT, Fort Bend Independent School District, its successors and assigns, hereinafter referred to as "Grantor", whether one or more, for and in consideration of the sum of ONE DOLLAR (\$1.00) CASH to Grantor paid by CenterPoint Energy Houston Electric, LLC, its successors and assigns, hereinafter referred to as "Grantee", whose principal address is P. O. Box 1700, Houston, Texas 77251-1700, has **GRANTED, SOLD AND CONVEYED** and by these presents, does **GRANT, SELL AND CONVEY** unto said Grantee, all or in part, an exclusive, perpetual easement, hereinafter referred to as the "Easement", for electric distribution and related communications facilities consisting of a variable number of wires and cables and all necessary and desirable equipment and appurtenances, including, but not limited to, towers or poles made of wood, metal or other materials, props and guys, located on, over, under and across a portion of the property owned by Grantor, ("Grantor's Property") described and illustrated on Sketch No. 20-0666, attached hereto and incorporated herein.

The unobstructed easement area(s) herein granted, hereinafter referred to as the "Easement Area", whether one or more, are described as follows:

An easement ten (10) feet wide, the location of the centerline of which is shown by the dot-dash symbol on said attached Sketch No. 20-0666, together with unobstructed aerial easements ten (10) feet wide, beginning at a plane sixteen (16) feet above the ground and extending upward, located on both sides of and adjoining said ten (10) foot wide easement.

Grantor shall observe and exercise all notification laws as per the Underground Facility Damage Prevention and Safety Act, also known as "ONE CALL" & "CALL BEFORE YOU DIG", when working in or near the Easement Area.

To the extent that such laws and codes apply to Grantor, its successors and assigns, Grantor, its successors and assigns shall observe all safety codes and laws which apply to working along, within and/or near the Easement Area and Facilities during construction activities and safe clearance from such Facilities, including the Occupational Safety and Health Administration ("OSHA"), Chapter 752 of the Texas Health and Safety Code ("THSC"), the National Electric Code ("NEC"), and the National Electrical Safety Code ("NESC").

Absent written authorization by the Grantee, all utility and aerial easements must be kept unobstructed from any non-utility improvements or obstructions by Grantor. Any unauthorized improvements or obstructions may be removed by Grantee at the Grantor's expense. While wooden posts and paneled wooden fences along the perimeter and back to back easements and alongside rear lots lines are permitted, they too may be removed by Grantee at the Grantor's expense should they be an obstruction. Grantee may put said wooden posts and paneled wooden fences back up, but generally will not replace them with new fencing.

Grantee shall not deny or obstruct ingress or egress to or from Grantor's Property, and Grantor retains all rights to cross the Easement Area for access, but not interfering with the utility purpose for which the Easement is granted. Grantor shall have the right to construct or locate in a near perpendicular fashion, utilities, drainage, ditches, roadways, driveways, across, but not along or solely along, within or under the

Easement Area herein granted. Grantor assumes all responsibility for the cost of constructing, paving and maintaining said roadways or driveways within easement crossing areas. In the event Grantor constructs, or causes to be constructed, any utilities, drainage, ditches, roadways, and/or driveways which results in the relocation of Grantee's Facilities, the Grantor will be responsible for all costs associated with the relocation and/or removal of Grantee's Facilities. Grantor is prohibited from using the Easement Area for stockpile, spoil, water retention or detention, or lay down areas.

Grantee shall also have reasonable rights of ingress and egress to and from said Easement Area, together with reasonable working space, for the purposes of erecting, installing, operating, maintaining, replacing, inspecting, and removing said Facilities, together with the additional right to remove from said Easement Area and Grantor's Property immediately adjoining thereto, all bushes, trees and parts thereof, or other structures or improvements which are within, protrude, bisect, encroach or overhang into said Easement Area and which, in the sole opinion of Grantee, endanger or may interfere with the efficient, safe and proper operation, and maintenance of said Facilities. Further, in the event dead or dangerous trees exist within the fall range of overhead electrical facilities, then Grantee shall have the right to take down dead or dangerous trees based on Grantee's discretion.

TO HAVE AND TO HOLD the above described Easement, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, forever, and Grantor does hereby bind itself and its successors, heirs, assigns, and legal representatives, to fully warrant and forever defend all and singular the above described Easement and rights unto said Grantee, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor,

but not otherwise. In the event of a deficiency in title or actions taken by others which results in the relocation of Grantee's Facilities, the Grantor herein, its successors and assigns, will be responsible for all costs associated with the relocation and/or removal of Grantee's Facilities.

The terms, conditions and provisions contained herein constitute the complete and final agreement between Grantor and Grantee, (collectively the "Parties") with respect to the subject matter hereof and supersedes all prior agreements, representations and understandings of the Parties and, by Grantor's signature affixed hereto and Grantee's use of the Easement, the Parties evidence their agreement thereof. No oral or written agreements made or discussed prior to, or subsequent to, the execution of this Easement shall supersede those contained herein. Any and all revisions, amendments and/or exceptions to the terms, conditions and provisions contained in this Easement shall be in written, recordable form and executed by both Parties, or their respective successors or assigns in order to be deemed valid.

EXECUTED this _____ day of _____, 20_____.

Fort Bend Independent School District

BY: _____
Signature

Name typed or printed

Title

STATE OF TEXAS }

COUNTY OF _____ }

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, _____ of Fort Bend Independent School District, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that ()he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said school district.

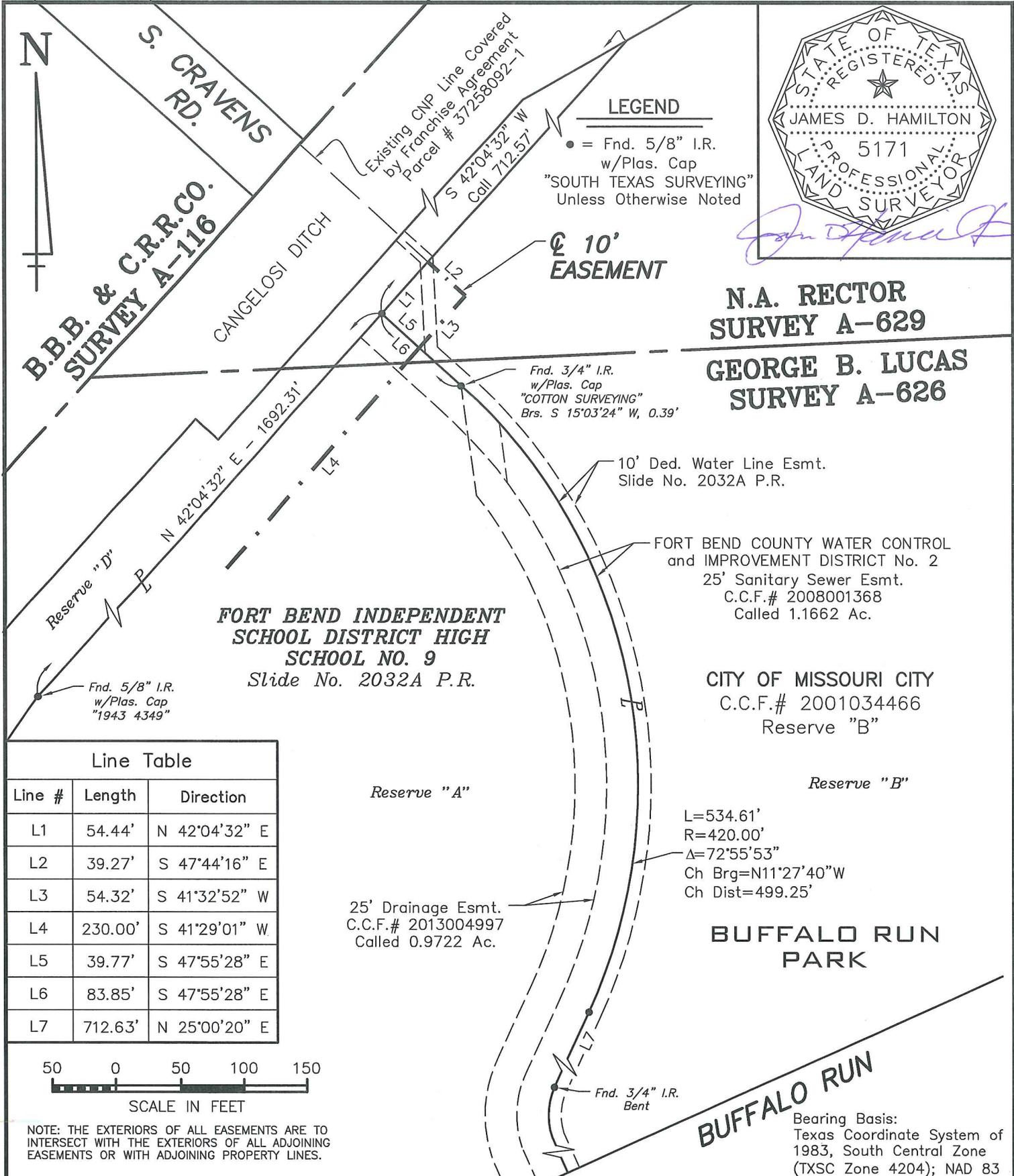
Given under my hand and seal of office this ____ day of _____, 20_____.

Notary's Signature

Name typed or printed

Commission Expires

AFTER RECORDING RETURN TO:
SURVEYING & RIGHT OF WAY
CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC
P. O. BOX 1700
HOUSTON, TX 77251-1700

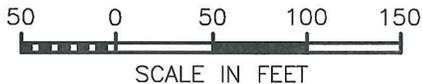


James D. Hamilton

N.A. RECTOR SURVEY A-629
GEORGE B. LUCAS SURVEY A-626

Line Table

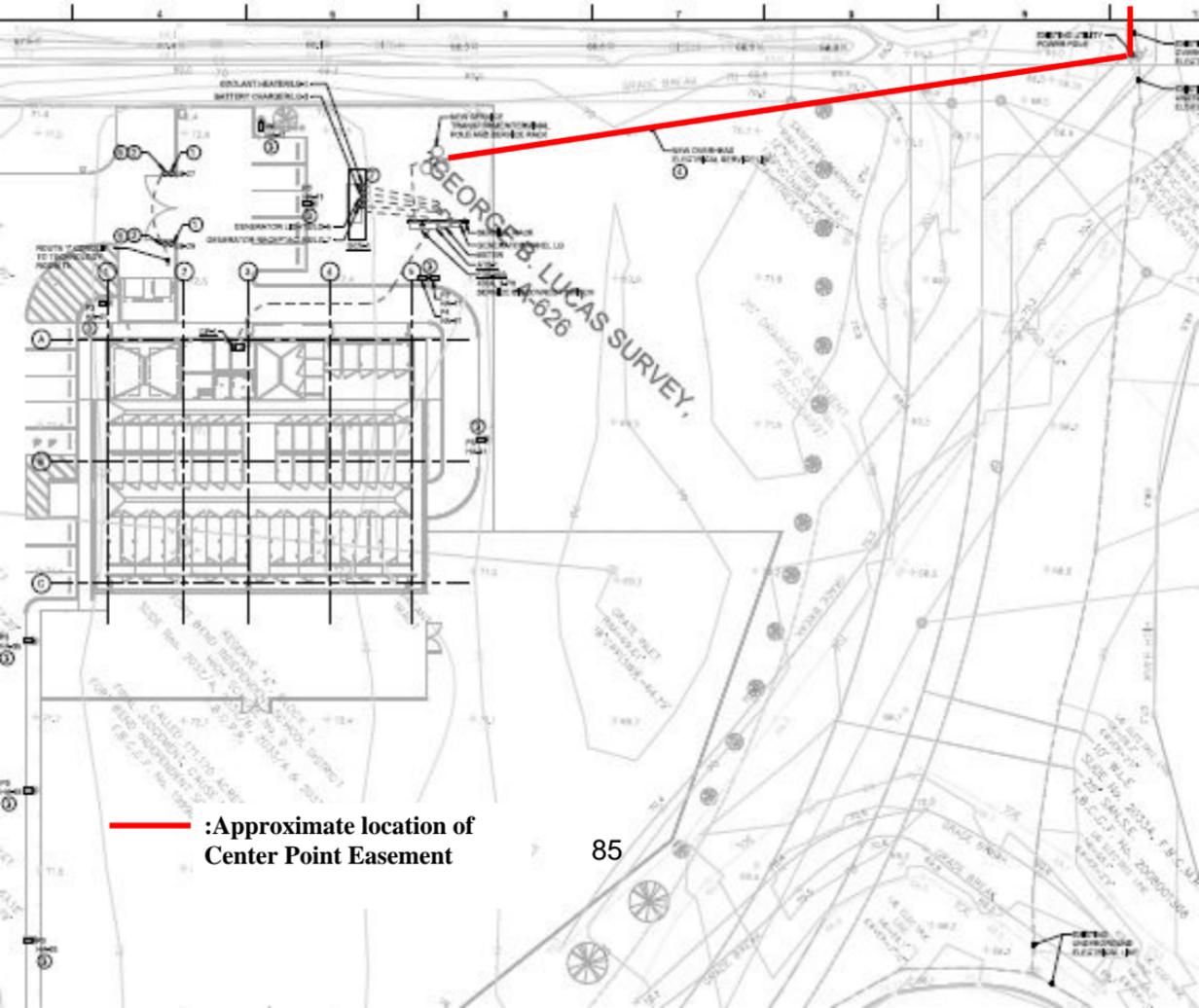
Line #	Length	Direction
L1	54.44'	N 42°04'32" E
L2	39.27'	S 47°44'16" E
L3	54.32'	S 41°32'52" W
L4	230.00'	S 41°29'01" W
L5	39.77'	S 47°55'28" E
L6	83.85'	S 47°55'28" E
L7	712.63'	N 25°00'20" E



NOTE: THE EXTERIORS OF ALL EASEMENTS ARE TO INTERSECT WITH THE EXTERIORS OF ALL ADJOINING EASEMENTS OR WITH ADJOINING PROPERTY LINES.

REV.1: JOB NO.	BY:	DATE:	REV.2: JOB NO.	BY:	DATE:
EASEMENT - UNOBSTRUCTED	LAST PLOT DATE: 10/07/2020				
COUNTY: FORT BEND	DRAWN BY: M.T.R.				
SURVEY DATE: 09/18/2020	MAP NO: 5051	84			
SCALE: 1" = 100'	JOB NO: 92110362				
FILE NO. - BOOK: 2020	CHECKED BY: J.D.H.				

CenterPoint Energy
 SURVEYING & RIGHT OF WAY
 P.O. Box 1700 Houston, TX 77251-1700
 713-207-2222
 Firm Number: 10027400
SKETCH NO. 20-0666



 : Approximate location of Center Point Easement

85



86

**—: Approximate location of
Center Point Easement**

**Buffalo
Run Park**

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Consideration and Approval:
Purchases in Excess of \$50,000
References: Board Policy CH (Local)
Board Goal 1
Department: Chief Financial Officer

Recommendation

According to Policy CH (Local), purchases that cost or aggregate to a cost of \$50,000 or greater shall require Board approval.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Joe Rodriguez
Chief of Schools

Long Pham
Chief Information Officer

Oscar Perez
Chief Operations Officer

BOT Meeting:	December 14, 2020
Solicitation No.:	RFQ 20-085KB (Buy Board 587-19)
References:	District Goal 1 Scalable Systems
Description:	<p>Band Uniforms and Related Items – Elkins High School</p> <p><u>Recommendation</u></p> <p>Consideration and possible approval of the purchase of band uniforms and related items for the Elkins High School band program in an amount not to exceed \$123,300, and authorization for the Superintendent to negotiate and execute the agreements.</p> <p><u>Summary</u></p> <p>Each year, Fort Bend ISD rotates the procurement of band uniforms throughout the District. The District purchases wash-and-wear band uniforms for each high school every 10 years. A request for quote on behalf of Elkins High School was released requesting pricing for a complete set of marching band and drum major uniforms. The quote included uniform jackets, bib pants, gauntlets, headgear, and uniform accessories for the band and drum majors.</p> <p>A custom-designed uniform sample was required for submission. The design included custom uniform jackets and inner shirts, bib pants, headgear, and uniform accessories for the band and drum majors to wear at football games, parades, and marching contests. The Fine Arts Director, James Drew, as well as the Band Director and staff at Elkins High School, evaluated the artistic design of the uniform samples submitted and the quality of materials used to construct the sample. The purchase will include approximately 250 complete uniforms and nine drum major uniforms. The recommended vendor for this year’s quote is Fred J. Miller, Inc., a BuyBoard Cooperative vendor. The cooperative purchasing agreement expires May 31, 2022, allowing sufficient time to complete the order for Elkins High School.</p> <p>RFP 18-022KB, approved by the Board of Trustees on May 14, 2018, will cover future repairs and alterations to the uniforms purchased.</p> <p><u>Background</u></p> <p>The expenditures for fiscal year 2019-20 were \$121,000 for the Ridge Point High School band program. Expenditures for Elkins High School band uniforms will not exceed \$123,300. Funding is included in the Fine Arts budget.</p>
Requested By:	Bryan Guinn, Chief Financial Officer Joe Rodriguez, Chief of Schools
Vendor:	Fred J. Miller, Inc.
Budget Sources:	General Fund
Amount:	Not to exceed \$123,300 88

Other Supporting Information	
Sole Source:	No
Number of vendors contacted by Purchasing:	5
Number of vendors contacted by FBISD Notification System:	44
Number of vendors downloaded the solicitation:	24
Number of responses received:	3
Number of "no bid" responses received:	0
Length of commitment:	One-time purchase
Last solicitation date:	December 16, 2019
Supporting documents:	N/A
Disclosure under Board Policy CH, CV, or DBD (Local):	None

BOT Meeting:	December 14, 2020													
Solicitation No.:	21-021AR BuyBoard Cooperative													
References:	District Goal Scalable Systems													
Description:	<p>RouteFinder Upgrade and Annual Support Fees</p> <p><u>Recommendation</u></p> <p>Consideration and possible approval of the purchase of an upgrade to the District’s RouteFinder software, and the continued purchase of annual support under a cooperative contract with BuyBoard in an amount not-to-exceed \$68,000 through December 2021, and authorization for the Superintendent to negotiate and execute the agreements.</p> <p><u>Summary</u></p> <p>The Fort Bend ISD Transportation Department is seeking approval for the procurement of an upgrade to its current RouteFinder Pro system to take advantage of the company’s cloud-based option, RouteFinder Plus.</p> <p>RouteFinder Plus is a scalable, cloud-hosted solution for school bus routing, scheduling, and planning for school transportation management. It allows the District to easily manage bus routes, students, and drivers. This upgrade is beneficial in the following ways:</p> <ul style="list-style-type: none"> • The current version is server-based; therefore, the department cannot access the software remotely. A cloud-based system would enable staff to work from any location (including home), when required. • Routers, Supervisors, and Directors can access the upgraded cloud-based system at the same time. The current system allows only one user at a time to log in. • The upgraded cloud-based version of the system provides efficiencies not presently available in the server-based version and will significantly reduce staff time spent on routine tasks in the software. <p>Upgrading to the cloud-based version includes a hosting fee. The total expenditure for this upgrade plus the annual software support fees requires Board approval. The cost breakdown is shown below.</p> <table border="1"> <thead> <tr> <th></th> <th>2020-21</th> <th>2021-22</th> </tr> </thead> <tbody> <tr> <td>Routefinder Plus Annual Hosting Fee (Upgrade to cloud-based system)</td> <td>\$24,438</td> <td>\$22,188</td> </tr> <tr> <td>Annual Support Fee</td> <td>\$37,020</td> <td>\$27,520</td> </tr> <tr> <td>TOTAL</td> <td>\$61,458</td> <td>\$49,708</td> </tr> </tbody> </table> <p><i>*2020-21 Hosting Fee is higher due to one-time implementation fee for training and migration. All other implementation fees were discounted as part of negotiations.</i></p>			2020-21	2021-22	Routefinder Plus Annual Hosting Fee (Upgrade to cloud-based system)	\$24,438	\$22,188	Annual Support Fee	\$37,020	\$27,520	TOTAL	\$61,458	\$49,708
	2020-21	2021-22												
Routefinder Plus Annual Hosting Fee (Upgrade to cloud-based system)	\$24,438	\$22,188												
Annual Support Fee	\$37,020	\$27,520												
TOTAL	\$61,458	\$49,708												

	<p>The BuyBoard cooperative purchasing contract will allow the District to fulfill the need to upgrade efficiently and effectively and will comply with school district bidding requirements. The current cooperative contract has renewal options through December 2021. The Purchasing Department will solicit proposals to establish a District contract for hosting and support at that time.</p> <p><u>Background</u></p> <p>Expenditures in 2019-20 were \$37,020 for annual software support fees. Expenditures will not exceed \$68,000 through 2021, which includes a 10% contingency for the upgrade and annual support fees. Funding is included in the budget.</p>
Requested By:	Oscar Perez, Chief Operations Officer Bryan Guinn, Chief Financial Officer Long Pham, Chief Information Officer
Vendor:	Transfinder Corporation
Budget Sources:	General Fund
Amount:	Not to Exceed \$68,000 through December 2021
Other Supporting Information	
Sole Source:	No
Number of vendors contacted by Purchasing:	N/A
Number of vendors contacted by FBISD Notification System:	N/A
Number of vendors downloaded the solicitation:	N/A
Number of responses received:	N/A
Number of "no bid" responses received:	N/A
Length of commitment:	Through December 2021
Last solicitation date:	N/A
Supporting documents:	N/A
Disclosure under Board Policy CH, CV, or DBD (Local):	None

BOT Meeting:	December 14, 2020
Solicitation No.:	20-106LJ Department of Information Resources
References:	District Goal Scalable Systems
Description:	<p>Staff Augmentation Services – Information Technology Services</p> <p><u>Recommendation</u></p> <p>Consideration and possible approval of the continued purchase of staff augmentation services from multiple vendors under a cooperative contract with the Department of Information Resources (DIR) in an amount not to exceed \$1,500,000 through August 2024, and authorization for the Superintendent to negotiate and execute the agreements.</p> <p><u>Summary</u></p> <p>The Fort Bend ISD Information Technology Department is seeking approval for the procurement of staff augmentation services under a cooperative contract with DIR Purchasing Cooperative for temporary technology staff labor. The Board previously approved purchasing these services on August 14, 2017 from Nardia Fisher Consulting Services through the DIR Cooperative. Temporary staffing services are typically required to support critical District-level initiatives that have a short timeline, or which exceed the abilities of available on staff resources. Key initiatives requiring contract resource support involve classroom technology support and student technology support, as well as student call center support. The COVID-19 Pandemic has increased the need for contract resources due to the hybrid instructional model that involves supporting staff and students that are both remote and onsite. Similar resources have also been used in support of other non-technology-based projects that required the temporary displacement of technology equipment. During the budget process for the 2021-22 school year, staff will evaluate the cost-effectiveness of utilizing temporary staff for these duties against hiring District personnel to perform the work.</p> <p>The DIR cooperative purchasing contract will allow the District to fulfill demands from large support and project initiatives in a timely and efficient manner and will comply with school district bidding requirements. The current cooperative contract has renewal options through August 2024. Should the contract not renew for the full term, staff will return to the Board to request authorization to utilize the new cooperative contract, an alternate cooperative contract, or an alternate procurement method.</p> <p><u>Background</u></p> <p>Expenditures in 2019-20 were \$71,717 for these services. Expenditures to date in 2020-21 are \$328,207. The higher expenditures in 2020-21 are due to an increase in support staff needed to respond to technology deployment and support associated with the COVID-19 Pandemic.</p>

	Expenditures will not exceed \$1,500,000 through August 2024, which includes a 10% contingency to cover unforeseen costs that may arise. Funding is included in the budget.
Requested By:	Long Pham, Chief Information Officer Bryan Guinn, Chief Financial Officer
Vendor:	Nardia Fisher Consulting Services GTS Technology Solutions, Inc. Go IT Services, Inc.
Budget Sources:	General Fund and Bond Funds
Amount:	Not to Exceed - \$ 1,500,000 through August 2024
Other Supporting Information	
Sole Source:	No
Number of vendors contacted by Purchasing:	N/A
Number of vendors contacted by FBISD Notification System:	N/A
Number of vendors downloaded the solicitation:	N/A
Number of responses received:	N/A
Number of "no bid" responses received:	N/A
Length of commitment:	Through August 2024
Last solicitation date:	N/A
Supporting documents:	N/A
Disclosure under Board Policy CH, CV, or DBD (Local):	None

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
**Action: Action: Resolution on Extending
Paid Sick Leave Benefits**
**References: Board Policy DEC (Local);
District Goal 5**
Department: Legal Services

Recommendation

Consideration and possible adoption of a Resolution authorizing the District to fund leave benefits for employees who are quarantined or isolated and unable to work remotely due to a COVID-19 diagnosis or close contact through the end of the 2020-21 school year.

Summary

The Federal Families First Coronavirus Response Act (FFCRA) provides District employees with expanded family and medical leave (EFMLA) and up to 80 hours (or 10 days) of emergency paid sick leave (EPSL) for specified reasons related to COVID-19. These leave provisions enable employees who are not physically able to work from home to receive compensation during their quarantine/isolation period. Any quarantined or isolated employee who is physically able to perform their job remotely, is asked to do so while they are unable to report to work. Since these employees would be working remotely, the leave does not apply to them.

The FFCRA leave provisions are currently set to expire on December 31, 2020, unless Congress authorizes an extension. This Resolution is intended to protect staff in the event Federal relief is not extended. Without approval of this Resolution, staff required to quarantine or isolate will have to use accumulated personal leave if they are unable to perform their job remotely, which will have a greater impact on our hourly, employees since most professional staff are able to perform their job remotely.

In this Resolution, the Board declares that a need exists to extend the ability of employees to avail themselves up to 80 hours (or 10 days) of paid leave if they are required to quarantine or self-isolate due to a COVID-19 diagnosis or close contact. This extension of leave benefits as proposed helps to ensure the continuity of the District's instructional program and serves the public purposes of protecting the health and safety of students and staff, maintaining morale, and reducing employee turnover.

As of November 30, 2020, the financial impact to the District for 227 employees (Classified/Hourly – 157 and Professional 70) totals \$246,226. These numbers represent quarantined and/or isolated employees who have been unable to perform their job remotely.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Robert Scamardo
General Counsel

**RESOLUTION
OF FORT BEND INDEPENDENT SCHOOL DISTRICT**

**TO AUTHORIZE AN EXTENSION OF LEAVE BENEFITS FOR STAFF REQUIRED
TO QUARANTINE OR ISOLATE DUE TO A COVID-19 DIAGNOSIS OR CLOSE
CONTACT**

WHEREAS, the Families First Coronavirus Response Act (FFCRA) required the Fort Bend Independent School District to provide its employees with expanded family and medical leave and emergency paid sick leave up to 80 hours (or 10 days) for reasons related to COVID-19; and

WHEREAS, the provisions of the FFCRA will expire on December 31, 2020; and

WHEREAS, Congress has not taken any action, as of this date, to extend the provisions of the FFCRA; and

WHEREAS, should Congress not extend the leave benefit provisions of the FFCRA on or before December 31, 2020, the Board finds that a need exists to extend the ability of employees to avail themselves of up to 80 hours (or 10 days) of emergency paid sick leave if they are required to quarantine or self-isolate and cannot work remotely due to a COVID-19 diagnosis or close contact; and

WHEREAS, the Board concludes that in the absence of Congressional action extending the availability of emergency paid sick for up to 80 hours (or 10 days) through the end of the 2020-2021 school year for certain employees who are quarantined or isolated and cannot work remotely serves the public purpose of protecting the health and safety of students and staff, maintaining morale, and reducing employee turnover.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Fort Bend Independent School District authorizes an expenditure of \$250,000 in the event Congress does not extend the leave benefit provisions of the FFCRA (or pass similar legislation) on or before December 31, 2020 for emergency paid sick of up to 80 hours (or 10 days) through the end of the 2020-2021 school year to employees who are required to quarantine or self-isolate and cannot work remotely due to a COVID-19 diagnosis or close contact.

ADOPTED THIS ____ DAY OF DECEMBER 2020.

FORT BEND INDEPENDENT SCHOOL DISTRICT

By: _____
ADDIE HEYLIGER, President
Board of Trustees

Attest: _____
GRAYLE JAMES, Secretary
Board of Trustees

For: Fort Bend ISD Board of Trustees
Date: December 14, 2020
Action: Information and Discussion

Summary

As of the date this agenda was prepared, the following meetings are planned, along with the tentative agenda items listed (in addition to routine agenda items).

January 2021

- Information Items
 - Overview of the District Debt Program
 - Bond Oversight Committee Report
- Consideration and Possible Action
 - 2020-21 Superintendent Evaluation Instrument
 - Annual Bond Parameter Orders
 - Amendment to Existing Commercial Paper Program
 - 2020-21 District and Campus Performance Objectives

February 1, 2021

- Special Called Meeting for Board Team Building

February 2021

- Information Items
 - 2021-22 Planning and Budgeting Timeline
 - Quarterly Financial Report
 - Annual Demographic Update
 - Annual Enrollment Review
 - 2020-21 Student Performance Update – Term 2
- Consideration and Possible Action
 - 2021-22 School Year Calendar, including Related Staff Development Waiver Request
 - Engagement Letter for Auditors