

Notice of Special Called Meeting
The Board of Trustees
Fort Bend Independent School District

Monday, August 7, 2023

This is Notice that the Fort Bend Independent School District Board of Trustees will hold a Special Called Meeting on Monday, August 7, 2023, beginning at 6:00 PM in the Board Room of the Fort Bend ISD Administration Building, 16431 Lexington Blvd., Sugar Land, TX 77479.

The agenda packet for the meeting is available at <https://meetings.boardbook.org/Public/Organization/649>.

Members of the public may view the live stream of the meeting at the following address:

<https://www.fortbendisd.com/Page/124962>

1. Call to order
2. Public Comment
3. 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
 - A. District Audit Report (DAR) Summary
 - B. Deliberate Executive Director of Facilities recommendation
4. Reconvene in Open Session
5. Action
 - A. Student Code of Conduct 4
6. Superintendent Start of School Update
7. Board Committee Reports
 - A. Audit Committee
 - B. Equity Committee
8. Information
 - A. Class Rank Update 119
 - B. Budgetary, Legislative and Compensation Update 158
 - C. Update on Schematic Designs for Briargate Elementary 177
 - D. Update on Schematic Designs for Mission Bend Elementary 178
9. Review
 - A. **Fort Bend ISD Board of Trustees Meeting Minutes:** Consideration and approval of Fort Bend ISD Board of Trustees meeting/and or public hearings on the following dates: 179

1. April 17, 2023 Regular Business Meeting	180
2. May 1, 2023 Agenda Review Meeting	194
3. May 15, 2023 Special Called Meeting (Canvassing of Election Results)	202
4. May 15, 2023 Regular Business Meeting	205
B. Policies CB (Local) and EI (Local): Consideration and approval of proposed revisions of local policies:	216
1. CB (Local)	217
2. EI (Local)	219
C. Tax Rate: Consideration and approval of a resolution adopting the combined Ad Valorem tax rate of \$0.9992 per \$100 of valuation for the Fort Bend Independent School District for the 2023 tax year.	220
D. Designation of Public Information Act Non-Business Days: Consideration and approval of the designation of non-business days under the Texas Public Information Act for calendar year 2023 and Spring 2024.	222
E. SB 763: Discussion of Senate Bill 763 relating to allowing public schools to employ or accept as volunteers chaplains.	225
10. Consideration and approval of proposed expenses that exceed \$50,000: Specifically for:	
A. Chapter 49: Consideration and approval of option 3 to reduce the estimated yield per penny per student in Weighted Average Daily Attendance (WADA) due to notification of Chapter 49 status for school year 2023-24 and delegate contractual authority to obligate the school district under Texas Education Code (TEC) Section 11.1511 (c) (4) to the superintendent, solely for the purpose of obligating the district under TEC, Section 48.257 and TEC, Chapter 49, Subchapters A and D, and the rules adopted by the commissioner to education as authorized under TEC, 49.006.	226
B. Ice Cream, Frozen Novelty and Frozen Beverages: Consideration and approval for the purchase of ice cream, frozen novelty products, and frozen beverages from Southern Ice Cream through the Choice Partners' cooperative contracts in an amount not-to-exceed \$1,500,000, and authorization for the Superintendent to negotiate and execute the agreement through July 2028.	230
C. Apple Products and Related Services: Consideration and approval of the purchase of Apple Products and Related Services from Texas Department of Information Resources (DIR) and Choice Partners cooperative contracts in an amount not to exceed \$14,500,000 and authorization for the Superintendent to negotiation and execute the agreements through May 2028.	232
D. PKG044 First Colony Middle School HVAC Improvements: Consideration and approval of a construction services agreement with Job-Order-Contractor (JOC) E Contractors to perform upgrades to the HVAC system at First Colony Middle School (FCMS), for a not-to-exceed amount of \$510,000: approval of a professional services agreement with Infrastructure Associates for a Not-to-Exceed amount of \$60,000, and authorization for the Superintendent to negotiate and execute or terminate the	234

agreements.

E. Strategic Planning Consulting Services: Consideration and approval for the purchase of Strategic Planning Consulting Services from engage2learn (e2L) under The Interlocal Purchasing System (TIPS) contract in an amount not-to-exceed \$83,000 and authorization for the Superintendent to negotiate and execute the agreement through June 2024. **236**

F. 2023 Bond Program: Consideration and approval of a Job Order Contracting Pool to be utilized by the District to provide both bond and non-bond services, approval of services not to extend an amount of \$26,191,655 and authorization for the Superintendent to negotiate and execute or terminate the contracts with the identified vendors. **238**

G. Phase 1 - Professional Services for 2023 Bond and Non-Bond Projects: Consideration and approval of Phase 1 Professional Service Firms to provide both Bond 2023 services for a not-to-exceed amount of \$23,000,000.00 and non-bond services for a not-to-exceed amount of \$5,000,000, and authorization for the Superintendent to negotiate and execute the contracts with the identified firms. **243**

H. Technology Consultant / Professional Services for 2023 Bond and Non-Bond Projects: Consideration and approval of a Technology Consultant pool selection for the 2023 Bond Program and non-bond services District wide, for a not-to-exceed amount of \$5,000,000, and authorization for the Superintendent to negotiate and execute the contracts with the identified firms. **250**

11. Adjournment

If, during 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 an 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 rigorous and relevant curriculum and deliver instruction that is responsive to the needs of all students.
- Goal 2: Fort Bend ISD will provide a positive culture and climate that provides a safe and supportive environment for learning and working.
- Goal 3: Fort Bend ISD will recruit, develop, and retain high quality teachers and staff.
- Goal 4: Fort Bend ISD will engage students, parents, staff, and the community through ongoing communication, opportunities for collaboration and innovation, and partnerships that support the learning community.
- Goal 5: Fort Bend ISD will utilize financial, material, and human capital resources to maximize district outcomes and student achievement.

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Consideration and Approval:
2023-24 Student Code of Conduct
References: Board Policy FO (Legal)
District Goal 4
Department: Student Affairs

Recommendation

Consideration and approval of the Student Code of Conduct for 2023-24 school year.

Summary

Chapter 37 of the Texas Education Code mandates that the Board of Trustees adopt a Student Code of Conduct (SCC).

The SCC provides methods and options for managing behavior and disciplining students in the classroom, on school grounds, and at school-related events. The SCC provides guidance for campus administrators to address behavior and assign consequences in a fair and equitable manner in accordance with Chapter 37 and the Texas Education Data Standards (TEDS) Appendix E. The SCC also provides clarity for students and parents about offenses that require mandatory placement outside of the classroom and those in which campus and District administrators may exercise discretion.

To ensure fluidity throughout, the Administration held multiple focus groups comprised of students, parents, community members, principals, assistant principals, and Campus Behavior Coordinators. The feedback gathered from stakeholders was instrumental in revising, reorganizing, and adding more clarity of processes and verbiage to provide a more comprehensible Student Code of Conduct (listed below). The Administration has also made changes based on the definitions and coding updates outlined in TEDS Appendix E related to state discipline data reporting.

As of this afternoon, the following revisions were additionally made to the proposed 2023-2024 Student Code of Conduct.

Page	Section	2022-2023 INFO	2023-2024 INFO	Rationale
2	Accessibility	Changed Sonya Smith-Watson	Department of Student Affairs	Staff changes
2	Philosophy	Added information	The District wants to ensure that all parties are systematically cultivating whole child health while supporting and enriching students in their pursuit to exemplify the profile of a graduate attributes/dispositions. Whole Child Health, aligned with the FBISD's Profile of a Graduate, is committed to supporting and developing the mental, behavioral, social, emotional, and physical health of all students in FBISD. Students are best equipped and inspired to pursue futures beyond what they can	Clarification

			<u>imagine when these needs and skills are met and developed.</u>	
2	Culture and Climate	Added information	To build a positive learning culture and climate, Fort Bend ISD utilizes targeted professional development and a mindset that focuses on areas such as a culturally responsive, trauma-informed, equitable environment. Evidenced-based behavioral/social and emotional systems or approaches such as Positive Behavioral Interventions and Supports (PBIS), Restorative Practices (RP), and Trauma Informed practices are implemented with fidelity and continuously modeled by the adults in the building, creating a welcoming school environment and sense of community. Strategies are reflected in classroom management and behavioral strategies. The Student Ownership of Behavior framework includes:-	SEL input
11	Threat Assessment Investigations	Added Information	Graphic - flow chart of investigation	DDAC/CBC request
13	Security Personnel	Added information from policy	A district police officer shall perform law enforcement duties for the school district that must include protecting the safety and welfare of any person in the jurisdiction of the police officer and the property of the school district. In determining the law enforcement duties, the board shall coordinate with district campus behavior coordinators and other district employees to ensure that district police officers are tasked only with duties related to law enforcement intervention and not tasked with behavioral or administrative duties better addressed by other district employees	Align with policy CKE (local)
14	Participation- Student Speakers at in-Graduation Activities	Student Speakers at Graduation Students eligible to have a speaking role at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the school year immediately preceding graduation. See policy FMH (LOCAL). For a student who is referred for a felony or misdemeanor and charges are expected, and there is reasonable belief that a criminal offense has occurred,	Upon approval from the Superintendent or Assistant Superintendent of Secondary Schools, the campus principal shall notify parents/guardians if it is determined the student will not participate in any or all graduation activities. Student Speakers at Graduation Students eligible to have a speaking role at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an in-school or out-of-school suspension, removal to a DAEP, or expulsion during the school year immediately preceding graduation. See policy FMH (LOCAL).	Align with practice policy FMH (local)

		approval for non-participation in graduation activities must be given by the Superintendent or designee. The campus principal shall notify parents/guardians if determined that the student will not participate in any or all graduation activities.		
--	--	---	--	--

16	Dress Code - Dresses, Jumpers, Skirts, Shorts, Skorts, Pants, and Jeans	Athletic wear, which may include yoga pants, stretch leggings, and fitness tights, are permissible as long as they do not reveal undergarments, do not have sections of see-through material, or are worn with a shirt that covers the posterior, or are not disruptive to the school environment.	Athletic wear, which may include yoga pants, stretch leggings, biker shorts, and fitness tights, are permissible as long as they do not reveal undergarments, do not have sections of see-through material, or are worn with a shirt that covers the posterior, or are not disruptive to the school environment.	DDAC/CBC/Parent Thought Exchange request
17	Dress Code - Shoes	Appropriate shoes must be worn during PE/athletics classes, as well as during lab activities in science, CTE, etc.	Appropriate shoes must be worn during PE/athletics classes, as well as during lab activities in science, CTE, etc. Foam clogs, flip flops, or shoes with no back/heel strap should not be worn during these activities.	DDAC/CBC/Parent Thought Exchange request
18	Dress Code - Miscellaneous	No hats, caps, doo-rags, wave caps, bandanas or hoods worn indoors, except on campus designated days or during designated times permitted by the campus; and	No hats, caps, doo-rags, wave caps, <u>bonnets</u> , bandanas, or hoods worn indoors, except on campus designated days or during designated times permitted by the campus; and	DDAC/CBC/Parent Thought Exchange request
18	Fighting	Added	A core belief of Fort Bend ISD is that student success is best achieved in a supportive climate and a safe environment. Fighting and acts of physical aggression will not be tolerated. Students are prohibited from fighting and/or engaging in physical altercations. Students that choose to participate in these behaviors are a disruption to the learning environment. <ul style="list-style-type: none"> • Students engaging in mutual combat shall be assigned a consequence up to and including a DAEP placement. • Students who instigate, contribute, or perpetuate fights through direct involvement or indirect involvement such as posting on social media, recording, or sharing recordings may be considered as contributing to the disruption of the learning environment and may receive consequences. • Parents and guardians are encouraged to actively monitor student's social media accounts to ensure appropriate peer to peer engagement. • Parents and students are encouraged to communicate with campus administrators regarding any potential conflict between students. FBISD is committed to providing a safe learning/working environment for all students and staff.	Priority focus

20	Misconduct Involving Possess, Sell, Use or Under the Influence	Electronic cigarettes, cartridges and any vapor pens/devices or look alike devices with nicotine;	Electronic cigarettes, cartridges and any vapor pens/devices or look alike devices with nicotine (See Mandatory DAEP offenses);	HB 114
26	Bullying	TASB	ADDED Chapter 37 provides for DAEP placement or expulsion for a student who engages in bullying that: <ul style="list-style-type: none"> • Encourages a student to commit or attempt to commit suicide; • Incites violence against a student through group bullying; or • Releases or threatens to release intimate visual material of a minor or of an adult student without the student's consent. 	TASB
27	Bullying	Added information	<p><u>"Cyberbullying" as defined in David's Law means bullying arising from a pattern of acts or one significant act that is done through the use of any electronic communication device, including a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool. Because of David's Law, "cyberbullying" is now more specifically included in the definition of "bullying" in the Education Code. The bullying provisions in the Education Code (including pre-existing law and changes made by David's Law) apply to: Bullying that occurs on or is delivered to a school property or to the site of a school-sponsored or school-related activity on or off school property;</u></p> <ul style="list-style-type: none"> • <u>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;</u> • <u>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.</u> 	Policy FFI

27	Campus Action: 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 by the close of the school day, or no later than the next business day, 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.	<u>In accordance with Board policy FFI(LOCAL), 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 (3) days after the incident is reported. The principal or designee shall notify the parent or guardian of the alleged aggressor within five (5) business days after the date the incident is reported.</u>	Policy FFI
----	--	---	--	------------

29	Discipline of Students in Special Programs	Added information	<u>In addition to statutory requirements for an ARD committee to conduct a manifestation determination before a student is removed for more than ten (10) days, the law states that an ARD committee must be convened specifically to review a special education student's conduct prior to assessing a disciplinary consequence for bullying, harassment, or making hit lists.</u>	Legislative update
31-35	Behavior Interventions and Techniques	Added information	<u>Added Examples of Classroom and Teacher Led Responses</u>	SEL input/PBIS strategies
43	Interim Placement	Added information	<u>Students placed in in-school suspension on any DAEP related offense may not participate in any school sponsored or school-related extracurricular or co-curricular activities.</u>	TASB
44	Mandatory Placement: Misconduct that Requires DAEP placement	Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in Expulsion on page 52.) (See glossary for "under the influence" "controlled substance," and "dangerous drug.");	<u>Sells, gives, or delivers to another person or possesses, uses, or is under the influence of a controlled substance or a dangerous drug A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in Expulsion on page 52.) (See glossary for "under the influence" "controlled substance," and "dangerous drug.");</u> <ul style="list-style-type: none"> <u>Students identified as having a first offense of possession, use, or under the influence of vaping with or without THC may be eligible for participation in the district's First Offense RISE program.</u> 	HB 114
44	Mandatory Placement: Misconduct that Requires DAEP placement	Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana, vaping with THC, or vaping not constituting a felony offense.	Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana, vaping with THC, or vaping with no THC, or e-cigarette.	TASB
45	DAEP at Capacity	Added information	DAEP at Capacity If a DAEP is at capacity at the time the CBC is deciding placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS then transferred to a DAEP for the remainder of the period if space becomes available before the expiration of the period of the placement. If a DAEP is at capacity at the time the	TASB

			CBC is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana THC, and e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.	
46	Consideration of Mitigating Factors	After the conference, if the student is placed in a DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.	After the conference, if the student is placed in a DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent.	TASB HB3928
55	Hearing	An opportunity to respond to the allegation and to present evidence and witnesses in the student's defense; and	An opportunity to respond to the allegation and to present evidence including video footage and witnesses in the student's defense; and	DDAC/CBC/Parent Thought Exchange request
60-64	<u>Discipline Offenses by Level</u>	<u>Added</u>	<u>Inserted Discipline Charts K-2 (Levels 1 and 2 with OSS, DAEP removed.)</u> <u>Added text: Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in :</u> <u>1. Conduct that contains the elements of an offense related to weapons;</u> <u>2. Conduct that contains the elements of a violent offense; or</u> <u>3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.</u> <u>*Level 3-4 offenses require consultation with the Assistant Superintendent for Elementary Schools or designee.</u> <u>3-5 (Levels 1 – 4 with all options available)</u> <u>Added text: Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the</u>	

			<p><u>student engages in : 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; or 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.</u></p> <p><u>*Level 3-4 offenses require consultation with the Assistant Superintendent for Elementary Schools or designee.</u></p> <p><u>Secondary (Levels 1-4 with all options available)</u></p> <p><u>Added text: Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in : 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; or 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana r a controlled substance, a dangerous drug or an alcoholic beverage.</u></p>	
61	Discipline Offenses by Level	Cheating Level I	Moved to Level II with option for School based strategies, ISS, OSS	Priority focus
63	Discipline Offenses by Level	Fighting	Opened action of DAEP	Priority focus
66	Discipline Offenses by Level	Felony Controlled Substance Felony Alcohol	Mandatory DAEP Discretionary Expulsion	HB 114
67	Discipline Offenses by Level	Vaping with no THC	Moved to Level III and Level IV	HB 114
67	Discipline Offenses by Level	VP and VPT	Indicate eligibility for the First Offense RISE Program	HB 114 District Response Commissioner Rule 15:1 ratio
70	Glossary	Cheating is defined as giving or receiving information or help on a test; possession of any unauthorized material during a test; copying another student's assignment	<p>Added:</p> <p><u>Cheating is defined as giving or receiving information or help on a test; plagiarizing or representing another person's work as their own, possession of any unauthorized material during a test; copying another student's ...</u></p> <p>other examples of academic dishonesty. Using electronic devices to send or receive information as described above or utilizing Artificial Intelligence (AI) to represent a student's original work is also classified as cheating.</p>	Updated language

		<p>or knowingly allowing another unauthorized student to copy from his/her assignment; working with others on a project that is meant to be done individually; unauthorized possession of test or quiz questions and/or answer sheets; completing an assignment, test or quiz on behalf of another student; submitting duplicate work; having someone else complete an assignment, test, or quiz on behalf of the student, or accessing a teacher edition are other examples of academic dishonesty. Using electronic devices to send or receive information as described above is also classified as cheating.</p>		
73	Glossary	<p>Fighting/Mutual Combat is mutual intentional participation in a physical altercation. Includes but is not limited to pushing, hitting, kicking, shoving, pinching, punching, and other intentional physical confrontations</p>	<p>Fighting/Mutual Combat is mutual intentional participation in a physical altercation. Includes but is not limited to pushing, hitting, kicking, shoving, pinching, punching, and other intentional physical confrontations. Students who initiate threatening interactions or antagonistic behavior prior to the fight will not be considered as acting in self-defense.</p>	Clarification
73	Glossary	<p>ADDED to harassment</p>	<p>Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;</p> <ul style="list-style-type: none"> <input type="checkbox"/> Making a telephone call and intentionally failing to hang up or disengage the connection; <input type="checkbox"/> Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section. <p>Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.</p>	TASB HB 1427
74	Glossary	<p>ADDED</p>	<p>Added: Horseplay is defined as rough or boisterous play</p>	Clarification
75	Glossary	<p>ADDED</p>	<p>Added: Leaving school is defined as leaving the campus without authorization, permission, or following appropriate campus protocols.</p>	Clarification

76	Glossary	Self-defense is the use of force against another to the degree a person reasonably believes is immediately necessary to protect himself or herself. To claim self-defense, the student must (1) be without fault in provoking the encounter, (2) not act as aggressor, (3) and (3) use the minimum force required to remove himself or herself from immediate danger or harm. Actions that escalate or continue the encounter will not be considered self-defense.	Self-defense is the use of force against another to the degree a person reasonably believes is immediately necessary to protect himself or herself. To claim self-defense, the student must (1) be without fault in provoking the encounter, (2) not act as aggressor, (3) overtly expresses a reluctance to engage in mutual combat and (4) use the minimum force required to remove himself or herself from immediate danger or harm. Actions that escalate or continue the encounter will not be considered self-defense. Threatening interactions or antagonistic behavior prior to the encounter will not be considered as self-defense.	Glossary
77	Glossary	ADDED	Serious bullying TEC Sec.37.0052 (b) defines bullying behavior as:(1) engages in bullying that encourages a student to commit or attempt to commit suicide (2) incites violence against a student through group bullying; or (3) releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent	TEC 37.0052
77	Glossary	ADDED	Serious misbehavior means; (1) Deliberate violent behavior that poses a direct threat to the health or safety of others; (2) Extortion, meaning the gaining of money or other property by force or threat; (3) Conduct that constitutes coercion, as defined by Section 1.0, Penal Code; or (4) Conduct that constitutes the offense of: a. Public lewdness under Penal Code 21.07; b. Indecent exposure under Penal Code 21.08 c. Criminal mischief under Penal Code 28.03 d. Hazing under Education Code 37.152; or e. Harassment under Penal Code 42.07(a)(1) of a student of district employee.	TASB

Recommended by:

Dr. Kwabena Mensah
Chief of Schools

Submitted by:

Sonya Smith-Watson
Executive Director of Student Affairs

Student Code of Conduct

2023-2024

CORE BELIEFS AND COMMITMENTS

Core Belief 1: All students can reach their full potential.

Commitment: Fort Bend ISD will provide an educational system that will enable all students to reach their full potential.

Core Belief 2: We believe student success is best achieved...

...through effective teachers that inspire learning.

Commitment: Fort Bend ISD will recruit, develop and retain effective teachers.

...in a supportive climate and safe environment.

Commitment: Fort Bend ISD will provide a supportive climate and a safe learning/working environment.

...by empowered and effective leaders throughout the system.

Commitment: Fort Bend ISD will provide and promote leadership development at all levels.

...in a well-functioning, high-performing community of learners.

Commitment: Fort Bend ISD will be a collaborative, efficient and effective learning community.

MISSION AND VISION

MISSION

Fort Bend ISD exists to inspire and equip all students to pursue futures beyond what they can imagine.

VISION

Fort Bend ISD will graduate students who exhibit the attributes of the District's Profile of a Graduate.

PROFILE OF A GRADUATE

A Fort Bend ISD Graduate has a rigorous academic foundation, strong character, and is...



equipped with skills for life.

Fort Bend ISD graduates exhibit grit and determination in all aspects of life; respect self and others; engage in healthy life choices; are literate and articulate; proficient with technology; and meaningfully and practically apply knowledge in productive ways.



a compassionate citizen.

Fort Bend ISD graduates are empathetic to their fellow citizens, exhibiting care and concern for others; are inclusive and embrace differences; are culturally aware; actively engage in improving our diverse community; exercise their right to vote; and are dependable, respectful, trustworthy, and self-disciplined.



a servant leader.

Fort Bend ISD graduates demonstrate confidence while maintaining a humble and kind demeanor; prioritizing the needs of others while accepting responsibility for themselves and are accountable for their own actions; are optimistic; and strive to bring out the best in others.



a collaborative team member.

Fort Bend ISD graduates work effectively with others to achieve group goals; take actions that respect the needs and contributions of others; yield their own objectives to the goals of the team; and positively facilitate and contribute to teamwork.



an effective communicator.

Fort Bend ISD graduates communicate clearly both orally and in writing; respectfully and actively listen to others; appropriately engage in courageous conversations; and appropriately adapt their communication style to the audience.



a life-long learner.

Fort Bend ISD graduates approach life with wonder and curiosity; seek opportunities to be creative; possess a thirst for knowledge and the ability to adapt to change; and are academically prepared to pursue and attain futures beyond what they can imagine!



a critical thinker.

Fort Bend ISD graduates are visionary and solutions-oriented problem solvers; are inquisitive and innovative; and have the courage to actively challenge conventional methods in order to improve themselves and the world around them.

DISTRICT GOALS



District Goal 1

Fort Bend ISD will provide rigorous and relevant curriculum and deliver instruction that is responsive to the needs of all students.



District Goal 2

Fort Bend ISD will provide a positive culture and climate that provides a safe and supportive environment for learning and working.



District Goal 3

Fort Bend ISD will recruit, develop, and retain high quality teachers and staff.



District Goal 4

Fort Bend ISD will engage students, parents, staff, and the community through ongoing communication, opportunities for collaboration and innovation, and partnerships that support the learning community.



District Goal 5

Fort Bend ISD will utilize financial, material, and human capital resources to maximize district outcomes and student achievement.

S M T W T F S

August 2023

	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2023

					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2023

			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023

					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

S M T W T F S

February 2024

				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024

					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2024

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 2024

			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2024

						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 2024

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

July 31- Aug 1 District Professional Learning Day
2-4 Professional Learning Day/No Students
7 Teacher Planning Day/No Students
8 Teacher Work Day/No Students
9 First Day of Classes 1st Semester

September

4 Holiday/Labor Day
15 Early Release- Elementary
29 Professional Learning Day/No Students

October

9 Holiday
10 Teacher Planning Day/No Students

November

10 Holiday/Veterans Day
20-24 Holiday/Thanksgiving Break

December

14 Early Release-MS/HS
15 Early Release/All Students
18-29 Holiday/Winter Break

January

1 Holiday/New Year's Day
2 Professional Learning Day/No Students
3 Teacher Planning Day/No Students
4 First Day of Classes 2nd Semester
15 Holiday/Martin Luther King Jr. Day

February

15 Early Release- Elem.
16 Professional Learning Day/No Students
19 Holiday/Inclement Weather Make-Up Day

March

1 Teacher Planning Day/No Students
11-15 Holiday/Spring Break
29 Holiday/Good Friday

April

1 Holiday/Inclement Weather Make-Up Day

May

22 Early Release-MS/HS
23 Early Release- All Students
24 Teacher Work Day/No Students
27 Holiday/Memorial Day

June

19 Holiday/Juneteenth Day

July

1-5 District Offices and Campuses Closed

KEY

- District Professional Learning Day
- Professional Learning Day - No Students
- Teacher Planning Day - No Students
- Teacher Work Day - No Students
- ◆ First Day of Semester Classes
- [] Beginning/End of Nine Weeks
- { } Exams
- Holiday
- ▶ Early Release - ES
- ▶ Early Release - MS & HS
- Inclement Weather Make-up Day

This Calendar Reflects the Following	ES	MS	HS
Total Days of Instruction	173	173	173
Total Teacher Contract Days	187	187	187
Operational Minutes per Full Day	435	435	435
Operational Minutes per Early Release Days	240	270	245
Total Operational Minutes Pre-Waiver	74,475	74,595	74,495
Waiver Minutes for Professional Learning	2,100	2,100	2,100
Total Operational Min. w/ Approved Waivers	76,575	76,695	76,595
Bank of Operational Minutes	975	1,095	995

HB 2442 requires a minimum of 75,600 operational minutes with any applicable waivers and at least a minimum bank of 840 operational minutes. The bank of operational minutes can be used in the event of bad weather and other issues of health and safety. FBISD reserves the right to revise the calendar, pending Board approval, to meet the minimum required operational minutes each year.

1st Semester Grading Period	83 Days
1st Nine Weeks	8/9 - 10/6 41
2nd Nine Weeks	10/11 - 12/15 42

2nd Semester Grading Period	90 Days
3rd Nine Weeks	1/4 - 3/8 43
4th Nine Weeks	3/18 - 5/23 47

Cultural and religious observances of families in FBISD can be accessed on the [Diversity Calendar](http://www.fortbendisd.com/diversity) at www.fortbendisd.com/diversity.

High Schools

Austin High School
Rachel Cortez - Principal
3434 Pheasant Creek Drive
Sugar Land, 77498
634-2000 Fax: 634-2074

Crawford High School
Keith Fickel - Principal
801 Caldwell Ranch Blvd
Rosharon, 77583
327-6730 Fax: 327-6730

Hightower High School
Andre Roberson - Principal
3333 Hurricane Lane
Missouri City, 77459
634-5240 Fax: 634-5333

Ridge Point High School
Leonard Brogan - Principal
500 Waters Lake Blvd.
Missouri City, 77459
327-5200 Fax: 327-5201

Bush High School
Felicia James - Principal
6707 FM 1464
Richmond, 77407
634-6060 Fax: 634-6066

Dulles High School
Corey Stewart - Principal
550 Dulles Avenue
Sugar Land, 77478
634-5600 Fax: 634-5681

Kempner High School
Danielle Jackson - Principal
14777 Voss Road
Sugar Land, 77498
634-2300 Fax: 634-2378

Travis High School
Sarah Laberge - Principal
11111 Harlem Road
Richmond, 77406
634-7000 Fax: 634-7010

Clements High School
Brian Shillingburg - Principal
4200 Elkins Road
Sugar Land, 77479
634-2150 Fax: 634-2168

Elkins High School
Courtney Muceus - Principal
7007 Knights Court
Missouri City, 77459
634-2600 Fax: 634-2674

Marshall High School
Ogechi Uwaga-Sanders - Principal
1220 Buffalo Run
Missouri City, 77489
634-6630 Fax: 634-6650

Willowridge High School
Jennifer Roberts - Principal
16301 Chimney Rock Road
Houston, 77053
634-2450 Fax: 634-2513

Middle Schools

Baines Middle School
Elizabeth Williams - Principal
9000 Sienna Ranch Road
Missouri City, 77459
634-6870 Fax: 634-6880

First Colony Middle School
Jennifer Petru - Principal
3225 Austin Parkway
Sugar Land, 77479
634-3240 Fax: 634-3267

Lake Olympia Middle School
Terence Hayden - Principal
3100 Lake Olympia Parkway
Missouri City, 77459
634-3520 Fax: 634-3549

Sartartia Middle School
Cholly Oglesby - Principal
8125 Homeward Way
Sugar Land, 77479
634-6310 Fax: 634-6373

Bowie Middle School
Michael Yelvington - Principal
700 Plantation Drive
Richmond, 77406
327-6200 Fax: 327-6201

Fort Settlement Middle School
Jennifer Williams - Principal
5440 Elkins Road
Sugar Land, 77479
634-6440 Fax: 634-6456

McAuliffe Middle School
Trevor Lemon - Principal
16650 South Post Oak
Houston, 77053
634-3360 Fax: 634-3393

Sugar Land Middle School
LaToya Garrett - Principal
321 Seventh Street
Sugar Land, 77498
634-3080 Fax: 634-3108

Crockett Middle School
Kyella Griffin - Principal
19001 Beechnut
Richmond, 77407
634-6380 Fax: 327-6380

Garcia Middle School
Cory Collins - Principal
18550 Old Richmond Road
Sugar Land, 77498
634-3160 Fax: 634-3166

Missouri City Middle School
Tasha Hamilton - Principal
202 Martin Lane
Missouri City, 77489
634-3440 Fax: 634-3473

Thornton Middle School
Kathryn Kargbo - Principal
1909 Waters Lake Blvd.
Missouri City, 77459
327-3870 Fax: 327-3871

Dulles Middle School
Reginald Brown - Principal
500 Dulles Avenue
Sugar Land, 77478
634-5750 Fax: 634-5781

Hodges Bend Middle School
Brandi Brooks - Principal
16510 Bissonnet
Houston, 77083
634-3000 Fax: 634-3028

Quail Valley Middle School
Audra Ude - Principal
3019 FM 1092
Missouri City, 77459
634-3600 Fax: 634-3632

Elementary Schools

Armstrong Elementary
Nancy Sanchez - Principal
3440 Independence Blvd.
Missouri City 77459
634-9410 Fax: 327-9409

Bhuchar Elementary
Nikki Roberts - Principal
5503 Thompson Ferry Rd.
Missouri City, 77459
327-4400 Fax: 327-4402

Colony Bend Elementary
Stacy Brown - Principal
2720 Planters Street
Sugar Land, 77479
634 - 4080 Fax: 634-4092

Drabek Elementary
April Marsters - Principal
11325 Lake Woodbridge Drive
Sugar Land, 77498
634-6570 Fax: 634-6572

Austin Parkway Elementary
Audrey Macklin - Principal
4400 Austin Parkway
Sugar Land, 77479
634-4001 Fax: 634-4014

Blue Ridge-Briargate Elementary
Sonya Evans - Principal
6241 McHard Road (FM 2234)
Houston, 77053
634 - 4520 Fax: 634-4533

Colony Meadows Elementary
Stephanie Viado - Principal
4510 Sweetwater Blvd.
Sugar Land, 77479
634-4120 Fax: 634-4136

Dulles Elementary
Raymond Haas - Principal
630 Dulles Avenue
Sugar Land, 77478
634-5830 Fax: 634-5843

Barrington Place Elementary @ Meadows – Grades K-2nd
Cindel Blackmer - Principal
12037 Pender Lane
Meadows Place, 77477
634-4720 Fax: 634-4734

Brazos Bend Elementary
Felicia Bolden - Principal
621 Cunningham Creek Blvd.
Sugar Land, 77479
634-5180 Fax: 634-5200

Commonwealth Elementary
Latecha Bogle - Principal
4909 Commonwealth Blvd.
Sugar Land, 77479
634-5120 Fax: 634-5140

Fleming Elementary
She’Nee Young- Principal
14850 Bissonnet
Houston, 77083
634 - 4600 Fax: 634-4615

Barrington Place Elementary @ Lakeview – Grades 3rd – 5th
Alena McClanahan - Principal
314 Lakeview Dr.
Sugar Land, 77498
634-4200 Fax: 634-4214

Burton Elementary
Lakisha Anthony - Principal
1625 Hunter Green Lane
Fresno, 77545
634-5080 Fax: 634-5094

Cornerstone Elementary
Alexis Prudhomme - Principal
1800 Chatham Avenue
Sugar Land, 77479
634-6400 Fax: 327-6400

Ferguson Elementary
Carla Patton - Principal
1300 Heritage Park Dr.
Missouri City, 77459
327-8500 Fax: 327-8502

Elementary Schools

Glover Elementary
Clementine Arana - Principal
1510 Columbia Blue Drive
Missouri City, 77489
634-4920 Fax: 634-4934

Goodman Elementary
Jonathan Sutton - Principal
1100 West Sycamore
Fresno, 77545
634-5986 Fax: 634-6000

Heritage Rose Elementary
Gabriella Garza - Principal
636 Glendale Lakes Drive
Rosharon, 77583
327-5400 Fax: 327-5401

Highlands Elementary
Angela Dow - Principal
2022 Colonist Park Drive
Sugar Land, 77478
634-4160 Fax: 634-4176

Holley Elementary
Danielle Moss - Principal
16655 Bissonnet
Houston, 77083
634-3850 Fax: 634-3856

Hunters Glen Elementary
Lavanta Williams - Principal
695 Independence Blvd.
Missouri City, 77489
634-4640 Fax: 634-4656

Jones Elementary
Carlo Levia - Principal
302 Martin Lane
Missouri City, 77489
634-4960 Fax: 634-4974

Jordan Elementary
Kimberly Charles - Principal
17800 West Oaks Village Drive
Richmond, 77407
634-2800 Fax: 634-2801

Lakeview Elementary
Alena McClanahan - Principal
314 Lakeview Drive
Sugar Land, 77498
634-4200 Fax: 634-4214

Lantern Lane Elementary
Justin Kowrach - Principal
3323 Mission Valley Drive
Missouri City, 77459
634-4680 Fax: 634-4694

Leonetti Elementary
Joy Schwinger - Principal
1757 Waters Lake Blvd.
Missouri City, 77459
327-3190 Fax: 327-3191

Lexington Creek Elementary
Christina Hopkins - Principal
2335 Dulles Avenue
Missouri City, 77459
634-5000 Fax: 634-5014

Madden Elementary
Kristi Durham - Principal
17727 Abermore Lane
Richmond, 77407
327-2740 Fax: 327-2742

Malala Elementary
Lisa Langston - Principal
11770 W. Aliana Trace Dr.
Richmond, 77407
327-5700 Fax: 327-5701

Meadows Elementary
Cindel Blackmer - Principal
12037 Pender Lane
Meadows, 77477
634-4720 Fax: 634-4734

Mission Bend-Glen Elementary
Veronica Roberson - Principal
16053 Mission Glen Drive
Houston, 77083
634-4280 Fax: 634-4296

Mission West Elementary
Jorge Pena - Principal
7325 Clodine-Reddick Road
Houston, 77083
634-4320 Fax: 634-4334

Neill Elementary
Margaret Murphy - Principal
3830 Harvest Corner Drive
Richmond, 77406
327-3760 Fax: 327-3761

Oakland Elementary
Nancy Hummel - Principal
4455 Waterside Estates Drive
Richmond, 77406
634-3730 Fax: 634-3738

Oyster Creek Elementary
Deanna Olson - Principal
16425 Mellow Oaks Lane
Sugar Land, 77498
634-5910 Fax: 634-5925

Palmer Elementary
Kellie Clay - Principal
4208 Crow Valley Drive
Missouri City, 77459
634-4760 Fax: 634-4773

Parks Elementary
Anitra Wilson - Principal
19101 Chimney Rock Road
Fresno, 77545
634-6390 Fax: 327-6390

Patterson Elementary
Angela Wallace - Principal
18702 Beechnut Street
Richmond, 77407
327-4260 Fax: 327-4261

Pecan Grove Elementary
Kari Bruhn - Principal
3330 Old South Drive
Richmond, 77406
634-4800 Fax: 634-4814

Quail Valley Elementary
Yvette Mendoza - Principal
3500 Quail Village Drive
Missouri City, 77459
634-5040 Fax: 634-5054

Ridgegate Elementary
Marta Rivas - Principal
6015 West Ridgecreek Drive
Houston, 77053
634-4840 Fax: 634 - 4855

Ridgemont Elementary
Framy Diaz - Principal
4910 Raven Ridge Drive
Houston, 77053
634-4880 Fax: 634 - 4896

Scanlan Oaks Elementary
Lori Craig - Principal
9000 Camp Sienna Trail
Missouri City, 77459
634-3950 Fax: 634-3915

Schiff Elementary
Gregory Foulds - Principal
7400 Discovery Lane
Missouri City, 77459
634-9451 Fax: 327-9449

Seguin Elementary
Fidel Wells - Principal
7817 Grand Mission Blvd.
Richmond, TX 77407
634-9850 Fax: 327-7029

Settlers Way Elementary
Kellie Issac - Principal
3015 Settlers Way Blvd.
Sugar Land, 77479
634-4360 Fax: 634 - 4376

Sienna Crossing Elementary
Rachel Rosier - Principal
10011 Steep Bank Trace
Missouri City, 77459
634-3680 Fax: 634-3799

Sugar Mill Elementary
Jaimie Geis - Principal
13707 Jess Pirtle Blvd.
Sugar Land, 77498
634-4440 Fax: 634 - 4459

Sullivan Elementary
Donna Whisonant - Principal
17828 Winding Waters Lane
Sugar Land, 77479
327-2860 Fax: 327-2861

Townwest Elementary
Erika Edmond - Principal
13927 Old Richmond Road
Sugar Land, 77498
634-4480 Fax: 634 - 4494

Walker Station Elementary
VACANCY - Principal
6200 Homeward Way Blvd.
Sugar Land, 77479
643-4400 Fax: 634 - 4413

Specialized Schools

Progressive High School
Tonya Curtis - Principal
1555 Independence Blvd.
Missouri City, 77489
634-2900 Fax: 634-2913

James Reese Career and Technical Center
Julia Erdie - Principal
12300 University Blvd.
Sugar Land, 77478
327-7300 Fax: 634-5700

Ferndell Henry Center for Learning
Cozette Church - Principal
138 Avenue E
Sugar Land, 77498
327-6000 Fax: 327-6001

Early Literacy Center @ Ridgemont
Kimsheka Bowie - Associate Principal
5353 Ridge Creek Circle
Houston, 77053
634-9810 Fax: 634-4382

Early Literacy Center @ Hunters Glen
Shawndreka Clemons - Associate Principal
695 Independence Blvd.
Missouri City, 77489
634-2195 FAX: 327-2217

Table of Contents

Commonly Used Acronyms	1
Student Code of Conduct	2
Accessibility	2
Purpose	2
Anti-Discrimination	2
Profile of a Graduate	3
School District Authority and Jurisdiction	4
Scope	4
Campus Behavior Coordinator	5
Department of Student Affairs (DSA).....	5
Title IX Investigations	5
Sexual Harassment.....	6
Gender-Based Harassment.....	6
Dating Violence.....	7
Threat Assessment and Safe and Supportive School Team.....	7
Threat Assessment Investigations.....	9
Searches	11
Reporting Crimes.....	11
Criminal Charges or Classifications.....	11
Security Personnel.....	11
Questioning of Students by Outside Authorities	12
Use of Trained Dogs	13
Metal Detectors.....	13
“Parent” Defined.....	13
Participation in Graduation Activities	13
Disqualification from Graduation Activities	13
Student Speakers at Graduation	14
Unauthorized Persons.....	14
Standards for Student Conduct.....	14
Student Dress Code	14
Shirts, Blouses, Sweatshirts, Sweaters, Vests.....	15
Dresses, Jumpers, Skirts, Shorts, Skorts, Pants, and Jeans	15
Shoes	16

Hair.....	16
Miscellaneous.....	16
General Conduct Violations	16
Disregard for Authority.....	17
Fighting/Mutual Combat.....	17
Misconduct Involving Others.....	17
Misconduct Involving Possess, Sell, Use, or Under the Influence	19
Possess, Sell, Use or Under the Influence of Prohibited Items	19
Possess, Sell, Use or Distribute Prohibited Weapons.....	19
Possess, Sell, Use, or Under the Influence of Illegal, Prescription, and Over-the-Counter Drugs.....	20
Misconduct Involving School Environment	20
Safety / Disruption	20
Restroom and School Facilities.....	21
Technology/Internet	21
Telecommunications and Electronic Devices	22
Misconduct Involving General Code of Conduct	24
Property Offenses.....	24
Disregard for District and Campus Rules	24
Miscellaneous.....	25
Bullying.....	25
Reporting Allegations of Bullying and Cyberbullying.....	25
Campus Action	26
Notice to Parents.....	26
Responding to Allegations of Bullying and Cyberbullying.....	26
Investigating Allegations of Bullying and Cyberbullying	27
Concluding the Investigation.....	27
Improper Conduct	27
District Action.....	27
Student Safety Plans and Disciplinary Consequences.....	27
Counseling.....	28
School-Wide Corrective Actions.....	28
Consideration for Students Receiving Special Education Services.....	28
Confidentiality	28
Appealing a Bullying Determination	28
False Reporting	28
Behavior Management Techniques	29

Students with Disabilities.....	29
Discipline of Students in Special Programs	29
Behavior Interventions and Corrective Techniques	30
Additional Behavior Management Techniques.....	31
Prohibited Aversive Techniques	35
Notification.....	35
Appeals.....	36
Removal from the School Bus.....	37
Removal from the Regular Educational Setting	39
Routine Referral.....	39
Formal Removal.....	39
Procedure for Removal	39
Returning a Student to the Classroom.....	39
In-School Suspension.....	40
Misconduct	40
Process	40
Length of Assignment to ISS	40
Out-of-School Suspension	40
Misconduct	40
Process	41
Length of Suspension	41
Coursework During In-School or Out-of-School Suspension	41
Sanctions.....	42
Disciplinary Alternative Education Program (DAEP) Placement... 42	
Interim Placement.....	42
Discretionary Placement: Misconduct That May Result in DAEP Placement	44
Misconduct Identified in State Law	44
Mandatory Placement: Misconduct That Requires DAEP Placement	44
DAEP at Capacity.....	44
Sexual Assault and Campus Assignments.....	44
Process	45
Conference	45
Consideration of Mitigating Factors	45
Placement Order	45
Coursework Notice	46
Length of Placement	46
Exceeds One Year	46

Exceeds School Year	46
Exceeds 60 Days	46
Appeals.....	47
Restrictions During Placement	47
Placement Review	47
Resilience, Intervention, Support, and Empowerment Program (R.I.S.E).....	47
Additional Misconduct	47
Notice of Criminal Proceedings	48
Withdrawal During Process	48
Newly Enrolled Students	48
Emergency Placement Procedure	49
Transition Services	49
Placement and/or Expulsion for Certain Offenses	49
Registered Sex Offenders	49
Review Committee	49
Newly Enrolled Students	49
Appeal	50
Certain Felonies.....	50
Hearing and Required Findings	50
Length of Placement	50
Placement Review	51
Newly Enrolled Students	51
Expulsion.....	51
Discretionary Expulsion: Misconduct That May Result in Expulsion.....	51
Any Location	51
At School, Within 300 Feet, or at a School Event	52
Within 300 Feet of School	52
Property of Another District	53
While in a DAEP	53
Mandatory Expulsion: Misconduct That Requires Expulsion	53
Under Federal Law	53
Under the Penal Code	53
Under Age Ten.....	54
Process.....	54
Hearing	54
Expulsion Order	55
Length of Expulsion	55
District Expulsion Program (DEP).....	55

Withdrawal During Process	56
Additional Misconduct	56
Expulsion while in DAEP	56
Restrictions During Expulsion.....	56
Newly Enrolled Students	56
Emergency Expulsion Procedures.....	57
DAEP Placement of Expelled Students	57
Transition Services	57
Academic Impact	57
Expulsion Appeal Process.....	57
Texas Education Data Standards (TEDS) Appendix E.	58
Discipline Offenses by Level.....	59
Glossary	82

Fort Bend Independent School District (FBISD)
Student Code of Conduct

2023-2024 School Year

If you have difficulty accessing the information in this document because of disability, please contact the Department of Student Affairs at 281-327-2829 or email at Student.Affairs@fortbendisd.com for assistance.

Commonly Used Acronyms

The Student Code of Conduct contains various terms and referenced acronyms related to discipline. Commonly used acronyms are listed below to help better understand the content included in the Code.

AP – Assistant Principal

ARD – Admission, Review, and Dismissal

BIP – Behavior Improvement Plan

CBC – Campus Behavior Coordinator

CBD- Cannabidiol

CPS – Child Protective Services

CSTAT- Campus Student Threat Assessment Team

CTE – Career and Technical Education

DA – District Attorney

DAEP – Disciplinary Alternative Education Program

DEP-District Expulsion Program

DSA – Department of Student Affairs

DSL – Department of School Leadership

DSTAT – District Student Threat Assessment Team

FBA – Functional Behavior Assessment

IDEA – Individual with Disabilities Education Act

IEP – Individualized Education Program

ISS – In-School Suspension

JJAEP - Juvenile Justice Alternative Education Program

OSS – Out-of-School Suspension

PEIMS- Public Education Information Management System

PBIS - Positive Behavioral Interventions and Supports

PSUU – Possession, Sell, Use, Under the Influence

RISE-Resilience, Intervention, Support, and Empowerment

SCC- Student Code of Conduct

SEL – Social Emotional Learning

SRO – School Resource Officer

SST- Student Support Team

TEC-Texas Education code

TEDS-Texas Education Data Standards

TDP – Truancy Diversion Program

THC - Tetrahydrocannabinol

Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact The Department of Student Affairs at 281-327-2829 or email Student.Affairs@fortbendisd.com.

Purpose

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

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

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

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

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

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

Anti-Discrimination

The district does not discriminate against students on the basis of race, sex, national origin, disability, religion, color, or ethnicity when enforcing the provisions of this Code.

Profile of a Graduate

The Profile of a Graduate, adopted by the Board of Trustees in 2017, supports the District's Mission, Vision, and Core Beliefs and Commitments by defining the qualities a student should possess upon graduation. A FBISD Graduate has a rigorous academic foundation, strong character, and is...

...equipped with skills for life.

Fort Bend ISD graduates exhibit grit and determination in all aspects of life; respect self and others; engage in healthy life choices; are literate and articulate; proficient with technology; and meaningfully and practically apply knowledge in productive ways.

...a servant leader.

Fort Bend ISD graduates demonstrate confidence while maintaining a humble and kind demeanor; prioritizing the needs of others while accepting responsibility for themselves and are accountable for their own actions; are optimistic; and strive to bring out the best in others.

...an effective communicator.

Fort Bend ISD graduates communicate clearly both orally and in writing; respectfully and actively listen to others; appropriately engage in courageous conversations; and appropriately adapt their communication style to the audience.

...a critical thinker.

Fort Bend ISD graduates are visionary and solutions-oriented problem solvers; are inquisitive and innovative; and have the courage to actively challenge conventional methods in order to improve themselves and the world around them.

...a compassionate citizen.

Fort Bend ISD graduates are empathetic to their fellow citizens, exhibiting care and concern for others; are inclusive and embrace differences; are culturally aware; actively engage in improving our diverse community; exercise their right to vote; and are dependable, respectful, trustworthy, and self-disciplined.

...a collaborative team member.

Fort Bend ISD graduates work effectively with others to achieve group goals; take actions that respect the needs and contributions of others; yield their own objectives to the goals of the team; and positively facilitate and contribute to teamwork.

...a life-long learner.

Fort Bend ISD graduates approach life with wonder and curiosity; seek opportunities to be creative; possess a thirst for knowledge and the ability to adapt to change; and are academically prepared to pursue and attain futures beyond what they can imagine.

School District Authority and Jurisdiction

Scope

In adopting this Student Code of Conduct (SCC or this Code), the Board of Trustees has established rules, guidelines and procedures to further support a safe learning environment for all students. The SCC includes information regarding the district-wide behavior management plan, descriptions of prohibited conduct, the disciplinary options, methods, and consequences for preventing and addressing student misconduct and the process the district will follow when administering disciplinary consequences.

Students may be subject to campus, classroom including online learning platforms, such as Schoology, Edgenuity, or other forms of distance learning, transportation, extracurricular, and/or organizational rules in addition to those found in this Code. Students may face consequences under these additional rules as well as possible disciplinary action under the SCC. Further, to the extent a student engages in conduct that is not specifically addressed in this Code, the student may still be disciplined if the conduct disrupts or interferes with the educational process, learning environment, or school safety.

The SCC remains in effect during summer school and at all school related events and activities outside the school year until an updated version becomes effective for the next school year. If there is a conflict between the SCC and the Student/Parent Handbook, the terms of this Code will control. If there is a conflict between this Code and another District policy, the more recently adopted policy will control.

The SCC is posted on the district's website and is available at each FBISD school in the office of the campus principal or Campus Behavior Coordinator (CBC). District policies referenced in this Code are arranged in the [Board Policy Manual posted on the FBISD website](#). School rules and Code establish the district's authority to administer discipline and apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

- During the regular school day;
- While the student is traveling on district transportation;
- During lunch periods in which a student is allowed to leave campus;
- At any school-related activity, regardless of time or location;
- For any school-related misconduct, regardless of time or location;
- When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
- When a student engages in cyberbullying, as defined by Education Code 37.0832;
- When criminal mischief is committed on or off school property or at a school-related event;
- For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
- For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;

- When the student commits a felony, as provided by Education Code 37.006 or 37.0081; or
- When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal, the Associate principal at the secondary level or any other campus administrator selected by the principal at the elementary level. The CBC is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student/Parent Handbook, for each campus, the email address and telephone number of the person serving as the CBC.

Contact information may be found on the *Fort Bend ISD Website*, under the [Department of Student Affairs webpage](#).

Department of Student Affairs (DSA)

The Superintendent has established the Department of Student Affairs (DSA) as a resource for students and parents/guardians to understand the expectations and rules governing student conduct, and as a liaison with campus administrators to ensure the fair and equitable application of discipline for misconduct as outlined in this Code. Under the direction of the Executive Director for Student Affairs, the DSA shall provide regular training to campus administrators on this Code, monitor trends and patterns of student misconduct, and respond to student/parent complaints and appeals concerning student discipline.

Title IX Investigations

For reports alleging sexual harassment, sexual assault, stalking, dating violence, the campus administrator receiving the report will notify the parent/guardian of the complainant when a report is received and provide the student and parent a copy of the Parent/Student Rights Form and the Incident Reporting Form. This should occur generally *on the same day as the report* when possible. If any unwanted, physical touch of intimate body parts of a minor is involved, the employee must notify Child Protective Services and law enforcement within the same business day. The employee receiving an allegation/outcry from a student must notify the campus administrator promptly and within the same business day to begin a prompt investigation of the allegations. The campus administrator will ensure that Child Protective Services and Fort Bend ISD Police Department has been notified of any unwanted and inappropriate physical touch of a Fort Bend ISD student at school or at a school-related activity. The Title IX Coordinator will also be notified by the investigating campus administrator.

The parent/guardian of the alleged aggressor will also be notified of the allegations and will receive a copy of Parent/Student Rights form as well. For campus investigations that do not involve physical touch, campus administrators will begin their investigations and take statements from the complainant, respondent, and any available witnesses, as well as review available evidence, such as available video surveillance. If the campus investigation determines that the alleged aggressor may represent a threat to the safety of the alleged victim or others, or necessitates removal from an activity or program, the campus may conduct a campus student threat assessment. For investigations that involve physical touch, campus investigations may be delayed until law enforcement investigations and interviews are completed, at which point, campus investigations may promptly resume.

Upon receipt of allegations and during the investigation, a safety plan and supportive measures will be offered immediately to both parties. This may include but are not limited to: a schedule change, increased adult monitoring, offer for counseling, and a stay away agreement.

Title IX Investigations Sexual Harassment

Within 3-5 business days (for uncomplicated sexual harassment investigations), campus administrators will communicate findings to the parent/guardians in a letter to notify of findings with continued supportive measures, safety plan, and stay away agreement. If a determination of a code of conduct violation has occurred in accordance with this Code, the respondent's parent/guardian will be notified, and this action will be documented in the Skyward discipline record.

For complicated investigations that involve law enforcement and Child Advocacy Center interviews that delay campus investigations, campus administrators should complete their investigations within 3-5 business days after receipt of results from CAC interview and clearance to interview the complainant.

The complainant may request a campus transfer or may request that the respondent be transferred to another campus in situations where sexual harassment is substantiated. Transportation will not be provided in these instances.

Both the complainant and the respondent retain the right to file a formal Title IX complaint during this process. Please contact the District Title IX Coordinator, Dr. Holly Robles (281) 281-7232 holly.robles@fortbendisd.com, with any concerns or questions.

Sexual Harassment Policy DIA and FFH(LOCAL)

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:

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

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:

- Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or hostile educational environment;
- Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or

- Otherwise adversely affects the student's educational opportunities. 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, derogatory jokes, name-calling, slurs, or rumors; cyber harassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Dating Violence Policy FFH (LOCAL)

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:

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

Examples of dating violence against a student may include, but are not limited to, physical or sexual assaults; name-calling; putdowns; 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.

Any student who believes 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, other District employee, or the appropriate District official listed in this policy.

Threat Assessment and Safe and Supportive School Team

The Texas Education Code 37.115(a)(1) requires campus behavioral threat assessment teams, tracking of actions taken relative to students who make threats, and notification of parents if threats are made. The Texas Education Code mandates a Safe and Supportive Schools Program Team.

All Fort Bend ISD campuses have trained threat assessment teams called CSTAT; Campus Student Threat Assessment Team [see Education Code 37.220] . Members include a campus administrator, school counselor, and student resource officer. The team may also include a campus staff member who is familiar with and has a rapport with student(s) involved. Threat assessments are investigative not punitive. Threat assessment is an investigative process. Parents of the victim and alleged aggressor are contacted during the investigation. Once the team determines if the threat is transient (not serious) or substantive (serious, very serious) the team must consider interventions and resources needed to ensure support for all students involved.

A threat assessment investigation may also include a safety assessment conducted by the District Student Threat Assessment Team also known as DSTAT. In accordance with [TEC 37.115](#), [policy FFB\(LEGAL\)](#), and [FFB\(LOCAL\)](#) the District has created a District Threat Assessment Team (DSTAT) to provide guidance and assessment to campuses when dealing with substantive (serious and very serious) student threats. DSTAT will also track all threats to ensure appropriate support is provided to students and campuses and shall take appropriate action in accordance with this Code to ensure a safe and coordinated response to all student threats. The goal is to prevent campus violence, establish a safe campus experience, and provide needed additional support for the success of all students.

These actions may include:

- Development of a safety plan;
- Safety check-ins;
- Additional monitoring during transition periods; and/or
- Referral to DAEP.

Each campus shall have a Campus Student Threat assessment Team (CSTAT), coordinated by the CBC or principal that investigates threats, creates safety plans, and develops behavior interventions to reduce the risk of violence. Each Campus Student Threat Assessment Team should be comprised of, at a minimum, the CBC or principal, counselor, and School Resource Officer (SRO). Other members may include special education staff, the Campus Compliance Coordinator, investigating assistant principal, nurse, or others with knowledge of the student and behaviors. CSTAT teams are supported by the DSTAT for training, assessing student plans, and monitoring.

Threat is defined as: a concerning communication or behavior that indicates that an individual poses a danger to the safety of school staff or students through acts of violence or other behavior that would cause harm to self or others. The threat may be communicated behaviorally, orally, visually, in writing, electronically, or through any other means, and is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party, and regardless of whether the target of the threat is aware of the threat.

All threats will be taken seriously and will be investigated by campus administrators or law enforcement personnel, as appropriate. There are various types of threats which include, but are not limited to, the use of threatening language or gestures, assault by threat, and terroristic threat. Disciplinary consequences and/or police action will be assessed based on the outcome of each investigation.

A student commits an offense of terroristic threat if he/she threatens to commit any offense involving violence to any person or property with intent to:

- Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
- Place any person in fear of imminent serious bodily injury;
- Prevent or interrupt the occupation or use of a building; classroom; or place of assembly; or
- Cause impairment or interruption of school communications, power supply, or school-related transportation.

Threat Assessment Investigations

A campus may determine a need to conduct a threat inquiry or assessment as a tool for responding to threatening situations in which there is a concern about a particular student who has come to the attention of school administrators by engaging in communications or behaviors of concern. If, in the process of the inquiry, these concerns meet the criteria of “harmful, threatening, or violent behaviors,” established by [TEC 37.115](#), then a threat assessment will be conducted. In instances where this threat assessment becomes a formal Campus Student Threat Assessment Process, the principal or CBC will follow the following procedures:

If the campus administrator determines that an immediate threat is present, Fort Bend ISD Police Department and District leadership will be notified immediately. The District Student Threat Assessment Team will also be notified. Parents of any alleged victims and aggressors will be notified as soon as the alleged threat is secured in situations where immediate threat of school violence is determined. In other situations, the Campus Student Threat Assessment Team will review the threat and investigate further.

The campus administrator will convene the Campus Student Threat Assessment Team (CSTAT) initially to review the initial report and assign roles and responsibilities to obtain details regarding the allegation and student’s history. The person reporting will be provided the Incident Reporting Form.

The campus administrator will meet with the student alleged to have made a threat to take the student’s verbal and written statement and to determine if there is merit to the allegations and determine if there is a need to proceed, based on presenting information. Statements will be taken from the alleged victim and witnesses regarding the allegations. If the investigation indicates that no threat is present, the CSTAT may reconvene to determine that additional inquiry is unnecessary. If the alleged victim is in fear, a safety plan and stay away agreement will be developed to protect the alleged victim.

However, if the CSTAT continues to investigate and finds evidence that there may be a threat to school safety, the counselor may interview the student. The campus administrator will provide copies of Student/Parent Rights to both the aggressor and victim and their parent/guardian and notify them of the threat investigation. The CSTAT will convene to determine threat level and provide a copy of their determination to the District Student Threat Assessment Team for review within ***one business day if a substantive threat and two business days if a transient threat.***

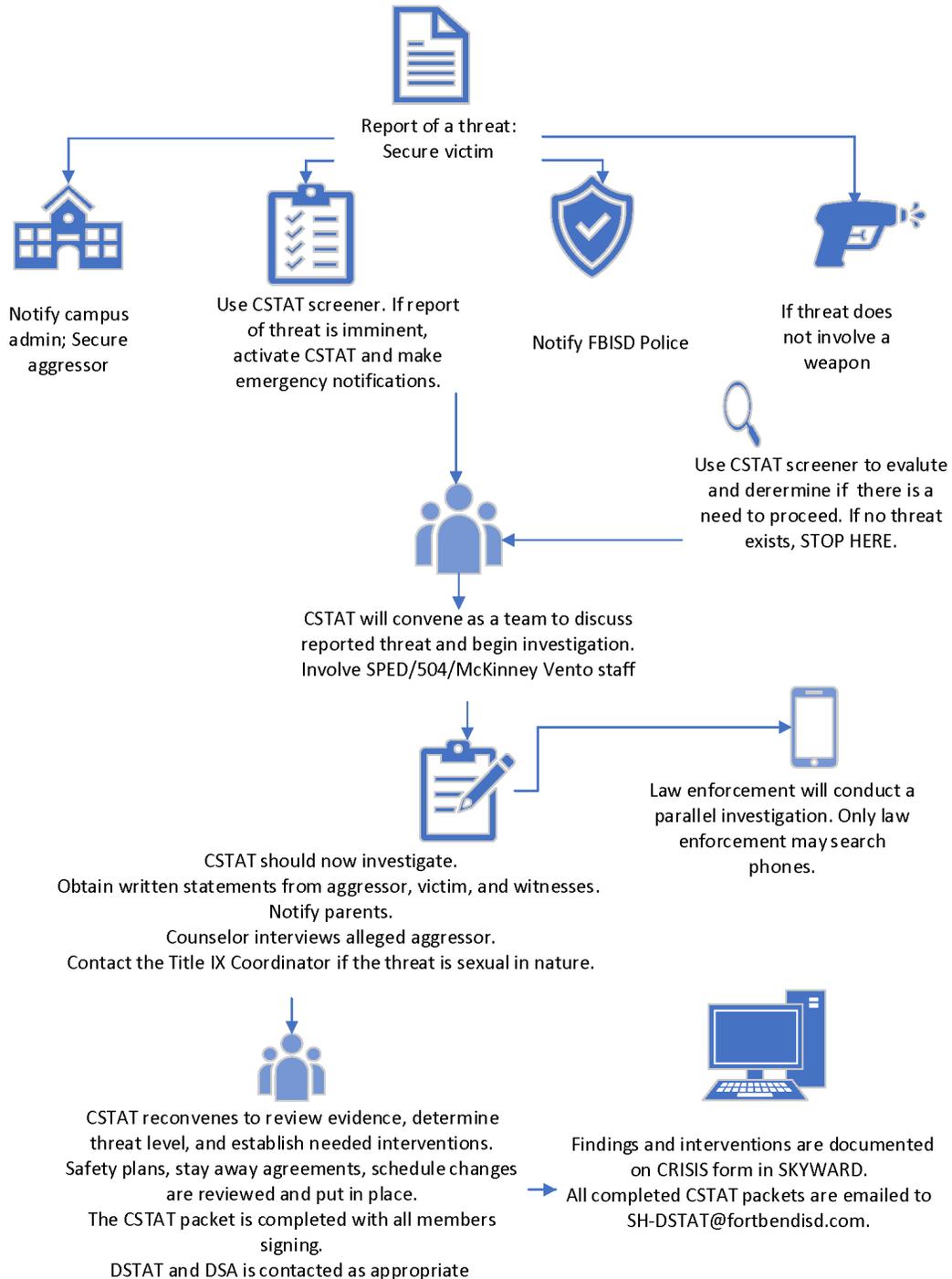
Transient threats are those that can be identified as temporary expressions of anger or frustration (or perhaps inappropriate attempts at humor) that dissipate quickly when the student reflects on the meaning of what he or she has said. Substantive threats are those that include an intent to harm someone beyond the immediate incident or creates a significant amount of fear or disruption in the school setting.

If the CSTAT determines that a transient threat was made, the students and parents/guardians of the alleged victim and aggressor will be advised of the outcome of the threat assessment. The alleged aggressor and parents/guardians will be notified if disciplinary action will be taken, and due process in accordance with this Code will be followed.

If the CSTAT determines that a substantive threat was made, the students and parents/guardians of the alleged victim and aggressor will be advised of the outcome of the threat assessment. The alleged aggressor will have an additional safety assessment promptly by a member of the District Threat Assessment Team (DSTAT) to determine what safety measures and interventions are needed to protect school safety and the alleged victim. This is not a mental health assessment, but is conducted to determine appropriate interventions, including a safety plan to protect the alleged victim, referrals to resources, development of behavioral strategies, and the development of a district-wide support plan to assist the student in deterring violence as an option to redress.

wrongs. A member of the District Threat Assessment Team may provide support for the student during an alternative school placement or long term, depending on the student's needs.

Alleged victims may request a campus transfer for substantive threats for themselves or the person threatening them through their principal or Campus Behavior Coordinator.



Searches

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies [FNF](#) (LEGAL) and [FNF](#) (LOCAL) for more information regarding investigations and searches.

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

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

Reporting Crimes

Certain acts of misconduct may constitute criminal offenses in addition to violations of this Code. The CBC, school administrators, or District employees shall report crimes as required by law and shall contact local law enforcement regarding suspected criminal activity. The CBC or school administrators will cooperate with law enforcement regarding any potential criminal activity occurring on campus, within 300 feet of campus, or at a school related or school-sponsored event. Because school discipline is independent of criminal proceedings, disciplinary consequences may not be postponed pending the outcome of any criminal proceeding or affected by the outcome of any criminal proceeding. Further, criminal charges may be referred to the Fort Bend County District Attorney (DA) by law enforcement. Referral to the DA is a function of law enforcement and not a function of school-based discipline. The campus should consult with the Department of Student Affairs when considering DAEP/expulsions for offenses committed off-campus.

Criminal Charges or Classifications

If a student is charged with a crime or engages in conduct punishable as or that contains the elements of a crime for which disciplinary actions are mandated by law, the student may be disciplined based on the law enforcement officer's classification and/or the criminal charge(s) accepted by the county district attorney (DA). Certain offenses require mandatory removal to a disciplinary alternative education program (DAEP) and while others require mandatory expulsion to a juvenile justice alternative education program (JJAEP). In some circumstances, a student may be arrested for an offense which initially requires mandatory removal to a DAEP; however, after completion of the criminal investigation, if charges are upgraded to an offense classified as an expellable offense, the school will be required to recommend expulsion based upon the officer's classification or charges being filed. Since school discipline does not have to meet the same standards of evidence as law enforcement, the disciplinary assignment is not reduced or dropped based on the outcome of the criminal case which might include a motion to dismiss, deferred adjudication, deferred prosecution, etc.

In addition, there are certain criminal charges (see pages 62-66), which occur off-campus at non-school-sponsored or non-school-related events for which the district is required to remove the student from the regular classroom setting. Upon notification from a law enforcement agency that such a crime has been committed, the school will recommend appropriate disciplinary actions. If the charges for one of these off-campus offenses are later reduced or dropped and documentation of the reduction can be provided, the district will reconsider the disciplinary action. If the charges remain and the student receives deferred adjudication or deferred prosecution, the student will be required to complete the disciplinary assignment.

Security Personnel

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

CKE (LOCAL).

District police officers are educators first as they have the opportunity to positively interact with students and contribute to a positive culture and climate. Police officers employed by the district shall have all the powers, privileges, and immunities. A district police officer shall perform law enforcement duties for the school district that must include protecting the safety and welfare of any person in the jurisdiction of the police officer and the property of the school district.

In determining the law enforcement duties, the board shall coordinate with district campus behavior coordinators and other district employees to ensure that district police officers are tasked only with duties related to law enforcement intervention and not tasked with behavioral or administrative duties better addressed by other district employees. All behavioral and administrative duties shall remain the responsibility of the CBC and the campus administration.

Questioning of Students by Outside Authorities

When law enforcement officers or other lawful authorities such as CPS wish to question or interview a student at school, the principal or designee will cooperate fully regarding the conditions of the interview if the questioning or interview is part of a child abuse investigation. See policy GRA (Local).

In other circumstances:

- The principal shall verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school;
- The principal ordinarily shall make reasonable efforts to notify the student's parents or other person having lawful control of the student. If the interviewer raises what the principal considers to be a valid objection to the notification, parents will not be notified. Failure or inability to notify the parents or other persons having lawful control of the student will not ordinarily prevent or delay questioning by law enforcement officials. The principal or designee will notify parents of the questioning, absent any reasonable objections from the interviewer;
- The principal or a designee ordinarily shall be present during the questioning or interview. If the interviewer raises what the principal considers to be a valid objection to a third party's presence, the interview shall be conducted without that person's presence; such as in a case including a criminal investigation;
- It is the police officer's responsibility to inform the student of his/her rights (Miranda Warning) when required by law. Once a police officer begins questioning a student, all responsibility for such questioning rests with the police officer.

It should be noted that, when Fort Bend ISD police officers are working with school officials or on their behalf to investigate school-related behaviors or concerns, students are not generally entitled to be read their rights ("Miranda Warnings") unless the students are under arrest during such questioning.

Fort Bend ISD will not impede the questioning of a student by a law enforcement officer who has a subpoena, court order, warrant, or directive to apprehend, or who is willing to take the child into custody and remove the child from campus for investigation regarding a non-school-related matter under Texas Family Code 52.01.

In case of removal from the campus, the law enforcement officer will be requested to follow campus procedures for checking the student out of school. However, absent one of these provisions, school personnel will request that, prior to allowing an interview for non-school-related matters, parental permission must be obtained.

Fort Bend ISD will also not impede a CPS investigation and will allow CPS case workers or law enforcement officers to question students related to a reported claim of child abuse.

Use of Trained Dogs

Students and guardians are advised that the district has adopted a policy on the use of trained dogs, as outlined below, which specifically provides that: Lockers, classrooms and common areas may be sniffed by trained dogs at any time when students are not present. Vehicles parked on school property may be sniffed by trained dogs at any time. A student in possession of contraband shall be subject to appropriate disciplinary action in accordance with this Code.

The district shall use specifically trained non-aggressive dogs to sniff out and alert officials to the current presence of concealed prohibited items, illicit substances and alcohol. See policy [FNF](#) (Legal). This program is implemented to prevent drug and alcohol use in District schools, with the objective of maintaining a safe learning environment conducive to education. Use of trained dogs shall be unannounced and shall not be used to search students. The dogs shall be used to sniff classrooms, common areas, areas around student lockers, and where student vehicles are parked on school property. If a dog alerts to a locker, a vehicle, or an item in a classroom, it may be searched by school officials.

Metal Detectors

In order to maintain a safe and secure learning environment in the District's DAEP (Disciplinary Alternative Education Program), students shall be notified when assigned to DAEP that they shall be subject to metal detector searches when entering each day.

"Parent" Defined

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

Participation in Graduation Activities

The district has the right to limit a student's participation in graduation activities for violating the districts Code of conduct. If it is determined by the administration that any senior, during the final grading period, participates in an activity on school property or in connection with any school sponsored activity that violated this Code including, but not limited to, "senior pranks", in addition to being subject to disciplinary consequences may, at the discretion of the Superintendent or the Assistant Superintendent of Secondary Schools, be prohibited from participating in year-end graduation ceremonies. This includes, but is not limited to, commencement, prom, and Pro-Grad as well as other senior privileges. Upon approval from the Superintendent or Assistant Superintendent of Secondary Schools, the campus principal shall notify parents/guardians if it is determined the student will not participate in any or all graduation activities.

Disqualification from Graduation Activities

If a senior is charged with a felony violation of the Penal Code, and the Superintendent or Assistant Superintendent of Secondary Schools has a reasonable belief that a criminal violation has occurred, the student, in addition to being subject to disciplinary consequences specified in this Code, shall be automatically disqualified from participating in graduation ceremonies, including commencement, prom and Pro-Grad. It is important to note the difference between a charge and a referral. A referral is a notice to the District Attorney or other prosecutor recommending a criminal investigation. A charge is a formal accusation made by a governmental authority (usually a grand jury) finding that based upon the evidence presented to it, there is probable cause to believe that a crime has been committed by a criminal suspect. For a student who is referred for a felony or misdemeanor and charges are expected, and there is reasonable belief that a criminal offense has occurred, approval for non-participation in graduation activities must be given

by the Superintendent or designee. The campus principal shall notify parents/guardians if determined that the student will not participate in any or all graduation activities.

Student Speakers at Graduation

Students eligible to have a speaking role at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an in-school or out-of-school suspension, removal to a DAEP, or expulsion during the school year immediately preceding graduation. See policy [FMH](#) (LOCAL).

Unauthorized Persons

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

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

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

See **DAEP—Restrictions During Placement** on page 47 for information regarding a student assigned to DAEP at the time of graduation.

Standards for Student Conduct

Each student is expected to:

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

Student Dress Code

The district believes the Student Dress Code shall promote the attributes of the Profile of a Graduate. Therefore, students are expected to dress in a way that promotes respect for self and

others, a safe learning environment, and honors the diversity of the learning community.

Students and parent/guardians may determine the student's personal dress and grooming standards, provided they comply with the general guidelines set forth in this Code and Board policy [FNCA](#) (Local). Generally, students shall be dressed and groomed in a manner that is clean and neat, does not cause distraction from learning, and that does not disrupt the learning environment. The district prohibits pictures, emblems, or writings on clothing that advertise or depict tobacco products, alcoholic beverages, drugs, or any other prohibited substance.

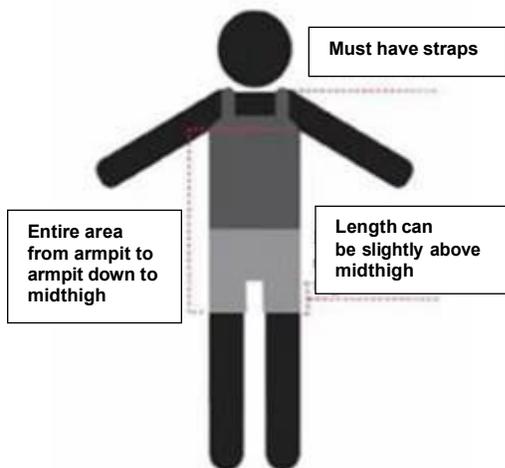
Students must comply with the following dress and grooming standards, including in online learning platforms.

Shirts, Blouses, Sweatshirts, Sweaters, Vests

- Shirts, blouses, sweatshirts, sweaters, vests that expose undergarments and/or midriff are prohibited;
- Shirts, blouses, sweatshirts, sweaters, vests must not depict or reference alcohol, drugs, tobacco, weapons, nudity, gang affiliation, death, violence, vulgar or obscene language or images, and/or insults to race, religion, gender, or ethnicity, or other emblems or writing that may be expected to cause a material or substantial disruption of, or interference with, normal school operations.

Dresses, Jumpers, Skirts, Shorts, Skorts, Pants, and Jeans

- Dresses, jumpers, skirts, and skorts may be worn at a length that is slightly above mid-thigh;
- Shorts, jeans, and all pants shall be worn at the hip or higher and must cover undergarments;
- Shorts may be worn at a length that is approximately above mid-thigh; and
- Athletic wear, which may include yoga pants, stretch leggings, biker shorts, and fitness tights, are permissible as long as they do not reveal undergarments, do not have sections of see-through material, or are worn with a shirt that covers the posterior, and are not disruptive to the school environment.



ALL STUDENTS

Clothing must cover areas from one armpit to the other armpit, down to the mid-thigh.

Tops must have shoulder straps and be long enough to adequately cover the waistline and not expose the midriff.

Shoes

- Shoes shall be worn, and if designed to be tied shall be properly tied;
- Elementary students shall not wear flip-flops, or shoes with no back/heel strap;
- Unsafe footwear is not permitted (i.e., house shoes, slippers); and
- Appropriate shoes must be worn during PE/athletics classes, as well as during lab activities in science, CTE, etc. Foam clogs, flip flops, or shoes with no back/heel strap should not be worn during these activities.

Hair

- All hair, including facial hair, shall be neat, clean, and well groomed, and worn in a style that is not distracting;
- Mustaches, beards, or goatees shall be neat, clean, and well groomed, and worn in a style that does not display derogatory remarks, symbols, or statements that disrupts the learning environment. Hair markings must not depict or reference alcohol, drugs, tobacco, weapons, nudity, gang affiliation, violence, vulgar or obscene language, or images that substantially disrupt or interfere with normal school operations. Drawings, icons, and/or other markings cut into the hair, including eyebrows, and not associated with required religious markings or hairstyles are not permitted.

Miscellaneous

- Proper undergarments shall be worn at all times;
- Revealing clothing of any type may not be worn;
- No clothing that has been ripped, torn, or cut in a way as to reveal undergarments, midriff, chest, or posterior;
- Clothing including face coverings with profanity, obscene patches, references to alcohol, drugs, weapons or tobacco, or anything that may be construed as violent, vulgar or obscene language or images, and/or insults to race, religion, gender, or ethnicity, or other emblems or writing that may be expected to cause a material or substantial disruption of, or interference with, normal school operations.
- Any attire, tattoo, icons, or markings on body, e.g. bandanas, shoelaces, chains, t-shirts, etc., that is distracting, causes a disturbance, or identifies a student as part of an unauthorized group, gang, or society are not permitted that includes but is not limited to virtual background choices.
- No pajama wear of any type except on campus designated days;
- Body piercings that are distracting or that pose a safety concern are not permitted;
- No hats, caps, doo-rags, wave caps, bonnets, bandanas or hoods worn indoors, except on campus designated days or during designated times permitted by the campus; and
- No sunglasses may be worn inside the building unless there is a medical note on file.

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page 41, **DAEP Placement** on page 43, **Placement and/or Expulsion for Certain Offenses** on page 50, and **Expulsion** on page 52, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed on page 40.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel;
- Leave school grounds or school-sponsored events without permission;
- Disobey rules for conduct in district vehicles; and/or
- Refuse to accept discipline or consequence assigned by a teacher or principal.

Fighting/Mutual Combat

A core belief of Fort Bend ISD is that student success is best achieved in a supportive climate and a safe environment. Fighting and acts of physical aggression will not be tolerated. Students are prohibited from fighting and/or engaging in physical altercations. Students that choose to

participate in these behaviors are a disruption to the learning environment.

- Students engaging in mutual combat shall be assigned a consequence up to and including a DAEP placement.
- Students who instigate, contribute, or perpetuate fights through direct involvement or indirect involvement such as posting on social media, recording, or sharing recordings may be considered as contributing to the disruption of the learning environment and may receive consequences.
- Parents and guardians are encouraged to actively monitor student's social media accounts to ensure appropriate peer to peer engagement.
- Parents and students are encouraged to communicate with campus administrators regarding any potential conflict between students.

FBISD is committed to providing a safe learning/working environment for all students and staff.

Misconduct Involving Others

Misconduct identified in the list of prohibited behaviors below will result in the assignment of one or more discipline techniques if the behavior is committed at school, in online learning platforms such as Schoology, Edgenuity, or distance learning, a school-sponsored or school related activity, during school-related travel, while traveling on District-owned or operated transportation, or when the district has disciplinary authority as described in this Code.

Students shall not:

- Use profanity or vulgar language or make obscene gestures;
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment;
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See [glossary](#) for all four terms.) See policy [FFI](#) (Legal);
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent;
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer;
- Engage in conduct that constitutes dating violence (See [glossary](#));

- Participate in hazing (See [glossary](#));
- Coerce an individual to act through the use or threat of force;
- Commit extortion or blackmail;
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer;
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others;
- Engage in conduct that can cause bodily injury (See [glossary](#));
- Engage in horseplay, roughhousing, and other playful behavior that, though not intended to harm, presents a reasonable risk of harm or threatens the safety of others;
- Force an unwilling person to act or not act or obtaining money or another object of value from an unwilling person through duress, threats, force, extortion, coercion, or blackmail;
- Subject a student or District employee, official, or volunteer to physical harm, confinement or restraint;
- Participate in name-calling, ethnic or racial slurs, or derogatory statements that school employees reasonably believe could substantially disrupt the school environment or incite violence;
- Add any substance, whether harmful or not, without permission to any food or beverages belonging to, in the possession of, or meant to be consumed by another student or District employee, official, or volunteer;
- Engage in harassment (See [glossary](#)) toward another student or a District employee, official, or volunteer, including harassment based on race, color, religion, national origin, disability, sex, gender (including, but not limited to, sexual identity/orientation), or age;
- Engage in sexual harassment (See [glossary](#)), sexual abuse, or conduct that constitutes dating violence. See policy [FFH](#) (Legal);
- Engage in inappropriate verbal (oral or written), physical, or sexual contact toward another student or a District employee, official, or volunteer, regardless of whether it is consensual;
- Engage in inappropriate or indecent exposure of private body parts or touching one's own private body parts in a sexual manner;
- Consensually hug, touch, or conduct other displays of affection that interfere with, detract from, or disrupt the school environment;
- Engage in physical, sexual, verbal, or emotional abuse as a means to harm, threaten, intimidate, or control another person in a current or past dating relationship;
- Engage in oral or written threats to cause harm or bodily injury (See [glossary](#)) to another student, a District employee, official, or volunteer, or school property, including threats made using the internet or other technology resources at school. Students may be disciplined for threats made outside of school, including websites or internet postings, if the threat causes a material or substantial disruption at school;
- Make a hit list (See [glossary](#));
- Wrongfully obtain and use another person's identifying information or personal data without permission in order to mislead, defraud, or deceive;
- Retaliate against a student for reporting either a violation of this Code or bullying, or participating in an investigation of a violation of this Code or bullying;
- Retaliate against any school employee; or
- Intentionally, knowingly, or recklessly causing⁴³ bodily injury to another person.

Misconduct Involving Possess, Sell, Use, or Under the Influence

Possess, Sell, Use or Under the Influence of Prohibited Items

Students shall not possess, use, sell, or be under the influence of the following prohibited items:

- Matches or a lighter;
- Tobacco products;
- Electronic cigarettes, cartridges and any vapor pens/devices or look alike devices with nicotine (See Mandatory DAEP offenses);
- Fireworks or any other pyrotechnic device;
- Smoke or stink bombs;
- Laser pointers (unauthorized use);
- Chemical dispensing device (including mace or pepper spray) sold commercially for personal protection;
- A hand instrument designed to cut or stab another by being thrown;
- Poisons, caustic acids, or other materials that may be toxic to the human body;
- BB gun, air gun, stun gun, taser or similar type item;
- Ammunition, shells, bullets, or gunpowder;
- Material that is sexually-oriented, pornographic, obscene, or reveals a person's private body parts;
- Material, including published or electronic items, that promotes or encourages illegal behavior or could threaten school safety;
- Knuckles;
- Articles not generally considered to be weapons when the CBC or administrator determines that a danger exists or when used in a way that threatens or inflicts bodily injury to another;
- A razor, box cutter, a pocket knife, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A "look-alike" weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- A firearm silencer or suppressor; or
- A pocket knife with a blade of any length or any other small knife measuring <5.5 inches from hilt of blade to tip of the blade.

Possess, Sell, Use or Distribute Prohibited Weapons

Students shall not possess, use, sell, or be under the influence of the following prohibited weapons:

- Chemical dispensing device (mace or pepper spray) not purposed for personal protection;
- Explosive weapon;
- Improvised explosive device;
- Machine gun;
- Short-barrel firearm;
- Armor-piercing ammunition;
- Zip gun;

- Tire deflation device;
- A firearm (See [glossary](#)) A location-restricted knife (See [glossary](#));
- Club; or
- For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 51. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possess, Sell, Use, or Under the Influence of Illegal, Prescription, and Over-the-Counter Drugs

- Students shall not possess, use, sell, or be under the influence of the following: illegal, prescription and over-the-counter drugs, or alcohol, or an illegal drug (see DAEP Placement/Expulsion for mandatory and permissive consequences under state law);
- Electronic cigarettes, cartridges, pods and/or any vapor pens/devices with THC, marijuana including those labeled as CBD with any amount of THC;
- Seeds or pieces of marijuana;
- Paraphernalia related to any prohibited substance (See [glossary](#) of “paraphernalia”);
- Look-alike drugs or attempt to pass items off as drugs or contraband;
- Prescription drug on school property or at a school- related event other than as provided by District policy;
- Have or take prescription drugs or over-the-counter drugs at school. Specifically be under the influence of prescription or over-the- counter drugs that causes impairment of the physical or mental faculties. (See [glossary](#), “under the influence”);
- Engage in conduct that contains the elements of an offense relating to an abusable volatile chemical such as glue, aerosol paint, etc.; or
- Possessing, selling, using, or being under the influence of designer drugs, synthetic marijuana, synthetic cannabinoids (e.g. “K2” and “Spice”), stimulants (e.g. “bath salts”), or analogs of any controlled substance, regardless of whether currently scheduled or classified as an illegal drug under state or federal law and regardless of whether the substance is legally sold or marketed for another purpose, and is labeled “not for human consumption.”

Misconduct Involving School Environment

Safety / Disruption

Students shall not:

- Possess, use, threaten to use or exhibit a firearm;
- Discharge a fire extinguisher, pulling a fire alarm, calling 911, tampering with an Automated External Defibrillator or door safety locks, or causing the sprinkler system to activate when there is no smoke, fire, danger, or emergency;
- Make or participate in false statements or hoaxes regarding school safety;
- Engage in misbehavior, actions, or demonstrations that materially and substantially disrupts the educational process or the orderly operation of a classroom or school or that give school officials reasonable belief to believe that such conduct will incite violence;
- Throw objects that can cause bodily injury or property damage;
- Make false accusations or provide false statements concerning wrongful, unlawful, inappropriate, or illegal conduct alleged to have been committed by another student or District employee, official, or volunteer;

- Engage in verbal or written exchanges that threaten the safety or well-being of another student, a school employee, or school property;
- Contribute to the disruptive environment by recording and/or posting fights or other disruptive scenes;
- Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety; or
- Engage in verbal (oral or written) exchanges that threatens the safety of another student, a school employee, or school property.

Restroom and School Facilities

Students are expected to maintain orderly conduct in all common areas within the school. Students are expected to deter from engaging in any activity inside of FBISD restroom facilities that cause damage, destruction, or unsafe conditions.

Students shall not:

- Utilize the restroom for any actions other than those for which the restroom is intentionally designed;
- Record, photograph, or video any actions conducted in the restroom;
- Vandalize the restroom by defacing, marring, or breaking equipment within the restroom;
- Utilize restroom facilities during instructional time without permission from the classroom teacher.

Technology/Internet

Students shall not:

- Use a telecommunication device, including a cellular telephone, or other electronic device in violation of District or campus rules;
- Send, possess, or post electronic messages, videos, audio recordings, or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, or illegal, including cyberbullying (See [glossary](#)), either on or off school property, if the conduct materially and substantially disrupts the educational process or the orderly operation of a classroom or school or infringes on the rights of another student at school;
- Violate policies, rules, or agreements signed by the student or the student's parent/guardian regarding the use of technology resources;
- Use any device or technology to copy or capture an image or the content of any District materials (such as tests or exams) without permission of a teacher, CBC or administrator;
- Make, participate in the making of, transmit to another via an electronic device (air dropping), post or re-post to the internet a digital, video, or audio recording or image of an actual or simulated act that involves a crime or conduct prohibited by this Code;
- Use any device or technology to record the voice or image of another in any way that disrupts the educational environment, invades the privacy of others, or without the prior consent of the individual being recorded;
- Use any device or technology to record the voice or image of another to take, disseminate, transfer, circulate, exhibit, present, or share audio, images, video, or photos that reveal private parts of the body that are normally covered by clothing (aka sexting);
- Use the name, persona, or image of a student, District employee, or volunteer to create a web page or post one or more messages on a website without the other person's consent for purposes of harassing, intimidating, embarrassing, or threatening another;

- Use email, websites, or electronic devices to engage in or encourage illegal conduct, violations of this Code, or to threaten school safety or infringes on the rights of another student at the school;
- Attempting to or successfully accessing or circumventing passwords or other security-related information of the district, officials, volunteers, employees, or other students by any means;
- Attempt to or successfully alter, destroy interrupt, intercept, or disable District technology equipment, District data, the data of other users of the district's computer system, or other networks connected to the district's system, including uploading or creating computer viruses, worms, or other harmful material;
- Copy, download, reproduce, distribute, retransmit, redisplay, or modify items from the district's website;
- Send disruptive, irrelevant or inappropriate messages or images on the internet to a large number of recipients including, but not limited to online learning platforms, social media sites and personal messaging platforms;
- Use the Internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the right of another student at school; or
- Engage in any of the above forms of technological misconduct outside of school when such conduct causes a material or substantial disruption at school as determined by school officials.

Students will not be disciplined for technological misconduct related to possessing items described above so long as the student (1) did not contribute to creation of the item in any way, (2) possessed it only after receiving the item unsolicited from another, (3) either promptly destroyed the item or reported it to a school employee as soon as possible, and (4) did not provide a copy, forward, or re-post the item to anyone other than law enforcement, a school employee, or the student's parent/guardian.

Telecommunications and Electronic Devices

Students using mobile devices must follow the guidelines stated in this document while using the Fort Bend ISD network on school property or attending any campus-sponsored activity.

FBISD policy [FNCE](#) (LEGAL) and (LOCAL) Telecommunication devices are those that emit an audible signal, vibrate, display a message, or otherwise summon or deliver a communication to the possessor. Under no circumstances should telecommunication devices be used to take photos/videos/audio in any school facility other than for instructional purposes under the direction of a teacher or at an event open to the public. If an administrator suspects that a device may contain photos/ videos/audio taken at school or inappropriate photos/videos/audio, the photos/videos/audio will be reviewed in the presence of the student or parent/guardian prior to the device being returned to the student. Students will be required to delete school-related photos/videos/audio that were taken in violation of these guidelines. Additionally, police will be contacted if an administrator has reason to believe that a photo/videos/audio might be a violation of law. Likewise, if an administrator suspects that a telecommunication device was used in violation of these guidelines and/or for cheating, the administrator may review the call history and/or text messages in the presence of the student or parent/guardian prior to the device being returned to the student.

Elementary students in Pre-K, K, and 1st grade shall not possess a personal telecommunication device during the instructional day, while riding to/from school on District transportation, during tutorials or detention, or while participating in a school-sponsored extracurricular activity on or off

school property.

Elementary students in grades 2-5 may possess telecommunication devices; however, these devices are only to be used for instructional purposes under the direction of a teacher. These devices should be turned off and not visible at all other times during the school day on school property.

Secondary students are allowed to possess telecommunication devices with certain restrictions. In order to allow telecommunication devices on campus during the school day, the following guidelines will be required of secondary students who choose to bring these devices to school:

- Telecommunication devices may be used throughout the instructional day primarily for educational purposes at the direction of the teacher. Specific classroom rules may establish procedures for restricting cell phone use during instructional time. Devices that include phone and texting features should be in the “silent” mode and should not be distracting such as flashing lights to alert a call or message during the instructional day;
- Students should not use the devices to receive or place personal calls or send/read personal messages during engaged instructional time;
- The use of telecommunication devices in locker rooms and restroom areas at any time while at school or at a school-related or school-sponsored event is strictly prohibited.
- Telecommunication devices should not be used during disciplinary placements including detention and ISS;
- Telecommunication devices used for sexting, contributing to the disruption of the educational environment by filming or posting fight videos, or transmitting pornographic material will be assessed for discipline as appropriate and up to and including a criminal referral;
- If a student brings a telecommunication device to school, it is the student’s responsibility to keep the item secure. The school will not be responsible for telecommunication devices that are damaged, lost or stolen; however, as with other personal property brought to school, administrators will conduct investigations as time permits in an effort to recover lost/stolen items or to determine the person(s) responsible for damages, and will assess discipline as appropriate;
- Ensuring that school officials, law enforcement officers and other emergency agencies will have adequate means of communication during an emergency is of utmost importance to the safety of all students. Therefore, students are asked to turn off telecommunication devices and to not make phone calls or send/receive text messages during an emergency situation that occurs at school until the crisis stage is over unless they are instructed to do so by a staff member or an emergency responder. Students will participate in emergency drills to prepare for these situations. (Parents are asked to refrain from making calls to the school since there are only a few phone lines into the school, and these phone lines are strategic in communicating with emergency responders. In addition, parents are asked to refrain from calling telecommunication devices or sending text messages to keep the airwave frequencies open for emergency responders. As soon as feasible, school personnel will allow students to make phone calls to parents.
- Violation of the telecommunication device guidelines during the administration of any state or major course assessment may result in an invalid assessment and/or will be regarded as cheating. The student’s test will be invalidated with appropriate disciplinary action assessed.

Noncompliance

The following will occur when a student is not in compliance with the guidelines:

If a student uses a mobile device during a time or place in which authorization to use has been denied, the device will be confiscated by a teacher or administrator. Upon the student's first or second violation, the device is returned at the end of the day. At the third and all subsequent violations, the parent may pick up the confiscated device at the end of day after a payment is made to the campus activity account fund. All payments made to the campus activity account fund will be used for activities that directly benefit FBISD students at the campus where the funds were collected. If device is kept because of an investigation, parent contact is made before the end of the day so that they are aware their child will not have their phone. Confiscation is defined as the device being taken up by an adult and turned into administration per campus procedures. A teacher taking up a device during class and giving it back to the student at the end of the period is not counted as a confiscation. The student who violates the telecommunication device guidelines will be assessed a disciplinary consequence at Level I for first and second offense(s) and at Level II for third and subsequent offense(s). Failure to relinquish a telecommunication device when asked to do so will result in escalated disciplinary consequences for insubordination.

Unclaimed Telecommunication Devices

If a telecommunication device is not reclaimed by the parent/ guardian within 30 days of the date of notification or the end of the school year (whichever is later), notice will be given to the company whose name and address or telephone number appears on the telecommunication device indicating that the device will be disposed of as allowed by State law.

Misconduct Involving General Code of Conduct

Property Offenses

Students shall not:

- Steal from others, including the district;
- Commit or assisting in a robbery, theft, or burglary that is not punishable as a felony;
- Damage, destroy, or vandalize property owned by others or the district. (For felony criminal mischief, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 51.);
- Attempt to start or start a fire on or in any property owned, used, or controlled by a student, the district, or district employees, officials, or volunteers that does not rise to the level of arson or criminal mischief;
- Enter, without authorization, District facilities that are not open for operations;
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means; or
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 51.)

Disregard for District and Campus Rules

Students shall not

- Be insubordinate or otherwise fail to comply with lawful directives given by school personnel;
- Attempt to or successfully evade, avoid, or delay questioning by a school official;
- Fail to provide proper identification including the wearing of a District-provided identification badge;
- Attempt to violate or assisting, encouraging, promoting, or attempting to assist another student in violating this Code;
- Fail to immediately report to a school employee knowledge of a device, object, substance,

- or event that could cause harm to self or others;
- Be tardy to class or arriving late to school (unexcused);
- Skip school or class without the district's or parent/guardian's permission;
- Leave class, the campus, or school events without permission;
- Entice or prevent another student from attending school, class, or a school activity the student is required to attend;
- Violate rules for conduct on school owned or operated transportation;
- Violate rules for operating or parking a motor vehicle on school property;
- Engage in academic dishonesty, including cheating, copying the work of another, plagiarism, or unauthorized collaboration with another person in preparing an assignment;
- Fail to comply with guidelines applicable to student speakers who are speaking at school sponsored or school-related events;
- Violate other campus or classroom rules for behavior or District policies;
- Refuse to accept discipline techniques assigned by a teacher, CBC or administrator; or
- Conduct unauthorized communication between students during an examination.

Miscellaneous

Students shall not

- Violate dress code standards;
- Use any method to cheat, provide answers or promote academic dishonesty;
- Use profanity, vulgar language, or obscene gestures;
- Falsify, alter forge or destroy school records, passes, other school related documents or documents presented to school officials;
- Gamble or bet money or other things of value;
- Engage in inappropriate exposure of a student's private body parts which are ordinarily covered by clothing, including through such acts as mooning, streaking, or flashing;
- Run in the hallways or other areas which may impact the learning environment;
- Repeatedly sleep in class;
- Fail to follow directions and safety requirements in designated areas as designated by campus staff; or
- Repeatedly violate other communicated campus or classroom standards of conduct including those in online learning platforms.

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

Bullying See [Glossary](#)

Reporting Allegations of Bullying and Cyberbullying

Any student who believes that they are a victim of bullying, cyberbullying or retaliation or believes that another student is being bullied should immediately report the alleged acts to a teacher, counselor, campus administrator, or other district employee. Additionally, any parent who believes that their student is being bullied, cyberbullied or retaliated against should report alleged acts to their student's teacher, counselor or campus administrator.

Anyone who observes, overhears, suspects, or receives notice of bullying, cyberbullying, or retaliation shall immediately notify the principal or designee. Reports of bullying may be done by phone, in person, or by email. Additionally, students and parents can report allegations of bullying using [Let's Talk Bullying](#). *Let's Talk Bullying* gives students and parents the choice to report bullying anonymously.

Chapter 37 provides for DAEP placement or expulsion for a student who engages in bullying that:

- Encourages a student to commit or attempt to commit suicide;
- Incites violence against a student through group bullying; or
- Releases or threatens to release intimate visual material of a minor or of an adult student without the student's consent.

"Cyberbullying" as defined in David's Law means bullying arising from a pattern of acts or one significant act that is done through the use of any electronic communication device, including a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool. Because of David's Law, "cyberbullying" is now more specifically included in the definition of "bullying" in the Education Code. The bullying provisions in the Education Code (including pre-existing law and changes made by David's Law) apply to:

- Bullying that occurs on or is delivered to a school property or to the site of a school-sponsored or school-related activity on or off school property;
- Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity;
- 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.

Campus Action

Notice to Parents

In accordance with Board policy FFI(LOCAL), 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 (3) days after the incident is reported. The principal or designee shall notify the parent or guardian of the alleged aggressor within five (5) business days after the date the incident is reported.

Responding to Allegations of Bullying and Cyberbullying

In accordance with Board policy FFI(LOCAL), upon receiving a bullying allegation, the campus will provide the parent of the alleged targeted student *and* the alleged aggressor student with a Notice of Student Parent Rights and decide the immediate actions that should be taken to ensure student safety (e.g., separating the students, disciplining the student(s), contacting CPS, and notifying Special Education, if the student receives Special Education services.

If an allegation of bullying is reported anonymously the campus will contact the alleged targeted student and their parents and inform them that an allegation has been reported. The campus administrator will start a preliminary investigation and if the allegation is believed to have potential merit, the campus will follow the procedures for responding to bullying allegations.

Investigating Allegations of Bullying and Cyberbullying

As part of the campus administrator's investigation into the reported allegations, they will obtain details from each person who was involved or saw the incident. This will include speaking with the students, parents, and any witnesses. The campus will make a final determination of whether bullying has occurred. The investigation results will be shared with both the alleged targeted student and parent and the alleged aggressor student and parent. The campus investigative process will be completed within five days and written notice of the determination will be provided to the alleged targeted student and parent and the alleged aggressor student and parent.

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.

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.

District Action

If the results of an investigation indicate that bullying occurred, the district shall promptly respond by taking appropriate disciplinary or corrective action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

Student Safety Plans and Disciplinary Consequences

During a bullying investigation, the campus administrator can implement a student safety plan.

The student safety plan may remain in place at the conclusion of the bullying investigation if bullying has been determined or at the campus administrator's discretion. A student safety plan describes actions that are non-disciplinary, non-punitive actions designed to protect the safety of all students involved.

A student safety plan can include, but is not limited to:

- Conflict resolution conducted by campus staff;
- Counselor check-in;
- Class or schedule changes; or
- Stay away agreement.

Disciplinary consequences can include, but are not limited to:

- Behavior contract;
- Classroom based responses;
- Detention;
- Conflict resolution;
- Check In with School Counselor;
- FBA/Behavior Planning;
- Mentoring Program;
- Referral to Mental Health Services;
- Referral to SST (Tiered Support Team Interventions);
- Referral to Behavioral Health Team;

- Restitution;
- Restorative Practices;
- Saturday detention;
- Withdrawal of privileges;
- In-school suspension;
- Out of school suspension; or
- Depending on the severity, placement at the Disciplinary Alternative Education Program (DAEP).

Counseling

The principal or designee shall notify the targeted student, aggressor, and any students who witnessed the bullying of available counseling options.

School-Wide Corrective Actions

Corrective action may include but is not limited to:

- A training program for the individuals involved in the complaint;
- A comprehensive education program for the school community;
- Follow up inquiries to determine whether any new incidents or any instances of retaliation have occurred;
- Involving parents and student in efforts to identify problems and improve the school climate;
- Increasing staff monitoring of areas where bullying has occurred; and
- Reaffirming the District's policy against bullying.

Consideration for Students Receiving Special Education Services

Campus administrators will consult with Special Education Services personnel and the ARD committee before implementing disciplinary consequences for a student receiving special education services that has engaged in bullying.

Campus administrators must convene the ARD committee before a change in placement or transfer may be approved under Education Code 37.004. Additional options for the student may be discussed with Special Education Services personnel.

Confidentiality

The district shall respect the privacy of the person submitting the report, targeted student, persons against whom a report is filed, aggressor, and witnesses to the greatest extent possible. Limited disclosures may be necessary in order to conduct a thorough investigation.

Appealing a Bullying Determination

A student or parent who is dissatisfied with the outcome of the bullying investigation may appeal through [FOD](#) (LOCAL).

False Reporting

A student who intentionally makes a false claim, offers a false statement, 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.

Behavior Management Techniques

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

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. Students identified under SPED or 504 are not excluded from the expectations of the SCC and are not exempt from appropriate disciplinary actions. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy [FOF](#) (LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (See [glossary](#)) until an ARD committee meeting has been held to review the conduct and the offense is not a manifestation of the student's disability.

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

School personnel may remove a student with a disability who violates a student code of conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten consecutive school days, to the extent those alternatives are applied to children without disabilities. 20 U.S.C. 1415(k)(1) (B); 34C.F.R. 300.530(b)(1), see policy [FOF](#) (Legal).

Discipline of Students in Special Programs

Students eligible for services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 are subject to discipline in accordance with those laws. Except as provided by law, a student who receives special education services may not be disciplined in a manner that is a change of placement for conduct prohibited by this Code until after an ARD has been held to review the conduct and determined the behavior is not a manifestation of the student's disability. See policy [FOF](#) (LEGAL) in deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the District shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct. For more information, please review the [Special Education Administrative Procedures](#) posted on the district's website or contact the Executive Director of Special Education and Learning Support Services. If the district takes disciplinary action that constitutes a change of placement for a student with a disability, the district has 10 days after the change in placement to:

- Seek consent from the parent to conduct a functional behavior assessment ([FBA](#)) if the student has never had an FBA or the existing FBA is more than one year old,
- Review any previous FBAs and/or behavior intervention improvement plans (BIPS), and
- Develop a BIP or revise the existing one, as necessary
- If an offense includes an alleged aggressor with disabilities, support services and safety measures such as separation of alleged aggressor and alleged targeted student will be put in place pending special education case manager review.

In addition to statutory requirements for an ARD committee to conduct a manifestation determination before a student is removed for more than ten (10) days, the law states that an ARD committee must be convened specifically to review a special education student's conduct prior to assessing a disciplinary consequence for bullying, harassment, or making hit lists.

Behavior Interventions and Corrective Techniques

Interventions and Behavior Management practices may be used to correct the misbehavior. If a student displays maladaptive behaviors, behavioral supports would be added as opposed to practices that invoke exclusionary measures with less additional supports. Students develop self-discipline and coping strategies that deter future misconduct and fosters stronger relationships between the students and staff. Behavior Management practices is a whole- school, relational approach to building school climate and addressing student behavior that fosters belonging over exclusion, social engagement over control, and meaningful accountability over punishment.

Below are examples of appropriate classroom management techniques that can be implemented to correct minor misconduct before an office referral is warranted.

Consequences should be tailored to address individual circumstances; therefore, they may be listed below in more than one level. The majority of student misconduct is best addressed within a classroom setting. This model maintains a positive learning environment and affords students opportunities to learn from their mistakes, repair harm, and restore relationships disrupted by their inappropriate behavior. We encourage the implementation of lower-level interventions before proceeding to most intensive interventions that may result in classroom removals.

Level 1	<u>Examples of Classroom and Teacher Led Responses</u>											
	<p>Level 1 responses should teach appropriate behavior so students can learn to foster a mutual respect in a safe environment. At Level 1, teachers are encouraged to implement a variety of classroom management strategies. These responses can include but are not limited to:</p> <table data-bbox="402 1100 1589 1266"> <tr> <td data-bbox="402 1100 889 1136">Redirection/</td> <td data-bbox="889 1100 1589 1136">Student/parent conferencing</td> </tr> <tr> <td data-bbox="402 1136 889 1171">Reteach expectations</td> <td data-bbox="889 1136 1589 1171">Parent/guardian outreach</td> </tr> <tr> <td data-bbox="402 1171 889 1207">Restorative Practices</td> <td data-bbox="889 1171 1589 1207">School based mentoring</td> </tr> <tr> <td data-bbox="402 1207 889 1243">Peer mediation</td> <td data-bbox="889 1207 1589 1243">Check in with school counselor</td> </tr> <tr> <td data-bbox="402 1243 889 1266">Conflict Resolution</td> <td data-bbox="889 1243 1589 1266"></td> </tr> </table>		Redirection/	Student/parent conferencing	Reteach expectations	Parent/guardian outreach	Restorative Practices	School based mentoring	Peer mediation	Check in with school counselor	Conflict Resolution	
Redirection/	Student/parent conferencing											
Reteach expectations	Parent/guardian outreach											
Restorative Practices	School based mentoring											
Peer mediation	Check in with school counselor											
Conflict Resolution												

	The goal is to build relationship, regain cooperation, self-regulation and help promote self-awareness.
Level 2	<p>Tier 2 interventions are a more targeted approach. A teacher referral may be utilized for any serious incident or incident that may impact student's safety. These Level 2 responses can include but are not limited to:</p> <p><u>Classroom Based Responses:</u> Behavioral Contract Check ins with school counselor Temporary removal from class Restorative chats Conflict Resolution Classroom Management Techniques</p> <p><u>Teacher Referred:</u> Consequences applied as administration support FBA/Behavior planning Referral to Mental Health Referral to Behavior Health team Loss of privileges Restitution Peer mediation Referral to SST</p>
All decisions related to intensive interventions are encouraged by the SST with members working together to promote positive changes. The SST uses a problem-solving approach to help the student become more successful in school.	

Additional Behavior Management Techniques

Behavior Management shall be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators, and on a range of discipline techniques, including restorative practices. Corporal punishment is not permitted in FBISD. See policy [FO](#) (Local).

Infraction	Teacher Behavior Management Techniques	Student Ownership Action Techniques
Graffiti or property damage	<ul style="list-style-type: none"> • Contact with Teacher/Parent to discuss restitution opportunities for students to repair harm by cleaning, repairing, repainting, and/or paying for damages • Assign campus service project opportunities 	<ul style="list-style-type: none"> • Write an apology letter from the student
Putdowns, gossip, or interpersonal conflicts	<ul style="list-style-type: none"> • Develop shared commitments with the student in a way that provides support, coaching and modeling to children using affective statements. Affective statements are a way to communicate to another person on how they have affected you by their behavior, either positively or negatively. • Sentence stem: I feel...because.... • Teach self-regulation • Use Social Emotional Learning (SEL) dispositions to teach problem solving 	<ul style="list-style-type: none"> • Write a letter of apology to the individual(s) harmed; write a reflection paper on how it feels to be put down or gossiped about. • Write an affective statement • Example: Phillip, I feel angry because you yelled at me, and it hurt my feelings • Participate in proximity control for situations that could escalate into conflict • Self-generate a conflict resolution plan

	<ul style="list-style-type: none"> • Example: Teach planned ignoring, cultural tolerance, proximity control • Avoid power struggles • Provide corrective feedback • Provide community building activities to better connect students with one another. 	<ul style="list-style-type: none"> • Participate in a collaborative project that promotes positive social interaction
Classroom disruption	<ul style="list-style-type: none"> • Conference with Teacher/Student conference to discuss behavior • Conduct Teacher/Parent conference • Acknowledge positive behavior • Redirect/Reteach expectations • Hold a restorative class meeting/problem solving circles • Provide discretionary motor breaks, brief movement breaks, or opportunities for movement. • Example: brain breaks and/or mindfulness moments • Teach replacement behaviors (expected behavior) through the use of social stories 	<ul style="list-style-type: none"> • Verbally apologize to the teacher and fellow students with a promise to contribute more positively in the future. • Commit to peer accountability system • Example: Cooperative group norms • Spend a week assisting the teacher with a variety of tasks • Participate in a student payback time plan using time owed during tutorials, teacher detention, or during preferred activities • Comply with designated seating assignment • Fulfill classroom duty roles that promotes good citizenship • Complete extended assignment • Own self behavior by student self-regulation • Example: personal behavior chart, clip incentive system, loss of privileges
Bullying	<ul style="list-style-type: none"> • Use the SEL lesson plans embedded in the curriculum to address bullying, teach empathy and problem solving, and address dispositions • SEL competencies: Self-awareness, Self-management, relationship skills, responsible decision making, and social awareness • Speak with individual students and determine if a circle is appropriate to repair harm. If so, facilitate a circle to discuss the impact of bullying and how to prevent future incidences of bullying. (Consult with a Behavioral Health Facilitator for support) • Implement proximity control between students • Active supervision: Actively scanning and moving throughout the classroom • Conduct restorative conference • Teach Conflict Resolution Skills/Relationship Skills/social skills 	<ul style="list-style-type: none"> • Move away from the point of conflict • Comply with stay away agreement during transitional times and other school events

Ridicule	<ul style="list-style-type: none"> • Set up a panel of speakers who can talk to the entire class or school about intolerance and the effect it has on our communities. • Create skill modules related to the incident with the School Counselor • Conduct problem solving circles • Teach social skills/conflict resolution skills 	<ul style="list-style-type: none"> • Write a letter of apology to the person harmed and his/her family • Create presentation on empathy
Inappropriate Physical Contact	<ul style="list-style-type: none"> • Provide active adult supervision • Teach social skills/self-management skills • Implement peer mentor/positive peer reporting systems • Teach replacement behaviors • Example: Jimmy grabs the arm of a student. The teacher will teach Jimmy ways to get appropriate attention instead of grabbing • Teach conflict resolution • Use proximity control to separate conflicting students 	<ul style="list-style-type: none"> • Meet with Counselor, parent, student to better understand, and to create a student owned plan for appropriate touch • Complete character education lessons with counselor on appropriate touch and being a compassionate citizen • Earn back group privileges by exhibiting appropriate behavior
Horseplay	<ul style="list-style-type: none"> • Reteach expectations • Teach social skills • Provide active supervision • Provide Instructional activities that promote interaction 	<ul style="list-style-type: none"> • Create behavior contract • Maintain daily behavior report card
Throwing objects	<ul style="list-style-type: none"> • Minimize access to unsecured items • Corrective feedback • Re-teach expectations 	<ul style="list-style-type: none"> • Maintain daily behavior report card • Access only necessary resources for the completion of the assignments • Provide restitution
Profanity	<ul style="list-style-type: none"> • Teach substitute words/replacement vocabulary • Teach social skills • Increase acknowledgment of appropriate language 	<ul style="list-style-type: none"> • Participate in response costs/token systems • Complete project on the harmful effects of making derogatory statements • Engage in character education lesson • Engage in character education lessons with counselor on being an effective communicator • Complete a project on respectful and socially appropriate verbal interactions • Participate in mock interview demonstrating appropriate communication skills
Truancy	<ul style="list-style-type: none"> • Refer to Student Support Team (SST) • Connect with Student Attendance Specialist/Social worker/drop-out prevention • Conduct restorative conference to discuss the root cause and empathy for student's non-attendance (Parent/Guardian/Teacher/Student) • Create and incentive system to improve attendance that may include grade repair or recovery 	<ul style="list-style-type: none"> • Write a reflection paper on importance of being in attendance. • Participate in a truancy action plan meeting with the Student Attendance Specialists • Complete Truancy Diversion Program (TDP) • Participate in routine attendance check in meetings • Abide by the restrictions on the right to participate in extracurricular activities

	<ul style="list-style-type: none"> • Implement Teacher/Student check in system for attendance • Help facilitate a circle discussion on truancy and identify why some kids skip school. • Create opportunities for students to connect to the school. 	<ul style="list-style-type: none"> • Attend tutorials or intervention classes to recoup missed instructional time
Cheating	<ul style="list-style-type: none"> • Conduct restorative Conference (Parent/Student/Staff) • Provide skill building activities related to the incident • Provide alternate assignments/allow do overs 	<ul style="list-style-type: none"> • Write reflective essays on academic honesty • Accept a grade reduction/possible zero (see conduct chart) • Sign an academic code of honor • Complete an alternate assignment

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

- Phone call to the parent/guardian;
- Verbal correction, oral or written;
- Cooling-off time or a brief “time-out” period, in accordance with law;
- Seating changes within the classroom or vehicles owned or operated by the district;
- Temporary confiscation of items that disrupt the educational process;
- Rewards or demerits;
- Behavioral contracts;
- Counseling by teachers, school counselors, or administrative personnel;
- Parent-teacher conferences;
- Parent-administrator conferences;
- Behavior coaching;
- Anger management classes;
- Mediation (victim-offender);
- Classroom circles;
- Family group conferencing;
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy;
- Detention, including outside regular school hours;
- Sending the student to the office, another assigned area, or to in-school suspension;
- Assignment of school duties, such as cleaning or picking up litter;
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations;

- Penalties identified in student organizations' extracurricular standards of behavior;
- Restriction or revocation of district transportation privileges;
- Schedule changes In-School suspension, as specified in In-School Suspension on page;
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 41;
- Placement in a DAEP, as specified in **DAEP** on page 55;
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 48;
- Expulsion, as specified in **Expulsion** on page 53. Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district;
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include but are not limited to:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. See policy [FO](#) (LOCAL);
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks;
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face;
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility;
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse;
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint;
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face;
- Restricting the student's circulation;
- Securing the student to a stationary object while the student is standing or sitting;
- Inhibiting, reducing, or hindering the student's ability to communicate;
- Using chemical restraints;
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers;
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The campus behavior coordinator shall promptly notify a student's parent by phone or in person

of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code. A good-faith effort shall be made to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail or verified e-mail account. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

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

Appeals

Questions from parents/guardians regarding disciplinary measures should be addressed to the teacher, CBC or campus administration. Depending on the discipline assigned, different complaint procedures may apply. See policy [FNG](#) (Local) and policy [FOD](#) (Local). Timelines for filing appeals stated in policy will be enforced.

The student or parent/guardian appeals regarding the process used for a DAEP placement or an expulsion decision, such as issues related to the disciplinary conference or proper notice being provided, should be addressed in accordance with policy [FNG](#) (Local) and policy [FOC](#) (Legal), restating sections of the TEC, Chapter 37 and the Penal Code. Appeals shall begin at Level One with the Department of Student Affairs. The policy may be obtained from the DSA or the District's website. Disciplinary consequences shall not be delayed or deferred pending the outcome of an appeal. Further, the decision cannot be appealed beyond the Board.

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

In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the District will comply with applicable federal law, including the Title IX formal complaint process. See policy [FFH](#) (Legal) and (LOCAL).

Removal from the School Bus

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

Removal from the School Bus			
Examples of Infractions Regarding Buses			
Level I	Level II	Level III	Level IV
<ul style="list-style-type: none"> • Failure to remain seated while the bus or vehicle is moving • Out of assigned seat • Loud voice • Not seated “on pockets” • Gum • Food • Getting on/off at the wrong stop • Entering and exiting transportation in a disorderly manner or at a non-designated stop • Failure to keep aisles clear of books, bags, instruments, feet, or other obstructions • Failure to follow the driver's lawful directions at all times • Extending any body part, clothing, or other article outside of the transportation • Making loud or distracting noises 	<ul style="list-style-type: none"> • Arguing/disrespectful toward the bus driver • Profanity • Inappropriate physical contact • Failure to keep hands, feet, other body parts, or objects to yourself • Verbal altercation with another student • Persistent Level I offenses • Obstructing the driver's view 	<ul style="list-style-type: none"> • Profanity directed at the bus driver • Physical altercation: slapping, kicking, hitting, pushing • Throwing objects on the bus or out of the windows or doors • Throwing items at or near the bus driver • Vandalism to the bus • Any action that necessitates a delay in completing the route • Threats toward a student • Possession of a knife • Bullying • Mark, deface, destruct, or tamper with seats, windows, emergency doors, or other equipment • Failure to fasten seat belts when available on any vehicle • Failure to wait for the driver's signal upon leaving the bus or vehicle and before crossing in front of the bus or vehicle • Persistent Level II offenses 	<ul style="list-style-type: none"> • Possess, Sell, Use, Under the Influence (PSUU) of drugs, alcohol or tobacco • Assault of a student • Assault of the bus driver • Threats toward the bus driver • Possession of an illegal knife • Persistent Level III offenses

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

Misconduct on buses, in District vehicles, or at bus stops, will be disciplined in accordance with this Code. Bus riding privileges may be suspended or revoked.

Consequences		
	Elementary Grades (Pre-K to 5)	Secondary Grades (6 to 12)
Level I	Driver documents and conferences with student	Driver documents and conferences with student
First Referral Consequences		
	Elementary Grades (Pre-K to 5)	Secondary Grades (6 to 12)
Level II: First Offense	Discipline referral by Transportation to school administration and parent/guardian contact by the school	Discipline referral by Transportation to school administration and parent/guardian contact by the school
Level II: Additional Offenses	1 Day Bus Suspension	3 Day Bus Suspension
Level III	3 Day Bus Suspension	5 Day Bus Suspension
Level IV	5 Day Bus Suspension	10 Day Bus Suspension
Second and Third Referral Consequences Severe and repeated infractions may result in immediate and permanent bus removal		
	Elementary Grades (Pre-K to 5)	Secondary Grades (6 to 12)
Level II	3 Day Bus Suspension	5 Day Bus Suspension
Level III	5 Day Bus Suspension	10 Day Bus Suspension
Level IV	10 Day Bus Suspension	15 Day Bus Suspension

Removal from the Regular Educational Setting

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

Routine Referral

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

Formal Removal

A teacher may initiate a formal removal from class under Chapter 37 if:

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

Procedure for Removal

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

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

After the conference, the campus behavior coordinator or other appropriate administrator will notify the student and parent(s)/guardian of the consequences of the SCC violation.

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

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

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

Returning a Student to the Classroom

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

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

In-School Suspension

Misconduct

Disciplinary action resulting in ISS placement will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude or disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct and the effect of the misconduct on the school environment. Students may be suspended for behavior listed in the Code as a general conduct violation, DAEP offense, or expellable offense.

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

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

Process

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision. The campus behavior coordinator or appropriate administrator shall determine the number of days of a student's suspension days and will notify the parent/guardian through written notice and parent phone call. The student's teachers will be notified by the campus administrator so that coursework may be provided to ISS.

Length of Assignment to ISS

The length of assignment to ISS is not to exceed ten days per offense, unless the student commits a violation of the ISS rules or the Student Code of Conduct while assigned to ISS. This could result in the assignment of additional days to a maximum of ten days, suspension from school, or assignment to a disciplinary alternative education program, depending upon the seriousness of the offense.

Out-of-School Suspension

Misconduct

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

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

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

- Conduct that contains the elements of a weapons offense, as provided in Penal Code sections 46.02 or 46.05;

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

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

Process

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

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

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

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

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

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

Length of Suspension

State law allows a student to be suspended for up to three (3) school days per offense, with no limit on the number of times a student may be suspended in a semester or school year. The principal or principal's designee shall set the length of the suspension from school. When a student is suspended, the student is expected to be under the supervision of the parent, guardian or other responsible adult.

Coursework During In-School or Out-of-School Suspension

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

A student removed from the regular classroom to out-of-school suspension or another setting, other than a DAEP, will have an opportunity before the beginning of the next school year to complete each course the student was enrolled in at the time of removal. The district may provide

the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

Sanctions

A student who has been assigned to OSS may not participate in nor attend school-sponsored or school-related activities or extracurricular activities during the period of assignment.

Disciplinary Alternative Education Program (DAEP) Placement

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

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

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

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

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

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

Before a student may be approved for DAEP, the student is afforded appropriate due process discipline conference as required by the U.S. Constitution and which the student's parent/guardian is invited, in writing, to attend. Under TEC §37.009(f), the minimum procedural requirements necessary to satisfy due process depend upon the circumstances and the interests of the parties involved.

The notice should contain a statement of the specific offense that would justify an expulsion. At the discipline conference, the student is entitled to:

- Additional representation by an adult, other than the student's parent/guardian, who can provide guidance to the student and parent and/or
- An opportunity to testify and to review and present evidence.

Additional proceedings may be conducted and additional discipline may be imposed if the student engages in additional misconduct while the student is in DAEP or is already expelled.

Interim Placement

Until a decision on the recommendation for DAEP has been provided by the Department of Student Affairs, the student may be placed in out-of-school suspension for no more than 3 days

and in-school suspension pending the decision. Students placed in in-school suspension on any DAEP related offense may not participate in nor attend school sponsored or school-related activities or extracurricular activities during the period of assignment.

Discretionary Placement: Misconduct That May Result in DAEP Placement

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.

Misconduct Identified in State Law

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

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

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

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See [glossary](#));
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony;
 - Commits an assault (See [glossary](#)) under Penal Code 22.01(a) (1);
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of a controlled substance or a dangerous drug. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See [glossary](#) for "under the influence" "controlled substance," and "dangerous drug.");

- Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana, vaping with THC, or vaping with no THC, or e-cigarette.
 - Students identified as having a first offense of possession, use, or under the influence of vaping with or without THC may be eligible for participation in the district's First Offense RISE program.
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in **Expulsion** on page 52.);
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals;
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure (See [glossary](#));
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a) (1), (2), (3), or (7);
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol, or committing a serious act or offense while under the influence of alcohol.
- Engages in expellable conduct and is between six and nine years of age;
 - Commits a federal firearms violation and is younger than six years of age;
 - Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 52.);
 - Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (See [glossary](#)) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 - The student receives deferred prosecution (See [glossary](#));
 - A court or jury finds that the student has engaged in delinquent conduct (See [glossary](#)); or
 - The superintendent or designee has a reasonable belief (See [glossary](#)) that the student engaged in the conduct.

DAEP at Capacity

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

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

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

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

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

Process

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

Conference

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

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

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

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

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

- Another appropriate classroom;
- In-School Suspension; and/or
- Out-of-School Suspension for a maximum of three (3) days.

Consideration of Mitigating Factors

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

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

Placement Order

After the conference, if the student is placed in a DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order and information for the parent or

person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent.

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

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

Coursework Notice

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

Length of Placement

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

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

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

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

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

Exceeds One Year

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

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

Exceeds School Year

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

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

- The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others; or
- The student has engaged in serious or persistent misbehavior (See [glossary](#)) that violates the district's Code.

Exceeds 60 Days

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

Appeals

Questions from parents/guardians regarding disciplinary measures should be addressed to the teacher, CBC or campus administration. Depending on the discipline assigned, different complaint procedures may apply. See policy [FNG](#) (Local) and policy [FOD](#) (Local). Timelines for filing appeals stated in policy will be enforced.

The student or parent/guardian appeals regarding the process used for a DAEP placement or an expulsion decision, such as issues related to the disciplinary conference or proper notice being provided, should be addressed in accordance with policy [FNG](#) (Local) and policy [FOC](#) (Legal), restating sections of the TEC, Chapter 37 and the Penal Code. A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through [Policy On-Line](#).

Appeals shall begin at Level One with the Department of Student Affairs. The policy may be obtained from the DSA or the District's website. Disciplinary consequences shall not be delayed or deferred pending the outcome of an appeal. Further, the decision cannot be appealed beyond the Board. If during the term of DAEP placement, the student engages in additional misconduct, additional disciplinary conferences may be conducted and additional days to current assignment may be imposed with the approval of the Executive Director of Student Affairs or designee.

In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the District will comply with applicable federal law, including the Title IX formal complaint process. [FFH](#) (Legal) and (LOCAL).

Restrictions During Placement

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

The district shall provide transportation to students in a DAEP.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation will be withdrawn from the alternative school and re-enrolled at the home campus. The student shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified by the Superintendent or designee.

Placement Review

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

Resilience, Intervention, Support, and Empowerment Program (R.I.S.E)

DAEP shall provide students with a substance or alcohol related offense the opportunity to participate in and complete the district's substance abuse education program to qualify for a reduction in the term of placement. R.I.S.E is a curriculum-based, social and resilience skill program designed to teach leadership, health self-image, and substance avoidance. This twenty-day program is incorporated into but may not constitute the full total of the student's DAEP assignment.

Additional Misconduct

If during the term of placement in a DAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required, or permitted, additional proceedings may be

conducted, and the campus behavior coordinator may enter an additional disciplinary order as a result of those proceedings with the approval of the Executive Director of Student Affairs or designee.

Notice of Criminal Proceedings

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

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

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

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

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

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

Withdrawal During Process

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

Newly Enrolled Students

The district shall decide on a case-by-case basis whether to continue the placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district including a district in another state. The district may place the student in the district's DAEP or a regular classroom setting.

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

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

Emergency Placement Procedure

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

Transition Services

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

Placement and/or Expulsion for Certain Offenses

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

Registered Sex Offenders

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

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

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

- Threatens the safety of other students or teachers;
- Will be detrimental to the educational process; or
- Is not in the best interests of the district's students.

Review Committee

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

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

Newly Enrolled Students

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an

additional semester in an alternative placement without conducting a review of the placement.

Appeal

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

Certain Felonies

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

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

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

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

Hearing and Required Findings

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

- Threatens the safety of other students or teachers;
- Will be detrimental to the educational process; or
- Is not in the best interest of the district's students.

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

Length of Placement

The student is subject to the placement until:

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

- The student completes the term of the placement or is assigned to another program.

Placement Review

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

Newly Enrolled Students

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

Expulsion

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

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

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 55)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide;
- Inciting violence against a student through group bullying;
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent;
- Conduct that contains the elements of assault under Penal Code 22.01(a) (1) in retaliation against a school employee or volunteer;
- Criminal mischief, if punishable as a felony;
- Engaging in conduct that contains the elements of one of the following offenses against another student:
 - Aggravated assault;
 - Sexual assault;
 - Aggravated sexual assault;
 - Murder;
 - Capital murder;

- Criminal attempt to commit murder or capital murder;
- Aggravated robbery;
- Breach of computer security (See [glossary](#));
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

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

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

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

Within 300 Feet of School

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

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

Property of Another District

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

While in a DAEP

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

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

Mandatory Expulsion: Misconduct That Requires Expulsion

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

Under Federal Law

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

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

Under the Penal Code

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

- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault;
 - Arson; (See [glossary](#))
 - Murder, capital murder, or criminal attempt to commit murder or capital murder;
 - Indecency with a child;
 - Aggravated kidnapping;
 - Aggravated robbery;
 - Manslaughter;
 - Criminally negligent homicide;
 - Continuous sexual abuse of a young child or disabled individual;
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

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

Process

Before a student may be expelled, the Superintendent or designee shall provide the student a hearing at which the student is afforded appropriate due process as required by the U.S. Constitution and which the student's parent/guardian is invited, in writing, to attend. Under TEC §37.009(f), the minimum procedural requirements necessary to satisfy due process depend upon the circumstances and the interests of the parties involved. Federal due process requires notice and some opportunity for hearing. The notice should contain a statement of the specific charges and grounds that, if proven, would justify expulsion. In some cases, the student should be given the names of the witnesses against him or her, and an oral or written report on the facts to which each witness testifies. After trying to inform the student and parent/guardian of the hearing, the district may hold the hearing regardless of whether the student or the student's parent/guardian attends.

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

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

Hearing

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

- Representation by the student's parent or another adult who can provide guidance to the student;
- An opportunity to respond to the allegation and to present evidence including video footage and witnesses in the student's defense; and

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

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustees delegates to the Department of Student Affairs the authority to conduct hearings and expel students.

Expulsion Order

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

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

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

Not later than the second business day after the hearing, the *Department of Student Affairs* shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code. A copy of the expulsion order will be included with any records sent to a school where the student seeks to enroll. The enrolling school District has discretion to enforce the expulsion order.

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

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements. The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year, except as provided below.

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

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

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

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

District Expulsion Program (DEP)

The District Expulsion Program is a self-contained, separate disciplinary placement from the DAEP that maintains the expelled student on the FBISD alternative campus rather than placed

off site at the JJAEP. This expulsion option is available for consideration by the expulsion hearing officer when a student has an extenuating circumstance that makes placement at the JJAEP inappropriate.

Withdrawal During Process

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

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

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

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator may request additional disciplinary action.

Expulsion while in DAEP

A student may be recommended for an expulsion for engaging in documented serious misbehavior that violated this Code, despite documented behavioral interventions while placed in a DAEP. A student who is expelled for an offense that otherwise would have resulted in a DAEP placement does not have to be placed in a DAEP in addition to the expulsion. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

- Deliberate violent behavior that poses a direct threat to the health or safety of others;
- Extortion, meaning the gaining of money or other property by force or threat;
- Conduct that constitutes coercion, as defined by §1.07, Tex. Penal Code; or
- Conduct that constitutes the offense of public lewdness, indecent exposure, criminal mischief, personal hazing or harassment.

Restrictions During Expulsion

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

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

Newly Enrolled Students

The district shall decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open-enrollment charter school upon enrollment in the district.

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

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

If a student is expelled by a district in another state for a period that exceeds one year and the

district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

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

Emergency Expulsion Procedures

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

DAEP Placement of Expelled Students

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

Transition Services

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

Academic Impact

Students will not receive academic credit for work missed during the period of expulsion unless the student is enrolled in a Juvenile Justice Alternative Education Program (JJAEP), District Expulsion Program (DEP), or other District-approved program or as required by the IDEA or Section 504.

Expulsion Appeal Process

Questions from parents/guardians regarding disciplinary measures should be addressed to the teacher, campus administration, or CBC, as appropriate. Appeals or complaints regarding the use of specific discipline techniques should be addressed in accordance with policy [FNG](#) (Local). The policy may be obtained from the [Board Policy Manual on the FBISD website](#). The district shall not delay a disciplinary consequence while a student or parent/guardian pursues a grievance.

The expulsion hearing officers decision may be appealed to the Board. In the event of an appeal, at the next scheduled meeting the Board will: (1) review the notice, (2) hear statements from the student, the student's parent/guardian, and the CBC or administrator, and (3) confirm or reverse the decision of the CBC or administrator.

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

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

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

If the Board confirms the decision of the hearing officer, the student and the student's parent/guardian have the right to appeal to the Commissioner of Education. The student may not be returned to the regular classroom while the appeal is pending.

Texas Education Data Standards (TEDS) Appendix E

The Texas Education Data Standards (TEDS) Appendix E provides guidance to local school districts in Texas related to discipline management. TEDS Appendix E produces information to ensure consistency in discipline management in Texas. The TEDS Appendix E is broken into three major components that can be further explored using the following links:

- Providing helpful FAQs to understand common topics: [Click here for FAQ's](#)
- Provides state specific discipline codes and definitions to preserve continuity of actions that are assigned to discipline in PEIMS. [Click here for definitions and codes](#)
- Provides a chart for districts to utilize when determining offenses that are mandatory and discretionary DAEP placements or expulsions to the JJAEP. [Click here for state offense and action charts](#)

These are usually first time or rare occurrences of the offense, however, repeated instances of these offenses could result in a more harsh consequence such as ISS/OSS. It is recommended that campuses consult with a PBIS team member to determine appropriate interventions that could deter persistent student misconduct.

Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

Most Common Offense Codes With Available Actions	Potential Disciplinary Actions Level I; ISS, OSS (DAEP and expulsions are not an option)					
<p>These offenses are more appropriately handled with School Based Strategies such as:</p> <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction <p>Black Out Actions are Not Available</p>	<p>Additional action options: Assigned School Duties, Confiscation, Contact w/ Parent, Restorative Conference/Chat, Counseling by Staff , Detention, Grade Reduction for Cheating, Parent Conference, Restorative Circle, Restriction Bus Privileges, Withdrawal of Privileges, Student Conference, Saturday Detention</p>	ISS	OSS	DAEP	DEP	JJAEP

LEVEL I Offenses	
Bus Misconduct	✓
Disrupting Educational Environment	✓
Dress Code	✓
Exhibit Inappropriate Familiarity (e.g. kissing/touching)	✓
Horseplay	✓
Leaving School	✓
Minor Acceptable User Policy (AUP) Violation (e.g. playing games)	✓
Obscene Gesture	✓
Referral Dismissed	✓
Safety Rule Violation	✓
Skipping a Class	✓
Tardies	✓
Truancy Diversion Program	✓
Truancy Warning Letter Student Affairs Only	✓
Use of Telecommunication Device	✓

***Repeated Level II Offenses that substantially disrupt the educational environment and/or safety of the campus, may result in a discretionary DAEP**

Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

Most Common Offense Codes With Available Actions	Potential Level II Disciplinary Actions Level I Actions; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
<p>These offenses are more appropriately handled with School Based Strategies such as:</p> <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction <p>Black Out Actions are Not the most appropriate for the offense.</p>	<p>Additional action options: Assigned School Duties, Confiscation, Contact w/ Parent, Restorative Conference/Chat, Counseling by Staff, Detention, Grade Reduction for Cheating, Parent Conference, Restorative Circle, Restriction Bus Privileges, Withdrawal of Privileges, Student Conference, Saturday Detention</p>	ISS	OSS	DAEP	DEP	JJAEP

LEVEL II Offenses		
Bullying <i>(documented)</i>	✓	✓
Cheating	✓	✓
Coercion/Extortion	✓	✓
Computer/Technology Misuse	✓	✓
Continued/Rpt Non-PEIMS reportable violations	✓	✓
Cyberbullying <i>(documented)</i>	✓	✓
Dating Violence	✓	✓
Derogatory Statement	✓	✓
Disruptive Behavior	✓	✓
Failure to Comply with Assigned Discipline	✓	✓

Most Common Offense Codes With Available Actions	Potential Level II Disciplinary Actions Level I Actions; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
<p>These offenses are more appropriately handled with School Based Strategies such as:</p> <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction <p>Black Out Actions are Not the most appropriate for the offense.</p>	<p>Additional action options: Assigned School Duties, Confiscation, Contact w/ Parent, Restorative Conference/Chat Counseling by Staff, Detention Grade Reduction for Cheating Parent Conference, Restorative Circle Restriction Bus Privileges, Withdrawal of Privileges Student Conference, Saturday Detention</p>	ISS	OSS	DAEP	DEP	JJAEP

LEVEL II Offenses-Continued		
False Document	✓	✓
Gambling	✓	✓
Harassment <i>(documented)</i>	✓	✓
Inappropriate Physical Contact <i>(i.e. hitting, grabbing)</i>	✓	✓
Insubordination	✓	✓
Look Alike Weapon	✓	✓
Non DAEP Threat	✓	✓
Permanent Teacher Removal – TEC 37.002	✓	✓
Porn Materials	✓	✓
Possess/Sell Look Alike Drug	✓	✓
Possess/Use Matches or Lighter	✓	✓
Profanity	✓	✓
PUID Over Counter Medicine	✓	✓

Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of

Most Common Offense Codes With Available Actions	Potential Level II Disciplinary Actions Level I; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL II Offenses-Continued						
Fighting or Mutual Combat	✓	✓				
Theft/Stealing (<i>non-felony</i>)	✓	✓				
Below is a list of common Serious Offenses: (<i>see glossary</i>)						
• Aggressive, disruptive behavior (<i>assault Class C misdemeanor</i>)	✓	✓				
• Assault (<i>no bodily harm</i>) with threat of imminent bodily injury	✓	✓				
• Assault by offensive or provocative physical contact	✓	✓				
• Continued/repeated PEIMS reportable violations	✓	✓				
• Extortion/Coercion/Blackmail	✓	✓				
• Falsification of records/school related documents	✓	✓				
• Inappropriate physical contact with criminal referral	✓	✓				
• Knife blade <5.5 inches	✓	✓				
• Making/ Assisting with making a false alarm or report non-emergency response deployed	✓	✓				
• Possesses/conspiring to possess explosives/explosive devices	✓	✓				
• Possession or use of a stun gun/device, pepper spray, BB/air gun, etc.	✓	✓				
• Possession/Distribution of pornographic materials	✓	✓				

Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

*Repeated Level II Offenses that substantially disrupt the educational environment and/or safety of the campus, may result in a discretionary DAEP

Most Common Offense Codes With Available Actions Serious Offenses Continued: (see glossary)	Potential Level II Disciplinary Actions Level I; ISS, OSS (DAEP is discretionary and expulsions are not an option)					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL II Offenses-Continued						
Repeated or severe insubordination	✓	✓				
Repeatedly leaving school grounds without permission	✓	✓				
Robbery (non-felony)	✓	✓				
Unauthorized use/intentional misuse of computer soft/hardware	✓	✓				
Sexual Harassment (documented)	✓	✓				
Sexual Misconduct (documented)	✓	✓				
Vandalism	✓	✓				
Weapons Age <6yrs	✓	✓				

Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent

These are usually first time or rare occurrences of the offense, however, repeated instances of these offenses could result in a more harsh consequence such as ISS/OSS. It is recommended that campuses consult with a PBIS team member to determine appropriate interventions that could deter persistent student misconduct.

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

Most Common Offense Codes With Available Actions	Potential Disciplinary Actions Level I; ISS, OSS (DAEP and expulsions are not an option)					
<p>These offenses are more appropriately handled with School Based Strategies such as:</p> <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction <p>Black Out Actions are Not Available</p>	<p>Additional action options: Assigned School Duties, Confiscation, Contact w/ Parent, Restorative Conference/Chat, Counseling by Staff, Detention, Grade Reduction for Cheating, Parent Conference, Restorative Circle, Restriction Bus Privileges, Withdrawal of Privileges, Student Conference, Saturday Detention</p>	ISS	OSS	DAEP	DEP	JJAEP

LEVEL I Offenses	
Bus Misconduct	✓
Disrupting Educational Environment	✓
Dress Code	✓
Exhibit Inappropriate Familiarity (e.g. kissing/touching)	✓
Horseplay	✓
Leaving School	✓
Minor Acceptable User Policy (AUP) Violation (e.g. playing games)	✓
Obscene Gesture	✓
Referral Dismissed	✓
Safety Rule Violation	✓
Skipping a Class	✓
Tardies	✓
Truancy Diversion Program	✓
Truancy Warning Letter Student Affairs Only	✓
Use of Telecommunication Device	✓

*Repeated Level II Offenses that substantially disrupt the educational environment and/or safety of the campus, may result in a discretionary DAEP placement.

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

Most Common Offense Codes With Available Actions	Potential Level II Disciplinary Actions Level I Actions; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
<p>These offenses are more appropriately handled with School Based Strategies such as:</p> <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction <p>Black Out Actions are Not the most appropriate for the offense.</p>	<p>Additional action options: Assigned School Duties, Confiscation, Contact w/ Parent, Restorative Conference/Chat, Counseling by Staff, Detention, Grade Reduction for Cheating, Parent Conference, Restorative Circle, Restriction Bus Privileges, Withdrawal of Privileges, Student Conference, Saturday Detention</p>	ISS	OSS	DAEP	DEP	JJAEP
						90

LEVEL II Offenses				
Bullying (<i>documented</i>)	✓	✓	✓	
Cheating	✓	✓	✓	
Coercion/Extortion	✓	✓	✓	
Computer/Technology Misuse	✓	✓	✓	
Continued/Rpt Non-PEIMS reportable violations	✓	✓	✓	
Cyberbullying (<i>documented</i>)	✓	✓	✓	
Dating Violence	✓	✓	✓	
Derogatory Statement	✓	✓	✓	
Disruptive Behavior	✓	✓	✓	
Failure to Comply with Assigned Discipline	✓	✓	✓	

Most Common Offense Codes With Available Actions	Potential Level II Disciplinary Actions <i>Discipline Offenses by Level 3-5</i>					
<p>These offenses are more appropriately handled with <i>School Based Strategies such as:</i></p> <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction <p><i>Black Out Actions are Not the most appropriate for the offense.</i></p>	<p>Additional action options: Assigned School Duties, Confiscation, Contact w/ Parent, Restorative Conference/Chat Counseling by Staff, Detention Grade Reduction for Cheating Parent Conference, Restorative Circle Restriction Bus Privileges, Withdrawal of Privileges Student Conference, Saturday Detention</p>	ISS	OSS	DAEP	DEP	JJAEP
LEVEL II Offenses-Continued						
False Document	✓	✓	✓			
Gambling	✓	✓	✓			
Harassment (<i>documented</i>)	✓	✓	✓			
Inappropriate Physical Contact (<i>i.e. hitting, grabbing</i>)	✓	✓	✓			
Insubordination	✓	✓	✓			
Look Alike Weapon	✓	✓	✓			
Non DAEP Threat	✓	✓	✓			
Permanent Teacher Removal – TEC 37.002	✓	✓	✓			
Porn Materials	✓	✓	✓			
Possess/Sell Look Alike Drug	✓	✓	✓			
Possess/Use Matches or Lighter	✓	✓	✓			
Profanity	✓	✓	✓			
PUID Over Counter Medicine	✓	✓	✓			

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

*Repeated Level II Offenses that substantially disrupt the educational environment and/or safety of the campus, may result in a discretionary DAEP placement.

Most Common Offense Codes With Available Actions	Potential Level II Disciplinary Actions Level I; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL II Offenses-Continued						
Fighting or Mutual Combat	✓	✓	✓	Discretionary		
Theft/Stealing (<i>non-felony</i>)	✓	✓	✓	Discretionary		
Below is a list of common Serious Offenses: (<i>see glossary</i>)	✓	✓	✓	Discretionary		
• Aggressive, disruptive behavior (<i>assault Class C misdemeanor</i>)	✓	✓	✓	Discretionary		
• Assault (<i>no bodily harm</i>) with threat of imminent bodily injury	✓	✓	✓	Discretionary		
• Assault by offensive or provocative physical contact	✓	✓	✓	Discretionary		
• Continued/repeated PEIMS reportable violations	✓	✓	✓	Discretionary		
• Extortion/Coercion/Blackmail	✓	✓	✓	Discretionary		
• Falsification of records/school related documents	✓	✓	✓	Discretionary		
• Inappropriate physical contact with criminal referral	✓	✓	✓	Discretionary		
• Knife blade <5.5 inches	✓	✓	✓	Discretionary		
• Making/ Assisting with making a false alarm or report non-emergency response deployed	✓	✓	✓	Discretionary		
• Possesses/conspiring to possess explosives/explosive devices	✓	✓	✓	Discretionary		
• Possession or use of a stun gun/device, pepper spray, BB/air gun, etc.	✓	✓	✓	Discretionary		
• Possession/Distribution of pornographic materials	✓	✓	✓	Discretionary		

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

*Repeated Level II Offenses that substantially disrupt the educational environment and/or safety of the campus, may result in a discretionary DAEP placement.

Most Common Offense Codes With Available Actions Serious Offenses Continued: <i>(see glossary)</i>	Potential Level II Disciplinary Actions Level I; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL II Offenses-Continued						
Repeated or severe insubordination	✓	✓	✓	Discretionary		
Repeatedly leaving school grounds without permission	✓	✓	✓	Discretionary		
Robbery (non-felony)	✓	✓	✓	Discretionary		
Unauthorized use/intentional misuse of computer soft/hardware	✓	✓	✓	Discretionary		
Sexual Harassment (documented)	✓	✓	✓	Discretionary		
Sexual Misconduct (documented)	✓	✓	✓	Discretionary		
Vandalism	✓	✓	✓	Discretionary		
Weapons Age <6yrs	✓	✓	✓			

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

Most Common Offense Codes With Available Actions	Potential Level III and Level IV Disciplinary Actions Mandatory ISS, OSS, and up to DAEP or Expulsion as indicated					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL III and IV Offense						
Abuse of Volatile Chemical	✓	✓	✓	Mandatory	Discretionary	Discretionary
Aggravated Assault against Non-School District Employee	✓	✓	✓			Mandatory
Aggravated Assault against School District Employee	✓	✓	✓			Mandatory
Aggravated Kidnapping	✓	✓	✓			Mandatory
Aggravated Robbery	✓	✓	✓			Mandatory
Arson	✓	✓	✓			Discretionary
Assault against School District Employee	✓	✓	✓	Mandatory	Discretionary	Discretionary
Assault against Someone other than School District Employee	✓	✓	✓	Mandatory	Discretionary	Discretionary
Breach of Security	✓	✓	✓		Discretionary	Discretionary
Brought Firearm to School	✓	✓	✓			

Most Common Offense Codes With Available Actions	Potential Level III and Level IV Disciplinary Actions					
	Mandatory ISS, OSS, and up to DAEP or Expulsion as indicated					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL III and IV Offense-Continued						
Conduct Containing Elements of An Offense Relating to Prohibited Weapons	✓	✓	✓			Mandatory
Conduct punishable as a Felony	✓	✓	✓	Mandatory		
Conduct/Off Campus/No School Related Sponsored for Felony Title 5	✓	✓	✓	Mandatory	Discretionary	Discretionary
Continuous Sexual Abuse of Young Child or Children	✓	✓	✓			Mandatory
Criminal Mischief – Felony Violation	✓	✓	✓		Discretionary	Discretionary
Criminally Negligent Homicide	✓	✓	✓			Mandatory
Emergency Placement/Expulsion	✓	✓	✓	Discretionary	Discretionary	Discretionary
Engages in Conduct Punishable as Felony	✓	✓	✓	Mandatory		
Engages in Deadly Conduct	✓	✓	✓	Discretionary	Discretionary	Discretionary
False Alarm/False Report	✓	✓	✓	Mandatory	Discretionary	Discretionary
Felony Alcohol Violation	✓	✓	✓			Mandatory
Felony Controlled Substance Violation	✓	✓	✓			Mandatory
Harassment against an employee of the school district under Penal Code 42.07,	✓	✓	✓	Mandatory		
Indecency with a Child	✓	✓	✓			Mandatory
Manslaughter	✓	✓	✓			Mandatory

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

Most Common Offense Codes With Available Actions	Potential Level III and Level IV Disciplinary Actions are Mandatory ISS, OSS, and up to DAEP or Expulsion as indicated					
These offenses are more appropriately handled with School Based Strategies such as: <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction Black Out Actions are Not Available	Additional action options: Assigned School Duties Behavior Contract, Contact w/ Parent, Counseling by Staff, Restorative Circle, Confiscation, Detention, Grade Reduction for Cheating, Parent Conference, Restorative Conference/Chat, Restriction Bus Privileges Withdrawal of Privileges, Student Conference, Saturday Detention	ISS	OSS	DAEP	DEP	JJAEP
LEVEL III and IV Offense-Continued						
Murder, Capital Murder, Criminal Attempt to Commit Murder or Capital Murder	✓	✓	✓			Mandatory
PSUU Cigarette or Tobacco product as defined in the Health and Safety Code	✓	✓	✓			
PSUU Alcohol	✓	✓	✓	Mandatory	Discretionary	Discretionary
PSUU Marijuana or Controlled Substance or Dangerous Drug	✓	✓	✓	Mandatory	Discretionary	Discretionary
Vaping with THC*	✓	✓	✓	Mandatory	Discretionary	Discretionary
Vaping with no THC*	✓	✓	✓	Mandatory		
Public Lewdness or Indecent Exposure	✓	✓	✓	Mandatory	Discretionary	Discretionary
Retaliation Against School Employee	✓	✓	✓	Mandatory	Discretionary	Discretionary
School Related Gang Violence	✓	✓	✓	Discretionary	Discretionary	Discretionary
Serious Bullying- TEC 37.0052	✓	✓	✓	Discretionary		
Serious Misbehavior while expelled to/placed in a DAEP	✓	✓	✓	Mandatory	Discretionary	Discretionary

* Students may be eligible for the First Offense R.I.S.E program. Campus Administrators will notify students of eligibility.

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

Most Common Offense Codes With Available Actions	Potential Level III and Level IV Disciplinary Actions Mandatory ISS, OSS, and up to DAEP or Expulsion as indicated					
<p>These offenses are more appropriately handled with School Based Strategies such as:</p> <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction <p>Black Out Actions are Not Available</p>	<p>Additional action options: Assigned School Duties Behavior Contract, Contact w/ Parent, Counseling by Staff, Restorative Circle, Confiscation, Detention, Grade Reduction for Cheating, Parent Conference, Restorative Conference/Chat, Restriction Bus Privileges Withdrawal of Privileges, Student Conference, Saturday Detention</p>	ISS	OSS	DAEP	DEP	JJAEP
LEVEL III and IV Offense-Continued						
Sexual Assault or Aggravated Assault against School District Employee	✓	✓	✓			Mandatory
Sexual Assault or Aggravated Sexual Assault against Someone other than School District	✓	✓	✓			Mandatory
Student Required to Register as a Sex Offender – Not Under Court Supervision	✓	✓	✓	Discretionary		
Student Required to Register as a Sex Offender – Under Court Supervision	✓	✓	✓	Mandatory	Discretionary	Discretionary
Terroristic Threat	✓	✓	✓	Mandatory	Discretionary	Discretionary
Unlawful Carry of a Club	✓	✓	✓		Mandatory	
Unlawful Carry of A Location Restricted Knife	✓	✓	✓		Mandatory	

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. **Any level III or IV offenses require consultation with Assistant Superintendent of Elementary schools or designee.

These are usually first time or rare occurrences of the offense, however, repeated instances of these offenses could result in a more harsh consequence such as ISS/OSS. It is recommended that campuses consult with a PBIS team member to determine appropriate interventions that could deter persistent student misconduct.

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Most Common Offense Codes With Available Actions	Potential Disciplinary Actions Level I; ISS, OSS (DAEP and expulsions are not an option)					
<p>These offenses are more appropriately handled with School Based Strategies such as:</p> <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction <p>Black Out Actions are Not Available</p>	<p>Additional action options: Assigned School Duties, Confiscation, Contact w/ Parent, Restorative Conference/Chat, Counseling by Staff , Detention, Grade Reduction for Cheating, Parent Conference, Restorative Circle, Restriction Bus Privileges, Withdrawal of Privileges, Student Conference, Saturday Detention</p>	ISS	OSS	DAEP	DEP	JJAEP

LEVEL I Offenses

Bus Misconduct	✓
Disrupting Educational Environment	✓
Dress Code	✓
Exhibit Inappropriate Familiarity (e.g. kissing/touching)	✓
Horseplay	✓
Leaving School	✓
Minor Acceptable User Policy (AUP) Violation (e.g. playing games)	✓
Obscene Gesture	✓
Referral Dismissed	✓
Safety Rule Violation	✓
Skipping a Class	✓
Tardies	✓
Truancy Diversion Program	✓
Truancy Warning Letter Student Affairs Only	✓
Use of Telecommunication Device	✓

*Repeated Level II Offenses that substantially disrupt the educational environment and/or safety of the campus, may result in a discretionary DAEP placement.

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Most Common Offense Codes With Available Actions	Potential Level II Disciplinary Actions Level I Actions; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
<p>These offenses are more appropriately handled with School Based Strategies such as:</p> <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction <p>Black Out Actions are Not the most appropriate for the offense.</p>	<p>Additional action options: Assigned School Duties, Confiscation, Contact w/ Parent, Restorative Conference/Chat, Counseling by Staff, Detention, Grade Reduction for Cheating, Parent Conference, Restorative Circle, Restriction Bus Privileges, Withdrawal of Privileges, Student Conference, Saturday Detention</p>	ISS	OSS	DAEP	DEP	JJAEP
						99

LEVEL II Offenses

Bullying (<i>documented</i>)	✓	✓	✓
Cheating	✓	✓	✓
Coercion/Extortion	✓	✓	✓
Computer/Technology Misuse	✓	✓	✓
Continued/Rpt Non-PEIMS reportable violations	✓	✓	✓
Cyberbullying (<i>documented</i>)	✓	✓	✓
Dating Violence	✓	✓	✓
Derogatory Statement	✓	✓	✓
Disruptive Behavior	✓	✓	✓
Failure to Comply with Assigned Discipline	✓	✓	✓

Most Common Offense Codes With Available Actions	Potential Level II Disciplinary Actions <i>Discipline Offenses by Level Secondary</i> Level I Actions; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
These offenses are more appropriately handled with School Based Strategies such as: • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction Black Out Actions are Not the most appropriate for the offense.	Additional action options: Assigned School Duties, Confiscation, Contact w/ Parent, Restorative Conference/Chat Counseling by Staff, Detention Grade Reduction for Cheating Parent Conference, Restorative Circle Restriction Bus Privileges, Withdrawal of Privileges Student Conference, Saturday Detention	ISS	OSS	DAEP	DEP	JJAEP
LEVEL II Offenses-Continued						
False Document	✓	✓	✓			
Gambling	✓		✓	✓		
Harassment (<i>documented</i>)	✓		✓	✓		
Inappropriate Physical Contact (<i>i.e. hitting, grabbing</i>)	✓		✓	✓		
Insubordination	✓		✓	✓		
Look Alike Weapon	✓		✓	✓		
Non DAEP Threat	✓		✓	✓		
Permanent Teacher Removal – TEC 37.002	✓		✓	✓		
Porn Materials	✓		✓	✓		
Possess/Sell Look Alike Drug	✓		✓	✓		
Possess/Use Matches or Lighter	✓		✓	✓		
Profanity	✓		✓	✓		
PUID Over Counter Medicine	✓		✓	✓		

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

*Repeated Level II Offenses that substantially disrupt the educational environment and/or safety of the campus, may result in a discretionary DAEP placement.

Most Common Offense Codes With Available Actions	Potential Level II Disciplinary Actions Level I; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL II Offenses-Continued						
Fighting or Mutual Combat	✓	✓	✓	Discretionary		
Theft/Stealing (<i>non-felony</i>)	✓	✓	✓	Discretionary		
Below is a list of common Serious Offenses: (<i>see glossary</i>)	✓	✓	✓	Discretionary		
• Aggressive, disruptive behavior (<i>assault Class C misdemeanor</i>)	✓	✓	✓	Discretionary		
• Assault (<i>no bodily harm</i>) with threat of imminent bodily injury	✓	✓	✓	Discretionary		
• Assault by offensive or provocative physical contact	✓	✓	✓	Discretionary		
• Continued/repeated PEIMS reportable violations	✓	✓	✓	Discretionary		
• Extortion/Coercion/Blackmail	✓	✓	✓	Discretionary		
• Falsification of records/school related documents	✓	✓	✓	Discretionary		
• Inappropriate physical contact with criminal referral	✓	✓	✓	Discretionary		
• Knife blade <5.5 inches	✓	✓	✓	Discretionary		
• Making/ Assisting with making a false alarm or report non-emergency response deployed	✓	✓	✓	Discretionary		
• Possesses/conspiring to possess explosives/explosive devices	✓	✓	✓	Discretionary		
• Possession or use of a stun gun/device, pepper spray, BB/air gun, etc.	✓	✓	✓	Discretionary		
• Possession/Distribution of pornographic materials	✓	✓	✓	Discretionary		

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

*Repeated Level II Offenses that substantially disrupt the educational environment and/or safety of the campus, may result in a discretionary DAEP placement.

Most Common Offense Codes With Available Actions Serious Offenses Continued: <i>(see glossary)</i>	Potential Level II Disciplinary Actions Level I; ISS, OSS <i>(DAEP is discretionary and expulsions are not an option)</i>					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL II Offenses-Continued						
Repeated or severe insubordination	✓	✓	✓	Discretionary		
Repeatedly leaving school grounds without permission	✓	✓	✓	Discretionary		
Robbery (non-felony)	✓	✓	✓	Discretionary		
Unauthorized use/intentional misuse of computer soft/hardware	✓	✓	✓	Discretionary		
Sexual Harassment (documented)	✓	✓	✓	Discretionary		
Sexual Misconduct (documented)	✓	✓	✓	Discretionary		
Vandalism	✓	✓	✓	Discretionary		
Weapons Age <6yrs	✓	✓	✓			

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Most Common Offense Codes With Available Actions	Potential Level III and Level IV Disciplinary Actions Mandatory ISS, OSS, and up to DAEP or Expulsion as indicated					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL III and IV Offense						
Abuse of Volatile Chemical	✓	✓	✓	Mandatory	Discretionary	Discretionary
Aggravated Assault against Non-School District Employee	✓	✓	✓	Mandatory		Mandatory
Aggravated Assault against School District Employee	✓	✓	✓			Mandatory
Aggravated Kidnapping	✓	✓	✓			Mandatory
Aggravated Robbery	✓	✓	✓			Mandatory
Arson	✓	✓	✓			Discretionary
Assault against School District Employee	✓	✓	✓	Mandatory	Discretionary	Discretionary
Assault against Someone other than School District Employee	✓	✓	✓	Mandatory	Discretionary	Discretionary
Breach of Security	✓	✓	✓	Mandatory		Discretionary
Brought Firearm to School	✓	✓	✓			Mandatory

Most Common Offense Codes With Available Actions	Potential Level III and Level IV Disciplinary Actions Mandatory ISS, OSS, and up to DAEP or Expulsion as indicated					
Black Out Actions are Not Available	Level I Actions	ISS	OSS	DAEP	DEP	JJAEP
LEVEL III and IV Offense-Continued						
Conduct Containing Elements of An Offense Relating to Prohibited Weapons	✓	✓	✓			Mandatory
Conduct punishable as a Felony	✓	✓	✓	Mandatory		
Conduct/Off Campus/No School Related Sponsored for Felony Title 5	✓	✓	✓	Mandatory	Discretionary	Discretionary
Continuous Sexual Abuse of Young Child or Children	✓	✓	✓			Mandatory
Criminal Mischief – Felony Violation	✓	✓	✓		Discretionary	Discretionary
Criminally Negligent Homicide	✓	✓	✓			Mandatory
Emergency Placement/Expulsion	✓	✓	✓	Discretionary	Discretionary	Discretionary
Engages in Conduct Punishable as Felony	✓	✓	✓	Mandatory		
Engages in Deadly Conduct	✓	✓	✓	Discretionary	Discretionary	Discretionary
False Alarm/False Report	✓	✓	✓	Mandatory	Discretionary	Discretionary
Felony Alcohol Violation	✓	✓	✓			Mandatory
Felony Controlled Substance Violation	✓	✓	✓			Mandatory
Harassment against an employee of the school district under Penal Code 42.07,	✓	✓	✓	Mandatory		
Indecency with a Child	✓	✓	✓			Mandatory
Manslaughter	✓	✓	✓			Mandatory

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Most Common Offense Codes With Available Actions	Potential Level III and Level IV Disciplinary Actions are Mandatory ISS, OSS, and up to DAEP or Expulsion as indicated					
These offenses are more appropriately handled with School Based Strategies such as: <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction Black Out Actions are Not Available	Additional action options: Assigned School Duties Behavior Contract, Contact w/ Parent, Counseling by Staff, Restorative Circle, Confiscation, Detention, Grade Reduction for Cheating, Parent Conference, Restorative Conference/Chat, Restriction Bus Privileges Withdrawal of Privileges, Student Conference, Saturday Detention	ISS	OSS	DAEP	DEP	JJAEP
LEVEL III and IV Offense-Continued						
Murder, Capital Murder, Criminal Attempt to Commit Murder or Capital Murder	✓	✓	✓			Mandatory
PSUU Cigarette or Tobacco product as defined in the Health and Safety Code	✓	✓	✓			
PSUU Alcohol	✓	✓	✓	Mandatory	Discretionary	Discretionary
PSUU Marijuana or Controlled Substance or Dangerous Drug	✓	✓	✓	Mandatory	Discretionary	Discretionary
Vaping with THC*	✓	✓	✓	Mandatory	Discretionary	Discretionary
Vaping with no THC*	✓	✓	✓	Mandatory		
Public Lewdness or Indecent Exposure	✓	✓	✓	Mandatory	Discretionary	Discretionary
Retaliation Against School Employee	✓	✓	✓	Mandatory	Discretionary	Discretionary
School Related Gang Violence	✓	✓	✓	Discretionary	Discretionary	Discretionary
Serious Bullying- TEC 37.0052	✓	✓	✓	Discretionary		
Serious Misbehavior while expelled to/placed in a DAEP	✓	✓	✓	Mandatory	Discretionary	Discretionary

* Students may be eligible for the First Offense R.I.S.E program. Campus Administrators will notify students of eligibility.

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Most Common Offense Codes With Available Actions	Potential Level III and Level IV Disciplinary Actions Mandatory ISS, OSS, and up to DAEP or Expulsion as indicated					
These offenses are more appropriately handled with School Based Strategies such as: <ul style="list-style-type: none"> • Behavior contract • Change Seat • Cooling-off Time • Counseling/ mediation • Referral to office/court • Verbal Correction Black Out Actions are Not Available	Additional action options: Assigned School Duties Behavior Contract, Contact w/ Parent, Counseling by Staff, Restorative Circle, Confiscation, Detention, Grade Reduction for Cheating, Parent Conference, Restorative Conference/Chat, Restriction Bus Privileges Withdrawal of Privileges, Student Conference, Saturday Detention	ISS	OSS	DAEP	DEP	JJAEP
LEVEL III and IV Offense-Continued						
Sexual Assault or Aggravated Assault against School District Employee	✓	✓	✓			Mandatory
Sexual Assault or Aggravated Sexual Assault against Someone other than School District	✓	✓	✓			Mandatory
Student Required to Register as a Sex Offender – Not Under Court Supervision	✓	✓	✓	Discretionary		
Student Required to Register as a Sex Offender – Under Court Supervision	✓	✓	✓	Mandatory	Discretionary	Discretionary
Terroristic Threat	✓	✓	✓	Mandatory	Discretionary	Discretionary
Unlawful Carry of a Club	✓	✓	✓		Mandatory	
Unlawful Carry of A Location Restricted Knife	✓	✓	✓		Mandatory	

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school sponsored or school-related activity on or off school property the student engages in: 1. Conduct that contains the elements of an offense related to weapons; 2. Conduct that contains the elements of a violent offense; 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Glossary

Abuse is improper or excessive use.

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

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

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

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

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

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

Bodily Injury means physical pain, illness, or any impairment of physical condition. Texas Penal Code § 1.07 (8)

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

Bullying is defined by *Texas Education Code 37.0832* as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

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

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

Cheating is defined as giving or receiving information or help on a test; plagiarizing or representing another person's work as their own, possession of any unauthorized material during a test; copying another student's assignment or knowingly allowing another unauthorized student to copy from his/her assignment; working with others on a project that is meant to be done individually; unauthorized possession of test or quiz questions and/or answer sheets; completing an assignment, test or quiz on behalf of another student; submitting duplicate work; having someone else complete an assignment, test, or quiz on behalf of the student, accessing a teacher edition, or other examples of academic dishonesty. Using electronic devices to send or receive information as described above or utilizing Artificial Intelligence (AI) to represent a student's original work is also classified as cheating.

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

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

Continued/Rpt Non-PEIMS reportable violations are repeated documented level 1 offenses.

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

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

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

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

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

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

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

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

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

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

Disruptive Behavior is when a student engages in behavior causing an interruption in a class or activity. Disruption includes but is not limited to sustained yelling; screaming; noise created with objects; horseplay or roughhousing; off-task behavior that impedes on other people's ability

to learn, and/or sustained non-compliant out-of-seat behavior that distracts from student learning.

Disruption of the Educational Environment is defined as conduct by students either in or out of class which for any reason — whether because of time, place, or manner of behavior— materially disrupts classwork or involves substantial disorder or invasion of the rights of others is prohibited. For purposes of this rule, “school property” shall include the public school campuses or school grounds or buildings used by the District schools for assemblies or other school-related activities, and “public property” includes any street, highway, alley, public park, or sidewalk. No person shall be permitted, on school property or on public property within 300 feet of school property, to intentionally disrupt, alone or in concert with others, the conduct of classes or other school activities. Conduct which disrupts the educational activities of a school includes:

- Emissions by means of noise of an intensity that prevents or hinders classroom instruction;
- Enticement or attempted enticement of students away from classes or other school activities that students are required to attend;
- Prevention or attempted prevention of students from attending classes or other school activities that students are required to attend; and
- Entrance into a classroom without consent of either the principal or the teacher and either through acts of misconduct and/or use of loud or profane language causing disruption of class activities.

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

Exhibit Inappropriate Familiarity (e.g. kissing/touching) is unwanted physical touch, unwanted physical advances, improper intimate friendliness, attempts to touch inappropriately

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

Failure to Comply with Assigned Discipline is when a student refuses to complete an assigned disciplinary action.

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

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

False Document is when a student presents false documents or misrepresents parent notice

Fighting/Mutual Combat is mutual intentional participation in a physical altercation. Includes but is not limited to pushing, hitting, kicking, shoving, pinching, punching, and other intentional physical confrontations. Threatening interactions or antagonistic behavior prior to the encounter will not be considered as self-defense.

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

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

Such term does not include an antique firearm.

Gambling is an agreement to win or lose something of value solely or partially by chance.

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

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

Harassment includes:

- Conduct that meets the definition established in district [policies DIA](#) (LOCAL) and [FFH](#) (LOCAL);
- Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Education Code 37.001(b)(2); or
- Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;

- Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; and
- Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.
- Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
- Making a telephone call and intentionally failing to hang up or disengage the connection;
- Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section.
- Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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

- Any type of physical brutality;
- An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
- An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
- Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

Hit list is defined by Education Code 37.001 (3) as a list of people targeted to be harmed, using: (A) a firearm, as defined by Section 46.01(3), Penal Code; (B) a knife, as defined by Section 46.01(7), Penal Code; or (C) any other object to be used with intent to cause bodily harm.

Horseplay is defined as rough or boisterous play.

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

Inappropriate Physical Contact (i.e. hitting, grabbing) is intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. (Texas Penal Code, Title V, Chapter 22, Section 22.01)

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

Insubordination is when a student engages in refusal to follow directions or talks back.

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

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

Leaving school is defined as leaving the campus without authorization, permission, or following appropriate campus protocols.

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

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

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

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

Non DAEP Threat- A transient threat or threat not meeting the level to cause fear as determined by a campus or district threat assessment.

Obscene Gesture is when a movement or position of the body, especially of the hands or arms that is considered exceedingly offensive or vulgar.

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

Positive Behavioral Interventions and Supports (PBIS) is defined as a decision-making framework that guides the selection, integration, and implementation of evidenced based academic and behavioral practices for improving important academic and behavioral outcomes for all students.

Possess/Sell/Use Over Counter Medicine- Possession, under the influence, or distributing over the countermedicine.

Possess/Sell/Use Look Alike Drug In possession of or distributing a substance that appears or is presented as a controlled substance.

Possess/Sell/Use Matches or Lighter Use/possession of combustibles-Student is/was in possession of substances/objects readily capable of causing bodily harm and/or property damage(matches, lighters, firecrackers, gasoline, and lighter fluid).

Possession means actual care, custody, control, or management. In regard to drugs and alcohol, a student may also be considered in possession by means of consumption. A student shall be considered to be in possession of any amount of a substance or object prohibited or regulated by this Student Code of Conduct if the substance or object is:

- On the student's person or in the student's personal property, including but not limited to the student's clothing, purse, book bag, backpack, or briefcase;

- In any private vehicle driven by the student to or from school or school-related activities, including but not limited to, an automobile, truck, motorcycle, or bicycle; or
- Telecommunications or electronic devices; or
- In any school property used by the student, including but not limited to, a locker or a desk.

Additionally, a student's self-admission to the possession of a prohibited substance or object at school or at a school-related activity is considered to have been in possession for the purpose of assessing school disciplinary consequences. Students should be cautious about holding on to items, distributing items, or placing items in their lockers for other students.

Profanity- Student delivers verbal messages that include swearing, name calling, or use of words in an inappropriate way.

Prohibited weapon under Penal Code 46.05(a) means:

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

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

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

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

Referral Dismissed- Duplicated or erroneous discipline entry.

Restorative Practices is defined as an approach that helps strengthen relationships, build community, and prevent conflict. It is a way of being, thinking, interacting, teaching and learning centered around building relationships.

Robbery/Theft/Stealing (non-felony) is taking money or personal property without permission.

Safety Rule Violation- Level 1 offense that creates potential for harm to student's safety.

Self-defense is the use of force against another to the degree a person reasonably believes is immediately necessary to protect himself or herself. To claim self-defense, the student must (1) be without fault in provoking the encounter, (2) not act as aggressor, (3) overtly expresses a reluctance to engage in mutual combat and (4) use the minimum force required to remove himself or herself from immediate danger or harm. Actions that escalate or continue the encounter will not be considered self-defense. Threatening interactions or antagonistic behavior prior to the encounter will not be considered as self-defense.

Serious bodily injury means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Serious bullying TEC Sec.37.0052 (b) defines bullying behavior as:

- (1) engages in bullying that encourages a student to commit or attempt to commit suicide;
- (2) incites violence against a student through group bullying; or
- (3) releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent

Serious misbehavior means;

- (1) Deliberate violent behavior that poses a direct threat to the health or safety of others;
- (2) Extortion, meaning the gaining of money or other property by force or threat;
- (3) Conduct that constitutes coercion, as defined by Section 1.0, Penal Code; or
- (4) Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08
 - c. Criminal mischief under Penal Code 28.03
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student of district employee.

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

- Behavior identified by the district as grounds for discretionary DAEP placement;
- Actions or demonstrations that substantially disrupt or materially interfere with school activities;
- Repeated or severe Insubordination;
- Repeated Profanity, vulgar language, or obscene gestures;
- Repeatedly leaving school grounds without permission;
- Falsification of records, passes, or other school-related documents;
- Refusal to accept discipline assigned by the teacher or principal;
- Continued/repeated PEIMS reportable violations;
- Extortion/Coercion/Blackmail;
- Possession/Distribution of pornographic materials;
- Possession of a knife blade <5.5 inches;
- Vandalism;
- Inappropriate physical contact with criminal referral;

- Possesses/conspiring to possess explosives/explosive devices;
- Possession or use of a stun gun/device, pepper spray, BB/air gun, etc.;
- Making/ Assisting with making a false alarm or report non-emergency response deployed;
- Aggressive, disruptive behavior (assault Class C misdemeanor);
- Unauthorized use/intentional misuse of computer soft/hardware;
- Assault (no bodily harm) with threat of imminent bodily injury; or
- Assault by offensive or provocative physical contact.

Sexting is defined as the practice of sending sexually suggestive, nude, or partially nude photographs and/or sexually explicit messages electronically.

Sexual harassment is defined as conduct that is so severe, pervasive, and objectively offensive that it can be said to deprive the victim of access to the educational opportunities or benefits provided by the school. Sexual harassment does not include simple acts of teasing and name-calling among school children, even when the comments target differences in gender. (Teasing or name-calling is disciplined based on the seriousness of the offense as specified on the discipline charts.) If a student believes he/she has been sexually harassed, the student or the student's parents should report the incident to any of the following: principal, assistant principal, counselor, or the District's Title IX Coordinator, or the Director of Human Resources.

If a student's conduct is offensive and unwelcome, campus administrators will determine how the conduct should be disciplined in accordance with the District's Discipline Management Plan and Student Code of Conduct. Consequences for misbehavior classified as sexual harassment apply to students of all ages.

Sexual misconduct is misconduct of a sexual nature that is of lesser offense than sexual harassment and other Title IX behaviors. These behaviors may include but are not limited to non-consensual groping, offensive sexually charged statements, unwanted sexual advances that do not meet criteria for Title IX offenses, statements or comments sexual in nature that a reasonable person would deem as offensive.

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

SK-Skipping a Class- Student leaves or misses class without permission.

Tardies- Student arrives at class after the bell (or signal that class has started).

Telecommunication device is defined as items such as, but not limited to, cell phones, smart phones, smart watches, electronic readers, and laptops with the capability of sending and receiving messages or information, and any related accessories including but not limited to wires, headphones, and ear clips.

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

- Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
- Place any person in fear of imminent serious bodily injury;
- Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile,

or other form of conveyance; or other public place;

- Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
- Place the public or a substantial group of the public in fear of serious bodily injury; or
- Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

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

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

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

Trauma Informed Practice is defined as a strength-based framework grounded in an understanding of and responsiveness to the impact of trauma.

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student

“under the influence” need not be legally intoxicated to trigger disciplinary action.

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

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

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Information: Policy EIC (Local)
Rank Considerations Class of 2024
& 2028 Update
References: Board Goal 4
Department: Academic Affairs

Summary

Staff will provide an update to the information about class rank shared during the July 27, 2023, Board Workshop.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Kimberly Lawson
Chief Academic Officer



Why Discuss Class Rank Now?

- April 17, 2023, Board Meeting, the Board voted for onetime release of class rank and for administration to research and provide information for the Board's consideration related to the ranking policy.

What was done?

Based on the Board's input and the follow-up policy committee discussion, the following were items included in the July 27, 2023, Board workshop on class rank to further inform and advise:

- Universities ranking practices and procedures, pros and cons of ranking, as well as other school districts ranking practices and;
 - Universities contacted about how they consider students rank or quartile as part of the overall admissions process.
 - Texas as well as out of state colleges.
 - Provide where our students attend universities.
 - Questions we posed to universities:
 - What impact does Not ranking have on college admissions?
 - Do students get in at higher or lower rates when not ranking vs ranking or quartile?
- Other school districts policies or procedures on ranking, not ranking, if they provide any quartile information.
- Research the rationale of ranking vs. not ranking, the value of quartile, and considerations for students' mental health and well-being.
- Ranking methodology zoned and attending, as well as program of choice data with individual case study options were provided.
- Accountability research was also provided.
- Stakeholder input was provided in the form of a district survey.



FAMILIES

1,731



DISTRICT & SCHOOL-
BASED STAFF

777



STUDENTS
GRADES 6-12

1,370

Key Findings Class Rank

- Agreement across stakeholder groups to recommend ranking students into quartile & top 10%
- Agreement across groups to rank students with the campus they attend

Ranking

	Parents		Students		Staff	
	Rank	Weighted Score and Percentile	Rank	Weighted Score and Percentile	Rank	Weighted Score and Percentile
All students get what quartile they fall into (Top 10%, Top 25%, Top 50%, Top 75%) and top 10% get their rank.	1	3925 (100 th)	1*	3060 (100 th)	1	1764 (100 th) 124
All students get their specific rank within their graduating class	2	3568 (91 st)	2*	3018 (99 th)	2	1639 (93 rd)
Only the top 10% receive rank	3	2809 (72 nd)	3	2046 (67 th)	3	1205 (68 th)

* Student Rankings were close to equal between Rank 1 and 2 choices

Parents

What would be your preferred method for ranking?

Grade Level	Rank academy and program of choice students with only their academy or program of choice.	Rank students with the campus they attend (students in academy and programs of choice are included in top 10% calculation of zoned students).	Rank academy and program of choice students with other academy or program of choice students as one district academy.	Rank academy and program of choice students with other academy or program of choice students into two District academies – one for the Humanities and one for STEM fields of study.	Rank students with the campus they are zoned to and may not be attending (students that choose to go to an academy or program of choice will be included in the calculation of rank at their zoned campus). ¹²⁵
PK-5	1	2	3	4	5
6	1	2	4	3	5
7	2	1	3	4	5
8	1	2	3	4	5
9th or Freshman	1	2	3	4	5
10th or Sophomore	1	2	3	4	5
11th or Junior	1	2	3	4	5
12th or Senior	1	2	3	4	5

Students

What would be your preferred method for ranking?

	Rank academy and program of choice students with only the academy or program of choice.	Rank students with the campus they attend (students in academy and programs of choice are included in top 10% calculation of zoned students).	Rank academy and program of choice students with other academy or program of choice students as one district academy.	Rank academy and program of choice students with other academy or program of choice students into two District academies – one for the Humanities and one for STEM fields of study.	Rank students with the campus they are zoned to and may not be attending (students that choose to go to an academy or program of choice will be included in the calculation of rank at their zoned campus).
6	2	1	4	5	3
7	1	2	3	5	4
8	2	1	4	3	5
9	2	1	4	5	3
10	2	1	4	5	3
11	2	1	3	5	4
12	2	1	3	4	5

Survey Perceptions of Ranking/Programs of Choice

Ranking Options	Parents Rank	Students Rank	Staff Rank
Rank academy and program of choice students with only their academy or program of choice.	1	2	1
Rank students with the campus they attend (students in academy and programs of choice are included in top 10% calculation of zoned students).	2	1	2
Rank academy and program of choice students with other academy or program of choice students as one district academy.	3	3	¹²⁷ 3
Rank academy and program of choice students with other academy or program of choice students into two District academies – one for the Humanities and one for STEM fields of study.	4	5	4
Rank students with the campus they are zoned to and may not be attending (students that choose to go to an academy or program of choice will be included in the calculation of rank at their zoned campus).	5	4	5

Clarification – University Admissions



Question: How do we know they don't look at students differently if they come from a ranking or non-ranking district?

Answer :

Per Gabby Cabangon, University of Houston Lead Recruitment Specialist Office of Admissions, stated:

“Thanks for reaching out! For students who come from a ranking district, if they meet the requirements based off their rank, they'll be admissible to the university. For example, students who apply with their test scores and are in the Top 11-25% of their class and have at least a 1080 on their SAT or 21 on their ACT have assured admission into UH. See below for reference:

For students who chose to not apply with test scores, we calculate an unweighted GPA on a 4-point scale based off of their core classes: Math, Science, English, and Social studies. If they don't meet assured admissions criteria, they'll undergo our individual review process where we'll look at additional documents before determining eligibility. See below for reference:

For students coming from a non-ranking district, they will automatically undergo the individual review process to determine admissibility.”

test score and without a test score below.

Requirements With Test Score >

Class Rank	SAT or	ACT	Admission Type
Top 10%	No Minimum	No Minimum	Assured Admission
11 - 25%	1080	21	Assured Admission
26 - 50%	1170	24	Assured Admission
51% and Lower, No Rank	—	—	Individual Review*

Requirements Without a Test Score >

Class Rank	Calculated Unweighted GPA**	Admission Type
Top 10%	No Minimum	Assured Admission
11 - 25%	3.40 or higher	Assured Admission
	lower than 3.40	Individual Review*
26 - 50%	3.45 or higher	Assured Admission
	lower than 3.45	Individual Review*
51% and Lower, No Rank	—	Individual Review*

If you don't meet the assured admissions requirements, we may consider additional factors in the admissions process. If we require additional documentation, we'll request those materials from you.

**This unweighted GPA will be calculated by the University of Houston (out of a 4.0 scale) using English, math, science, and social studies grades on your transcript. Extracurricular classes will not be included.

Clarification- Technology feasibility



Question: Technology – **What are our options for providing the rank as requested?** Can we allow the Counselor to have access but not show it to students and parents? OR what are the options?

Answer:

- In Skyward, we can store rank without allowing students and parents access to the number.
 - However, having any staff charged with providing rank is unrealistic.
- Systematically, we do not have the option of providing rank on the transcript by request only.
- Changes to the transcript can only be made at the level of graduating class. This means what we provide on the transcript (including rank) is for all or none of the students.

As of August 1st, late afternoon, we have found another field that needs to be thoroughly tested since we are not aware of exactly what this might do. We are putting together a testing plan and can provide results of the testing once complete.

Question:

Does the law allow us to change the policy for classes that are already in high school? Specifically regarding:

1. Changing where academy students are ranked (zoned campus vs attending campus) and
2. Only rank the student based on the quartile and keep the district as a non-ranked district?

Answer:

- ***There is no legal prohibition that would prevent the District from changing its policy to affect students who have already begun high school.***
- ***The District can choose which campus' student body – a student's zoned school or school of attendance – to include academy students in for ranking purposes.***
- ***The District can provide quartile rankings (as well as the legally mandated top 10% rankings) and remain a “no rank” District.***

Clarification - TEC Ranking vs Non-Ranking



- Ranking vs Non-Ranking is not clearly defined in TEA guidance, administrative rules, or the Education Code.
- TEA’s “Minimum Standards for the Academic Achievement Record” provides a student’s transcript should indicate “DNR” for “Does Not Report” **if class rank is not calculated or reported.**
- The Texas Administrative Code (19 TAC 5.5) provides
 - **“Class rank shall be determined by the school or school district** from which the student graduated or is expected to graduate.”¹³¹
 - “The student’s rank shall be reported by the applicant’s high school or school district **as a specific number out of a specific number total class size.**”

Ranking Academies Separately

- Can we rank academies, ECHS, and PTECHs separate from the campus they are housed on as their own class ranking academy group?
 - TEC 51.8045 allows a school district to treat certain academies as their own school for purposes of class rank.
 - TEC 51.8045 only applies to academies that were in operation as of the 2000-2001 school year.



The image shows a vertical historical timeline for Fort Bend ISD Academies. At the top, it says 'FORT BEND ISD ACADEMIES' with a row of seven icons: a flask and 'A', a gear, a globe, a play button, a stethoscope, a lightbulb, and a dollar sign. Below this is the title 'HISTORICAL TIMELINE'. The timeline consists of two white rounded rectangular boxes on a blue background. The first box is for the year 1998, marked with a play button icon, and describes the opening of Hightower High School and its three original academies. The second box is for the period 2008-2010, marked with a globe icon, and describes the expansion of the academy programs to various high schools and middle schools.

FORT BEND ISD
ACADEMIES

HISTORICAL TIMELINE

1998

Hightower High School opens their doors and debuts the 3 original Academy Programs: The Digital Media Academy, Engineering Academy, and Medical Science Academy

2008-2010

FBISD decides to expand the Academy Programs by creating the Global Languages Academy (rebranded in 2010 to the Global Studies Academy) at Clements High School, the Math & Science Academy at Dulles High School, the International Business & Marketing Academy at Bush High School, the Electrical Engineering Academy at Marshall High School, and the IB (International Baccalaureate) also at Marshall High School

GT Academy at Quail Valley Middle School & IB Middle Years Program implemented at Missouri City Middle School

132

Clarification- Graduation

Question: Do we know the impact of rank on class of 2024 Graduation and top-ranking students (example: graduation speakers, for graduation do students attend the graduation of the school that they attend or from the school they are ranked with)?

• **Answer:**

- Students who are under rank rules for the class of 2024, therefore being ranked where they are zoned, **will walk in the graduation ceremony with the campus they attend.**
- Students would **apply to participate as a graduation speaker at the campus they attend.**
- All honor graduates would be **recognized regardless of the campus they are ranked with at the campus they attend** during the campus they attend graduation ceremony.

Honor	Criterion
Valedictorian	Highest Cumulative GPA 133
Salutatorian	Second-Highest Cumulative GPA
Summa Cum Laude	Cumulative GPA = 97 or higher
Magna Cum Laude	Cumulative GPA = 96–93
Cum Laude	Cumulative GPA = 92–90

Class of 2024 Class Rank Comparison – (Zoned method)

Class of 2024 Top 10%			
Rank Based on Where a Student Lives	# in top 10%	Summer Class Rank	
		Number Attending	Number of Not Attending
DHS	47	42	5
WHS	25	17	8
CHS	58	52	6
KHS	48	42	6
EHS	61	46	15
AHS	48	40	8
HHS	53	45	8
BHS	54	45	9
MHS	27	20	7
THS	73	68	5
RPHS	68	55	13

Class of 2024 Ranked at Attending Campus (Old/Attending Method)

Rank Based on Where a Student Attends HS	Campus Top 10% Total Number of Students	# of Non-Program of Choice Zoned Students in Top 10%	Program of Choice Students	
			Non-Zoned Students in Top 10%	Zoned Program of Choice Students in Top 10%
Travis HS	75	54	14	7
Hightower	60	21	31	8 ¹³⁵
Elkins	64	41	10	13
Dulles	56	12	29	15
Marshall	28	4	10	14
Willowridge	27	15	2	10

Recommendation

Class Rank Recommendation

- Beginning with September for the class of 2024
 - Provide all students with their quartile
 - 6%
 - 10%
 - 25%
 - 50%
 - 75%
 - Top 10% via notification letters continues
 - This would provide a balance between academics and mental health while also supporting students with auto admissions and scholarships.

Program of Choice and Rank Recommendation

- For the classes of 2024, 2025, 2026, and 2027: continue following the current 2024 policy of ranking where students are zoned.** Students stay with the current method of ranking with the zoned campus.
- For the class of 2028 and beyond (Students not yet in HS):**

Rank by Zoned Campus	Rank by Attending Campus
<ul style="list-style-type: none"> Disperses the academy students in top 10% spots across all HSs 	<ul style="list-style-type: none"> Concentrates academy students in the top 10% spots to the 6 HSS with Programs of Choice
<ul style="list-style-type: none"> Labor intensive for running rank 	<ul style="list-style-type: none"> Automatic rank runs in Skyward – standard
<ul style="list-style-type: none"> Students are ranked with students in their community that they may have gone to Elem or MS with 	<ul style="list-style-type: none"> Students have the same teachers, same course options, same remediation and same campus culture
<ul style="list-style-type: none"> In 2019 families at DHS and HHS asked for a different ranking option 	<ul style="list-style-type: none"> Parents, students, and staff choose this option on survey

F O R T B E N D I S D

16431 Lexington Blvd.

Sugar Land, TX 77479

281-634-1000

www.fortbendisd.com

Board Workshop

Slides for Reference

College Admissions Regarding Non-Ranking Districts

University of Houston	Considered by individual review
Texas A&M	<ul style="list-style-type: none"> • Student will be assigned a rank based off their Self-Reported Academic Record (transcript) • Academic Factors: Grades earned, rigor of coursework, GPA, extra curricular activities, leadership, community service, extraordinary opportunities
University of Texas at Austin	<ul style="list-style-type: none"> • Strength of academic background • Test scores • Record of achievements, honors, and awards • Special accomplishments, work, and service both in and out of school • Essays • Special circumstances that put the applicant's academic achievements into context, including his or her socioeconomic status, experience in a single parent home, family responsibilities, experience overcoming adversity, cultural background, race and ethnicity, the language spoken in the applicant's home, and other information in the applicant's file • Recommendations (although not required) • Competitiveness of the major to which the student applies
Texas State	<ul style="list-style-type: none"> • Student will be assigned a rank based off the applicant's academic rigor, grades, GPA, and high school profile
Lamar University	<ul style="list-style-type: none"> • High school transcript review • Minimum SAT/ACT score
Stephen F. Austin	<ul style="list-style-type: none"> • High school transcript review • Minimum SAT/ACT score

College Admissions Requirements By College Websites in the Spring of 2023

Holistic Review and No Auto Admin	Holistic outside Top 10% (Top 6% UT)	Quartile	Min GPA Required for Admission	SAT/ACT Required for Admission	SAT/ACT Optional for Admission
<ul style="list-style-type: none"> • Baylor • Duke • Harvard • LSU • MIT • University of Arkansas • University of Oklahoma • Yale • Texas Christian University 	<ul style="list-style-type: none"> • Texas A&M • University of Texas at Austin 	<ul style="list-style-type: none"> • Houston Christian University (HBU) (top 50% plus ACT/SAT Score) • Lamar University (Auto Admin) • Stephen F. Austin (Top 25% Auto Admin) • Texas State (Top 75% Auto Admin) • University of Houston (Quartile plus test score or GPA min) 	<ul style="list-style-type: none"> • Mississippi University • Texas Southern • University of Arkansas • University of Houston (if not test scores) 	<ul style="list-style-type: none"> • Houston Christian University (HBU) • Mississippi University • Stephen F. Austin • Texas Southern (if GPA not met) • Lamar (outside 3rd/4th quartile) 	<ul style="list-style-type: none"> • Duke • Harvard • MIT • Stanford • Rice ¹⁴⁰ • Texas A&M • Texas Christian University • Texas State (top 75%) • University of Houston • Yale

Ranking Policies of Surrounding Districts

Fort Bend ISD: 79,660 students with 26,338 students enrolled in High School

School District	Total Enrollment	HS Enrollment	Ranking Policy
Clear Creek	40,693	13,180	A class ranking grade point average shall be determined by dividing the total number of grade points earned by the total number of semesters units attempted in the categories of: English/Language Arts (non-elective), Mathematics, Science, Social Studies (non-elective), World Languages and Culture
Friendswood	6,065	1,943	Friendswood provides rank to the Top 10% only. Only core classes and world language classes count for ranking purposes.
Houston	189,939	46,402	Provides Rank
Katy	93,935	29,835	Katy provides rank to Top 10% and notification to the Top 25%
Pearland	21,296	6,940	Provide Rank on transcripts to all students
Pasadena	48,726	15,813	Provide Rank on transcripts to all students
Spring Branch	33,536	10,051	Spring Branch provides rank to Top 10%; however, it is only reported to the transcript if the student requests it in writing on or before 10/15.
Lamar Consolidated	39,379	12,246	First high school rank/GPA is run in the spring of the student's sophomore year and provided via Skyward Student Profile.

Comparison Districts in Texas and Rank Policy

District	Total Enrollment	HS Enrollment	Rank Policy
Dallas ISD	139,082	39,314	Campus chooses between two options and select the classes that will count towards the rank:
Eanes ISD	7,818	2,877	Eanes provides rank to the top 10% and anyone outside of this receives their cumulative GPA on their transcript.
Frisco ISD	67,226	22,083	Frisco provides the lowest GPA for Quartile 1, 2, 3, and 4 to the graduating class.
North East ISD San Antonio	58,556	19,857	North East provides rank to the top 10% and anyone outside of this receives their cumulative GPA on their transcript.
Plano ISD	48,921	15,762	Plano does not publish class ranks beyond the Top 10 percent of each graduating class.

Most Common Higher Education Entities Class of 2021 Students Enrolled In In The Fall After Graduation By District (Courtesy of THECB and NSC)

Note: the ranking system under the district name is the type of system

District	Highest Enrollment	Second Highest	Third Highest	Fourth Highest	Fifth Highest
Fort Bend	University of Houston	Houston Community College	Wharton County Junior College	Texas A&M	University of Texas at Austin
Katy (top 10% & Quartile)	Lone Star College Cy Fair	Houston Community College	University of Houston	Texas A&M	University of Texas at Austin 143
Lamar ISD (Ranks)	Wharton County Junior College	University of Houston	Blinn College	Texas A&M	Texas State
Spring Branch (Only Top 10%)	Texas A&M University	University of Texas at Austin	Houston Community College	University of Houston	University of Houston Downtown
Houston ISD (Ranks)	Houston Community College	University of Houston	University of Houston Downtown	San Jacinto Community College	University of Texas at Austin

Most Common Higher Education Entities Class of 2021 Students Enrolled In In The Fall After Graduation By District (Courtesy of THECB and NSC)

District	Highest Enrollment	Second Highest	Third Highest	Fourth Highest	Fifth Highest
Friendswood ISD (Top 10% Only)	San Jacinto Community College	Texas A&M	Texas State University	University of Texas at Austin	Blinn College District
Clear Creek ISD (Rank going away with Class of 2027)	San Jacinto Community College	University of Houston	Texas A&M	University of Houston Clear Lake	University of Texas at Austin ¹⁴⁴
Pasadena ISD (Rank)	San Jacinto Community College	University of Houston	University of Houston Clear Lake	University of Texas at Austin	University of Houston Downtown
Pearland ISD (Rank)	San Jacinto Community College	University of Houston	Alvin Community College	Texas A&M	University of Texas at Austin

Most Common Higher Education Entities Class of 2021 Students Enrolled In In The Fall After Graduation By District (Courtesy of THECB)

District	Highest Enrollment	Second Highest	Third Highest	Fourth Highest	Fifth Highest
Plano ISD (Top 10%)	Collin Community College	University of Texas at Dallas	Texas A&M	University of Texas at Austin	University of North Texas
Dallas (Campus Decision)	Dallas College District	University of Texas at Arlington	University of North Texas	University of North Texas at Dallas	Texas Woman's University <small>145</small>
Frisco ISD (Provides Lowest GPA for Quartiles)	Collin Community College	University of Texas at Dallas	University of Texas at Austin	Texas A&M	University of North Texas
Eanes ISD (Only Top 10%)	University of Texas at Austin	Texas A&M	Austin Community College	University of Texas at San Antonio	Texas Tech
North East ISD San Antonio (Only Top 10%)	University of Texas at San Antonio	Alamo CCD San Antonio College	Alamo CCD NE Lakeview College	Texas A&M	Texas State University

Fort Bend ISD Class of 2022 Colleges Fall Enrollment

Name	<u>Class of 2022 Total Enrollment Fall 2022</u>
HOUSTON COMMUNITY COLLEGE	5,107
UNIVERSITY OF HOUSTON	4,524
WHARTON COUNTY JUNIOR COLLEGE	3,786
UNIVERSITY OF TEXAS AT AUSTIN	1,867
TEXAS A&M UNIVERSITY	1,854
UNIVERSITY OF TEXAS - SAN ANTONIO	960
TEXAS STATE UNIVERSITY - SAN MARCOS	851
UNIVERSITY OF TEXAS AT DALLAS	751
PRAIRIE VIEW A&M UNIVERSITY	746
SAM HOUSTON STATE UNIVERSITY	744
TEXAS TECH UNIVERSITY, LUBBOCK	553
TEXAS SOUTHERN UNIVERSITY	509
UNIVERSITY OF HOUSTON-DOWNTOWN	509
BLINN COLLEGE	437
HOUSTON BAPTIST UNIVERSITY	415
BLINN COLLEGE- BRYAN CAMPUS	309
LAMAR UNIVERSITY - BEAUMONT	297
BAYLOR UNIVERSITY	290
STEPHEN F. AUSTIN STATE UNIVERSITY	271
UNIVERSITY OF NORTH TEXAS	254
TEXAS A&M UNIVERSITY - CORPUS CHRISTI	216
UNIVERSITY OF TEXAS ARLINGTON	205

146

Fort Bend ISD Class of 2023 Intended Fall Enrollment

College	Class of 2023 Attending
University of Houston	459
Houston Community College System	328
Texas A & M University-College Station	261
The University of Texas at Austin	218
Texas State University	100
Sam Houston State University	93
Wharton County Junior College	92
Prairie View A & M University	87
The University of Texas at San Antonio	82
The University of Texas at Dallas	80
Blinn College	62
Texas Tech University	54
Texas Southern University	45
University of North Texas	36
Baylor University	31
Houston Christian University	30
University of Houston-Downtown	28
Louisiana State University	26
University of Oklahoma-Norman Campus	25
Texas A&M University, Corpus Christi	22
University of St. Thomas (TX)	22
Rice University	21
University of Houston	19

* 2023 Data from Naviance. Not all students may have completed the steps to indicate attending in Naviance

Class of 2023 Class Rank Ran Under Current EIC Policy

Class of 2023 Top 10%

Rank Based on Where a Student Lives	Number of Students in the Top 10%	Number Attending	Number of Not Attending	Noticings
DHS	47	46	1	
WHS	30	25	5	
CHS	61	51	10	
KHS	48	45	3	148
EHS	64	40	24	Val does not attend
AHS	55	47	8	
HHS	54	43	11	Val does not attend
BHS	67	27	40	Val and Sal do not attend, and numbers 1-40 do not attend
MHS	33	25	8	
THS	70	62	8	
RPHS	78	69	9	

3 Class of 2024 Academy Students Ranked Three Different Ways

3 Class of 2024 Academy Students Ranked Three Different Ways

Student	Attending Campus	Rank with Attending Campus	Zoned Campus	Rank with Zoned Campus	Program of Choice	Rank in Academy
Aiden	Travis HS	1	Clements	2	Global Studies Academy	1 <small>149</small>
Elias	Dulles HS	1	Elkins	1	Math & Science	1
Sienna	Hightower HS	1	Austin	6	Medical Science	1

Programs of Choice: Academies

Grade Level	Academy Required AAC classes (5pt GPA Weight)		Academy Required AP Classes (10pt GPA Weight)		Academy Required on-level classes (No GPA Weight)		Elective or Core Courses (Could Be On-Level or AAC/AP)	
	Engineering	Math & Science	Engineering	Math & Science	Engineering	Math & Science	Engineering	Math & Science ₁₅₀
9th	3*	3*	0	0	1	0	3	4
10th	2	2	0	1	1	0	3	4
11th	0	0	1	2	2	0	4	6
12th	0	0	1	3	1	0	6	4

*Indicates that students must choose between an AAC or AP course.

Advanced Level Courses Available to all Students by Campus for the 2022-23 School Year

Campus	AAC	AP	Dual Credit (semester courses)	Total
Austin	14	40	4	58
Bush	12	33	6	51
Clements	16	41	3	60
Dulles	13	39	4	56
Elkins	14	43	6	63
Hightower	11	24	8	43
Kempner	13	28	4	45
Marshall	12	16	10	38
Ridge Point	13	40	10	63
Travis	16	40	8	64
Willowridge	12	18	8	38

151

Class of 2023 Valedictorian Four Year Path VS. Program of Choice Four Year Path

Non-Academy Valedictorian				Academy Valedictorian		
	On Level Courses	AAC Course	AP/DC Courses	On Level Courses	AAC Course	AP/DC/H Courses
9 th Grade	2	4	2	1	4	3
10 th Grade	2	3	2	0	2	5 <small>152</small>
11 th Grade	2	1	6	0	0	7
12 th Grade	2	0	5	4	0	4
Came into 9 th grade with 3 AAC credits earned in their 7 th and 8 th grade year				Came into 9 th grade with 3 AAC and 3.5 Regular credits earned in their 7 th and 8 th grade year		

Course Options at MHS

Course Requirements										
Grade Level	Required Dual Credit Courses		Required AAC classes		Required AP Classes		Required on-level classes		Courses (Could Be On-Level or AAC/AP)	
	ECHS	MHS	ECHS	MHS	ECHS	MHS	ECHS	MHS*	ECHS	MHS
9th	0	0	4	0	0	0	4	4	0	4
10th	2	0	4	0	0	0	1	1	0	7
11th	9	0	0	0	0	0	1	0	2.5	8
12th	9	0	0	0	0	0	1	0	2.5	8

*The only on level courses required for students is PE, Speech, Health, and Level I and II foreign language for graduation credits

Programs of Choice: P-TECHS

Grade Level	Required Dual Credit Courses (10 pt GPA weight) Dual Credit courses are a semester long.		Required AAC classes (5pt GPA Weight)		Required AP Classes (10pt GPA Weight)		Required on-level classes (No GPA Weight)		Elective or Core Courses(Could Be On-Level or AAC/AP)	
	HHS	WHS	HHS	WHS	HHS	WHS	HHS	WHS	HHS	WHS
9th	0	1	4	4	0	0	4	2	0	1
		Summer 1								
10th	2	4	3	3	0	0	3		1	1
	Summer 2							Summer 1		
11th	8	5	0	0	2	0	1	2	1	5
	Summer 2	Summer 1								
12th	7*	6	0	0	2	0	1	1	1	4

154

*Practicum requires two offer periods

Programs of Choice: Academies

Grade Level	Required AAC classes (5pt GPA Weight)		Required AP Classes (10pt GPA Weight)		Required on-level classes (No GPA Weight)		Elective or Core Courses (Could Be On-Level or AAC/AP)	
	Digital Media	Med. Sci	Digital Media	Med. Sci	Digital Media	Med. Sci	Digital Media	Med. Sci
9th	1	1	0	0	1	2	6	5
10th	2*	2*	0	0	1	1	5	5
11th	0	0	1	1	2	0	5	4
12th	0	0	1	0	1	2	6	6

*Indicates that students must choose between an AAC or AP course or an on-level or AP course.

Programs of Choice: Academies

Grade Level	Required AAC classes (5pt GPA Weight)		Required AP Classes (10pt GPA Weight)		Required on-level classes (No GPA Weight)		Elective or Core Courses (Could Be On-Level or AAC/AP)	
	Global Studies	Int. Bus. & Mkt **	Global Studies	Int. Bus. & Mkt **	Global Studies	Int. Bus. & Mkt **	Global Studies	Int. Bus. & Mkt **
9th	2*	0	0	0	1	1	4	6
10th	1	0	0	0	2	2	4	5
11th	1	0	0	0	2*	2	4	5
12th	0	0	2	0	2	1	3	6

*Indicates that students must choose between an AAC or AP course or an on-level or AP course.

**Students must take a total of either 4 AAC/AP courses over four years

Modeled Accountability Impact: Programs of Choice

Scenario	Impacted Campuses	Notes on Impact
A	<ul style="list-style-type: none"> Travis HS Hightower HS Kempner HS Willowridge HS 	HHS would not meet target in Closing the Gaps (Math)
B	<ul style="list-style-type: none"> Travis HS Hightower HS Kempner HS Willowridge HS Marshall HS 	HHS would receive a D rating and not meet target in several areas of Closing the Gaps
C	<ul style="list-style-type: none"> Elkins HS Dulles HS Travis HS Kempner HS 	EHS and THS would not meet target in some areas of Closing the Gaps
D	<ul style="list-style-type: none"> Hightower HS Willowridge HS 	HHS would not meet target in Closing the Gaps (Reading)

General theme:

- Moving programs of choice within larger campuses has minimal impact on both the sending and receiving schools in the 2022 accountability system.
- Largest and negative impact when lower enrollment campuses lose academy students in accountability ratings.

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
**Action: Information: Budgetary, Legislative
and Compensation Update**
References: Board Policy CE (Legal)
Board Policy CFA
(Business and Finance)
Department: Executive Leadership Team

Summary

Staff will provide an update on budgetary, legislative and compensation items for the 2023-24 school year. New information is available based on the outcome of the second special legislative session that adjourned on July 12, 2023.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Bryan Guinn
Chief Financial Officer



What did the state provide in the 88th session?

- How our legislators might see it:
 - » \$8.7B in new money for schools

Sec. 18.78. Contingency for Public Education Funding.

- (a) The following is an informational listing of appropriations made in this rider and elsewhere in this Act to provide additional funding for education in prekindergarten through grade 12:

(in millions)	2024-25
Amounts appropriated in this rider:	
Curriculum	\$500.0
School Safety	\$300.0
FSP Formula Funding Increases and Teacher Compensation (incl. TRS)	\$3,996.7
School Choice	\$500.0
Virtual Education	\$49.4
Amounts appropriated elsewhere in this Act:	
TRS Active Care	\$588.5
Increase in Golden Penny Yield	\$2,366.7
Increase in New Instructional Facilities Allotment	\$60.0
Instructional Materials	\$307.0
GR Totals	\$8,668.3



What did the state provide in the 88th session?

- How we see it:

Sec. 18.78. Contingency for Public Education Funding.

- (a) The following is an informational listing of appropriations made in this rider and elsewhere in this Act to provide additional funding for education in prekindergarten through grade 12:

(in millions)	2024-25
Amounts appropriated in this rider:	
Curriculum	\$500.0
School Safety	\$300.0
FSP Formula Funding Increases and Teacher Compensation (incl. TRS)	\$3,996.7
School Choice	\$500.0
Virtual Education	\$49.4
Amounts appropriated elsewhere in this Act:	
TRS Active Care	\$588.5
Increase in Golden Penny Yield	\$2,366.7
Increase in New Instructional Facilities Allotment	\$60.0
Instructional Materials	\$307.0
GR Totals	\$8,668.3

Use restricted to specific purposes; funding may not cover costs.

Contingent on legislation that did not pass.

FBISD not on TRS Care

Restoration of prior cuts.

What about the special session?

88th Regular Session Update – New Total Funding (in millions) 

New State Share Increases for Public Education

Recurring Funding Increases:

Property tax reductions – Appropriated & issued	\$ 5.305	GAA IX 18.79
Property tax reductions – Appropriated & contingent	12,295	GAA IX 18.79

Will change state / local share, but not total school budget.

Used to fund SB2; not an increase for PubEd, but a tradeoff of state vs local.

162

- State passed \$18B in property tax relief
- Compresses tax rate by additional 10.7¢
- Increases homestead exemption to \$100k
- Does *not* result in more money for school districts

Area Districts that Adopted Deficit Budgets

District	Raises	Surplus/(Deficit) ¹	Fund Balance ²
Aldine ISD	✓	(\$169.2M)	\$390.2M
Alvin ISD	✓	(\$10.0M)	\$103.1M
Cy-Fair ISD	✓	(\$138.6M)	\$520.3M
Klein ISD	✓	(\$30.0M)	\$235.4M
Spring Branch ISD	✗	(\$36.5M)	\$127.8M
Fort Bend ISD	✗	\$1.4M	\$206.8M

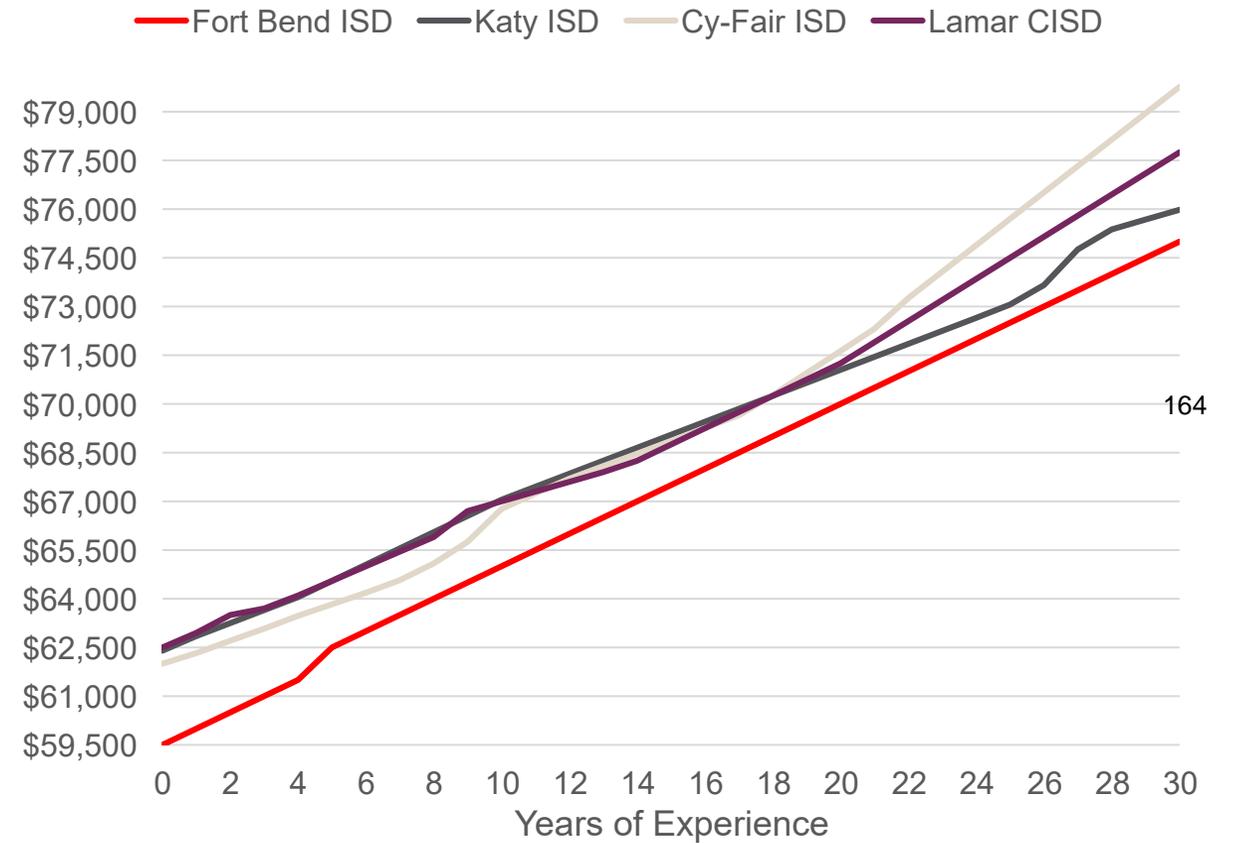
163

¹ Surplus/(Deficit) for each district is based on the 2023-24 adopted budget as published on each district's website.

² Fund balance represents General Fund ending balance as of June 30, 2022 from ACFR for each district.

Why is it important to focus on raises?

District	Starting Teacher Pay
Lamar CISD	\$62,500 ↑
Aldine ISD	\$62,500 ↑
Pasadena ISD	\$62,456 ↑
Katy ISD	\$62,400 ↑
Alief ISD	\$62,000 ↑
CyFair ISD	\$62,000 ↑
Spring Branch ISD	\$62,000
Houston ISD	\$61,500 *
Alvin ISD	\$61,100 ↑
Pearland ISD	\$60,500 ↑
Klein ISD	\$60,000 *
Fort Bend ISD	\$59,500



* Houston ISD is rolling out a new program that includes starting pay of \$80K at some schools

* Klein ISD approved a 4% increase for teachers but did not increase starting teacher pay

How many districts have golden and copper pennies?

District	Tax Rate	Golden Pennies	Copper Pennies	VATRE Year
Alvin ISD	\$1.3777	\$0.08	\$0.0583	2018
Pasadena ISD	\$1.3353	\$0.08	\$0.0778	2017
Katy ISD ¹	\$1.3048	\$0.08	\$0.0302	
Pearland ISD	\$1.3027	\$0.08	\$0.0700	2020
CyFair ISD ¹	\$1.2948	\$0.08		
Spring Branch ISD ¹	\$1.2688	\$0.08	\$0.0064	
Aldine ISD ¹	\$1.2217	\$0.08	\$0.0346	
Alief ISD	\$1.1611	\$0.08	\$0.0291	2008
Fort Bend ISD²	\$1.1346	\$0.06		

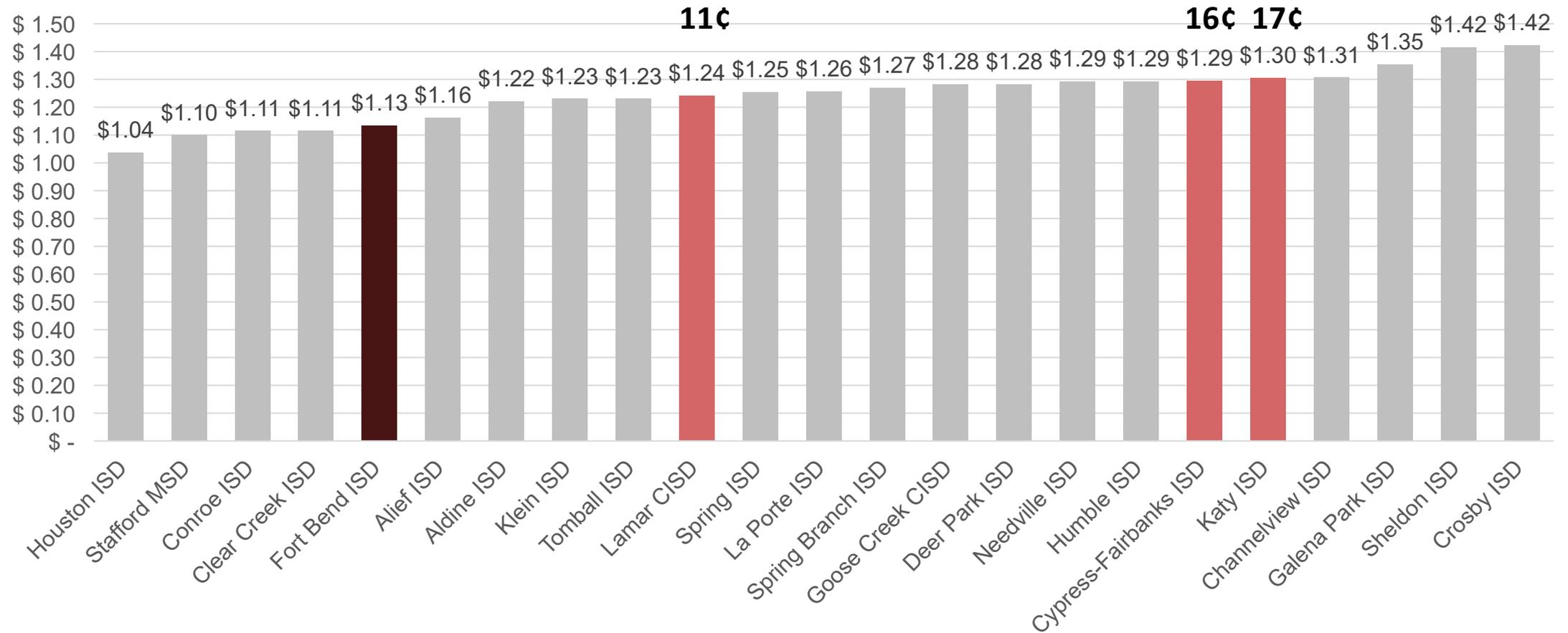
165

¹ Districts that have all 8 golden pennies with no VATRE had tax rates greater than \$1.50 when legislative changes in 2006 changed state funding formulas. This reduced tax rates state-

wide, and districts with tax rates greater than \$1.50 at the time had the additional tax capacity converted into golden and copper pennies.

² FBISD has a sixth golden penny that was taken by board action through a “swap and drop” in fiscal year 2017-18.

Local Tax Rate Comparison Tax Year 2022



166

What has FBISD done and what can we do?



**Retention and Recruitment Supplement
(\$1500/\$1,000)**

Teacher Step (\$500)

**Discussed potential TRE to address
teacher/staff compensation**



**Initiated contract to conduct public
opinion survey**

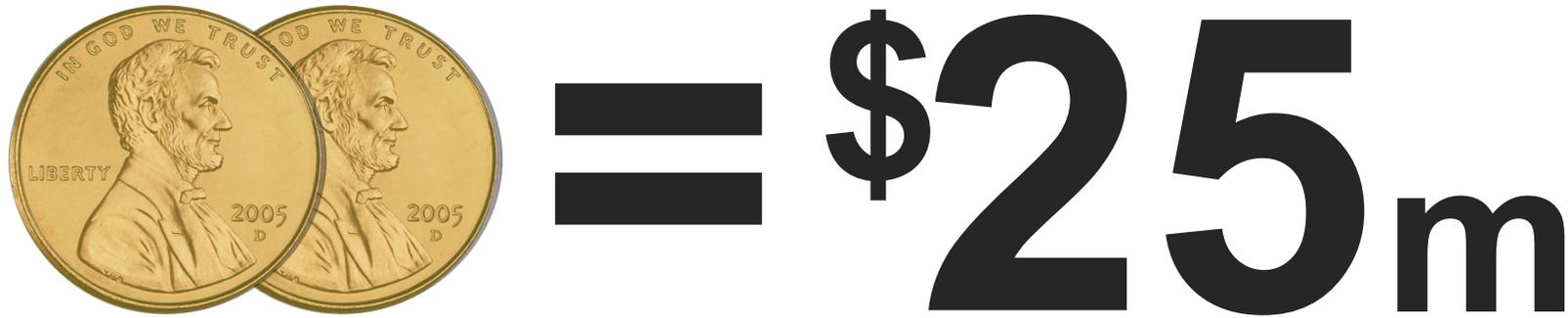
Registered FBISD voters

August 2 – August 6

Completed by August 11

Review with Board August 14

How could two additional cents be used?



**Teacher and Staff
Raises**

What could FBISD raises look like?



Teachers, librarians, nurses, counselors

\$2,500 increase

\$500 additional step for teachers
with 10+ years of experience

4.1% average¹

¹ Excludes \$500 teacher step
approved with 2023-24 Budget;
average increase with step is 4.8%



Hourly and paraprofessional staff

\$1 per hour raise

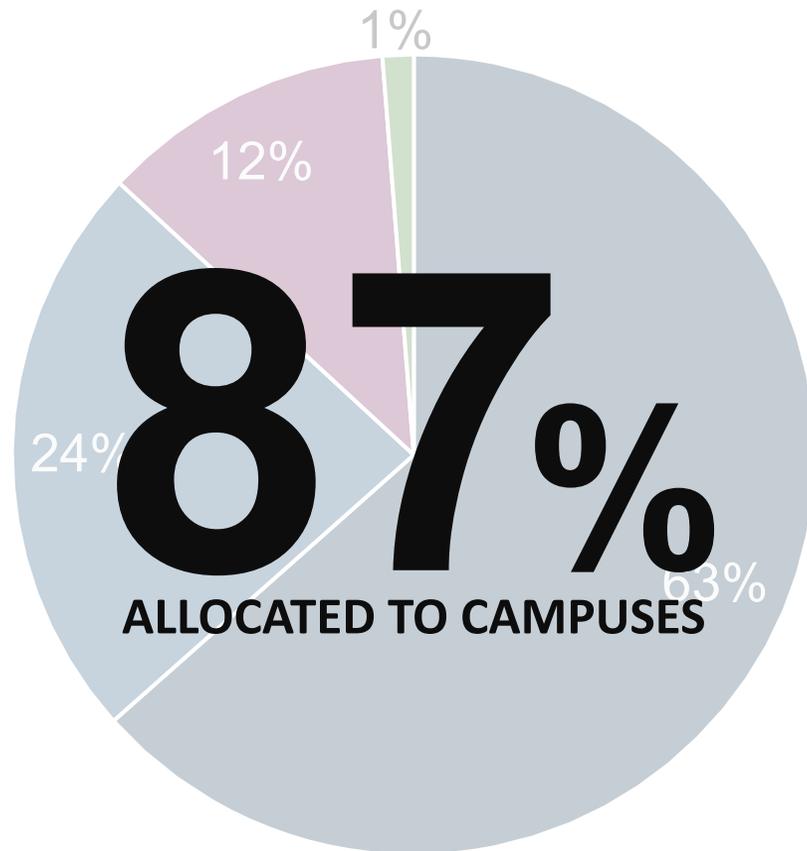
5.6% average



Police officers, LSSPs, SLPs, principals and all other admin professionals

3% increase

Potential Allocation of the Funds



■ **\$15.4M:** Teachers, librarians, counselors, and nurses

■ **\$5.7M:** Other campus staff (principals, classroom aides, custodians, et al.)

■ **\$3.0M:** All other employees (bus drivers, police officers, facilities, et al.)

■ **\$0.3M:** Directors and above (directors, executive directors, chiefs)

What could an additional 3¢ fund?



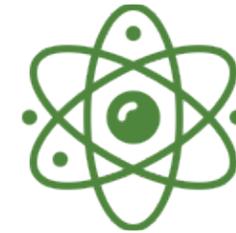
Safety & Security

Licensed police officer on every elementary campus



Special Education

Timely identification of students with unique learning needs and necessary support



Academic Enhancements

Enhance academic programming such as GT, academies of choice, and dual language

What could a 5¢ VATRE fund?



= \$40m

172



Teacher and Staff Raises

2¢ = \$25 million



Safety and Security

1¢ = \$5 million



Special Education

1¢ = \$5 million



Academic Enhancements

1¢ = \$5 million

What about recapture?

Two Golden Pennies



- Not subject to recapture
- Generates \$25M in funding
 - » \$14M state funding
 - » \$11M local funding

Three Copper Pennies



- Subject to recapture
- Generates \$16.5M in funding
 - » Subject to \$1.5M in recapture
 - » \$15M received in local funding

What is the tax bill impact of a VATRE?

	As Adopted	Senate Bill 2	2¢ VATRE	5¢ VATRE
Assessed Value	\$370,630	\$370,630	\$370,630	\$370,630
Homestead Exemption	-40,000	-100,000	-100,000	-100,000
Taxable Value w/HSE	\$330,630	\$270,630	\$270,630	\$270,630
Tax Rate	\$1.1244	\$0.9492	\$0.9692	\$0.9992 <small>174</small>
Tax Bill	\$3,718	\$2,569	\$2,623	\$2,704
Change from Adopted		-\$1,149	-\$1,095	-\$1,014
VATRE Annual Offset			\$54	\$135
VATRE Monthly Offset			\$4.50	\$11.25

Total compression: 17.5¢; lowest historic tax rate ever (in any scenario)

Next Steps

August 14

- Review results of public opinion survey

August 21

- Public hearing on tax rate
- Vote on tax rate
- Potential vote to call VATRE

175

Questions?

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Information: Schematic Design
Update for Briargate Elementary
School Rebuild
References: Board Policy CV (Local)
District Goal 5
Department: Operations

Recommendation

The Schematic Design for the Briargate Elementary School Rebuild, Bond 2023 BP001 will be presented.

Summary

The 2023 Bond Program includes the rebuild of Briargate Elementary School.

On April 3, 2023, the FBISD Board of Trustees approved Kirksey Architecture as the architect of record to facilitate community engagement meetings and prepare construction documents and specifications for the design of Briargate Elementary School as a LEED certified school.

On June 26, 2023, the FBISD Board of Trustees approved the 2023 Bond Program Master Budgets, which included approval of \$48,263,993 for BP001 Briargate Elementary School rebuild.

At this time, staff is providing an update to the Board of Trustees of the Schematic Design for the Briargate Elementary rebuild project while the architect continues with the completion of Design Development and Construction Documents.

The rebuild of Briargate Elementary school will be designed and constructed in accordance with the FBISD Educational Specifications and input from the Briargate and Blue Ridge Communities.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Damian Viltz
Chief Operations Officer

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Information: Schematic Design
Update for Mission Bend
Elementary School Rebuild
References: Board Policy CV (Local)
District Goal 5
Department: Operations

Recommendation

The Schematic Design for the Mission Bend Elementary School Rebuild, Bond 2023 BP002 will be presented.

Summary

The 2023 Bond Program includes the rebuild of Mission Bend Elementary School.

On April 3, 2023, the FBISD Board of Trustees approved PBK Architects as the architect of record to facilitate community engagement meetings and prepare construction documents and specifications for the design of Mission Bend Elementary School as a LEED certified school.

On June 26, 2023, the FBISD Board of Trustees approved the 2023 Bond Program Master Budgets, which included approval of \$48,263,993 for BP002 Mission Bend Elementary School rebuild.

At this time, staff is providing an update to the Board of Trustees of the Schematic Design for the Mission Bend Elementary rebuild project while the architect continues with the completion of Design Development and Construction Documents.

The rebuild of Mission Bend Elementary school will be designed and constructed in accordance with the FBISD Educational Specifications and input from the Mission Bend and Mission Glen Communities.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Damian Viltz
Chief Operations Officer

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Review: Consideration and
Approval: Board of Trustees
Meeting Minutes
Reference: Board Policy BE (Local)
Department: Legal Services

Recommendation

Consideration and approval of the minutes of Fort Bend ISD Board of Trustees meetings and/or public hearings on the following dates:

- April 17, 2023 Regular Business Meeting
- May 1, 2023 Agenda Review Meeting
- May 15, 2023 Special Called Meeting (Canvassing of Election Results)
- May 15, 2023 Regular Business Meeting

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.” Following this policy, the Administration submits the meeting minutes for the Board’s approval.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Coby Wilbanks
General Counsel

Minutes
Fort Bend ISD Board of Trustees
Regular Business Meeting
April 17, 2023

A Regular Business Meeting of the FBISD Board of Trustees was held on Monday, April 17, 2023 beginning at 6:02 p.m. in the Board Room of the Administration Building located at 16431 Lexington Blvd., Sugar Land, Texas. The Live Stream of the meeting was available at: <https://www.fortbendisd.com/boardmeetinglivestream>.

The meeting was recorded as required by law, and the recording is available to the public at: <https://fortbendisd.new.swagit.com/videos/224140>.

The agenda packet for the meeting can be found here: <https://meetings.boardbook.org/Public/Agenda/649?meeting=563976>.

Presiding OfficerMrs. Kristen Davison Malone, President

Board Members Present

- Mrs. Judy Dae, Vice President
- Dr. Shirley Rose-Gilliam, Secretary
- Mr. Rick Garcia
- Mr. David Hamilton
- Mrs. Angie Hanan
- Ms. Denetta Williams

School Officials Present

- Dr. Christie Whitbeck, Superintendent of Schools
- Steve Bassett, Deputy Superintendent
- Beth Martinez, Deputy Superintendent
- Bryan Guinn, Chief Financial Officer
- Glenda Johnson, Chief Human Resources Officer
- Dr. Kimberly Lawson, Chief Academic Officer
- Dr. Kwabena Mensah, Chief of Schools
- Long Pham, Chief Information Officer
- Christopher Juntti, Interim Chief Operations Officer
- David Rider, Chief of Police
- Robert Scamardo, General Counsel
- Amanda Bubela, Recording Secretary (virtual)

Others Present

- Jonathan Brush, Board Counsel
- FBISD Staff and Employees

1.-3. Meeting Called to Order, National Anthem, Moment of Silence

President Malone called the meeting to order at 6:02 p.m. announcing the presence of a quorum, that the meeting had been duly called and the notice posted for the time and matter required by law. Mrs. Malone asked everyone to stand for the National Anthem, performed by the Austin High School String Ensemble. Following the performance, everyone was asked to remain standing for a moment of silence.

4. Recognitions

The Board recognized several students and campuses including:

Members of the Austin High School String Ensemble

- Chole Lee
- Arianna Castanon
- Pavit Thakar
- Natalie Su
- Ann Victor, Director

Kempner High School student Shalina Effendi for advancing to the National Scholastic Awards competition for her personal narrative, Chiffon.

Clements High School students for winning at Scholastic Art and Writing Awards

- Wendy Wu – National Gold Medal for drawing and illustration
- Amy Liu – National Gold Medal for Mixed Media
- Alina Llao – National Silver Medal for drawing and illustration

Clements High School students for placing in the 2023 State Championship Swim/Dive Meet

- Logan Brown placed 1st in the 100 Breaststroke and set a 6A state record, and also placed 2nd in the 200 Individual Medley
- Hayden Bellotti placed 1st in the 100 Butterfly and set a 6A state record, and also placed 3rd in the 50 Freestyle
- Kayla Fu placed 2nd in the 100 Freestyle and 3rd place in the 50 Freestyle

Hightower High School coach Cornelius Anthony, who received the Texas High School Coaches Association Region 5 “Coaching Beyond the Game” Award.

Hightower High School Assistant Principal Dr. Sharon Delesbore, who received recognition from the National Science Teaching Association.

Kempner High School ELA Teacher Susan Henson, who received the 2023 Susan O’Connor Award for Teaching Excellence.

The SPARK school park program for their contributions to Fort Bend ISD and 40 years of service.

5. Superintendent Update

Dr. Whitbeck shared with the Board several district updates, events and celebrations.

- Dr. Whitbeck shared that last Thursday, the District hosted its Teacher of the Year Celebration and honored Rookie Teachers of the Year, each of the District’s Campus Teachers of the Year, the 2023 Elementary and Secondary Teachers of the Year, and the Principals of the Year. The honorees include:
 - Framy Diaz, Principal of the Year, Ridgemont Elementary
 - Courtney Muceus, Principal of the Year, First Colony Middle School
 - Lindsey Koon, Elementary Teacher of the Year, Sugar Mill Elementary
 - James Riddick, Secondary Teacher of the Year, Dulles High School

The Elementary and Secondary Teachers of the Year will now advance to the regional Teacher of the Year competition with an opportunity to advance to the state program.

- Dr. Whitbeck congratulated Travis High School students Rohan Dharia and Videet Mehta, who won first place at the annual State Science and Engineering Fair held at Texas A&M. Dharia and Mehta won for their artificial intelligence approach to providing better medical imaging results and advance to the International Science and Engineering Fair next month in Dallas. Dr. Whitbeck also recognized Quail Valley Middle School students Jiya Joshi, SaiSpoorthi Maram, and Anvesha Subramanian, who won second place in the biochemistry category for middle school students for their novel use of computer models to stop bacteria that is resistant to antibiotics.
- Dr. Whitbeck shared that four high schools, Dulles High School, Hightower High School, Ridge Point High School, and Travis High School, are finalists in this year's Tommy Tune Awards. The schools have a combined 12 nominations in eight different categories. The Tommy Tune Awards will take place at the Hobby Center on May 4.
- Dr. Whitbeck shared that Bush High School and Kempner High School have advanced in the UIL One Act Play competition. Both schools placed first in the area and will compete at the state contest at San Jacinto College Friday and Saturday.
- Dr. Whitbeck shared that Fort Bend ISD's Global Studies Academy held its 11th annual Global Issues Summit this weekend at Travis High School. This year's event addressed access to basic necessities such as food and water, healthcare, education and infrastructure.
- Dr. Whitbeck shared that for the first time, the Innovation Spark Fest was held in Sugar Land's Town Square. The event included a competition for high school entrepreneurs and FBISD swept the competition, winning first, second and third place.
 - The Clements team took 3rd place for their phone pouch that helps you build good habits. They won \$200 in startup money.
 - Dulles High School won 2nd place for a portable utensil kit that is also compostable. Their team won \$300 in startup money.
 - The Elkins team won 1st place for creating a card deck and bracelet that encourages social, emotional, spiritual, intellectual and physical self-care. They won \$500 in startup money.
- Dr. Whitbeck shared that this week is National Volunteer Week and acknowledged the District's volunteers who contribute time, energy and resources to help students. To date, more than 158,000 volunteer hours have been logged within the District.
- Dr. Whitbeck congratulated Marshall High School Jaland Lowe, who recently won the 2023 Guy V. Lewis Award. Lowe is also the Boys Basketball Player of the Year for the Greater Houston Area and has committed to the University of Pittsburgh.
- Dr. Whitbeck congratulated the Ridge Point High School Girls Soccer Team for their phenomenal season. The team advanced to the state championship but fell short to Lewisville Marcus.
- Dr. Whitbeck noted that STAAR testing is coming up and encouraged students to do their best.

6. Public Comment

- Jaidin Upadhyaya, a junior from Austin High School, addressed Board members regarding the Class Rank policy that will be enacted for the first time with the Class of 2023. Upadhyaya told Board members the policy is not fair and suggested that the district have an academy-only ranking pool for students who attend academies.

- Jing Zhang, parent of rising senior at Austin High School, addressed Board members regarding the Class Rank policy and concerns that students who have never attended Austin High School are receiving the school's top spots. Zhang said the lack of ranking beyond the top ten percent of the class is causing additional stress to students and asked that Board reverse the rule for the Class of 2024.
- Delores Collins addressed Board members regarding the bond, asking the Board to exercise prudence fulfilling bond projects and expressed disappointment that bonds have not included improvements to the Willowridge High School gym.
- Rachel Ann Kee, a junior at Ridge Point High School, addressed Board members regarding the class ranking system and stated that not ranking students beyond the top 10 percent is unfair who are not in the top ten percent. Kee said several of her choice schools grant automatic admission to the top 25 percent but she has no way of knowing her rank under the current policy.
- Allyson Morris, an FBISD parent, addressed Board members about policies regarding rankings, GPAs and grades. Morris asked Board members to reconsider the policy that was adopted by the previous board, and urged them to take action during tonight's meeting. Morris asked that the District release class rank beyond the top 10 percent and told Board members the 100-point GPA scale is causing massive cheating and creating undue stress on students.
- Eva Morris, a Ridge Point High Student in the 2027 graduating class, addressed Board members about the class ranking policy. Morris stated that not ranking beyond the top 10 percent is not fair and affects her ability to apply for colleges and scholarships. Morris asked that the District release academic rankings to students who request the information and asked the district to consider returning to a 4.0 grading scale.
- Rong Tao expressed concerns about the District's ranking policy and told Board members it is unfair to rank students based on their campus of residence rather than campus of attendance. Tao told Board members that the ranking policy is unfairly penalizing high-achieving students who attend more academically competitive schools and urged the Board to consider action to change the policy.
- Mike Schofield, a longtime Meadows Place resident, addressed the Board and encouraged residents to support the bond. Schofield asked that the District install a flag at the FBISD natatorium.
- Stephanie Brown, a stakeholder, homeowner and a parent, addressed Board members and expressed appreciation to Dr. Whitbeck to listening to their idea to use Title 1 funds to fund the CCR position at Willowridge and Marshall high schools. Brown also expressed concerns about the location of future natatorium and asked Board members to consider the placement to create equitable experiences for students.
- Sandy Sterling, a parent of two Marshall High School students, addressed Board members regarding the possibility of a pool at Marshall High School, as her daughters had to travel to the YMCA in order to participate in the school's swimming program. Sterling said there is plenty of land at Marshall High School and said the placement could make a huge difference in college opportunities and saving lives. Sterling asked Board members consider putting a new pool facility at Marshall.

7. Board Members' Reports

A. Activity Report

Dr. Gilliam reported that the Trustees attended or participated in the following activities since the last Regular Board meeting.

- 2023 Bond Presentation Meetings across the District
- Campus Visit to Fort Settlement Middle School
- Board Policy Review Committee Meeting
- STAAR Kick Off Pep Rally at Hodges Bend Middle School
- Meeting to Discuss Sugar Land 95 Memorial Plans
- Student Leadership 101 – Session #7
- FBISD Whole Child Health Initiative Wellness Fair at Marshall High School
- Ronnie Davis Agricultural Center Grand Opening Ceremony
- Fort Bend Chamber’s 2023 Candidate Forum
- Gulf Coast Area Association Spring Workshop
- Teacher of the Year Banquet
- Willowridge HS Teachers vs. Students Basketball Game
- Literacy Program Meetings at Arizona Fleming and Settlers Way Elementary Schools
- Ridge Point High School’s 6A Soccer State Tournament Finals

B. Committee Reports

1. Board Policy Committee Annual Update

President Malone notified the Board that the Board Policy Committee has completed 17 policies this year, there are currently three policies pending with the committee, and there are seven policies currently with the administration that are under review. Malone expressed appreciation to Mr. Hamilton and Mrs. Hanan for their participation in the policy committee, as well as to Mr. Coby Wilbanks for leading the charge for the administration.

C. Special Reports

1. Annual Board Training Report

President Malone shared that under State Board of Education Rules, the completion of required continuing education by board members, each year of service, is a basic obligation and expectation of any sitting board member, and as Board President, she is required to announce the name of each member who:

- Has completed the required continuing education;
- Has exceeded the required continuing education; and
- Is deficient in meeting the required continuing education.

President Malone shared the requirements for training are measured as of the first anniversary of the date of the trustee’s election or appointment or two-year anniversary of his or her previous training, as applicable. President Malone stated the following are the areas of training:

1. Local District Orientation
2. Orientation to the Texas Education Code
3. Post-Legislative Update to the Texas Education Code
4. Team Building

5. Additional Continuing Education
6. Evaluating Student Academic Performance and Setting Goals
7. Identifying and Reporting Abuse, Trafficking, and Other Maltreatment of Children
8. School Safety

To the extent of applicable to each board member, President Malone announced the completion or deficiency as to required training.

1. Local District Orientation
 - a. As of April 17, 2023, all FBISD Trustees have met requirements.
2. Orientation to the Texas Education Code
 - a. As of April 17, 2023, all FBISD Trustees have met requirements.
3. Post-Legislative Update to the Texas Education Code
 - a. Not applicable
4. Team Building
 - a. As of April 17, 2023, all FBISD Trustees have met requirements.
5. Additional Continuing Education
 - a. As of April 17, 2023, all FBISD Trustees have met requirements, except for Ms. Williams.
6. Evaluating Student Academic Performance and Setting Goals
 - a. As of April 17, 2023, all FBISD Trustees have met requirements, except for Ms. Williams.
7. Identifying and Reporting Abuse, Trafficking, and Other Maltreatment of Children
 - a. As of April 17, 2023, all FBISD Trustees have met requirements, except for Mr. Garcia.
8. School Safety
 - a. As of April 17, 2023, all FBISD Trustees have met requirements, except for Ms. Williams.

8. Information

A. Intruder Detection Audit Report Findings

Fort Bend ISD Police Chief David Rider shared results of the most recent Intruder Detection Audits, conducted by the Texas School Safety Center.

Rider reported that since the last update to the Board of Trustees on March 26, the District received three additional Intruder Detection Audits for three campuses. Two of the reports came back with no corrective actions, and one campus received a finding related to a mechanical room door that does not open up to the school. Chief Rider reported that training for all staff on campus, including substitute teachers on campus that day, and all other corrective measures are being completed at this time.

B. Willowridge High School Update

Dr. Kwabena Mensah introduced staff to provide an update on Willowridge High School's performance, including feedback from the TEA regarding the school's Targeted Improvement

Plan and feedback from Region 4 on the Effective Schools Framework Diagnostic. The update also included information about District-level supports provided to the campus, current academic data, and how accountability data impacts the work underway. Dr. Mensah shared that it will take some time to see the results of this planning, and the intent is to provide an update on systems in place to address deficiencies.

Dr. Rhonda Mason, the District's Coordinator of School Improvement and Executive Director in the Department of School Leadership, reminded Board members that Willowridge High School, after self-assessment, chose two levers of focus, including Lever 1: Strong School Leadership and Lever 5: Planning and Effective Instruction, and provided an overview of the ongoing monitoring cycle. Dr. Mason shared that the Willowridge High School TIP is considered proficient, the highest ranking possible based on the TEA's rubric, and feedback from Region 4 has been complimentary about the work underway at WHS.

Lisa Coston, Director of Accountability, provided an overview of how pending changes to the state's accountability system are expected to affect the work underway at Willowridge. Coston shared that the TEA timeline for determining accountability ratings will be delayed this year due to a major overhaul of the 2023 accountability system, and in addition, the STAAR assessment itself is changing. Coston shared that the District expects to receive EOC scores later in the summer, instead of May, and accountability ratings (grades) will not be available until sometime in September. Coston shared that this means that the rules of the accountability system are going to be set after the year and the TIP have been completed.

Dr. J.J. Roberts, the Willowridge High School principal, addressed Board members to provide an update on what is happening at WHS, and introduced two of the school's P-TECH scholars to share more about their experiences at the school. Dr. Roberts told Board members that the school recognizes and acknowledges that the data shows there is a lot of work to do in the classroom to address student growth and progress, but also stressed that WHS students are much more than their STAAR results. Roberts shared that WHS has students involved in all UIL sports and the school offers more than 30 clubs and organizations and many fine arts opportunities. The school is also proud to have 24 students completing their associates degree in computer science prior to their high school graduation this May. Roberts also shared an overview of WHS enrollment, staff, teacher/student attendance rates, student achievement data, and discipline rates.

Dr. Ashley Causey also shared information about the areas of focus at the school during the past year, including improving campus systems and structures, developing clear intervention programming to meet students' needs, designing a plan to meet students' college and career readiness (CCMR) needs, and designing an instructional vision for Willowridge High School. Dr. Causey also shared the next steps in the planning process, and introduced a short video made by WHS broadcasting students to share some recent school highlights.

Following the update, Board members asked questions, and provided comments and feedback. In response to questions from the Board:

- Dr. Roberts provided information about the monitoring systems that are being built to monitor instruction and PLC practices.
- Dr. Roberts provided information about the school's block scheduling and the plans underway to address student attendance, working to change mindsets while continuing to support families.

- Dr. Roberts shared that the interim STAAR assessments were conducted over a three-week period in February and March.
- Dr. Roberts shared information about the Eagle Success Academy, which has been held on Saturdays since February. Dr. Roberts shared that each Saturday has had 20-30 students in attendance and transportation and lunch/snacks are provided. Sessions are held in both the morning and the afternoon.
- Dr. Roberts shared that with the support of the District, the school has received some trend data regarding the incoming ninth graders so that the school can determine how they can support their learning and growth.
- Dr. Mensah shared that all principals within the feeder pattern are collaborating and participating in the same trainings regarding data driven instruction, and observation and feedback, to create better alignment in their efforts.
- Dr. Roberts provided background information about high school enrollment numbers, telling Board members that historically, the number of ninth grade students is larger, and the number of other classes is smaller. Dr. Whitbeck shared that some of this is also due to classification, as some students enter high school with 1-2 credits from middle school and then credits will also vary as they matriculate.
- Dr. Mensah shared that FBISD applied for and received TIP grant funding, which has been used to support WHS and some of the feeder pattern campuses. Dr. Mason shared this funding amounted to about \$45,000, and some of this funding has supported the training to support vertical alignment among feeder school campuses.

During discussion, Dr. Gilliam asked that the record reflect that as a District, FBISD has to support Dr. Roberts at the campus and provide her the resources and support she needs. Board members also expressed appreciation to Dr. Roberts for her leadership.

C. Budgetary and Legislative Update

Chief Financial Officer Bryan Guinn provided a budgetary and legislative update. Guinn shared that action has been taken on some of the bills that staff has been following closely, however, the bills still have to go through a reconciliation progress so there is still some uncertainty. Guinn provided updates on House Bill 1, House Bill 3, House Bill 100, Senate Bill 8, Senate Bill 9, and Senate Bill 30, as all would have budgetary impacts.

Guinn also provided an update on the 2023-24 General Fund Outlook, which includes the key assumptions that have been shared in previous budget updates.

- The District's updated outlook includes 127 new positions for new schools, special education and student growth, which were approved by the Board of Trustees during the March meeting. Updates to the projection also include an additional \$4.9 million in revenues associated with additional interest income, an increase in indirect costs primarily associated with ESSER funding, tuition-based PreK and direct federal revenues related to ROTC. Approximately \$1.5 in additional expenditures have been included to the projection, including an increase in property insurance premiums and an increase from the Fort Bend Appraisal District. These changes have contributed to a change in the overall fund balance, from 82 to 84 days.
- Mr. Guinn provided Board members with budget forecasts that take current proposed legislative changes, including mandatory increases for teachers, counselors, nurses and librarians, and a scenario that also includes a 2 percent increase for other staff.

- Mr. Guinn provided an overview of key assumptions for the 2024-25 forecast, beyond the next budget year, and the initial 2024-25 budget forecast, which would call for an additional \$23 million in budget reductions in order to maintain the 90-day fund balance.
- Mr. Guinn provided an update on the anticipated work that remains prior to the formal adoption of the 2023-24 budget and adjustments to the debt service and child nutrition budgets.

Following the update, Board members asked questions and provided comments and feedback.

In response to questions from the Board:

- Mr. Guinn shared information about recent flooding incidents at the FBISD administration building and Missouri City Middle School, and vehicle burglaries. Guinn shared that flooding incidents will likely have insurance proceeds to help offset the costs, however there will be a deductible that would typically come from the general fund. Guinn shared that due to the magnitude of the damage, this expenditure would be a bond or bond-contingency eligible expense, but without bond funds available, the expense would fall to the general fund and further deplete the fund balance, further restricting the district and its capability of providing funding for other things in the general fund. Guinn explained that the indirect consequences of an unsuccessful bond would be that FBISD has to use more of its general funds (M&O) to fund major repairs, and that prevents the District from providing more adequate compensation for staff.
- Mr. Guinn shared that in future budget forecasts, beyond the next academic year, the district is including ESSER funded positions that were supplanted. Because the 15 itinerant interventionists were supplemental, the District would have to add expenditures to the budget to fully incorporate those back in. Mr. Guinn clarified that the 50 literacy interventionists were previously funded in the general fund, prior to ESSER, and shifted to ESSER when those funds became available.
- Mr. Guinn shared that House Bill 1672 includes a \$540 increase to the basic allotment and an annual CPI adjustment for each year. Mr. Guinn said staff believes this is the most beneficial for school districts as it stands currently.
- Mr. Guinn confirmed that House Bill 1 includes an increase to the Instructional Materials Allotment, however the district believes there will also be additional proclamations associated with the expenditures of these funds.

9. Consent Agenda

The administration pulled Item 9-A so that a correction can be made a date in the February 16 Board meeting minutes.

During discussion, the board requested that Items 9-B, 9-G, 9-K and L-5 be pulled from the consent agenda.

MOTION made by Mrs. Dae and SECONDED by Mr. Garcia to approve the Consent Agenda with the exception of 9-A, 9-B, 9-G, 9-K and L-5 as presented.

MOTION CARRIES. Ayes 7, Nays 0.

- C. Consideration and approval of Instructional Materials Allotment (IMA) Proclamation 2022.
- D. Consideration and approval of the recommended 2023-24 School Health Advisory

- Council (SHAC) Membership Roster.
- E. Consideration and approval of the 2023-24 Fort Bend ISD Designated Hazardous Traffic Conditions List and Resolution to adopt the Designated Hazardous Traffic Conditions.
 - F. Consideration and approval of the Low Attendance Waiver and granting the superintendent authority to approve and submit all necessary waiver requests for the 2022-23 school year.
 - H. Consideration and approval of an interlocal agreement with the non-profit corporation SPARK Park School Program to provide the funding and all construction services required for the enhancement of the park facilities at Rosa Parks Elementary School, and authorization for the superintendent to execute and/or terminate the agreement.
 - I. Consideration and approval of the use of 2018 Bond Program Contingency as proposed.
 - J. Consideration and approval of a budget amendment for Child Nutrition Fund for 2022-23.
 - L. Consideration and approval of proposed expenses that exceed \$50,000: Specifically for:
 - 1. Consideration and approval for a revised project budget for the central plant upgrades needed at Hightower High School (PKG058) to include an additional \$200,000 for a total project budget amount of \$1,400,000, and utilization of Bond 2018 Program Contingency to provide the additional funds.
 - 2. Consideration and approval for the purchase of Child Nutrition Department Software from Cybersoft Technologies, Inc. through Choice Partners in an amount not-to-exceed \$650,000, and authorization for the Superintendent to negotiate and execute the agreement through May 2027.
 - 3. Consideration and approval for the purchase of radio equipment and related items and services from Northwest Communications under a Choice Partners Cooperative contract and authorization for the Superintendent to negotiate and execute the agreement annually through July 2026.
 - 4. Consideration and approval for the purchase of police equipment, supplies and related items through various purchasing cooperatives from multiple vendors in an amount not to exceed \$1,000,000 and authorization for the superintendent to negotiate and execute the agreement annually through March 2027.
 - 6. Consideration and approval for the lease of copier equipment from ImageNet Consulting, LLC, in an amount not to exceed \$4,700,000, and authorization for the Superintendent to negotiate and execute the agreement through July 2026.
 - 7. Consideration and approval for the purchase of physical examinations, drug and alcohol testing services from Choice Partners and Texas Smart Buy cooperative contacts in an amount not-to-exceed \$602,136, and authorization for the Superintendent to negotiate and execute the agreement annually through May 2027.
 - 8. Consideration and approval for the purchase of swimming pool chemicals, supplies, and equipment from the BuyBoard purchasing cooperative contract in an amount not-to-exceed \$180,000, and authorization for the Superintendent to negotiate and execute the agreement through June 2026.
 - 9. Consideration and approval for the purchase of Child Nutrition Equipment from various vendors through Choice Partners and Omnia Partners Purchasing Cooperatives in an amount not-to-exceed \$5,000,000 and authorization for the Superintendent to negotiate and execute the agreements through June 2024.

Action on Items Removed from the Consent Agenda

9-B Consideration and approval of Instructional Materials Allotment and TEKS Certification for 2023-24

MOTION made by Mrs. Dae and SECONDED by Mrs. Hanan to approve Item 9B as presented.

Following discussion, MOTION CARRIES, 6-1.

Ayes: Malone, Dae, Gilliam, Hamilton, Garcia, Hanan

Nay: Williams

9-G Consideration and approval of a contingent fee contract with Perdue Brandon Fielder and Mott, LLP, pursuant to the Texas Tax Code §6.30, for the collection of delinquent government receivables owed to Fort Bend Independent School District, and notice of the Board's consideration of this contract is posted with the meeting agenda in accordance with Chapter 2254 of the Texas Government Code.

MOTION made by Mrs. Dae and SECONDED by Mr. Garcia that the Board of Trustees *adopt the findings required by the Texas Tax Code Section 6.30 HMM and having considered all matters listed in Section 2254.1036 of the Texas Government Code related to contingent fee contracts and finds the statements in the agenda item are true, and I further move the Board approve the contract by and between Fort Bend Independent School District and Perdue Brandon Fielder Collins and Mott, LLP for professional legal services regarding the collection of delinquent ad valorem taxes with services to be paid in accordance with Section 6.30 of the Texas Tax Code.*

During discussion, Mr. Scamardo shared that subsequent to the Board workshop, held two weeks ago, he had a discussion with Ms. Yolanda Humphrey from Perdue Brandon who advised of a change in the law in 2019 that required the board to give specific notice that it was entering into a contingent fee contract, and make specific findings why the Board was entering into a contingent-fee contract. Mr. Scamardo shared that the motion is more detailed than ordinary because of the statutory requirement. Ms. Humphrey also clarified the 20 percent penalty fee paid by the delinquent taxpayer will be paid to the firm, and Mr. Guinn clarified that FBISD will receive the full taxes owed to the District, and the delinquent component, the 20 percent, is paid to the collection agency. Staff and Ms. Humphrey confirmed that if the firm does not collect any delinquent taxes from a taxpayer, there is no fee paid to the firm.

Following discussion, MOTION CARRIES, Ayes 7, Nays 0.

9-K Consideration and approval of Construction Methods to be utilized for the upcoming Bond Program, and approval for the superintendent to recommend the project delivery/contract award method that provides the best value to the District.

MOTION made by Dae and SECONDED by Hanan to approve Item 9-K as presented. During discussion, Mrs. Carolina Fuzetti confirmed that the Construction Manager At Risk (CMAR) delivery method is needed to ensure that the District is able to open up the two rebuilt campuses in the fall of 2025. Fuzetti shared this method allows the District to have the architect and the contractor working together from the beginning, and the district would then adopt the fast-track method, which means the construction would start before design is complete. Fuzetti shared that Board approval of the CMAR delivery method today would allow the District to start the procurement process to then bring forward a selection for the Construction Manager At Risk in June. Staff also provided information about challenges associated with mid-year school

openings, and confirmed that future boundary planning would ultimately determine which students would attend the school.

Following discussion, MOTION CARRIES, Ayes 6, Nays 1.

Yea: Malone, Dae, Gilliam, Hamilton, Garcia, Hanan

Nay: Williams

9-L-5 Consideration and approval for the purchase of college and career planning software from SchoolLinks in an amount not to exceed \$1,125,000 and authorization for the Superintendent to negotiate and execute the agreements through April 2028.

MOTION by Dae and SECONDED by Hanan to approve Item 9-L-5 as presented.

During discussion, Dr. Kimberly Lawson provided information about the implementation planning, including training opportunities for students, parents and staff, and clarified that the transition does not amount to major changes for teachers. Dr. Lawson said the timeline would provide opportunities for families who want to engage in the new platform to be able to do so this summer, while the full implementation would occur in the fall. Staff also provided additional information about the platform's features, including a course guide feature to assist with student's four-year plans, a college assessment feature, and a social-emotional component to help pair students with colleges that may be a good fit.

Following discussion, MOTION CARRIES, Ayes 7, Nay 0.

Prior to convening in closed session, Mr. Scamardo clarified that the administration intended to pull Item 9-A-3, but Items 9A 1, 2 and 4 remain on the agenda for the Board's action.

9-A. Consideration and approval of the minutes of the Fort Bend ISD Board of Trustees meetings on the following dates:

1. February 9, 2023, Special Called Meeting: Facility Condition Workshop
2. February 13, 2023, Regular Business Meeting
4. March 8, 2023, Superintendent's Formative Evaluation

MOTION by Dae and SECONDED by Hanan to approve Consent Agenda Item A1, A2, and A4 as presented.

MOTION CARRIES, Ayes 7, Nays 0.

10. Convene in Closed Session

The Board convened in closed session at 9:39 p.m. 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.

11. Reconvene in Open Session

The Trustees reconvened in open session at 10:13 p.m.

12. Consider Action on Closed Session Items

13. Action

- A. Consideration and approval of the Joint Election Agreement and contract for Election Services ("Agreement") with Fort Bend County to coordinate and administer an election on Saturday, May 6, 2023, to elect one person to serve a full term as a Trustee in Positions 1, 4, and 5, and for the purpose of approving insurance of bonds.

MOTION by Mrs. Dae and SECONDED by Mr. Hamilton that the Board of Trustees approve the Joint Election Agreement and contract for election services with Fort Bend County to coordinate and administer an election on Saturday, May 26, 2023.

During discussion, Mr. Scamardo provided clarifying information about the District's costs associated with the election, as it is the largest entity holding an election.

Following discussion, MOTION CARRIES, 6-1.

Yea: Malone, Dae, Gilliam, Garcia, Hamilton, Hanan

Nay: Williams

- B. Consideration and approval to give direction to the Superintendent regarding Board Policy EIC (Local) governing Academic Achievement: Class Ranking that was revised in 2019.

MOTION by Mrs. Dae and SECONDED by Dr. Gilliam that the Board request the Superintendent:

1. Work with the board policy committee to recommend amendments to Board Policy EIC Local with respect but not limited to the class rank system generally, ranking of students enrolled in a Program of Choice and the method of calculating class rank with such recommendations to be presented to the Board before its workshop and agenda review meeting in July.
2. Take immediate action to work with the board policy committee to make recommended policy changes that will permit all students in the Class of 2024 the option of receiving their individual class ranking upon request.

During discussion, Board members expressed concerns about the existing policy, which was adopted by a previous board, acknowledged the complexities associated with the policy, and provided feedback to the administration and fellow Board members. During Board member comments, trustees noted this was the first time they were seeing the proposed resolution and expressed a desire to better understand the policy and its implications. Additional information from the administration, including input from college admission offices, was requested.-

In response to questions from the Board, the administration provided historical information related to the policy and confirmed the feasibility of providing class rank beyond the top ten percent.

Following discussion, and with unanimous consent of the Board, MOTION WITHDRAWN.

MOTION by Mrs. Dae and SECONDED by Mr. Garcia that the Board request the superintendent to do the following:

1. Work with the board policy committee to recommend amendments to Board Policy EIC Local with respect but not limited to the class rank system generally, ranking of students enrolled in a Program of Choice and the method of calculating class rank with such recommendations to be presented to the board in August at workshop and agenda review meeting.
2. Take immediate action to work with the board policy committee to make a recommended policy change that considers permitting all students of the Class of 2024 the option of receiving their individual class ranking upon request.

Following further discussion among Board members, Trustee Williams called for the question.

MOTION CARRIES, Ayes 4, Nays 3.
Yea: Dae, Hamilton, Garcia, Williams
Nay: Malone, Gilliam, Hanan

14. Adjournment

Having no further business before the Board, MOTION was made by Mrs. Hanan to adjourn the meeting at 11:27 p.m.

Judy Dae, President

David Hamilton, Secretary

Minutes
Fort Bend ISD Board of Trustees
Called Meeting and Agenda Review
May 1, 2023

A Regular Business Meeting of the Fort Bend ISD Board of Trustees was held on Monday, May 1, 2023 beginning at 6:02 p.m. in the Board Room of the Administration Building located at 16431 Lexington Blvd., Sugar Land, Texas. The Live Stream of the meeting was available at: <https://www.fortbendisd.com/boardmeetinglivestream>.

The meeting was recorded as required by law, and the recording is available to the public at: <https://fortbendisd.new.swagit.com/videos/225345>.

The agenda packet for the meeting can be found here: <https://meetings.boardbook.org/Public/Agenda/649?meeting=563977>.

Presiding Officer.....Mrs. Kristen Davison Malone, President

Board Members Present

Mrs. Judy Dae, Vice President
Dr. Shirley Rose-Gilliam, Secretary
Mr. Rick Garcia
Mr. David Hamilton
Mrs. Angie Hanan
Ms. Denetta Williams (joined meeting in progress, present when the Board reconvened following closed session)

School Officials Present

Dr. Christie Whitbeck, Superintendent of Schools
Steve Bassett, Deputy Superintendent
Beth Martinez, Deputy Superintendent
Bryan Guinn, Chief Financial Officer
Glenda Johnson, Chief Human Resources Officer
Dr. Kimberly Lawson, Chief Academic Officer
Long Pham, Chief Information Officer
Christopher Juntti, Interim Chief Operations Officer
David Rider, Chief of Police
Robert Scamardo, General Counsel
Amanda Bubela, Recording Secretary (virtual)

Others Present

Jonathan Brush, Board Counsel
FBISD Staff and Employees

1. Meeting Called to Order

President Malone 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 matter required by law.

2. Recognitions

The Board recognized members of FBISD's first cohort of graduates from the Early College and Pathways in Technology (PTECH) programs. These students will be graduating this year with both a high school diploma and a Houston Community College associates degree.

Marshall High School – Early College Program

- Isaac Adeniruju
- Jacob Avelar
- Mylah Benson
- Luis Bonilla
- Brianna Dangerfield
- Adam Monroe, Jr.
- Jacob Ozenne
- Trinity Patterson
- Eryn Stewart
- Jramail Tyler
- Alainah Fletcher

Hightower High School – Pathways in Technology (PTECH) Program

- Victoria Bodunrinde
- Robert Gaines
- Christina George
- Ashley Guzman
- Madisyn Morgan
- Christina Nguyen
- Blossom Njoku
- Blessing Nwina
- Marian Olayon
- Jubymol Regi
- Saina Thomas
- Sergio Tovar
- Syeda Zaidi

Willowridge High School (Pathways in Technology) PTECH

- Sandra Avila Martinez
- Edwin Bonilla
- Shellse Canales
- Allison Cantu
- Ariana Coronel
- Nataly Flores Carbajal
- Angel Gil-Jimenez
- Testimony Ibajesomo
- Jessica Martinez
- Cristian Martinez Luna
- Jennifer Rosas Huertero
- Banessa Sarabia
- TJ Sonny

3. Superintendent's Update

In her report, Dr. Whitbeck:

- Shared FBISD's second annual Bookapalooza was held at Clements High School Saturday and expressed appreciation to the district's librarians who organized the event.
- Congratulated the Dulles High School Academic Decathlon Team, which competed in the national competition in Frisco, Texas and won third place in the nation. The team won the state title in March for the seventh year in a row.
- Recognized Kempner High School and Bush High School, which are headed to the state UIL One Act Play competition in Round Rock.
- Congratulated All-State Academic Student Athletes in Tennis, who attend Elkins, Kempner and Ridge Point high schools.
- Recognized Kempner High School tennis player Noey Do, who is the state 5A champ and who also won the boys' singles title as a freshman last year.
- Recognized the Destination Imagination team from Cornerstone Elementary, which will be competing in the Global Finals in Kansas City, Missouri this May. The "Indestructibles" placed first in the Gulf Coast Regional Tournament.
- Recognized the April Impact Award recipient, Donna Conrad, who worked at Sartartia Middle School for 16 years and who passed away in April. Ms. Conrad was nominated by her principal for the lasting impact she had on her coworkers and students.
- Congratulated the graduates from Hightower, Marshall and Willowridge High School's P-Tech and Early College programs, and shared there are 93 graduates from the district's inaugural year of the programs.
- Reminded the community that tomorrow is the last day of early voting in the Fort Bend ISD election, which has three bond propositions and three school board positions on the ballot.

4. Public Comment

- Stephanie Brown addressed Board members regarding student rankings and shared that as Board members consider policy revisions, they should carefully consider the weights for courses in the Early College and P-TECH programs, as they are not like AP courses.
- Dr. Thelissa Edwards, an FBISD parent, addressed Board members regarding policy EIC Local Policy and requested that the district suspend or remove the stipulation related to class rank only being calculated for the top ten percent of each class, allowing all students the option of receiving their individual class ranking.

5. Information

A. 2023 Bond Election Update

Deputy Superintendent Steve Bassett provided an update on the 2023 Bond Election and played an informational video about the bond, which included district information and details about the bond election, including its three propositions.

Mr. Bassett shared the last day of early voting is Tuesday and to date, more than 8,000 votes have been cast. Bassett shared information about the consequences of a "no" vote, including schools that wouldn't be rebuilt and overcrowding at Thornton Middle School. Bassett also shared

that while the bond does not have a direct impact on teacher pay, as bond funds cannot be used for employee compensation, there would be less flexibility in the general fund should the bond be unsuccessful. This is because the general fund would have to absorb costs of repairs and replacement items as systems break down.

In response to questions from the Board, Bassett explained why the District does not reap the benefit of large property tax increases, as the district's general fund revenue is based on enrollment, student demographics and attendance. Mr. Bassett also shared additional information about savings the district has achieved through the commercial paper program and bond refundings. Bassett confirmed that since 2016, the district has saved approximately \$23 million from the commercial paper program, and approximately \$108 million through bond refundings since 2014.

6 - 7 Review

- A. Review proposed adoption, revision, and deletion of local policies EHBC (Local) and EIE (Local).

Coby Wilbanks, Executive Director of Legal Services, provided an overview of policy revisions, and told Board members the changes to EHBC (Local) and EIE (Local) were prompted by House Bill 4545 from the 2021 Legislative session. These changes include adding a philosophy statement to EHBC, as well as language required by HB 4545 regarding accelerated instruction and accelerated learning committees. Board Policy EIE (Local) addresses retention and promotion, and the proposed revisions include the removal of language related to outdated provisions regarding grade placement committees and grade placement testing.

During discussion, Melissa Hubbard provided clarification regarding promotion standards in grades 2-5 and middle school, which includes a passing average in English Language Arts (ELA). Wilbanks told Board members that language regarding Grade Placement Committees (GPC) was removed from the policy, as House Bill 4545 removed those requirements and replaced those with the accelerated instruction in EHBC.

- B. Review an Interlocal Agreement with Purchasing Solutions Alliance (PSA), and authorization for the Superintendent to negotiate and execute the agreement.

President Malone informed Board members the administration is pulling this item.

- C. Review lease agreement with The Walden School and authorization for the Superintendent to negotiate and execute the lease agreement.

No discussion.

7. Review the proposed expenses that exceed \$50,000: Specifically for:

- A. Review the purchase of print shop equipment, maintenance and supplies from multiple cooperative contracts in amount not-to-exceed \$964,877 and authorization for the Superintendent to negotiate and execute the agreement through May 2027.

President Malone informed Board President Malone informed Board members the administration is pulling this item.

- B. Review the purchase of Instructional Resources (Supplemental) and authorization for the Superintendent to negotiate and execute the agreements through June 2027.

During discussion, Board members expressed concern about the time students are spending on digital devices as a part of instruction. Dr. Lawson confirmed that the materials included in this item are not part of the curriculum, and if approved, these vendors would be added to the awarded vendor list, meaning campuses could purchase materials from the vendors. Dr. Lawson also provided background about the input from Academic Affairs and Department of School Leadership as part of the procurement process.

- C. Review the purchase of feedback and customer service solutions for schools from K12 Insight Technology and Communications Services (K12 Insight) under a cooperative contract with OMNIA Partners in an amount not to exceed \$192,800, and authorization for the superintendent to negotiate and execute the agreements through June 30, 2024.

During discussion, Beth Martinez provided background information about K12's bullying reporting feature, explaining that this information is included on the Department of Student Affairs website and as well as the Student Code of Conduct. Martinez also shared that each year, the campus behavior coordinators are trained and these coordinators alert teachers and students to this reporting feature. Martinez shared that most often, anonymous reports are received through this particular platform, and confirmed that all student IDs have a QR code that directs them to the "See Something, Share Something" reporting app.

- D. Review the continued purchase of website hosting, an accessibility tool, and mass notification system from Finalsity, formerly Blackboard Inc., in an amount not to exceed \$1,080,888, and authorization for the Superintendent to negotiate and execute the agreement through June 2028.

No discussion.

- E. Review to increase the existing contract awarded under 22-002AR Gates and Door Products, Service and Installation by \$140,000 for a total expenditure amount of \$376,000. This increase will allow the District to continue purchasing gates and door products, service, and installation for the duration of the contract period, which ends December 31, 2024.

No discussion.

- F. Review a construction services agreement with Job Order Contractor (JOC) JR Thomas Group to perform necessary repairs and controls upgrades at First Colony Middle School (PKG059), for a not-to-exceed construction cost of \$950,000, and authorization for the Superintendent to negotiate and execute the contact documents.

During discussion, Christopher Juntti confirmed that these repairs were part of the 2018 bond and considered a Level 1 item that was implemented as part of a phased approach. In 2018, the hot and cold water supply lines were replaced, with plans for another phase of work to be included the 2021 bond that was eventually delayed. Juntti explained that these repairs are needed now due to failures in the galvanized piping.

- G. Review the purchase of Athletic Media Services through the Central Texas Purchasing Alliance contract from Vype Media in an amount not-to-exceed \$234,850 and authorization for the Superintendent to negotiate and execute the agreement through April 2026.

During discussion, Athletic Director Dena Scott provided additional information about the services provided by VYPE during the last two years, which include social media and video content and print magazines twice a year. Scott shared that FBISD has 14,000 student athletes and the district is not currently able to produce content at this level. Scott also shared that social media engagement has increased during this period.

- H. Review the purchase of Fine Arts consultant and clinician services and authorization for the Superintendent to negotiate and execute the agreements through January 2028.

No discussion.

- I. Review construction services agreement with Job Order Contractor (JOC) Contractors to perform the necessary underground storm and sanitary leak repairs under (PKG005) for a not-to-exceed amount of \$650,000, and authorization for the Superintendent to negotiate and execute or terminate the agreements.

During discussion, Carolina Fuzetti provided additional information about the Madden Elementary repairs included in this item. Fuzetti shared that testing showed that some of the piping underneath the school's slab has shifted and cracked, and the first step to stabilizing the building is fixing the cracks. Fuzetti shared that Bond 2023 includes significant funding to finalize the foundation repairs at Madden.

- J. Review the purchase of Medical Plan and Flexible Spending Account (FSA) Administration services from UnitedHealthcare (UHC) and authorization for the Superintendent to negotiate and execute the agreements through December 2028. This expenditure amount is dependent on employee participation.

No discussion.

8. Closed Session

The Board convened in closed session at 7:55 p.m. 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

9. Reconvene in Open Session

The Trustees reconvened in open session at 8:23 p.m.

10. Consider Action on Closed Session Items

- B. Deliberate approval of Behavior Network as a non-public day and residential

facility for identified students who receive special education services.

MOTION by Hanan and SECONDED by Garcia that the Board of Trustees approve Behavior Network as a non-public day and residential facility and authorize the superintendent to negotiate and execute an agreement with Behavior Network for the placement of C.P. in furtherance of the agreement in TEA docket #045-SE-1022.

MOTION CARRIES, 7-0.

Ayes: Malone, Dae, Gilliam, Garcia, Hamilton, Hanan, Williams

- A. Deliberate hearing officer's recommendation regarding the Level Three employee grievance of Norma Garcia, pursuant to District Policy DGBA (Local).

MOTION by Gilliam and SECONDED by Garcia that the Board of Trustees accept the Hearing Officer's recommendation in the Level 3 Grievance of Employee Norma Garcia.

MOTION CARRIES, 6-1.

Ayes: Malone, Dae, Gilliam, Garcia, Hamilton, Hanan

Nay: Williams

11. Action

- A. Consideration and approval of the 2023-24 Annual Professional Learning Plan.

In response to questions and feedback from Board members regarding the amount of training that is required of teachers, Stephanie Williams provided information about the Texas Reading Academies for Grades K-3, which amounts to approximately 80 hours if a teacher engages in the full Reading Academies, how the district calculated the stipend rate paid to teachers, and the multiple pathways provided to staff for other required trainings. Williams also provided clarification about the purpose of the action item. During discussion, Board members expressed support of teachers and concern about the amount of training is required.

MOTION by Dae and SECONDED by Hanan that the Board of Trustees approve the administration's recommendation of the 2023-24 Annual Professional Learning Plan.

MOTION CARRIES, 6-1.

Ayes: Malone, Dae, Gilliam, Garcia, Hamilton, Hanan

Nay: Williams

- B. Consideration and approval a one-time suspension of the EIC (Local) policy provisions that address calculation of class rank for the class of 2024 for the limited purpose of allowing the June 2023 class rankings to be calculated and made available to all members of the class of 2024.

MOTION made by Dae and SECONDED by Gilliam to approve a one-time suspension of the EIC (Local) policy provisions that address calculation of class rank for the class of 2024 for the limited purpose of allowing the June 2023 class rankings to be calculated and made available to all members of the class of 2024.

During discussion, Mrs. Malone shared that the administration confirmed to the Policy Committee that the district would be able to release rankings by June, and the committee decided that they would like to do a special session on this policy so that the full board can provide feedback. Malone also shared that members of the policy committee were in favor of this particular suspension.

In response to Board members feedback and questions:

- The administration confirmed that in June of 2023, the district would be able to provide rank to all students in the Class of 2024 through Skyward.
- Dr. Whitbeck shared that traditionally most districts provide rank to all students, but some districts have moved away from the practice to create more of a holistic review of the child at the university level. However, if rank is provided to all students, students can no longer report that the district does not rank.
- Dr. Whitbeck shared that should the Board wish to take immediate action, the Board can temporarily suspend the provision, give the class of 2024 their rank, and then conduct further work on the policy.
- Dr. Pilar Westbrook shared the district has received input from some students that have requested that rankings not be provided. Westbrook also shared because of system challenges, there is not a way to only give rankings to students upon request, and therefore there is a concern about overburdening campus staff members, including counselors and registrars.
- Mitzi Patin shared additional information about Skyward's functionality and confirmed there is not an option for a "hidden button" functionality.
- Dr. Lawson confirmed that the June ranking release is the first opportunity a junior has to report their ranking in their college application process, and the second opportunity comes after the fall semester.

During discussion, Mrs. Hanan asked that the minutes include a prepared statement she read during discussion, stating *"my 'no' vote on April 17, 2023 was not a reflection of my opposition to providing students rank, but rather, the 'no' vote was because I believed the motion was confusing and would cause confusion among students, staff and parents. The question was called before I was able to explain my position."*

Following discussion, MOTION CARRIES, 7-0.

12. Adjournment

Having no further business before the Board, MOTION was made by Garcia to adjourn the meeting at 9:26 p.m.

Judy Dae, President

David Hamilton, Secretary

Minutes
Fort Bend ISD Board of Trustees
Special Called Meeting
Canvassing of the Election Results
May 15, 2023

A Special Called Meeting of the Fort Bend ISD Board of Trustees to canvass the May 6, 2023 General Election was held on Monday, May 15, 2023, beginning at 5:30 p.m. in the Board Room of the Administration Building located at 16431 Lexington Blvd., Sugar Land, Texas. The Live Stream of the meeting was available at: www.fortbendisd.com/boardmeetinglivestream.

The meeting was recorded as required by law, and the recording is available to the public at: <https://fortbendisd.new.swagit.com/videos/230191>

The agenda packet for the meeting can be found here: <https://meetings.boardbook.org/Public/Agenda/649?meeting=558234>.

Presiding Officer.....Ms. Kristen Davison Malone, President

Board Members Present

Dr. Shirley Rose-Gilliam, Secretary
Mrs. Angie Hanan

School Officials Present

Dr. Christie Whitbeck, Superintendent of Schools
FBISD Staff and Employees
Robert Scamardo, General Counsel
Jonathan Brush, Board Counsel
Amanda Bubela, Recording Secretary (joining virtually)

1. Meeting Called to Order

President Malone called the meeting to order at 5:30 p.m. and stated that pursuant to Texas Election Code Section 67.004, three trustees were present, which constituted a quorum, and that the notice of the meeting had been posted for the time and matter required by law.

2. Action Item

- A. Canvass the votes cast in the General Election on May 6, 2023 for Fort Bend ISD Trustee Positions 1, 4 and 5.

Mrs. Malone stated the only business during the meeting was to canvass the returns and declare the results of the May 6, 2023 General Election for Trustees in Positions 1, 4, and 5, and the Special Election for voter approval of the issuance of bonds. On May 12, 2023, Fort Bend County Elections Administrator, John Oldham, delivered the certified statement of the votes cast in the May 6, 2023 Election pursuant to the Joint Election Agreement with Fort Bend County. The votes cast in the election are as follows:

Of the 282,408 registered voters in Fort Bend Independent School District, 19,261 ballots were cast.

The votes cast for Trustee, Position 1 are as follows:

Angie Hanan 9,854 or 58.20% of votes cast
Oscar Saenz 7,078 or 41.80% of votes cast

The votes cast for Trustee, Position 4 are as follows:

Shirley Rose-Gilliam 8,568 or 51.84% of votes cast
Cheryl Anne Buford 7,959 or 48.16% of votes cast

The votes cast for Trustee, Position 5 are as follows:

Sonya Jones 6,480 or 39.38% of votes cast
Allison Drew 4,477 or 27.21% of votes cast
Rolly U. DeMeza 753 or 4.58% of votes cast
Angel Hicks 3,223 or 19.59% of votes cast
Denetta R. Williams 1,520 or 9.24% of votes cast

Malone stated that Certificates of Election would be prepared and presented to each elected Trustee.

- B. Canvass the votes cast in the Bond Election for Fort Bend ISD on May 6, 2023 and consider approval of an Order declaring the results and authorizing the issuance of bonds.

In the Bond Election for Fort Bend Independent School District, there were 18,889 total votes cast in Proposition A as follows:

- 12,404 votes or 65.67% of the total votes cast were FOR Proposition A.
- 6,485 votes or 34.33% of the total votes cast were AGAINST Proposition A.

Proposition A was approved.

There were 18,858 total votes cast in Proposition B as follows:

- 12,564 votes or 66.62% of the total votes cast were FOR Proposition B.
- 6,294 votes or 33.38% of the total votes cast were AGAINST Proposition B.

Proposition B was approved.

There were 18,823 total votes cast in Proposition C as follows:

- 10,666 votes or 56.66% of the total votes cast were FOR Proposition C.
- 8,157 votes or 43.34% of the total votes cast were AGAINST Proposition C.

Proposition C was approved.

MOTION made by Hanan and SECONDED by Gilliam that the *Board of Trustees approve and*

adopt the Order required by law declaring the results of the election and authorizing the issuance of bonds in the amounts and for the purposes mentioned in Proposition A, Proposition B, and Proposition C, and that this meeting was properly noticed by law.

MOTION CARRIES, Ayes 3, Nays 0.

3. Adjournment

Having no further business before the Board, the meeting was adjourned at 5:35 p.m.

Judy Dae, President

David Hamilton, Secretary

Minutes
Fort Bend ISD Board of Trustees
Regular Business Meeting
May 15, 2023

A Regular Business Meeting of the Fort Bend ISD Board of Trustees was held on Monday, May 15, 2023 beginning at 6:01 p.m. in the Board Room of the Administration Building located at 16431 Lexington Blvd., Sugar Land, Texas. The Live Stream of the meeting was available at <https://www.fortbendisd.com/boardmeetinglivestream>.

The meeting was recorded as required by law, and the recording is available to the public at: <https://fortbendisd.new.swagit.com/videos/230203>.

The agenda packet for the meeting can be found here: <https://meetings.boardbook.org/Public/Agenda/649?meeting=563981>.

Presiding Officer.....Mrs. Kristen Davison Malone, President

Board Members Present

Mrs. Judy Dae, Vice President
Dr. Shirley Rose-Gilliam, Secretary
Mr. Rick Garcia
Mr. David Hamilton
Mrs. Angie Hanan

School Officials Present

Dr. Christie Whitbeck, Superintendent of Schools
Beth Martinez, Deputy Superintendent
Bryan Guinn, Chief Financial Officer
Glenda Johnson, Chief Human Resources Officer
Dr. Kimberly Lawson, Chief Academic Officer
Long Pham, Chief Information Officer
Christopher Juntti, Interim Chief Operations Officer
Amanda Bubela, Recording Secretary (virtual)

Others Present

Jonathan Brush, Board Counsel
FBISD Staff and Employees

1.-3. Meeting Called to Order, National Anthem, Moment of Silence

President Malone called the meeting to order at 6:01 p.m. announcing the presence of a quorum, that the meeting had been duly called and the notice posted for the time and matter required by law. President Malone shared that the Willowridge High School Choir would be performing the National Anthem later in the meeting, as they were currently enroute.

4. Recognitions – Part I

The Board recognized several students and campuses including:

Fort Settlement Middle School for earning National distinction by being a Re-Designated School to Watch:

- Dr. Jennifer Williams-Principal
- Ms. Tracey Rich- Associate Principal
- Ms. Susan Bakus- Assistant Principal
- Ms. Dawn LaFleur- Assistant Principal

Two Fort Bend ISD teachers for earning recognitions from the Suburban Houston Area Bilingual Educators (SHABE):

- Dilma Calles, bilingual teacher at Mission West Elementary, Suburban Houston Area Bilingual Educators (SHABE) Teacher of the Year.
- Dr. Brittany Lindsey, Spanish teacher at First Colony Middle School, SHABE World Language Teacher of the Year.

Ridge Point High School girls' soccer team for placing second in the State Finals:

- Evelyn Torres, Coach, who was also awarded the UIL Sponsor Excellence Award
- Dayo Tennyson
- George Mulholland
- Hannah Warnken
- Charlotte Richardson
- Ashley Pugne
- Thaleia Caldwell
- Taylor Vinson
- Kara Canetti
- Julia McDonald
- Laurel Kelley
- Ryann Dedmon
- Allison Wilson
- Emma Lovell
- Camryn Letellier
- Kelsey Vaughn
- Molly Thompson
- Alicia Audu
- Caden Burghart, Manager

The Dulles High School Academic Decathlon team for placing 3rd at the USAD National Championship.

- Jasmine Chou
- Ashley Dao
- Audrey Hanan
- Kelsey Halfen, Andrew Hartman, Mark Rosenbalm and Casey Johnson, Coaches

Clements High School Indoor Percussion Ensemble, named State Champion at the Texas Color Guard Circuit state championship

- Jade Tsang
- Andrew Yun
- Emma Waites
- Bryan Waites and Jeff Johnson, Director

Bush High School wind symphony and percussion ensemble, which will be featured at the American School Band Directors Association Region V Conference

- Patrick Castillo, Drum Major
- Diana Velazques, Drum Major
- Anton Pagaduan, Band Captain
- Dr. John Wilkerson, Director
- Carlos Cruz, Assistant Director
- Percussion Director

FBISD Fine Arts Director Jim Drew and Bush High School Assistant Band Director Carlos Cruz, who will both be inducted into the American School Band Director Association.

Marshall High School wind ensemble, which was selected to perform at the 2023 HBCU Band and Orchestra Directors' Consortium

- Alexandra Jimenez
- Alisson Lemus-Alvarado
- Deja Barnes
- Darwin Lewis, Director

Members of the senior-level leadership cohort for their participation in the Board's Student Leadership 101/102 Program

- Austin High School
 - Mehak Mian
 - Tapanjyoth Paunarkar
- Bush High School
 - Caidan Hackley
 - Beatrice Olaosebikan
- Clements High School
 - Anushka Behal
- Elkins High School
 - Anderson Cooper
 - Christine Dominic
 - Johnathan Varghese
- Hightower High School
 - Sriveda Chinapuvvula
 - Marian Sandy Olayon
 - Bilvanilay Vakulabharanam
- Kempner High School
 - Faisal Khandhia
 - Datta Mullapudi
 - Nidia Samuel
- Ridge Point High School
 - Darya Erdogan
 - Miles Menendez
- Travis High School
 - Rishi Bandhu
 - Clarissa Holguin
 - Amarachi Nosike
- Willowridge High School
 - Allison Cantu

Following the above recognitions, Mrs. Malone asked everyone to stand for the National Anthem, performed by the Willowridge High School Choir. Following the performance, everyone was asked to remain standing for a moment of silence. Board members then recognized members of the choir.

- Heaven Abu
- Uzoamaka Azuogu
- Jaylin Billups
- Gabrielle Creese
- KaTerra Curtis-Washington
- Seth Williams
- Marco Gomez
- Diamond Milam
- Monserrat Ortega
- Humberto Rodriguez
- Tee Simon

5. Superintendent Update

Dr. Whitbeck shared with the Board several district updates, events and celebrations.

- Dr. Whitbeck shared that all three propositions of the 2023 Bond passed and expressed appreciation to everyone who supported the bond.
- Dr. Whitbeck congratulated students who recently won Tommy Tune Awards, including Dulles High School students Gracie Morgan, Drew Doyle, and Madison Hebert, who won outstanding choreography for their production of *All Shook Up*. Drew also won for outstanding dancer.
- Dr. Whitbeck shared that Dulles Middle School's Kickstart Kids middle school demonstration team recently won first place in "Martial Arts Mania" at the state tournament. Two students were also named Grand Champions (Danait Michael and Jasmin Li, led by Instructor Tracy Armstead), and Hodges Bend Elementary Kickstart Instructor Amanda Meisner won the Instructor of the Year Award for the entire Southeast Texas Region.
- Dr. Whitbeck recognized Fort Bend ISD's Nurses of the Year, Noby Kandarapally of Lantern Lane Elementary and Natalie Bostic of the Reese Center. Palmer Elementary's Michelle Kendrick was named Specialized Education Nurse of the Year.
- Dr. Whitbeck shared that the Fort Bend Education Foundation awarded almost \$770,000 in grants to FBISD teachers and staff, a record amount, and expressed appreciation to the Foundation for supporting students and staff.
- Dr. Whitbeck shared the Hunters Glen All-In Mentoring event was held today, which celebrated mentees and mentors in the District, and expressed appreciation to those who participated.
- Dr. Whitbeck shared the Ridge Point High School baseball team advanced to the Regional Quarterfinal Round over the weekend, and will next play Cinco Ranch.
- Dr. Whitbeck congratulated the Marshall High School boys track team, which won the 5A State Championship for the sixth time in a row.

6. Board Members' Reports

A. Activity Report

Dr. Gilliam reported that the Trustees attended or participated in the following activities since the December Regular Board meeting.

- Vision and Planning Committee Meeting
- Board Audit Committee Meeting
- Meetings to Discuss Original Boundary Recommendations
- Student Leadership 101 Session #4
- Board Policy Review Committee Meeting
- Teacher of the Year Application Judging
- Campus visit to Hodges Bend Middle School
- Houston-Galveston Area Council (H-GAC) 2023 Annual Meeting and State of the Region
- Malala Elementary's Multicultural Night: The Seven Continents
- Houston-Galveston Area Council (H-GAC) Local Government Summit
- Meeting to Discuss Teacher of the Year Processes
- Coffee with PACE (The Fort Bend Association of Parents for Academic Excellence)
- FBISD Houston Livestock & Rodeo Art Contest Exhibit at Anne Sullivan Elementary
- All in Mentoring at Hunters Glen Elementary
- Bowie Middle School Culture and Climate Social
- School Bond Oversight Committee Meeting
- Gulf Coast Destination Imagination Tournament Appraiser Training
- Bush High School Theatre Production, "Once on This Island"
- Coding and Filmmakers Academy
- Marshall High School Basketball game against Fulshear

B. Committee Reports

There were no committee reports.

7. Public Comment

- Lisa Flores Ofuani, a resident of the Mustang Trails subdivision, addressed Board members concerning an issue with a bus stop. Ofuani reported that children and adults are being disrespectful of their property and asked that the district move the bus stop to a more centralized location.

8. Information

A. Intruder Detection Audit Report Findings

Fort Bend ISD Police Lt. Mike Harvey shared results of the most recent Intruder Detection Audits, conducted by the Texas School Safety Center. These audits test whether a campus is accessible to unauthorized individuals.

Since the last update to the Board of Trustees update on April 17, 2023, the Texas School Safety Center conducted seven additional audits at FBISD campuses, and six reports came back without any findings or corrective actions. Harvey reported one campus received a finding and corrective actions, including training and related work orders, are in the process of being completed. Harvey

shared that specific details of the Intruder Detection audit may be discussed during executive session and will be discussed with the Safety and Security Committee.

B. Budget and Legislative Update for 2023-24

Chief Financial Officer Bryan Guinn provided legislative update and budget briefing as the District moves toward the adoption of the 2023-24 budget. Guinn shared that there is still no real clarity regarding the legislature's actions, as no final decisions have been made. Guinn shared that the Senate has committed to Educational Spending Accounts (ESAs), and the Governor and Lt. Governor have committed to these ESAs and the District has been following these developments closely. At this point, based on the information available, FBISD is tentatively estimated to receive \$39.8 million in new funding, but there will not be any certainty until both the Senate and House take action.

Guinn also shared an update on the 2023-24 General Fund Outlook, emphasizing that the analysis is tentative and based only on information available at this moment, as legislative actions are pending. Guinn shared that while the District is awaiting legislative updates, FBISD will be required to adopt the budget by the end of the fiscal year on June 30. Statutory requirements also include the publication of budget information in a local paper by May 24, and a public hearing prior to the adoption of the budget on June 26. Guinn shared that the adoption of the tax rate would occur in the August/September time frame.

Guinn shared an overview of the 2023-24 proposed budget, which will meet the 90-day reserve operating requirement established by policy, and indicated that should the legislature take action to provide additional funding, the district would have the ability to amend the budget to incorporate new revenues and expenditures that may be required.

Following the budget update, Board members provided feedback and asked questions, and Guinn provided clarification based on the District's current understanding of proposed legislative changes.

10. Recognitions – Part II

Following information items on the agenda, President Malone shared that the second part of the Board's recognitions, Item 10, would occur next.

The Board then recognized additional students and campuses including:

Fort Bend ISD DECA students who competed at the state-level and qualified for nationals
Travis High School

- Trisha Gurnani, 1st Place, Integrated Marketing Campaign

Fort Bend ISD Technology Student Association (TSA) students placed at the state competition and qualified for nationals

Clements High School

- Aaron Solanki, Geospatial Technology
- Logan McClurkin and Ryan Volkin, Technology Problem Solving

Elkins High School

- Aryan Chandra, Mohammad Hussain, Sharan Misra, and Ashwin Vijaianand, 2nd Place, Video Game Design

Fort Bend ISD Health Occupational Students of America (HOSA) students who placed at the state competition and advanced to the national competition

Hightower High School

- Jeevana Gottipati and Bilvanilay Vakulabharanam, 3rd Place MRC Partnership
- Naomi Kurian and Arish Ali, 3rd Place Biomedical Debate
- Mihir Sekhar, Mhyank Sekhar and Arshi Maniar, 2nd Place Biomedical Debate
- Veda Chinapuvvula, 1st Place Healthy Lifestyle

Travis High School

- Eno-Obong Ubon, 1st Place Organizational Leadership

Students from the James Reese Career and Technical Center who placed in the SkillsUSA State Conference

Automotive

- Muhammad Nizamani, Silver Winner, Automotive Maintenance and Light Repair
- Teresa Reyna and James Hurtubise, Advisor

Audio Visual and Information Technology

- Cormac Saxon, Silver Winner, Information Technology Services
- Faris Ebrahim, Bronze Winner, Photography
- Amanda Velasquez, Best of Show, Commercial Photography
- Gavin Lawrence, Cormac Saxon, Rodney Glover, Edwin Cisneros and Noah Hailu, Best of Show
- Joey Dyrud-Lange, Advisor

Welding

- Jayton Brown, Darlyn Carbussica-Media and Abelardo Perez, Silver Winner
- Tyler Marshall, Advisor

Health Science

- Babitta Sajeeh, Gold Winner
- Staci Mikeska, Advisor

9. Consent Agenda

During discussion, the board requested that Items 9-C-6 and 9-A be pulled from the Consent Agenda.

MOTION made by Mrs. Dae and SECONDED by Mrs. Hanan to approve the Consent Agenda (Item 9) with the exception of Items 9.C.6 and 9.A. as presented.

MOTION CARRIES. Ayes 6, Nays 0.

Yea: Malone, Dae, Gilliam, Hamilton, Garcia, Hanan

- B. Consideration and approval of a lease agreement with The Walden School and

authorization for the Superintendent to negotiate and execute the lease agreement.

- C. Consideration and approval of proposed expenses that exceed \$50,000: Specifically for:
1. Consideration and approval for the purchase of Instructional Resources (Supplemental) and authorization for the Superintendent to negotiate and execute the agreements through June 2027.
 2. Consideration and approval for the purchase of feedback and customer service solutions for schools from K12 Insight Technology and Communications Services (K12 Insight) under a cooperative contract with OMNIA Partners in an amount not-to-exceed \$192,800, and authorization for the Superintendent to negotiate and execute the agreements through June 30, 2024.
 3. Consideration and approval for the continued purchase of website hosting, an accessibility tool, and mass notification system from Finalsite, formerly Blackboard Inc., in an amount not to exceed \$1,080,888, and authorization for the Superintendent to negotiate and execute the agreement through June 2028.
 4. Consideration and approval to increase the existing contract awarded under 22-002AR Gates and Door Products, Service and Installation by \$140,000 for a total expenditure amount of \$376,000. This increase will allow the District to continue purchasing gates and door products, service, and installation for the duration of the contract period, which ends December 31, 2024.
 5. Consideration and approval for a construction services agreement with Job Order Contractor (JOC) JR Thomas Group to perform necessary repairs and controls upgrades at First Colony Middle School (PKG059), for a not-to-exceed construction cost of \$950,000, and authorization for the Superintendent to negotiate and execute the contact documents.
 7. Consideration and approval for the purchase of Fine Arts consultant and clinician services, in an amount not to exceed \$2,500,000 and authorization for the Superintendent to negotiate and execute the agreements through January 2028.
 8. Consideration and approval of a service agreement with Job Order Contractor (JOC) E Contractors to perform the necessary underground storm and sanitary leak repairs under (PKG005) for a not-to-exceed amount of \$650,000, and authorization for the Superintendent to negotiate and execute or terminate the agreements.
 9. Consideration and approval for the purchase of Medical Plan and Flexible Spending Account (FSA) Administration services from UnitedHealthcare (UHC) and authorization for the Superintendent to negotiate and execute the agreements through December 2028. This expenditure amount is dependent on employee participation.

Action on Items Removed from the Consent Agenda

9.A. Consideration and approval for proposed adoption, revision, and deletion of local policies EHBC (Local) and EIE (Local).

MOTION made by Mrs. Dae and SECONDED by Mrs. Hanan to approve Consent Agenda Item 9-A as presented.

During discussion, Coby Wilbanks, Executive Director of Legal Services, provided

clarification regarding retention and promotion language in EIE (Local), and shared that the bulk of the changes were prompted by House Bill 4545. Wilbanks also shared information about language deleted relating to Grade Placement Committees (GPCs) which no longer exist in statute, and Dr. Lawson provided clarification about past practices in FBISD and throughout the state.

Following discussion, MOTION CARRIES, 4-2.

Yea: Malone, Gilliam, Garcia, Hanan

Nay: Dae and Hamilton

9.C.6. Consideration and approval for the purchase of Athletic Media Services through the Central Texas Purchasing Alliance contract from Vype Media in an amount not-to-exceed \$234,850 and authorization for the Superintendent to negotiate and execute the agreement through April 2026.

MOTION made by Mrs. Dae and SECONDED by Mrs. Hanan to approve Consent Agenda Item 9.C.6. as presented.

During discussion, FBISD Athletic Director Dena Scott confirmed the purchase would be funded through the athletic department's budget and Dr. Whitbeck shared information about FBISD's in-house publication that highlights FBISD programs and students from all programs and campuses.

Following discussion, MOTION CARRIES, 5-1.

Yea: Malone, Dae, Gilliam, Hamilton, Garcia

Nay: Hanan

11. Convene in Closed Session

The Board convened in closed session at 7:57 p.m. 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.

- A. Deliberate Cornerstone Elementary Principal recommendation
- B. Deliberate Meadows Elementary Principal recommendation
- C. Deliberate Director of Leadership Development recommendation
- D. Deliberate Director of Materials Management recommendation

12. Reconvene in Open Session

The Trustees reconvened in open session at 8:46 p.m.

13. Consider Action on Closed Session Items

- MOTION by Hanan and SECONDED by Garcia that the Board of Trustees approve the appointment of Alexis Prudhomme as principal of Cornerstone Elementary.

MOTION CARRIES, 6-0.

- MOTION by Garcia and SECONDED by Gilliam that the Board of Trustees approve the appointment of Cindel Blackmer of Meadows Elementary.

MOTION CARRIES, 6-0.

- MOTION BY Gilliam and SECONDED BY Hanan that the Board of Trustees approve the appointment of Jasmin Russell of Director of Leadership Development.

MOTION CARRIES, 6-0.

- MOTION by Hamilton and SECONDED by Garcia that the Board of Trustees approve the appointment of Doris Emeka-Onyenwe as the Director of Materials Management.

MOTION CARRIES, 6-0.

14. Action

- A. Consideration and approval of a construction services agreement with Prime Contractors Inc., to perform the necessary repairs and upgrades at Barrington Place Elementary (PKG07), for a not-to- exceed construction cost of \$13,378,000, and authorization for the Superintendent to negotiate and execute or terminate the agreement.

MOTION by Dae and SECONDED by Gilliam that the Board consider and approve a construction services agreement with Prime Contractors.

MOTION CARRIES, 6-0.

- B. Consideration and approval to terminate the interlocal agreement for SPARK Park at Briargate Elementary, and authorization for the Superintendent to terminate the interlocal agreement to the anticipated demolition and re-build of Briargate ES as the grounds are needed for exclusive school district use.

MOTION by Dae and SECONDED by Gilliam that the Board approve Agenda Item 14.B as presented.

MOTION CARRIES, 6-0.

- C. Review and consideration of approval to delegate authority to the Superintendent to appoint and approve contracts of employment for campus principals and district administrators at the director level and above, for the 2023-24 school year through August 21, 2023.

MOTION by Dae and SECONDED by Gilliam that the Board approve delegation to the superintendent to appoint and approve contracts for employment for campus principals and district administrators at the director level and above, for the 2023-24 school year between May 16, 2023 and August 7, 2023.

MOTION CARRIES, 6-0.

15. Administer Oath of Office to Newly-Elected Trustee

- Ms. Jessilyn Allen administered the Oath of Office to returning Trustees Angie Hanan and Shirley-Rose Gilliam.

- Judge Dean Hrbacek administered the Oath of Office to newly-elected Trustee Sonya Jones.

16. Convene in Closed Session

The Board reconvened in closed session at 9:02 p.m. 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.

- A. Deliberate selection of Board Officers
- B. Deliberate the purchase of 16.3 acres of real property adjacent to Harlem Road

17. Reconvene in Open Session

The Trustees reconvened in open session at 11:10 p.m. with President Malone presiding.

- A. Election of Board Officers

President Malone opened the floor for nominations for Board President.

MOTION by Malone and SECONDED by Hanan to nominate Judy Dae for President.

MOTION CARRIES, 7-0

Newly-elected President Dae opened the floor for nominations for Vice President.

MOTION by Hanan and SECONDED by Malone to nominate Dr. Shirley Rose Gilliam for Vice-President.

MOTION CARRIES, 6-1.

Yea: Dae, Gilliam, Hamilton, Malone, Garcia, Hanan

Nay: Jones

President Dae opened the floor for nominations for Secretary.

MOTION by Dae and SECONDED by Garcia to nominate Mr. Hamilton as Secretary.

MOTION CARRIES, 5-0-2

Yea: Dae, Gilliam, Hamilton, Garcia, Jones

Nay:

Abstain: Malone and Hanan

18. Adjournment

Having no further business before the Board, Mrs. Dae adjourned the meeting at 11:15 p.m.

Judy Dae, President

David Hamilton, Secretary

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Review: Adoption and Revision of
Policies CB(Local) and EI(Local)
References: Board Policy BF (Local)
Department: Legal Services

Recommendation

Consideration and approval of proposed revision of local policies CB(Local), and EI(Local).

Summary

The Board Policy Committee and Administration recommend the following adoption and revision of local policy:

- CB(Local) State and Federal Revenue Sources
 - Proposed revisions implement the TEA recommendation to give public notice of federal grant applications. Further, the revised policy authorizes the superintendent to approve the grant and award plans.
- EI(Local) Academic Achievement
 - Proposed revisions remove the philosophy statement as the content is more specifically addressed in other policies in this series (i.e. EIC), adjusts provisions on partial credit updated to reflect revised Administrative Code rules.
 - Additional provisions regarding a requirement to retake a course are recommended for deletion as a student can earn credit for the failed part of a course through various methods other than retaking the failed portion, and board policy is not required to specify which particular method may be used.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Coby Wilbanks
General Counsel

Note: This policy addresses state and federal grants and awards. For private grants and other awards, see CDC.

Philosophy

The Board believes that student success is best achieved in a collaborative community. To that end, the Board encourages the pursuit of grants and awards that align with the Board's goals and objectives.

State and Federal Grants and Awards

The Superintendent shall be authorized to:

1. Apply for any and all special federal and state grants and awards as deemed appropriate for the District's operations;
2. Approve commitment of District funds for matching, cost sharing, cooperative, or jointly funded projects up to the amounts specifically allowed under the District budget approved by the Board; and
3. Approve grant and award amendments as necessary.

The District shall comply with all requirements for state and federal grants and awards imposed by law, the awarding agency, or an applicable pass-through entity. The Superintendent shall develop and enforce financial management systems, internal control procedures, procurement procedures, and other administrative procedures as needed to provide reasonable assurance that the District is complying with requirements for state and federal grants and awards.

[See CAA, CBB]

Before applying for any grant or award, the Superintendent shall consider whether the grant or award:

1. Has a purpose consistent with the District's educational philosophy, goals, and objectives;
2. Places any restrictions on a campus or District program;
3. Would support a program that the Board may be unable or unwilling to continue when the donation of funds is exhausted;
4. Would result in ancillary or ongoing costs for the District;
5. Requires employment of additional personnel;
6. Requires or implies the endorsement of a specific business or product [see GKB for advertising opportunities];
7. Would result in inequitable funding, equipment, or resources among District schools or programs;

STATE AND FEDERAL REVENUE SOURCES

CB
(LOCAL)

8. Obligates the District or a campus to engage in specific actions; or
9. Affects the physical structure of a building or would require extensive maintenance on the part of the District.

Federal Awards

Public Notice and
Input

The District shall provide public notice of federal grant applications and make available opportunities for public input as required by law or the granting agency.

Plan Approval

Approval of required grant and award plans shall be by the Superintendent.

Conflict of Interest

Pursuant to Code of Federal Regulations, Title 2, section 200.318, (the Education Department General Administrative Regulations, "EDGAR"), each employee, Board member, or agent of the District who is engaged in the selection, award, or administration of a contract supported by a federal grant or award and who has a potential conflict of interest as defined, shall disclose to the District, in writing, any conflict that meets the disclosure threshold in Chapter 176 of the Local Government Code. [See CBB]

In addition, each employee, Board member, or agent of the District shall comply with any other conflict of interest requirements imposed by the granting agency or a pass-through entity.

For purposes of this policy, "immediate family member" shall have the same meaning as "family member" as described in Chapter 176 of the Government Code. [See BBFA]

For purposes of this policy, "partner" shall have the same meaning as defined in Business Organizations Code Chapter 1, Subchapter A.

An employee, Board member, or agent of the District who is required to disclose a conflict in accordance with the provisions above shall not participate in the selection, award, or administration of a contract supported by a federal grant or award.

Gifts and Gratuities

Employees, Board members, and agents of the District shall not solicit any gratuities, favors, or items from a contractor or a party to a subcontract for a federal grant or award and shall not accept:

1. Any single item with a value at or above \$50; or
2. Items from a single contractor or subcontractor that have an aggregate monetary value exceeding \$100 in a 12-month period.

[See BBFA, BBFB, CBB, DBD. In the event of a violation of these requirements, see CAA and DH.]

Philosophy

~~The Board believes It is the mission of the Board to inspire and equip students to pursue futures beyond what they can imagine. Therefore, the District's grading practices shall reflect the Board's Core Beliefs and Commitments in an effort to provide all students with the necessary support for their success. Grading is a method used to report student achievement. Grades represent the student's level of mastery of the District objectives. When making professional decisions during the grading process, teachers shall engage in grading practices that are be fair to students and avoid adversely impacting students through the teacher's discretionary judgment.~~

Certificate of Coursework Completion

The District shall not issue a certificate of coursework completion to a student who fails to meet all state and local requirements for graduation. [See EIF, FMH]

Partial Credit

When a student earns a passing grade in only ~~half one semester~~ of a ~~two semester~~ course and the combined grade for ~~both halves~~ the ~~two semesters~~ is lower than 70, the District shall award the student credit for the ~~half semester~~ with the passing grade. ~~The student shall be required to retake only the semester in which he or she earned the failing grade.~~

~~The student may choose to retake the entire course, especially where the course is a prerequisite for a higher level course, or the course is a foundational course upon which higher level courses build. All semester averages, including the failed half of a course semester, shall be used in the calculation of the student's grade point average. Students may not receive credit for the same half of a course semester more than once.~~

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
**Action: Review: Adoption of 2023 Ad Valorem
Tax Rate**
**References: Board Policy CCG (Legal)
Board Governance**
Department: Business and Finance

Recommendation

Consideration and approval of a resolution adopting the combined Ad Valorem tax rate of \$0.9992 per \$100 of valuation for the Fort Bend Independent School District for the 2023 tax year.

Summary

In accordance with the Property Tax Code Section 26.05, the Board of Trustees must approve the tax rate of the District. The method of adoption of the tax rate must be written ordinance, resolution, or order. Before setting a tax rate, school districts are required to comply with several items. These items include publishing notices on the District's website and in newspapers distributed within the school district boundaries; conducting a public hearing regarding the District's budget and tax rate; and adopting a budget.

The District has complied with the requirements of the law and received certified property values on July 25, 2023. Therefore, Fort Bend ISD may now proceed with adoption of the tax rate for the 2023-24 fiscal year.

The Fort Bend Independent School District's proposed tax rate for the 2023 tax year is \$0.9992 per \$100 of valuation and represents the sum of a \$0.7292 rate for Maintenance and Operations (M&O) and a \$0.2700 rate for the payment of bonds, referred to as Interest and Sinking (I&S). The proposed total tax rate of \$0.9992 exceeds the District's voter approval tax rate of \$0.9492.

The 2023 proposed total tax rate of \$0.9992 was calculated as required by law. This year's proposed tax rate exceeds the District's no-new-revenue rate of \$1.1682, This year's tax levy to fund maintenance and operations expenditures does not exceed last year's maintenance and operations tax levy. A statement about "tax increase" as specified by §26.05(b) of Property Tax Code is not required to be included on the home page of any Internet website operated by Fort Bend Independent School District.

The final tax rate will be recommended on August 21, 2023, and will not exceed \$0.9992.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Bryan Guinn
Chief Financial Officer

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Review: Designation of Public Information Act Non-Business Days
References: GBA(Legal and Local)
Department: General Counsel

Recommendation

Consideration and approval of the designation of non-business days under the Texas Public Information Act for calendar year 2023 and Spring 2024.

Summary

The Texas Public Information Act (TPIA) contains various deadlines related to the District’s response to public information requests, many of which are determined by calculating “business days.” Previously, any holidays or skeleton crew days observed by a governmental entity were not considered “business days,” provided the District identified such days in any related briefing to the Attorney General.

House Bill 3033 (2023) defines “business day” in such a way that includes any day the District is closed that is not a Saturday, Sunday, or *official state or national holiday*. As a result, additional days on which the District is closed that are not official holidays (such as Fort Bend County Fair day and days during Thanksgiving Break, Christmas Break, and Spring Break) are now considered “business days” for purposes of the TPIA.

HB 3033 allows the Board of Trustees of a school district to designate up to ten (10) additional nonbusiness days per calendar year for purposes of the TPIA. In the future, designations will be included with approval of the instructional calendar. For the current 2023-2024 instructional calendar, the administration recommends designating the following dates as nonbusiness days for the 2023 calendar year and Spring of 2024:

2023		
November 20, 2023	November 21, 2023	November 22, 2023
December 18, 2023	December 19, 2023	December 20, 2023
December 21, 2023	December 27, 2023	December 28, 2023
	December 29, 2023	
Spring 2024		
March 13, 2024	March 14, 2024	March 15, 2024
July 3, 2024	July 5, 2024	

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Coby Wilbanks
General Counsel

S M T W T F S

August 2023

	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2023

					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2023

			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023

					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

S M T W T F S

February 2024

				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024

					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2024

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 2024

			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2024

						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 2024

			1	2	3	4	5	6
7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31		

August

July 31- Aug 1 District Professional Learning Day
2-4 Professional Learning Day/No Students
7 Teacher Planning Day/No Students
8 Teacher Work Day/No Students
9 First Day of Classes 1st Semester

September

4 Holiday/Labor Day
15 Early Release- Elementary
29 Professional Learning Day/No Students

October

9 Holiday
10 Teacher Planning Day/No Students

November

10 Holiday/Veterans Day
20-24 Holiday/Thanksgiving Break

December

14 Early Release-MS/HS
15 Early Release/All Students
18-29 Holiday/Winter Break

January

1 Holiday/New Year's Day
2 Professional Learning Day/No Students
3 Teacher Planning Day/No Students
4 First Day of Classes 2nd Semester
15 Holiday/Martin Luther King Jr. Day

February

15 Early Release- Elem.
16 Professional Learning Day/No Students
19 Holiday/Inclement Weather Make-Up Day

March

1 Teacher Planning Day/No Students
11-15 Holiday/Spring Break
29 Holiday/Good Friday

April

1 Holiday/Inclement Weather Make-Up Day

May

22 Early Release-MS/HS
23 Early Release- All Students
24 Teacher Work Day/No Students
27 Holiday/Memorial Day

June

19 Holiday/Juneteenth Day

July

1-5 District Offices and Campuses Closed

KEY

- District Professional Learning Day
- Professional Learning Day - No Students
- Teacher Planning Day - No Students
- ▼ Teacher Work Day - No Students
- ◆ First Day of Semester Classes
- [] Beginning/End of Nine Weeks
- { } Exams
- Holiday
- Early Release - ES
- Early Release - MS & HS
- Inclement Weather Make-up Day

This Calendar Reflects the Following	ES	MS	HS
Total Days of Instruction	173	173	173
Total Teacher Contract Days	187	187	187
Operational Minutes per Full Day	435	435	435
Operational Minutes per Early Release Days	240	270	245
Total Operational Minutes Pre-Waiver	74,475	74,595	74,495
Waiver Minutes for Professional Learning	2,100	2,100	2,100
Total Operational Min. w/ Approved Waivers	76,575	76,695	76,595
Bank of Operational Minutes	975	1,095	995

HB 2442 requires a minimum of 75,600 operational minutes with any applicable waivers and at least a minimum bank of 840 operational minutes. The bank of operational minutes can be used in the event of bad weather and other issues of health and safety. FBISD reserves the right to revise the calendar, pending Board approval, to meet the minimum required operational minutes each year.

1st Semester Grading Period	83 Days
1st Nine Weeks	41
2nd Nine Weeks	42

2nd Semester Grading Period	90 Days
3rd Nine Weeks	43
4th Nine Weeks	47

Cultural and religious observances of families in FBISD can be accessed on the [Diversity Calendar](http://www.fortbendisid.com/diversity) at www.fortbendisid.com/diversity.

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023

**Action: Review: SB 763 Relating to
allowing public schools to employ
or accept as volunteers chaplains.**

References: Board Goal 2
Department: Board of Trustees

Summary

Board members requested a discussion related to Senate Bill 763 relating to allowing public schools to employ or accept as volunteers chaplains.

Recommended by:

David Hamilton
Board Secretary

Sonya Jones
Board Member

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Review: Chapter 49 Status for
2023-24
References: Board Policy CE (Legal)
Board Governance
Department: Business and Finance

Recommendation

Consideration and approval of option 3 to reduce the estimated yield per penny per student in Weighted Average Daily Attendance (WADA) due to notification of Chapter 49 status for school year 2023-24 and delegate contractual authority to obligate the school district under Texas Education Code (TEC) §11.1511(c)(4) to the superintendent, solely for the purpose of obligating the district under TEC, §48.257 and TEC, Chapter 49, Subchapters A and D, and the rules adopted by the commissioner of education as authorized under TEC, 49.006.

Summary

In July each year, the Texas Education Agency (TEA) is required by Chapter 49 of the education code to inform school districts about their funding levels based on the number of students and local property values. Chapter 49 deals with recapture, and for the upcoming 2023-24 school year, TEA estimates that FBISD's Tier 2 – Level 2 guaranteed yield will be \$55.98, which exceeds the state's guaranteed yield of \$49.28. This means any Tier 2 – Level 2 revenue, which is specifically associated with copper pennies, is subject to recapture. However, FBISD does not have any copper pennies included in the tax rate, and as a result, the notification from TEA is for information purposes only and will not have a financial impact on the district.

In addition to the formal notification, Chapter 49 also requires the district to select from one of five options and inform TEA how it will address any Tier 2 – Level 2 revenue overage if it were to occur. Option 3, which is recommended, allows for the purchase of attendance credits from the state. Since the district does not have any copper pennies, there is no cost to purchase attendance credits, and this is the option staff recommends submitting to TEA. The other four options involve consolidation with other districts, detachment of certain district territory, educating nonresident students, and tax base consolidation with another district, none of which are recommended.

The option the district selects must be submitted by September 1, 2023 and Board approval is required. Option 3 (purchase of attendance credits) will have no financial impact and staff will complete the required TEA submission form once approved.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Bryan Guinn
Chief Financial Officer

Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding)

This agreement is entered into pursuant to the Texas Education Code (TEC), Chapter 49, Subchapters A and D, and rules adopted by the commissioner of education as authorized by the TEC, §49.006. The purpose of this agreement is to enable the district to reduce its local revenue level to a level not to exceed the level established under TEC, §48.257 for the school year.

The school year to which this agreement applies is 2023-2024 (the "school year").

The agreement is for Fort Bend Independent School District ("the district"), with a county-district number of 079907, to purchase attendance credit from the state for the school year.

The local revenue level in excess of entitlement will be based on the commissioner's estimate of the cost of credit as determined under TEC, §49.153, using the district's projected maintenance and operations tax revenue that exceeds the level established under TEC, §48.257. Provisions in the TEC, §48.257(c), allow districts to offset the reduction of excess local revenue against state aid under Chapter 48, Education Code, that is not described by TEC, §48.266(a)(3) for the school year. A district that is subject to the reduction in excess local revenue agrees to offset its obligations against state aid in accordance with the provisions specified in the TEC, §48.257(c).

When near-final data are available following the close of the school year to which this agreement applies, the district's entitlement under Chapter 48 will be recalculated. If the district's state aid under Chapter 48, Education Code, that is not described by TEC, §48.266(a)(3) is less than the cost of recapture as determined by the commissioner in accordance with the TEC, §49.153, using near-final data, the district will be required to have an election and the recapture balance will be recovered in accordance with TEC, §48.272, by withholding subsequent allocations of state funds or requiring and obtaining a refund.

The actual cost of credit for the school year will be determined by the commissioner in accordance with the TEC, §49.153, when final data on the district's maintenance and operations tax revenue that exceeds the level established under TEC, §48.257 is available.

The cost of purchased attendance credit will be reduced for county appraisal district costs. The reduction will be computed in accordance with the TEC, §49.157. If the reduction exceeds the cost for the school year, the difference will be carried forward and applied to each subsequent year's cost until the total amount of the reduction has been exhausted.

Date:

Signature of President, Board of Trustees

Date:

Signature of Secretary, Board of Trustees

Signature of Superintendent

Christie Whitbeck

Date: 7/17/2023

Typed Name of Superintendent

Date:

Signature of Commissioner of Education or Designee

BOT Meeting:	August 7, 2023
Solicitation No.:	23-077AB Choice Partners Cooperative
References:	District Goal 5
Description:	<p>Ice Cream, Frozen Novelty and Frozen Beverages</p> <p><u>Recommendation</u></p> <p>Consideration and approval for the purchase of ice cream, frozen novelty products, and frozen beverages from Southern Ice Cream through the Choice Partners' cooperative contracts in an amount not-to-exceed \$1,500,000, and authorization for the Superintendent to negotiate and execute the agreement through July 2028.</p> <p><u>Summary</u></p> <p>On August 30, 2021, the Board approved the purchase of ice cream, frozen novelty products, and frozen beverages under cooperative contracts with the Choice Partners. The current contracts are set to expire on August 20, 2023. This request will allow for the continued procurement of the frozen goods needed for the preparation and service of breakfast, lunch, dinner, snacks, catered events, and concessions when required.</p> <p>Choice Partners' national purchasing cooperative offers quality, legal procurement, and contract solutions to meet government purchasing requirements. The size of the purchasing cooperative agreements enables members to leverage cost, thus receiving better pricing.</p> <p>This contract seeks approval under relevant statutes, including Chapter 44, § 44.031(a) of the Texas Education Code and Chapter 791, Interlocal Cooperation Act, along with Board Policies CH (LEGAL) and CH (LOCAL) for purchasing goods and services. The Board of Trustees must approve proposal awards worth \$50,000 or more.</p> <p>Under the authority of the Texas Government Code §791.001 and the Interlocal Cooperation Act as amended, local governments like Fort Bend ISD are allowed to contract with each other and other government agencies. This Act exempts the requirement of seeking competitive bids for goods and services, once a school district determines that a local cooperative purchasing program offers the best value, to enhance efficiency and effectiveness.</p> <p>The Choice Partners cooperative purchasing contract will allow the District to fulfill ice cream, frozen novelty products, and frozen beverages efficiently and effectively and complies with school district bidding requirements. Renewal options are available through July 2028. Should either contract not be renewed for the full term, staff will return to the</p>

	Board to request authorization to utilize an alternate cooperative contract, or an alternate procurement method. Background Expenditures in 2021-22 were \$77,925 for these items. Expenditures year-to-date are \$167,891. Expenditures will not exceed \$1,500,000, through July 2028. Funding is included in the budget.
Requested By:	Bryan Guinn, Chief Financial Officer Matthew Antignolo, Executive Director of Child Nutrition
Vendor:	Southern Ice Cream***
Budget Sources:	Child Nutrition Fund
Amount:	Not to Exceed - \$1,500,000 through July 2028
Other Supporting Information	
Sole Source:	No
Number of vendors contacted by Purchasing:	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 July 2028
Last solicitation date:	N/A
Supporting documents:	N/A
Disclosure under Board Policy CH, CV, or DBD (Local):	None

*** Previously awarded a contract of the same scope with the District.

BOT Meeting:	August 7, 2023
Solicitation No.:	22-019LJ Texas Department of Information Resources (DIR), Choice Partners Cooperative
References:	District Goal 5
Description:	<p>Apple Products and Related Services</p> <p><u>Recommendation</u></p> <p>Consideration and approval for the purchase of Apple Products and Related Services from Texas Department of Information Resources (DIR) and Choice Partners cooperative contracts in an amount not-to-exceed \$14,500,000 and authorization for the Superintendent to negotiate and execute the agreements through May 2028.</p> <p><u>Summary</u></p> <p>In September 2021, the Board approved 22-019LJ Apple-Branded Products and Related Services through a cooperative contract with the Texas Department of Information Resources (DIR), which expires on August 5, 2023. DIR has not yet secured a new contract with Apple, but negotiations continue. To prevent a lapse due to negotiations, the Administration is seeking Board approval to utilize the current DIR contract as well as Choice Partners Cooperative contract.</p> <p>Apple products, such as iPads, MacBooks, iMacs, applications, and services, have been used in District classrooms for many years. Elementary campuses are equipped with iPad carts in PreK-1st grade classrooms as part of the Classroom Technology Toolkit allowing our youngest students a simple and familiar IT tool for instruction. Secondary campuses have iPad and MacBook carts in various Fine Arts and CTE classrooms including theater, band, media production, robotics, and coding classes. The District’s Apple fleet consists of more than 30,000 devices for staff and student use. Products and applications supported by this agreement include all Apple desktops, laptops, iPads, servers, and Apple TVs used throughout the District. Additionally, this bid will be used for the purchase of Apple devices for new construction projects as included in the 2023 Bond.</p> <p>This contract seeks approval under relevant statutes, including Chapter 44, § 44.031(a) of the Texas Education Code and Chapter 791, Interlocal Cooperation Act, along with Board Policies CH (LEGAL) and CH (LOCAL) for purchasing goods and services. The Board of Trustees must approve proposal awards worth \$50,000 or more.</p> <p>Under the authority of the Texas Government Code §791.001 and the Interlocal Cooperation Act as amended, local governments like Fort Bend ISD are allowed to contract with each other and other government agencies. This Act exempts the requirement of seeking competitive bids for goods and services, once a school district determines that a local cooperative purchasing program offers the best value, to enhance efficiency and effectiveness.</p>

	<p>Renewal options are available through May 2028. Should either contract not be renewed for the full term, staff will return to the Board to request authorization to utilize an alternate cooperative contract, or an alternate procurement method.</p> <p><u>Background</u></p> <p>Expenditures averaged \$2.7M each year for the past four years. Expenditures were as follows:</p> <ul style="list-style-type: none"> - 19-20 were \$4.55M (a part of Bond 2018 Classroom Toolkit Phase 1 deployment) - 20-21 were \$3.2M (a part of Bond 2018 Classroom Toolkit Phase 2 and COVID state/federal grants) - 21-22 were \$2.28M (a part of equipping new campuses, Fine Arts iPad project, and replacements) - 22-23 were \$683,288 (for replacements and campus purchases) <p>Expenditures will not exceed \$14,500,000 through May 2028. The budgeted amount is based on the historical annual average expenditure with some contingency to account for inflationary increase in pricing, unaccounted campus/district needs or projects, or shipping challenges. The budgeted amount will cover the 2023 Bond Apple device refresh during the contract term. Funding is included in the respective budget.</p>
Requested By:	Long Pham, Chief Information Officer Bryan Guinn, Chief Financial Officer
Vendor:	Apple Computer, Inc.***
Budget Sources:	General Fund Student Activity Funds Bond Fund Grant Funds Campus Activity Funds Enterprise Fund
Amount:	Not to Exceed - \$14,500,000 through May 2028
Other Supporting Information	
Sole Source:	No
Number of vendors contacted by Purchasing:	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 May 2028
Last solicitation date:	N/A
Supporting documents:	N/A
Disclosure under Board Policy CH, CV, or DBD (Local):	None

*** Previously awarded a contract of the same scope with the District.

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Review: PKG044 First Colony Middle School HVAC Improvements
References: Board Policy CVF (Legal) District Goal 5
Department: Operations

Recommendation

Consideration and approval of a construction services agreement with Job-Order-Contractor (JOC) E Contractors to perform upgrades to the HVAC system at First Colony Middle School (FCMS), for a Not-to-Exceed amount of \$510,000; approval of a professional services agreement with Infrastructure Associates for a Not-to-Exceed amount of \$60,000; and authorization for the Superintendent to negotiate and execute or terminate the agreements.

Summary

An upgrade to the HVAC systems for First Colony Middle School was partially funded under Bond 2018.

The scope of work provided FCMS with chilled water pumps, condenser water pumps, exhaust fans, and miscellaneous HVAC components. However, after completion of the original scope of work, additional deficiencies within the system were identified.

In order to ensure efficient performance of the HVAC system, additional modifications are required, which include an addition of variable frequency drives to existing air handling units, modifications to the controls systems, and miscellaneous adjustments.

Staff recommends utilization of available funding within the existing package (PKG044) to execute the necessary work and provide a reliable HVAC system.

Policy CVF (Legal) states, “The board shall approve each job, task, or purchase order that exceeds \$500,000. *Gov’t Code 2269.403.*” In accordance with Policy CVF (Legal), Administration is seeking Board approval to award the following contract:

Description	Construction Budget
First Colony MS HVAC Improvements	\$570,000

Upon Board approval, staff will negotiate the contracts and will complete the work.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Damian Viltz
Chief Operations Officer

BOT Meeting:	August 7, 2023
Solicitation No.:	24-004DE The Interlocal Purchasing System (TIPS)
References:	District Goal 5
Description:	<p>Strategic Planning Consulting Services</p> <p><u>Recommendation</u></p> <p>Consideration and approval for the purchase of Strategic Planning Consulting Services from engage2learn (e2L) under The Interlocal Purchasing System (TIPS) contract in an amount not-to-exceed \$83,000 and authorization for the Superintendent to negotiate and execute the agreement through June 2024.</p> <p><u>Summary</u></p> <p>This contract seeks approval under relevant statutes, including Chapter 44, § 44.031(a) of the Texas Education Code and Chapter 791, Interlocal Cooperation Act, along with Board Policies CH (LEGAL) and CH (LOCAL) for purchasing goods and services. The Board of Trustees must approve proposal awards worth \$50,000 or more.</p> <p>The purpose of this contract is to provide professional consulting services to support the development of a District Strategic Plan. These services will support facilitation of stakeholder engagement to develop the long-range strategic plan while building capacity in leaders to create and monitor performance objectives, metrics, and milestones.</p> <p>Under the authority of the Texas Government Code §791.001 and the Interlocal Cooperation Act as amended, local governments like Fort Bend ISD are allowed to contract with each other and other government agencies. This Act exempts the requirement of seeking competitive bids for goods and services, once a school district determines that a local cooperative purchasing program offers the best value, to enhance efficiency and effectiveness.</p> <p>Renewal options are available through 2024. Should either contract not be renewed for the full term, staff will return to the Board to request authorization to utilize an alternate cooperative contract, or an alternate procurement method.</p> <p><u>Background</u></p> <p>Expenditures will not exceed \$83,000 through June 2024. Funding is included in the budget.</p>
Requested By:	Beth Martinez, Deputy Superintendent Bryan Guinn, Chief Financial Officer
Vendor:	engage2learn (e2L)
Budget Sources:	General Fund
Amount:	Not to Exceed - \$83,000 through June 2024

Other Supporting Information	
Sole Source:	No
Number of vendors contacted by Purchasing:	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 June 2024
Last solicitation date:	N/A
Supporting documents:	N/A
Disclosure under Board Policy CH, CV, or DBD (Local):	None

*** Previously awarded a contract of the same scope with the District.

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Review: Job Order Contracting (JOC)
Services for 2023 Bond Program
References: Board Policy CVF (Legal)
District Goal 5
Department: Operations

Recommendation

Consideration and approval of a Job Order Contracting (JOC) pool to be utilized by the District to provide both bond and non-bond services, approval of seven Bond 2023 projects totaling a not-to-exceed amount of \$26,191,665, and authorization for the Superintendent to negotiate and execute or terminate the contracts with the identified vendors.

Summary

On May 6, 2023, FBISD successfully passed the 2023 Bond Program. The Design and Construction staff has been gearing up for a quick start-up and implementation of the 2023 Bond Program.

In May 2023, the District issued CSP 23-076KB for Job Order Contracting (JOC) Services, and 10 firms responded to the Competitive Sealed Proposal (CSP).

The CSP for Job Order Contracting was issued with the intent of selecting a pool of five JOCs to provide construction services to the District for both Bond 2023 and non-bond work.

Policy CVF (Legal) states, “Job order contracting is a procurement method used for maintenance, repair, alteration, renovation, remediation, or minor construction of a facility when the work is of a recurring nature but the delivery times, type, and quantities of work required are indefinite.” *Gov’t Code 2269.401* “The base term for a job order contract may not exceed two years. The district may renew the contract annually for not more than three additional years.” *Gov’t Code 2269.409*

The services of the JOC would benefit the District with several packages of work under the 2023 Bond Program, which are shown below. As the Bond Program progresses, there may be other packages awarded to the JOC’s identified in the pool. The initially identified packages below would be negotiated and contracted with the selected JOCs and work could begin within the next 30-60 days.

In accordance with Policy CVF (Legal) Administration is seeking Board approval to award the following contracts:

Package #	Description	Not to Exceed Construction Budget	JOC Contractor
BP015	Exterior Signage Package	\$382,802	Brown & Root
BP019	Playgrounds & Outdoors	\$6,350,861	JR Thomas
BP049	HVAC – MEP Support Facilities	\$4,766,036	E Contractors

BP050	Drinking Fountains	\$3,068,500	E Contractors
BP051	Cameras & Monitors	\$492,160	Jamail & Smith
BP052	Life Safety Systems	\$5,949,304	JR Thomas
BP053	Stage Curtains	\$404,631	Nash Industries
BP054	Exterior Lighting	\$2,976,738	Nash Industries
BP055	Sound System Package	\$1,800,633	Jamail & Smith

Staff will continue to explore other possible Bond 2023 projects that could benefit by utilizing JOCs for a not-to-exceed amount of \$50,000,000.

The selected pool of JOCs will also be utilized for construction services for miscellaneous projects throughout the District, which may include projects funded through technology, 199 funds, and Bond 2018. The not-to-exceed construction value for non-2023 Bond projects is \$10,000,000.

The JOC services solicitation, CSP 23-076KB, requested information on the firms' Demonstrated Competence, Qualifications, and best Coefficient. Ten firms responded to the CSP. Design & Construction staff, in collaboration with the Director of Purchasing and Materials Management acting in an oversight capacity, evaluated the proposals, using an evaluation team composed of FBISD staff members from the Design and Construction, Procurement, and Finance Departments.

Analysis of the Job Order Contracting Service Firms Recommendation:

Based on the evaluation of the proposals, Brown & Root, E Contractors, Jamal & Smith, JR Thomas Group, and Nash Industries Inc. received the best overall scores and are recommended to provide the District with JOC services for the Bond 2023 Program. Additionally, staff recommends these companies to provide additional JOC services that may arise throughout the District, which may be bond and/or non-bond funded.

The final ranking of the Demonstrated Competence and Qualifications for JOCs are as follows:

Firm Name	CSP Score
JR Thomas Group Inc.	87.51
Jamail & Smith Construction, LP	80.01
E Contractors LLC	78.85
Brown & Root Industrial Services LLC	75.92
Nash Industries Inc.	68.87

Policy CVF (Legal) states, "The board shall approve each job, task, or purchase order that exceeds \$500,000." *Gov't Code 2269.403* Several of the Bond 2023 packages do not require the services of an architect or engineer, and the work can start immediately. With Board approval, these packages will be negotiated, and a contract executed to start work in the fall of 2023. The balance of the listed Bond 2023 Packages would be negotiated and awarded as the individual package design is completed.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Damian Viltz
Chief Operations Officer

CSP 23-076KB Job Order Contracting (JOC) Services

Fort Bend ISD CSP for JOC- Criteria and Evaluation Weights			
#	Criterion	Scoring Description	Points
1	Purchase Price	Total Proposed Pricing (Coefficient) – Provides thoroughly developed, competitive pricing using the tables in the Pricing Delivery information section of the CSP	40
2	Contractor’s Prior Experience	Provides evidence of your experience in planning, staging, and delivery of recent projects of similar scope and scale.	14
3	Quality of Contractor’s Goods and Services	The 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
4	Quality of the Contractor’s Response in the Proposal	Effectively responds and processes all requests for information and documentation included in this CSP	2
5	Contractor’s Safety Record and Plan	Provides a summary of Experience Modification Rate (EMR) for the last three years, as well as a summary of your company’s safety policies and procedures.	5
6	Proposed Personnel, Personnel Directly Assigned to Work on FBISD Projects	Proposed Personnel, Personnel Directly Assigned to Work on FBISD Projects	5
7	Project Plan and Schedule	Project Plan and Schedule – Demonstrate knowledge and capabilities to develop project plans and schedules as required	5
8	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
9	Financial Stability and Bonding Capacity	Provide proof of Insurance, financial stability, and Letter of Surety form Bonding Company	5
10	SBE Commitment	SBE Commitment	5
	Total		100

Tabulation Summary
CSP 23-076KB Job Order Contracting (JOC) Services

Vendor	Purchase Price (40 pts. max)	Contractor's Prior Experience (14 pts. max)	Quality of Contractor's Goods and Services (14 pts. max)	Quality of the Contractor's Response in the Proposal (2 pts. max)	Contractor's Safety Record and Plan (5 pts. max)	Proposed Personnel (5 pts. max)	Project Plan and Schedule (5 pts. max)	Past Experience with FBISD and Other School Districts (5 pts. max)	Financial Stability and Bonding Capacity (5 pts. max)	SBE commitment (5pts. max)	Proposer's Total Score (100 pts. max)
JR Thomas Group, Inc.	40.00	10.85	12.70	1.80	3.70	3.88	4.60	3.30	4.18	2.50	87.51
Jamail & Smith Construction, LP	35.22	10.15	11.65	1.70	4.04	4.06	4.25	3.05	4.39	1.50	80.01
E Contractors LLC	34.96	8.40	11.95	1.70	3.95	3.80	4.25	3.15	4.20	2.50	78.85
Brown & Root Industrial Services LLC	32.33	12.25	9.55	1.50	4.29	3.57	3.68	2.75	4.51	1.50	75.92
Nash Industries, Inc.	25.93	9.80	11.30	1.70	4.06	3.48	4.00	2.60	3.50	2.50	68.87
Construction Managers of Southeast Texas LLC	25.93	5.95	10.55	1.40	3.91	3.36	3.58	2.35	4.20	2.50	63.73
LMC Corporation	24.84	7.00	10.70	1.60	3.79	3.14	3.75	2.40	3.86	2.50	63.58
Bass Construction Company, Inc.	19.83	9.10	9.75	1.40	4.13	3.81	3.55	2.70	3.95	2.50	60.71
ERC Environmental & Construction Services, Inc.	26.52	3.85	6.65	0.80	3.91	3.21	2.00	1.50	3.50	2.50	54.44
Azteca Designs, Inc.	20.52	7.00	6.10	0.80	3.61	2.18	2.00	2.25	3.85	1.50	49.81

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
Action: Review: Phase 1 – Professional Services for 2023 Bond and Non-Bond Projects
References: Board Policy CV (Local) District Goal 5
Department: Operations

Recommendation

Consideration and approval of Phase 1 – Professional Service Firms to provide both Bond 2023 services for a not-to-exceed amount of \$23,000,000 and non-bond services for a not-to-exceed amount of \$5,000,000, and authorization for the Superintendent to negotiate and execute the contracts with the identified firms.

Summary

On May 6, 2023, FBISD passed the 2023 Bond Program.

On May 7, 2023, staff issued a solicitation RFQ23-075AL Professional Services Phase 1 Qualifications for FBISD 2023 Bond and other non-bond services as needed by the District.

The Professional Services Phase 1 Qualifications for FBISD 2023 Bond program, RFQ23-075AL included the following professional service categories (pools):

- Building Envelope Commissioning Consultant
- Building HVAC Commissioning Consultant – HVAC, Electrical, Plumbing and Life Safety
- Geotechnical Engineer/Construction Materials Testing
- Forensic Engineer
- Land Surveying Consultant
- Traffic Engineer

RFQ23-075AL solicitation specified the District’s intent to award more than one (1), but no greater than five (5) contracts to the most qualified firms in each professional services category based on demonstrated competence and qualifications.

On June 1, 2023, 49 statement of qualifications were submitted by professional service firms as a response to the RFQ23-075AL solicitation.

Analysis of Phase 1 Professional Service Firms Category Recommendations:

Based on the evaluation of the proposals by professional service categories (pools), the final ranking of the Demonstrated Competence and Qualifications by professional service categories are as follows:

Building Envelope Commissioning Consultant	RFQ Score
BEAM Professionals	82.60
Terracon Consultants, Inc.	81.15
Amtech Solutions, Inc.	78.23
ECS Southwest, LLP	76.10
Raba Kistner, Inc.	74.08

Building HVAC Commissioning Consultant – HVAC, Electrical, Plumbing and Life Safety	RFQ Score
ENVI Engineering LLC	74.75
Engineered Air Balance Co., Inc.	74.50
EMA Engineering and Consulting	67.63
LEAF Engineers	66.20
Terracon Consultants, Inc.	64.63

Geotechnical Engineer/Construction Materials Testing	RFQ Score
Aviles Engineering Corporation	86.85
Terracon Consultants, Inc.	84.60
CMT Technical Services formerly Paradigm Consultants, Inc.	82.03
Earth Engineering, Inc.	79.95
HVJ Associates, Inc.	78.15

Forensic Engineer	RFQ Score
Geotech Engineering and Testing	75.43
Terracon Consultants, Inc.	74.58
CMT Technical Services formerly Paradigm Consultants, Inc.	73.00

Land Surveying Consultant	RFQ Score
Landtech, Inc.	83.63
Teague Nall and Perkins, Inc.	74.98

Traffic Engineer	RFQ Score
Ardurra Group, Inc.	79.65
Teague Nall and Perkins, Inc.	77.03
Kimley-Horn and Associates, Inc.	75.58

Upon Board approval, staff will award the identified firms by professional service categories master agreements to perform professional services and will begin assigning work based on a rotation cycle for required professional service by bid package for Bond 2023 as well as other district projects.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Damian Viltz
Chief Operations Officer

RFQ 23-075AL Professional Services Phase 1

TAB	Evaluation Criteria Section Government Code 2254, CV Legal	Point System
	Cover Letter	Required
1	FIRM INFORMATION <ul style="list-style-type: none"> • History / Years of experience in K-12 • Location of the firm’s local offices • Awards and recognitions • Specialized experience in K-12 • Claim resolution 	10
2	MANAGEMENT STYLE AND PHILOSOPHY <ul style="list-style-type: none"> • Firm’s capabilities providing needed services • Program budget, schedule and documentation coordination experience 	20
3	FIRM EXPERIENCE and REFERENCES <ul style="list-style-type: none"> • Prior K-12 Project Experience • Prior FBISD Experience 	45
4	PROJECT TEAM <ul style="list-style-type: none"> • Teams organization and experience • Staff resumes 	20
5	SUPPLEMENTAL INFORMATION	5
6	FORMS	REQUIRED
	TOTAL	100 Points

Tabulation Summary
RFQ 23-075AL Professional Services Phase 1 - Traffic Engineer

Vendor	Firm Information (10 pts. Max)	Management Style and Philosophy (20 pts. Max)	Firm Experience and Referenes (45 pts. Max)	Project Team (20 pts. Max)	Supplemental Information (5 pts. Max)	Proposer's Total Score (100 pts. Max)	Proposer's Ranking
Ardurra Group, Inc.	5.38	15.50	39.00	17.65	2.13	79.65	1
Teague Nall and Perkins, Inc.	5.43	16.75	38.50	14.10	2.25	77.03	2
Kimley-Horn and Associates, Inc.	5.45	17.25	34.25	16.60	2.03	75.58	3

Tabulation Summary
RFQ 23-075AL Professional Services Phase 1 - Land Surveying Consultant

Vendor	Firm Information (10 pts. Max)	Management Style and Philosophy (20 pts. Max)	Firm Experience and Referenes (45 pts. Max)	Project Team (20 pts. Max)	Supplemental Information (5 pts. Max)	Proposer's Total Score (100 pts. Max)	Proposer's Ranking
Landtech, Inc.	5.23	17.00	39.25	18.80	3.35	83.63	1
Teague Nall and Perkins, Inc.	5.43	17.00	34.25	15.90	2.40	74.98	2
McKim & Creed, Inc.	5.28	14.00	21.50	14.50	2.40	57.68	3

Tabulation Summary
RFQ 23-075AL Professional Services Phase 1 - Geotechnical Engineer/Construction Material Testing

Vendor	Firm Information (10 pts. Max)	Management Style and Philosophy (20 pts. Max)	Firm Experience and Referenes (45 pts. Max)	Project Team (20 pts. Max)	Supplemental Information (5 pts. Max)	Proposer's Total Score (100 pts. Max)	Proposer's Ranking
Aviles Engineering Corporation	5.03	20.00	40.75	16.30	4.78	86.85	1
Terracon Consultants, Inc.	5.30	17.75	42.00	17.30	2.25	84.60	2
CMT Technical Services formerly Paradigm Consultants, Inc.	4.63	16.50	39.75	17.80	3.35	82.03	3
Earth Engineering, Inc.	4.35	14.75	41.50	16.00	3.35	79.95	4

HVJ Associates, Inc.	5.85	19.50	34.75	13.65	4.40	78.15	5
ECS Southwest, LLP	5.30	16.25	39.00	13.30	3.55	77.40	6
Raba Kistner, Inc.	5.45	13.50	37.25	18.25	2.28	76.73	7
Alpha Testing, LLC	5.65	16.50	37.00	15.65	1.88	76.68	8
Ninyo & Moore	5.50	18.00	35.50	16.70	0.90	76.60	9
Alliance Geotechnical Goup, Inc.	5.43	14.00	38.50	15.25	3.15	76.33	10
Geotech Engineering and Testing	5.05	14.00	37.75	13.95	4.10	74.85	11
Professional Service Insutries, Inc.	5.40	13.00	32.50	17.50	3.10	71.50	12
HTS, Inc. Consultants	5.30	14.25	32.75	10.85	4.40	67.55	13
Associated Testing Laboratories, Inc.	4.80	12.50	32.00	11.40	4.10	64.80	14
Milennium Engineers Group	3.95	3.25	28.50	14.05	3.20	52.95	15

Tabulation Summary
RFQ 23-075AL Professional Services Phase 1 - Forensic Engineer

Vendor	Firm Information (10 pts. Max)	Management Style and Philosophy (20 pts. Max)	Firm Experience and Referenes (45 pts. Max)	Project Team (20 pts. Max)	Supplemental Information (5 pts. Max)	Proposer's Total Score (100 pts. Max)	Proposer's Ranking
Geotech Engineering and Testing	5.43	16.25	33.50	16.00	4.25	75.43	1
Terracon Consultants, Inc.	5.03	17.50	36.25	15.80	0.00	74.58	2
CMT Technical Services formerly Paradigm Consultants, Inc.	4.58	14.50	32.75	18.65	2.53	73.00	3
Walker Consultants	4.65	12.00	28.50	11.40	1.65	58.20	4
MS2R Engineering, LLC	4.85	7.75	23.00	9.60	3.05	48.25	5

Tabulation Summary
RFQ 23-075AL Professional Services Phase 1 - Building Envelope Commissioning Consultant

Vendor	Firm Information (10 pts. Max)	Management Style and Philosophy (20 pts. Max)	Firm Experience and Referenes (45 pts. Max)	Project Team (20 pts. Max)	Supplemental Information (5 pts. Max)	Proposer's Total Score (100 pts. Max)	Proposer's Ranking
BEAM Professionals	5.78	15.25	40.50	18.00	3.08	82.60	1

Terracon Consultants, Inc.	5.10	15.50	40.50	18.00	2.05	81.15	2
Amtech Solutions, Inc.	5.45	13.00	38.00	18.00	3.78	78.23	3
ECS Southwest, LLP	5.80	17.25	36.50	13.00	3.55	76.10	4
Raba Kistner, Inc.	5.63	12.00	38.00	17.00	1.45	74.08	5
Professional Service Industries, Inc.	4.10	16.50	32.50	15.20	3.18	71.48	6
SSR	4.93	14.00	32.50	16.00	2.88	70.30	7
Walker Consultants	4.73	8.75	33.50	15.20	0.85	63.03	8
Allana Buick & Bers, Inc.	5.10	12.25	26.50	16.00	0.95	60.80	9
Commissioning & Green Building Solutions, Inc. (CxGBS)	4.20	10.75	28.50	14.50	1.13	59.08	10
San Antonio Smart Solutions	4.33	8.75	29.50	12.20	1.95	56.73	11
LCCx, LLC	5.30	11.25	27.50	8.60	2.88	55.53	12

Tabulation Summary

RFQ 23-075AL Professional Services Phase 1 - Building Envelope Commissioning Consultant - HVAC, Electrical, Plumbing and Life Safety

Vendor	Firm Information (10 pts. Max)	Management Style and Philosophy (20 pts. Max)	Firm Experience and Referenes (45 pts. Max)	Project Team (20 pts. Max)	Supplemental Information (5 pts. Max)	Proposer's Total Score (100 pts. Max)	Proposer's Ranking
ENVI Engineering LLC	5.40	17.50	32.75	15.75	3.35	74.75	1
Engineered Air Balance Co., Inc.	5.40	16.50	32.50	17.40	2.70	74.50	2
EMA Engineering and Consulting	5.40	14.00	29.00	17.75	1.48	67.63	3
LEAF Engineers	5.40	15.50	26.50	17.25	1.55	66.20	4
Terracon Consultants, Inc.	5.40	14.50	27.75	15.25	1.73	64.63	5
DBR Engineering Consultants, Inc.	5.40	9.50	32.00	14.75	2.55	64.20	6
CMTA	5.45	14.50	24.25	17.80	1.55	63.55	7
Farnsworth Group, Inc.	5.40	12.50	25.25	15.25	1.73	60.13	8
Gonzalez Shah Smith Inc.	5.10	14.50	20.50	13.80	3.60	57.50	9
Commissioning & Green Building Solutions, Inc. (CxGBS)	4.80	10.50	21.00	14.20	1.43	51.93	10
Bernhard	5.20	13.00	15.00	12.10	2.10	47.40	11

For: Fort Bend ISD Board of Trustees
Date: August 7, 2023
**Action: Review: Technology Consultant/
Professional Services for 2023 Bond
and Non-Bond Projects**
**References: Board Policy CV (Local)
District Goal 5**
Department: Operations

Recommendation

Consideration and approval of a Technology Consultant pool selection for the 2023 Bond Program and non-bond services District wide, for a not-to-exceed amount of \$5,000,000, and authorization for the Superintendent to negotiate and execute the contracts with the identified firms.

Summary

On May 6, 2023, FBISD passed the 2023 Bond Program, and in preparation of a quick bond start-up, staff issued a solicitation RFQ23-067KB Technology Consultant / Professional Services for FBISD Bond Programs.

RFQ23-067KB solicitation specified the District's intent to award no greater than two (2) contracts to the most qualified firms based on demonstrated competence and qualifications, in order to assist the District with Technology Design Services.

Twelve statement of qualifications were submitted by professional service firms as a response to the RFQ23-067KB solicitation. Design & Construction staff, in collaboration with the Director of Purchasing and Materials Management acting in an oversight capacity, evaluated the proposals using an evaluation team composed of FBISD staff members from the Design & Construction, Procurement, Finance and Information Technology Departments.

After obtaining the initial RFQ scores, the four (4) firms who receive the highest score on Demonstrated Competence and Qualifications listed in the RFQ were selected for interviews. These firms were interviewed by a panel comprised of FBISD staff members from the following departments: Design & Construction, Information Technology and Procurement.

Analysis of Technology Consultant Professional Service Firm Recommendations:

Based on the combination of evaluation of the proposals and the interviews, the top two firms were entered into the pool and selected as qualified firms to provide technology design services for FBISD on the Bond 2023 Program, as well as any other design

services that may arise throughout the District. The RFQ rankings and scores are shown on attached Exhibit A.

Technology Consultant	RFQ Score
Combs Consulting Company	80.08
True North Consulting Group	75.82

Upon Board approval, staff will begin negotiations with the identified technology consultants for direct FBISD procurement, and will notify the design teams of the selected vendors to be added to their project team.

Recommended by:

Christie Whitbeck
Superintendent of Schools

Submitted by:

Damian Viltz
Chief Operations Officer

**RFQ 23-067KB Technology Consultant/Professional Services Qualifications Services for FBISD
Bond Programs**

TAB	Evaluation Criteria Section Government Code 2254, CV Legal	Point System
	Cover Letter	Required
1	FIRM INFORMATION <ul style="list-style-type: none"> • History / Years of experience in K-12 • Location of the firm’s main and local offices • Awards and recognitions • Specialized experience in K-12 • Organization • Claim resolution 	10
2	MANAGEMENT STYLE AND PHILOSOPHY <ul style="list-style-type: none"> • Firm’s capabilities providing needed services • Organization and management philosophy • Program budget, schedule and documentation coordination experience • Kahua and PMIS software experience in program management • Procurement Role 	20
3	FIRM EXPERIENCE and REFERENCES <ul style="list-style-type: none"> • Prior K-12 Project Experience • Prior FBISD Experience 	45
4	PROJECT TEAM <ul style="list-style-type: none"> • Program management team organization • Staff resumes 	20
5	SUPPLEMENTAL INFORMATION	5
6	FORMS	REQUIRED
	Total	100 Points

REQUEST FOR QUALIFICATIONS 23-067KB

Technology Consultant/Professional Services Qualifications Services for FBISD Bond Programs

SCORING OF REQUEST FOR QUALIFICATIONS

Firm	Total Points (100 points Max)	Firm's Ranking Order
Combs Consulting Company	78.65	1
DBR Engineering Consultants, Inc.	74.34	2
LEAF Engineers	71.74	3
True North Consulting Group	69.56	4
Wrightson, Johnson, Haddon & Williams, Inc.	64.08	5
Salas O'Brien	62.86	6
IMEG Corporation	57.51	7
Wylie & Associates LLC dba Wylie Engineering	48.91	8
Infrastructure Associates, Inc.	47.81	9
BrightTree Studios	46.14	10
Langan	45.36	11
Glitra, Inc.	22.05	12
KD3 Enterprises LLC		

SCORING OF PRESENTATION/INTERVIEW

Firm	Presentation/Interview (100 points Max)	Firm's Ranking Order
True North Consulting Group	90.43	1
Combs Consulting Group	83.43	2
LEAF Engineers	67.43	3
DBR Engineering Consultants, Inc.	43.14	4

FINAL RANKING OF FIRMS USING A 70% WEIGHT ON REQUEST FOR QUALIFICATIONS AND 30% WEIGHT ON PRESENTATION/INTERVIEW

Firm	RFQ Score	Weight	Presentation/Interview Score	Weight	Final Score	Final Ranking Order
Combs Consulting Company	55.05	70%	25.03	30%	80.08	1
True North Consulting Group	48.69	70%	27.13	30%	75.82	2
LEAF Engineers	50.21	70%	20.23	30%	70.44	3
DBR Engineering Consultants, Inc.	52.04	70%	12.94	30%	64.98	4
Wrightson, Johnson, Haddon & Williams, Inc.	64.08	100%	253		64.08	5
Salas O'Brien	62.86	100%		62.86	6	
IMEG Corporation	57.51	100%		57.51	7	
Wylie & Associates LLC dba Wylie Engineering	48.91	100%		48.91	8	
Infrastructure Associates, Inc.	47.81	100%		47.81	9	
BrightTree Studios	46.14	100%		46.14	10	
Langan	45.36	100%		45.36	11	
Glitra, Inc.	22.05	100%		22.05	12	
KD3 Enterprises LLC						