

**Official Agenda and Meeting Notice  
of the Board of the  
Beaumont Independent School District  
in the Board Room of the Beaumont ISD Administration Building**

---

Thursday, August 20, 2020

Regular Meeting

4:00 PM

The items on this agenda may be taken in any order.

As directed under the Texas Open Meetings Act, Texas Government Code, Chapter 551 (the "Act"), if during the course of the meeting covered by this Notice, the Board should determine that a closed session of the Board is required, then such closed session will be held by the Board at the date, hour, and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Board may conveniently meet in closed session concerning any and all purposes permitted by the Act.

**4:00 PM - (CALL TO ORDER)**

- I. INTRODUCTION
    - A. ROLL CALL
      - 1. CLOSED SESSION (CLOSED TO PUBLIC) - BOARD WILL CONVENE IN CLOSED SESSION UNDER CHAPTER 551 OF THE TEXAS GOVERNMENT CODE, SECTIONS 551.071, 551.072, 551.073, 551.074, 551.076, 551.082, 551.0821, 551.083, 551.084 AND/OR 551.087, TO DELIBERATE ON THE FOLLOWING:
        - a. LEGAL
          - 1. Pending or contemplated litigation matters and status report
          - 2. Matters on which the school district legal counsel's duties to the school district under the Texas Disciplinary Rules of Professional Conduct or the State Bar of Texas Clearly conflicts with the Texas Open Meetings Act
        - b. PERSONNEL
          - 1. Deliberation regarding the appointment, employment, evaluation, reassignment, duties, proposed terminations, terminations and suspensions, proposed nonrenewals, renewals, and resignation/retirements, discipline, and/or dismissal of a public officer or employee, including the superintendent, and/or hear complaints and grievances against public officers or employees
            - 1. Consider Recommendation for Designation of Hearing Officer in Level 3 Public Complaint: Latoya Traylor
        - c. REAL ESTATE
          - 1. Deliberation regarding the purchase, exchange, lease or value of real property
        - d. ECONOMIC DEVELOPMENT
          - 1. Deliberation regarding an offer of a financial or other incentive to a business prospect related to economic development negotiations
- II. 6:00 p.m. - REGULAR OPEN BOARD MEETING
  - A. INTRODUCTION OF REGULAR MEETING
    - 1. United States and Texas Flags Pledges of Allegiance
    - 2. Recognitions
      - a. Appoint Trustee to fill Vacant District 5 Position
      - b. Execution of Officer(s) Statement and Oath of Office
  - B. STUDENT OUTCOMES
    - 1. Superintendent's Report
    - 2. Cabinet Report
      - a. Partnership Update - Anetra Cheatham, Chief Innovation Officer
  - C. INFORMATION ITEMS
    - 1. Update on Personnel Activities
    - 2. Report for Tax Collections
    - 3. Report for General Fund Revenue and Expenditures
    - 4. Report for Campus Activities Funds and Donations





# Office of Innovation Partnership Updates

August 2020



# Fehl-Price Classical Academy

## 2020-21 Re-Entry Plan

- ***Monday, Aug. 17, 2020 – First day of school***
  - Virtual learning only for all students for the first four weeks, which runs through September 8, 2020.
  - Device distribution is underway; targeting 1:1 instruction as additional devices become available
- ***Monday, Sept. 9, 2020 – In-person learning becomes available (dependent upon improved local conditions and guidance from public health officials)***
  - Full day face to face option will be available for parents who opt to do so or families may elect to remain virtual.
- **Virtual Learning – Parents may opt-in or opt-out of virtual learning at the start of each nine-week grading period**
  - **Live-streaming of Instruction & Google Classroom**

Participating in this option of remote instruction will enable scholars to engage in two way, real-time, live instruction between teachers and scholars via the Swivl system and Zoom.
  - **Recorded Instruction & Google Classroom**

Scholars attending asynchronously will additionally have the flexibility to engage in instruction on a flexible time schedule via recorded lesson and online assigned instructional components; interacting intermittently with the teacher via computer. Scholar engagement will be used to accurately account for attendance.

# Fehl-Price Classical Academy

## 2020-21 Re-Entry Plan

<i>Time</i>	<i>Student Activity</i>	<i>Synchronous/ Asynchronous</i>
60 min	Learning Block 1	Combination of synchronous and asynchronous
60 min	Learning Block 2	Combination of synchronous and asynchronous
20 min	Break	N/A
60 min	Learning Block 3	Combination of synchronous and asynchronous
30 min	Lunch	N/A
60 min	Learning Block 4	Combination of synchronous and asynchronous
60 min	Learning Block 5	Combination of synchronous and asynchronous
20 min	Break	N/A
60 min	Teacher office hours	Synchronous

# Phalen Leadership Academy

## Jones-Clark Elementary & Smith Middle School

### 2020-21 Re-Entry Plan

- **Monday, Aug. 31, 2020 – First day of school –**
  - Virtual learning only for all students for the first four weeks, which runs through **September 25, 2020**.
  - Device distribution will begin August 17, 2020
- **Monday, Sept. 28, 2020** – Face to face hybrid instruction becomes available (dependent upon improved local conditions and guidance from public health officials)
  - Hybrid face to face will be facilitated in two student groups for an AM or PM schedule. Students will be scheduled by the campus based upon student’s mode of transportation.
- There will also be an option available for parents to opt out of face-to-face instruction for a portion of the year - or for the entire school year.
  - Parents who select online-only must attend a virtual session outlining expectations and commitment protocols to virtual learning for the semester.
- **Virtual Learning** – Parents may opt-in or opt-out of virtual learning at the start of each nine-week grading period
  - **Blackboard Learning Management System**

# Phalen Leadership Academy

## Jones-Clark Elementary School

### Virtual Schedule

7:55	Virtual Daily Announcements via Blackboard for all scholars AM/PM
<b>8:00-8:30 AM</b>	Breakfast @ Home
<b>8:45-9:00 AM</b>	Attendance/ SEL
<b>9:00 -10:45</b>	ELAR /Social Studies Instruction- Small Group
<b>10:45-11:00</b>	Brain Break/ Snack
<b>11:00 - 12:45</b>	Math/ Science Instruction- Small Group
<b>12:45-1:15</b>	Lunch
<b>1:15 - 2:00</b>	Electives for Virtual Scholars
<b>2:00-3:00</b>	On Your Own/ My On/ PLA E-Learning
<b>5:00-6:00</b>	Virtual Tutorials/ Enrichment/ Club Meetings As Scheduled by Sponsors

### HYBRID SCHEDULE

AM Schedule	
7:30 AM - 7:55 AM	Breakfast In Class
7:55	Daily Announcements
8:00-12:00	Math. ELAR, Science/ Social Studies
12:00 -12:15	Lunch To Go
12:00 PM	Dismissal
1:00-3:00 PM	Online Learning PLA E-learning/ My- ON/ Google Classroom Assignments/ Electives
5:00- 6:00 PM	Virtual Tutorials/ Online Enrichment

# Phalen Leadership Academy

## Smith Middle School

### Virtual Schedule

100% Virtual SMITH SCHEDULE

#### Scholar's Daily Live Schedule

Time	Monday	Tuesday	Wednesday	Thursday	Friday
8:00 am - 8:30am	Breakfast and Prepare for the Day				
8:30-8:45	Morning Announcements				
8:45 - 9:15	SEL, Character Ed, Community Visitors Behavior Interventionists/ Counselors/ Admin/ Building Leaders				
9:20- 9:55	Home Room- SSR / MyON (Virtual Room) Reading Clubs, Grade level grouping				Kickboard Reward
9:55-10:00	5 min Brain Break				
10:00-10:30 30 mins	Virtual Class (ELAR) Session via blackboard *Live teaching  Whole group	Virtual Class (Math) Session via blackboard *Live teaching  Whole group	Virtual Class (ELAR) Session via blackboard *Live teaching  Whole group	Virtual Class (Math) Session via blackboard *Live teaching  Whole group	Virtual Class (Math) Session via blackboard *Live teaching  Whole group
10:30- 11:30 60 mins	Small group Virtual Class (ELAR) Session via blackboard *Live teaching	Small group Virtual Class (Math) Session via blackboard *Live teaching	Small group Virtual Class (ELAR) Session via blackboard *Live teaching	Small-Group Virtual Class (Math) Session via blackboard *Live teaching	Small group Virtual Class (Math) Session via blackboard *Live teaching
11:30- 12:00 pm	<b><u>Lunch</u></b>				

### HYBRID SCHEDULE

- AM Schedule- **Car Riders/ Walkers**
  - 8:00-12:00 Face To Face
  - 1:00-3:30 PM Online At Home

AM Schedule					
7:30 AM - 7:55 AM	6th Breakfast In Cafe, 7th North Gym, 8th South Gym				
8:00 AM	Virtual Daily Announcements via Blackboard for all scholars AM/PM				
8:05-12:05	<b>Core Content Delivery</b>				
		<b>Math</b>	<b>Science</b>	<b>ELAR</b>	<b>History</b>
	<b>6</b>	90 mins	30 mins	90 mins	30 mins
	<b>7</b>	90 mins	30 mins	90 mins	30 mins
	<b>8</b>	75 mins	45 mins	75 mins	45 mins
*Each daily schedule for the scholars is pending hybrid enrollment numbers.					
12:00 PM	Dismissal to lunch pick-up				
12:00 -12:15	Lunch To Go ( <i>All scholars must be off campus by 12:15 PM</i> )				

# Call for Quality Schools: King Middle School

## Phase 1: Written Application

- May 2020- District call issued for a partner
- Seeking Partners prepared to operate turnaround model
- June 24, 2020- Application window closed

## Phase 2: Interviews & Shared Due Diligence

- July 30- Committee conducted capacity interviews of all applicants
- Due diligence and vetting process

## Selection & Board Approval

- Sept 2020 – Begin contract negotiations
- Mid-Nov 2020 – Board vote
- Feb 2021 – Applications due to TEA

Fall 2021 - Partnership School Opening -  
Opening of M.L. King Middle School in operation under an in-district school partnership



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.C.1.**

**Agenda Item Title:** Update on Personnel Activities

**Cabinet Level Presenter(s):** Derwin Samuels, Executive Director of Human Resources

**Additional Presenter(s):** N/A

**Executive Summary:** Attached is a listing of newly hired and separated employees for June 2020

**Recommendation:** Informational Item Only

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):** N/A

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):** N/A

**Legal Review (if necessary, list attorney and firm):** N/A

Derwin Samuels Jr.  
Cabinet Level Presenter's Signature

8/12/2020  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

**New Employee Assignment Report**  
**Hiring Date Range: 07-01-20 through 07-31-2020**

Campus/Department	Assignment	Employee Name	Start Date
<b>ELEMENTARY SCHOOLS</b>			
Curtis Elementary School	Principal	Cheryl Tripplett	7/20/2020

Campus/Department	Assignment	Employee Name	Start Date
<b>MIDDLE SCHOOL</b>			
Smith Middle School	Counselor Middle School	Carolyn Dancy	7/27/2020

Campus/Department	Assignment	Employee Name	Start Date
<b>HIGH SCHOOL</b>			
Beaumont United High School	Assistant Principal Ninth Grade Academy	Marquis Saveat	7/30/2020
Beaumont United High School	Assistant Principal Ninth Grade Academy	Daniel Taylor	7/20/2020
Beaumont United High School	Teacher High School	Emily Kimmich	7/27/2020

Campus/Department	Assignment	Employee Name	Start Date
<b>FOOD &amp; NUTRITION SERVICE</b>			
Food & Nutrition Service	Clerk Financial	Veronica Vo	7/1/2020

Campus/Department	Assignment	Employee Name	Start Date
<b>SPECIAL EDUCATION</b>			
Special Education	Diagnostician	Melissa Hanks	7/27/2020

**EMPLOYEE SEPARATION  
REPORT**

Separation Date Range: 07-01-2020 through 07-31-2020

Campus/Department	Assignment	Last Work Day	Employee Name	Sep Type
<b>ELEMENTARY SCHOOL</b>				
Amelia Elementary School – 101	Teacher Elementary School	7/23/2020	Sigee, LaTanya Lynel	Resign
Blanchette Elementary School – 127	Teacher Elementary School	7/23/2020	Bean, Brittney	Resign
Charlton-Pollard Elementary – 130	Teacher Elementary School	7/27/2020	Williams, Tyna R	Resign
Dishman Elementary School - 126	Coordinator Title I	7/23/2020	Duerler, Amy A	Resign
ESY Elementary – 699	Summer School Teachers	7/17/2020	Jackson, Kevin	End Assignment

Campus/Department	Assignment	Last Work Day	Employee Name	Sep Type
<b>MIDDLE SCHOOL</b>				
Vincent Middle School – 048	Principal	7/20/2020	Gimble, Melanie M	Resign

Campus/Department	Assignment	Last Work Day	Employee Name	Sep Type
<b>INFORMATION TECHNOLOGY</b>				
Information Technology	Computer Technician	7/31/2020	Simon, Cody James	Resign

Campus/Department	Assignment	Last Work Day	Employee Name	Sep Type
<b>PURCHASING</b>				
Purchasing - 726	Coordinator Purchasing	7/21/2020	English, Clifton Olen	Resign

Campus/Department	Assignment	Last Work Day	Employee Name	Sep Type
<b>FINANCE</b>				
Finance – 726	Staff Accountant	7/17/2020	Lanners, Tram Tricia T	Resign

Campus/Department	Assignment	Last Work Day	Employee Name	Sep Type
<b>OFFICE OF INNOVATION</b>				
Office of Innovation – 701	Chief Innovation Officer	7/14/2020	Slaughter, Jody Lynn	Resign

Campus/Department	Assignment	Last Work Day	Employee Name	Sep Type
<b>SAVE THE CHILDREN</b>				
Save the Children-CP – 699	Summer STC Literacy Tutor	7/27/2020	Williams, Tyna R	Resign

Campus/Department	Assignment	Last Work Day	Employee Name	Sep Type
<b>POLICE DEPARTMENT</b>				
Police Department – 510	Police Sergeant	7/24/2020	Guzman, Richard J	Resign

Campus/Department	Assignment	Last Work Day	Employee Name	Sep Type
<b>TEXTBOOKS</b>				
Textbooks – 711	Temporary Textbook Processor	7/26/2020	Brown, Sonja M	End Assignment
Textbooks – 711	Temporary Textbook Processor	7/28/2020	Laday, Kelli Naache	End Assignment



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.C.2.**

**Agenda Item Title:** Report – Tax Collections

**Cabinet Level Presenter(s):** Cheryl Hernandez

**Additional Presenter(s):**

**Executive Summary:** N/A

**Recommendation:** N/A

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):** N/A

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):**

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

Cheryl Hernandez  
Cabinet Level Presenter's Signature

8/11/2020  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

**Tax Collection Report**  
*July 31, 2020*

	<b>Taxes Collected</b>			
	<b>7/31/20</b>		<b>7/31/19</b>	
	<b>M &amp; O</b>	<b>I &amp; S</b>	<b>M &amp; O</b>	<b>I &amp; S</b>
Current	412,999.93	108,167.30	452,946.01	110,645.14
Delinquent	83,293.46	20,431.82	115,619.67	26,936.15
Penalties & Interest	84,297.35	20,875.57	130,681.69	27,492.07
<b>Totals</b>	<b>580,590.74</b>	<b>149,474.69</b>	<b>699,247.37</b>	<b>165,073.36</b>

	<b>Current Taxes</b>			
	<b>Tax Levy</b>	<b>Collections for 07/31/2020</b>	<b>YTD Current Collections</b>	<b>Collected Percentage</b>
	136,587,583.49	521,167.23	134,181,847.02	98.24%

<b>Two Year Comparison</b>	
<b>Current Year as of 07/31/2020</b>	<b>Prior Year as of 07/31/2019</b>
98.24%	98.19%

**AGENDA:**  
August 20, 2020



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.C.3.**

**Agenda Item Title:** Report – General Fund Summary

**Cabinet Level Presenter(s):** Cheryl Hernandez

**Additional Presenter(s):**

**Executive Summary:** N/A

**Recommendation:** N/A

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):** N/A

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):**

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

  
\_\_\_\_\_  
Cabinet Level Presenter's Signature

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

**BEAUMONT INDEPENDENT SCHOOL DISTRICT**  
**GENERAL FUND**  
 Budget vs. Expenditures  
 July 31, 2020

	Amended Budget	Month To Date	Year to Date Transactions	Outstanding Encumbrances	Balances
<b>REVENUES</b>					
Property Tax Collection (including delinquencies)	99,421,746	580,591	580,591	-	98,841,155
Sources of Misc Income (Foreign Trade Zone, Athletics...)	7,731,906	57,260	57,260	-	7,674,646
State Program Revenues	59,797,548	1,270,998	1,270,998	-	58,526,550
Federal Program Revenues	3,655,285	-	-	-	3,655,285
Other Financing Sources	25,000	-	-	-	25,000
<b>Total Revenues</b>	<b>170,631,485</b>	<b>1,908,849</b>	<b>1,908,849</b>	<b>-</b>	<b>168,697,637</b>
<b>EXPENDITURES</b>					
11 Classroom	88,896,767	1,315,467	1,315,467	3,436,135	84,145,165
12 Library	1,417,947	20,763	20,763	310,360	1,086,824
13 Staff Development	659,062	118,737	118,737	28,224	512,101
21 Asst Sups, Directors, Supervisors, Curriculum Coordinato	3,863,060	228,256	228,256	46,783	3,588,021
23 Principal, Asst. Principals, Office Clerical	11,262,133	388,190	388,190	20,081	10,853,862
31 Counselors	5,728,255	163,095	163,095	35,721	5,529,439
32 Social Workers	405,917	13,845	13,845	-	392,072
33 Nurses	2,032,298	28,526	28,526	4,823	1,998,949
34 Transportation	6,461,999	200,693	200,693	714,860	5,546,446
36 After School Activites	5,628,279	219,658	219,658	196,301	5,212,320
41 Administration	7,328,306	400,106	400,106	310,309	6,617,891
51 Maintenance and Utilites	28,312,041	874,576	874,576	6,111,409	21,326,056
52 Police and Monitoring Services	3,258,272	114,368	114,368	82,109	3,061,795
53 Data Processing Personnel	3,064,684	543,332	543,332	847,308	1,674,044
61 Parent involmnet Liaisons, Day Car Workers	173,245	-	-	-	173,245
71 Debt Service	1,114,965	-	-	-	1,114,965
81 Facilities Acquisition & Construction	414,529	(15,106)	(15,106)	1,567,828	-1,138,193
93 Fiscal Agent - Shared Service for Deaf Program	339,300	-	-	-	339,300
95 Juvenile Justice Alternative Ed Program	150,000	-	-	-	150,000
99 Tax Appraisal & Collections	1,500,000	-	-	-	1,500,000
<b>Total Expenditures</b>	<b>172,011,059</b>	<b>4,614,506</b>	<b>4,614,506</b>	<b>13,712,251</b>	<b>153,684,302</b>
<b>Net increase (decrease)</b>	<b>(1,379,574)</b>		<b>(2,705,657)</b>		



## Board Exhibit Cover Sheet

Meeting Date: August 20, 2020

Agenda Item/Exhibit Number: **II.C.4.**

Agenda Item Title: Report – Campus Activity Funds and Donations

Cabinet Level Presenter(s): Cheryl Hernandez

Additional Presenter(s):

Executive Summary: N/A

Recommendation: N/A

Budget Impact\* (if applicable): N/A

Funding Source (if applicable): N/A

Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):

Policy Reference (if applicable, list policy/regulation):

Legal Review (if necessary, list attorney and firm):

Cheryl Hernandez  
Cabinet Level Presenter's Signature

8/10/2020  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

**CAMPUS ACTIVITY FUND  
EXPLANATION OF AMENDMENTS  
JULY 2020**

<b>West Brook High School</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Beaumont United High School</b>	<b>\$</b>	<b>256.00</b>
<b>Explanation:</b> Textbook Fines		
<b>Smith Middle School</b>	<b>\$</b>	<b>121.00</b>
<b>Explanation:</b> Vendor Refund		
<b>King Middle School</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>South Park Middle School</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Marshall Middle School</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Odom Academy</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Vincent Middle School</b>	<b>\$</b>	<b>15.00</b>
<b>Explanation:</b> Textbook Fines		
<b>Amelia Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Caldwood Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Curtis Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Fletcher Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Guess Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Regina Howell Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Homer Drive Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Pietsch Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Dishman Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Blanchette Elementary</b>	<b>\$</b>	<b>4.00</b>
<b>Explanation:</b> Vendor Refund		
<b>Martin Elementary</b>	<b>\$</b>	<b>3.00</b>
<b>Explanation:</b> Vendor Refund		

**CAMPUS ACTIVITY FUND  
EXPLANATION OF AMENDMENTS, CONTINUED  
JULY 2020**

<b>Jones-Clark Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Charlton-Pollard Elementary</b>	<b>\$</b>	<b>53.00</b>
<b>Explanation:</b> Vendor Refund		
<b>Fehl Price Elementary</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Bingman Pre-K Center</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Lucas Pre-K Center</b>	<b>\$</b>	<b>5.00</b>
<b>Explanation:</b> Vendor Refund		
<b>Pathways Learning Center</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Taylor Career Center</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Brown Center</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Transportation Dept</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Maintenance Dept</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Administration/Annex Building</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Police Dept.</b>	<b>\$</b>	<b>-</b>
<b>Explanation:</b>		
<b>Early College H.S.</b>	<b>\$</b>	<b>150.00</b>
<b>Explanation:</b> Donations		
<b>School for the Deaf (Deaf Ed.)</b>	<b>\$</b>	<b>1,000.00</b>
<b>Explanation:</b> Donations		

**CAMPUS ACTIVITY FUNDS  
BUDGET CHANGE REPORT - JULY 2020**

		<b>Original Budget</b>	<b>Change</b>	<b>Amended Budget</b>
<b><u>Revenues</u></b>				
Local Revenue - Other Sources	461.00.5749.00	345,045	1,607	346,652
<b><u>Expenditures</u></b>				
	<b><u>School Leadership</u></b>			
West Brook High School	461.XX.6499.00.008.00.000	109,633	-	109,633
Beaumont United High School	461.XX.6499.00.014.00.000	22,590	256	22,846
Smith Middle School	461.XX.6499.00.042.00.000	4,704	121	4,825
King Middle School	461.XX.6499.00.043.00.000	7,859	-	7,859
South Park Middle School	461.XX.6499.00.045.00.000	2,921	-	2,921
Marshall Middle School	461.XX.6499.00.046.00.000	42,195	-	42,195
Odom Academy	461.XX.6499.00.047.00.000	28,368	-	28,368
Vincent Middle School	461.XX.6499.00.048.00.000	17,980	15	17,995
Amelia Elementary	461.XX.6499.00.101.00.000	5,005	-	5,005
Caldwood Elementary	461.XX.6499.00.104.00.000	3,388	-	3,388
Curtis Elementary	461.XX.6499.00.105.00.000	12,284	-	12,284
Fletcher Elementary	461.XX.6499.00.110.00.000	7,802	-	7,802
Guess Elementary	461.XX.6499.00.112.00.000	12,738	-	12,738
Regina Howell Elementary	461.XX.6499.00.118.00.000	22,601	-	22,601
Homer Drive Elementary	461.XX.6499.00.123.00.000	3,995	-	3,995
Pietzsch Elementary	461.XX.6499.00.125.00.000	3,291	-	3,291
Dishman Elementary	461.XX.6499.00.126.00.000	4,483	-	4,483
Blanchette Elementary	461.XX.6499.00.127.00.000	1,294	4	1,298
Martin Elementary	461.XX.6499.00.128.00.000	3,409	3	3,412
Jones-Clark Elementary	461.XX.6499.00.129.00.000	7,744	-	7,744
Charlton-Pollard Elementary	461.XX.6499.00.130.00.000	2,672	53	2,725
Fehl Price Elementary	461.XX.6499.00.131.00.000	2,853	-	2,853
Bingman Pre-K Center	461.XX.6499.00.132.00.000	1,507	-	1,507
Lucas Pre-K Center	461.XX.6499.00.133.00.000	1,182	5	1,187
Other Locations		16	1,000	1,016
Pathways Learning Center	461.XX.6499.00.006.00.000	248	-	248
Taylor Career Center	461.XX.6499.00.009.00.000	3,590	-	3,590
Brown Center	461.XX.6499.00.012.00.000	379	-	379
Transportation Dept	461.XX.6499.00.811.00.000	987	-	987
Maintenance Dept	461.XX.6499.00.819.00.000	362	-	362
Administration/Annex Building	461.XX.6499.00.842.00.000	2,802	-	2,802
Police Dept.	461.XX.6499.00.850.00.000	42	-	42
Early College H.S.	461.XX.6499.00.013.00.000	4,121	150	4,271
Total Expenditures		345,045	1,607	346,652
<b>BUDGET CHANGE</b>				
Total Revenues		345,045	1,607	346,652
Total Expenditures		(345,045)	(1,607)	(346,652)
Adjusted Surplus		-	-	-

# DONATION REPORT - JULY 2020

## MONETARY DONATIONS

<u>Donor Name/Organization</u>	<u>Recipient</u>	<u>Account Number</u>	<u>Amount Given</u>
Greater Houston Community Foundation	Early College High School - Library Grant	491.00.5749.00.013.00.000	327
Greater Houston Community Foundation	Early College High School - Library Grant	491.00.5749.00.013.00.000	327
Aurora Golden Triangle Sertoma Club	School Program for the Deaf	461.00.5749.00.838.00.C92	1,000

**Total Amount Donated** 1,654

## DONATION REPORT - JULY 2020

### RECORD OF DONATED ITEMS

<u>Donor Name/Organization</u>	<u>SAF Club</u>	<u>Description of Items</u>	<u>Estimated Value</u>
Christian Fellowship Church Rick White	Marshall Middle School	Water Bottle Refilling Station	1,200



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.C.5.**

**Agenda Item Title:** Report – Quarterly Investment Report

**Cabinet Level Presenter(s):** Cheryl Hernandez

**Additional Presenter(s):**

**Executive Summary:** Section 2256.023 of the Public Funds Investment Act requires the investment officer to prepare and submit to the governing body of the entity, not less than quarterly, a written report of investment transactions for all funds covered by the Act for the preceding quarter.

**Recommendation:** N/A

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):** N/A

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):**

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

  
\_\_\_\_\_  
Cabinet Level Presenter's Signature

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

**QUARTERLY INVESTMENT REPORT  
FOR THE QUARTER ENDED MAY 31, 2020**

**Investment Program**

The legal requirements and local authority for investment of District funds are detailed in Board Policy CDA (Legal) and CDA (Local) as adopted by the Board of Managers. The investments utilized by Beaumont ISD for the Quarter Ended May 31, 2020 included TexPool and Lone Star and Investment Pools.

**Investment Position at May 31, 2020**

<u>Investment</u>	<u>Book Value</u>	<u>Market Value</u>
Lone Star Investment Pool	\$ 108,429,481.28	\$ 108,429,481.28
TexPool	4,074,903.44	4,074,903.44
Total	<u>\$ 112,504,384.72</u>	<u>\$ 112,504,384.72</u>

**Investment Activity**

A summary of activity is listed below:

**Schedule of Transactions by Fund Group  
Investments in Lone Star Investment Pool  
Quarter Ended May 31, 2020**

<u>Investment</u>	<u>Carrying Amount 03/01/2020</u>	<u>Additions 03/01/2020- 05/31/2020</u>	<u>Deductions 03/01/2020- 05/31/2020</u>	<u>Carrying Amount 05/31/2020</u>
General Fund - Corporate Overnight Plus Fund	\$ 60,384,156.44	11,089,669.40	-	\$ 71,473,825.84
General Fund - Corporate Overnight Fund	4,267,589.66	1,011,321.12	2,455,819.68	2,823,091.10
General Fund - Government Overnight Fund	58,999,019.62	4,675,917.81	41,624,107.09	22,050,830.34
Total General Fund	<u>\$ 123,650,765.72</u>	<u>\$ 16,776,908.33</u>	<u>\$ 44,079,926.77</u>	<u>\$ 96,347,747.28</u>
Debt Service - Corporate Overnight Plus Fund	\$ 2,519,203.94	8,292.70	-	\$ 2,527,496.64
Debt Service - Corporate Overnight Fund	591,145.94	1,671.28	-	592,817.22
Debt Service - Government Overnight Fund	8,340,134.41	621,285.73	-	8,961,420.14
Total Debt Service Fund	<u>\$ 11,450,484.29</u>	<u>\$ 631,249.71</u>	<u>-</u>	<u>\$ 12,081,734.00</u>
Total Lone Star Investments	<u>\$ 135,101,250.01</u>	<u>\$ 17,408,158.04</u>	<u>\$ 44,079,926.77</u>	<u>\$ 108,429,481.28</u>

**Schedule of Transactions by Fund Group  
Investments in Texpool  
Quarter Ended May 31, 2020**

<u>Type</u>	<u>Carrying Amount 03/01/2020</u>	<u>Additions 03/01/2020- 05/31/2020</u>	<u>Deductions 03/01/2020- 05/31/2020</u>	<u>Carrying Amount 05/31/2020</u>
General Fund	\$ 3,923,868.77	\$ 5,708.91	\$ -	\$ 3,929,577.68
Debt Service Fund	145,114.68	211.08	-	145,325.76
Total Investments	<u>\$ 4,068,983.45</u>	<u>\$ 5,919.99</u>	<u>\$ -</u>	<u>\$ 4,074,903.44</u>

  
Cheryl Hernandez, CFO

  
Stacey Fitch, Comptroller



**Board Exhibit Cover Sheet**

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.C.6.**

**Agenda Item Title:** Review of the 2020-2021 Student Handbook

**Cabinet Level Presenter(s):** Randall Maxwell

**Additional Presenter(s):** Dr. Diana Valdez

**Executive Summary:** The 2020-2021 Student Handbook is attached. Each year the board is required to review the Student Handbook which serves as a general reference guide only and is designed to be in harmony with board policy and the Student Code of Conduct. The handbook provides basic information that a parent needs regarding overall district processes and procedures.

**Recommendation:** Information Item Only

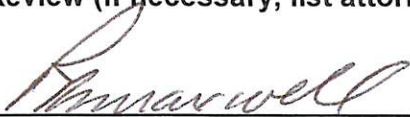
**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):** N/A

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):**  
N/A

**Policy Reference (if applicable, list policy/regulation):** DNA Local

**Legal Review (if necessary, list attorney and firm):** N/A

  
\_\_\_\_\_  
Cabinet Level Presenter's Signature

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date



## Board Briefing

### 2020-2021 BISD Student Handbook

This item is submitted for your review. Because the Student Handbook does not carry the weight of Board policy, it does not require Board approval. However, the Handbook does serve as a repository of policy guidance for those issues which most often affect students and parents.

Its purpose is to provide assistance to students and parents in addressing school issues which may emerge. Often, this assistance takes the form of directing students and/or parents to existing board policy, or of directing students to the correct office. The reader will see this throughout the Handbook. The Handbook also provides information for referrals to community resources, particularly mental health resources. As you know, our Handbook is based on the template provided by TASB.

There are some changes from the 2019-2020 Handbook, though the basics remain the same.

Some changes are stylistic. For example, TASB may have changed a passage from passive to active voice, without changing the substance of the passage. We did not include those for review here.

TASB did recommend the inclusion of more robust descriptions of issues related to child trafficking and sexual abuse. For example, a listing of warning signs of possible labor or sexual trafficking is provided. (See pp. 36-38)

On page 51, we have added language regarding the school's obligations regarding lost or stolen cell phones or electronic devices.

On page 53, we have added a trench coat and like apparel to the list of prohibited items of clothing.

Attendance guidelines for participation in extracurricular events for students who attend our high schools which are on block scheduling are clarified on p. 53.

New guidance regarding Title IX takes effect August 14. There is some strengthening of Non-Discrimination language on p. 73.

We have added descriptions of our district's two non-traditional high schools: Paul Brown Learning Center and Early College High School.

On page 60, the participation of expelled seniors in graduation is addressed. This parallels language in the Code of Conduct.

There is a reminder inserted on p. 75 that students who owe school debt will not be issued a parking permit.

Parents have two options for accessing the Handbook. They may access the Handbook from our website, or request a hard copy from the school. Likewise, the District has two methods to confirm receipt of the Handbook by parents: Parents may acknowledge electronic receipt when completing registration documents; or they may request a hard copy in which case the school will cause the parent to sign for the Handbook.

**Beaumont Independent School District**  
**Student Handbook**  
**2020-2021**

# **Beaumont Independent School District**

## **Student Handbook**

**2020–21 School Year**

If you have difficulty accessing the information in this document because of disability, please contact the district's Coordinator of Special Programs at (409) 617-7203.

# Beaumont Independent School District Student Handbook

## Contents

Beaumont Independent School District.....	0
Student Handbook .....	0
<b>Preface Parents and Students: .....</b>	<b>10</b>
Accessibility .....	11
<b>SectionOne: Parental Rights.....</b>	<b>11</b>
Consent, Opt-Out, and Refusal Rights.....	11
Consent to Conduct a Psychological Evaluation or Provide a Mental Health Care Service.....	11
Consent to Display a Student’s Original Works and Personal Information .....	12
Consent to Receive Parenting and Paternity Awareness Instruction if a Student is under Age 14 .....	12
Consent to Video or Audio Record a Student when Not Already Permitted by Law .....	12
Prohibiting the Use of Corporal Punishment.....	13
Limiting Electronic Communications between Students and District Employees.....	13
Objecting to the Release of Directory Information.....	13
Objecting to the Release of Student Information to Military Recruiters and Institutions of Higher Education(Secondary Grade Levels Only).....	14
Participation in Third-Party Surveys .....	15
Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation .....	15
“Opting Out” of Participation in Other Types of Surveys or Screenings and the Disclosure of Personal Information.....	15
Removing a Student from Instruction or Excusing a Student from a Required Component of Instruction .....	16
Human Sexuality Instruction.....	16
Reciting a Portion of the Declaration of Independence in Grades 3–12.....	16
Reciting the Pledges to the U.S. and Texas Flags.....	17
Religious or Moral Beliefs .....	17
Tutoring or Test Preparation.....	17
Right of Access to Student Records, Curriculum Materials, and District Records/Policies .....	18
Instructional Materials.....	18
Notices of Certain Student Misconduct to Noncustodial Parent.....	18
Participation in Federally Required, State-Mandated, and District Assessments.....	18
Student Records.....	18
Accessing Student Records .....	18
Authorized Inspection and Use of Student Records .....	19
Teacher and Staff Professional Qualifications .....	22

# Beaumont Independent School District Student Handbook

A Student with Exceptionalities or Special Circumstances .....	22
Children of Military Families .....	22
Parental Role in Certain Classroom and School Assignments .....	23
Multiple-Birth Siblings.....	23
Safety Transfers/Assignments .....	23
Student Use of a Service/Assistance Animal.....	23
A Student in the Conservatorship of the State (Foster Care) .....	23
A Student Who Is Homeless.....	24
A Student Who Has Learning Difficulties or Who Needs Special Education or Section 504 Services .....	25
Special Education Referrals.....	25
Contact Person for Special Education Referrals.....	26
Section 504 Referrals .....	26
Contact Person for Section 504 Referrals.....	26
Notification to Parents of Intervention Strategies for Learning Difficulties Provided to Students in General Education.....	26
A Student Who Receives Special Education Services with Other School-Aged Children in the Home .....	27
A Student Who Speaks a Primary Language Other than English.....	27
A Student with Physical or Mental Impairments Protected under Section 504.....	27
<b>Section Two: Other Important Information for Parents and Students.....</b>	<b>28</b>
Absences/Attendance.....	28
Compulsory Attendance .....	28
Prekindergarten and Kindergarten.....	28
Ages 6–18.....	28
Age 19 and Older.....	28
Exemptions to Compulsory Attendance.....	28
All Grade Levels .....	28
Secondary Grade Levels .....	29
Failure to Comply with Compulsory Attendance .....	29
All Grade Levels .....	29
Students with Disabilities.....	30
Ages 6–18.....	30
Age 19 and Older.....	30
Attendance for Credit or Final Grade (All Grade Levels).....	30

# Beaumont Independent School District Student Handbook

Official Attendance-Taking Time (All Grade Levels).....	31
Documentationafter an Absence(All Grade Levels).....	31
Doctor’s Note after an Absence for Illness(All Grade Levels) .....	31
Driver License Attendance Verification(Secondary Grade Levels Only) .....	32
Accountability under State and Federal Law (All Grade Levels).....	32
Armed Services Vocational Aptitude Battery Test (Grades 10–12).....	32
Bullying(All Grade Levels) .....	32
Career and Technical Education (CTE) Programs(Secondary Grade Levels Only).....	34
Celebrations(All Grade Levels) .....	35
Child Sexual Abuse, Trafficking, and Other Maltreatment of Children(All Grade Levels).....	35
Warning Signs of Sexual Abuse.....	35
Warning Signs of Trafficking.....	36
Reporting and Responding to Sexual Abuse, Trafficking, and Other Maltreatment of Children	37
Further Resources on Sexual Abuse, Trafficking, and Other Maltreatment of Children .....	37
Class Rank/Highest-Ranking Student(Secondary Grade Levels Only).....	37
Class Schedules(Secondary Grade Levels Only).....	38
College and University Admissions and Financial Aid(All Grade Levels).....	38
College Credit Courses(Secondary Grade Levels Only).....	38
Communications—Automated (All Grade Levels).....	39
Emergency.....	39
Nonemergency .....	39
Complaints and Concerns(All Grade Levels).....	39
Conduct(All Grade Levels) .....	40
Applicability of School Rules .....	40
Campus Behavior Coordinator.....	40
Deliveries.....	40
Disruption of School Operations.....	40
Social Events.....	41
Counseling .....	41
Academic Counseling.....	42
Elementary and Middle/Junior High School Grade Levels .....	42
High School Grade Levels.....	42
Personal Counseling (All Grade Levels) .....	42
Course Credit(Secondary Grade Levels Only).....	43
Credit by Examination—If a Student Has Taken the Course/Subject(Grades 6–12).....	43

# Beaumont Independent School District Student Handbook

Credit by Examination for Advancement/Acceleration—If a Student Has Not Taken the Course/Subject .....	43
Kindergarten Acceleration .....	44
Students in Grades 1–5 .....	44
Students in Grades 6–12.....	44
Dating Violence, Discrimination, Harassment, and Retaliation(All Grade Levels) .....	44
Dating Violence .....	44
Discrimination.....	45
Harassment.....	45
Sexual Harassment and Gender-Based Harassment.....	45
Retaliation .....	46
Reporting Procedures.....	46
Investigation of Report.....	47
Discrimination .....	47
Distance Learning (All Grade Levels) .....	47
Texas Virtual School Network (TXVSN)(Secondary Grade Levels).....	47
Distribution of Literature, Published Materials, or Other Documents(All Grade Levels).....	48
School Materials.....	48
Nonschool Materials .....	48
From Students .....	48
From Others .....	48
Dress and Grooming(All Grade Levels).....	49
Electronic Devices and Technology Resources(All Grade Levels) .....	51
Possession and Use of Personal Telecommunications Devices, Including Cell Phones, and Other Electronic Devices.....	51
Instructional Use of Personal Telecommunications and Other Electronic Devices .....	51
Acceptable Use of District Technology Resources .....	52
Unacceptable and Inappropriate Use of Technology Resources.....	52
End-of-Course (EOC) Assessments .....	52
English Learners (All Grade Levels).....	52
Extracurricular Activities, Clubs, and Organizations(All Grade Levels).....	53
Standards of Behavior .....	54
Offices and Elections .....	54
Fees(All Grade Levels) .....	54
Fundraising(All Grade Levels).....	55
Gang-Free Zones(All Grade Levels).....	55

# Beaumont Independent School District Student Handbook

Gender-Based Harassment .....	55
Grade-Level Classification(Grades 9–12 Only).....	55
Grading Guidelines(All Grade Levels) .....	55
Graduation(Secondary Grade Levels Only).....	56
Requirements for a Diploma.....	56
Testing Requirements for Graduation .....	56
Foundation Graduation Program .....	56
Credits Required.....	57
Available Endorsements .....	59
Personal Graduation Plans .....	59
Available Course Options for All Graduation Programs .....	59
Certificates of Coursework Completion .....	59
Students with Disabilities .....	59
Graduation Activities .....	60
Graduation Speakers.....	60
Graduation Expenses .....	60
Scholarships and Grants.....	61
Harassment .....	61
Hazing(All Grade Levels) .....	61
Health—Physical and Mental.....	61
Illness(All Grade Levels).....	61
Immunization(All Grade Levels).....	62
Lice (All Grade Levels).....	63
Medicine at School(All Grade Levels) .....	63
Asthma and Severe Allergic Reactions .....	64
Steroids(Secondary Grade Levels Only).....	64
Mental Health Support(All Grade Levels) .....	64
Physical Activity Requirements.....	65
Elementary School.....	65
Junior High/Middle School.....	65
Temporary Restriction from Participation in Physical Education .....	65
Physical Fitness Assessment(Grades 3–12) .....	65
Physical Health Screenings / Examinations .....	66
Athletics Participation (Secondary Grade Levels Only) .....	66
Spinal Screening Program .....	66

# Beaumont Independent School District Student Handbook

Other Examinations and Screenings (All Grade Levels) .....	66
Special Health Concerns (All Grade Levels) .....	66
Bacterial Meningitis(All Grade Levels) .....	66
Diabetes.....	67
Food Allergies(All Grade Levels) .....	67
Seizures (All Grade Levels) .....	67
Tobacco and E-Cigarettes Prohibited(All Grade Levels and All Others on School Property)....	67
Health-Related Resources, Policies, and Procedures .....	68
Physical and Mental Health Resources (All Grade Levels) .....	68
School Health Advisory Council (SHAC)(All Grade Levels).....	69
Student Wellness Policy/Wellness Plan (All Grade Levels) .....	69
Homework(All Grade Levels) .....	69
Law Enforcement Agencies(All Grade Levels).....	69
Questioning of Students.....	69
Students Taken into Custody .....	69
Notification of Law Violations.....	70
Leaving Campus(All Grade Levels).....	70
During Lunch.....	71
At Any Other Time during the School Day .....	71
Lost and Found (All Grade Levels).....	71
Makeup Work .....	71
Makeup Work Because of Absence(All Grade Levels) .....	71
DAEP Makeup Work .....	72
Grades 9-12.....	72
In-School Suspension (ISS) and Out-of-School Suspension (OSS) Makeup Work(All Grade Levels) .....	72
Alternative Means to Receive Coursework .....	72
Opportunity to Complete Courses.....	72
Nondiscrimination Statement(All Grade Levels).....	72
Nontraditional Academic Programs (All Grade Levels) .....	73
Parent and Family Engagement (All Grade Levels) .....	74
Working Together.....	74
Parking and Parking Permits (Secondary Grade Levels Only) .....	75
Pledges of Allegiance and a Minute of Silence(All Grade Levels).....	75
Prayer(All Grade Levels).....	75

# Beaumont Independent School District Student Handbook

Promotion and Retention .....	76
Elementary and Middle/Junior High Grade Levels .....	76
High School Grade Levels .....	77
Release of Students from School .....	77
Report Cards/Progress Reports and Conferences(All Grade Levels).....	77
Retaliation.....	78
Safety(All Grade Levels).....	78
Accident Insurance .....	78
Insurance for Career and Technical Education (CTE) Programs .....	78
Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies .....	78
Preparedness Training: CPR and Stop the Bleed.....	79
Emergency Medical Treatment and Information .....	79
Emergency SchoolClosing Information .....	79
SAT, ACT, and Other Standardized Tests .....	79
Schedule Changes (Middle/Junior High and High School Grade Levels).....	79
School Facilities .....	80
Asbestos Management Plan(All Grade Levels).....	80
Food and Nutrition Services(All Grade Levels).....	80
Vending Machines (All Grade Levels).....	80
Pest Management Plan(All Grade Levels) .....	80
Conduct Before and After School(All Grade Levels) .....	81
Library(All Grade Levels).....	81
Use of Hallways during Class Time(All Grade Levels).....	81
Use by Students Before and After School(All Grade Levels).....	81
Meetings of Noncurriculum-Related Groups(Secondary Grade Levels Only) .....	81
School-Sponsored Field Trips (All Grade Levels).....	82
Searches.....	82
Searches in General(All Grade Levels).....	82
District Property(All Grade Levels) .....	82
Metal Detectors(All Grade Levels).....	82
Telecommunications and Other Electronic Devices (All Grade Levels).....	82
Trained Dogs(All Grade Levels).....	83
Vehicles on Campus(Secondary Grade Levels Only).....	83
Sexual Harassment.....	83
Special Programs(All Grade Levels).....	83
Standardized Testing.....	83

# Beaumont Independent School District Student Handbook

Secondary Grade Levels.....	83
SAT/ACT (Scholastic Aptitude Test and American College Test).....	83
TSI (Texas Success Initiative) Assessment.....	84
STAAR (State of Texas Assessments of Academic Readiness).....	84
Grades 3–8 .....	84
High School Courses End-of-Course (EOC) Assessments.....	84
Students in Foster Care (All Grade Levels).....	85
Students Who are Homeless (All Grade Levels).....	85
Student Speakers(All Grade Levels).....	85
Summer School(All Grade Levels) .....	85
Tardies(All Grade Levels) .....	85
Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials (All Grade Levels).....	86
Transfers(All Grade Levels).....	86
Transportation(All Grade Levels) .....	86
School-Sponsored Trips.....	86
Buses and Other School Vehicles .....	87
Vandalism(All Grade Levels).....	88
Video Cameras(All Grade Levels).....	88
Visitors to the School(All Grade Levels).....	88
General Visitors.....	88
Unauthorized Persons.....	88
Visitors Participating in Special Programs for Students .....	89
Business, Civic, and Youth Groups .....	89
Career Day.....	89
Volunteers(All Grade Levels) .....	89
Voter Registration(Secondary Grade Levels Only).....	89
Withdrawing from School(All Grade Levels).....	89
<b>Glossary .....</b>	<b>90</b>
<b>Appendix: Freedom from Bullying Policy .....</b>	<b>93</b>
Student Welfare: Freedom from Bullying .....	93
FFI (LOCAL) - STUDENT WELFARE: FREEDOM FROM BULLYING.....	93
<b>Table of Contents</b> <i>Note: This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.</i> .....	<b>93</b>
<b>Bullying Prohibited .....</b>	<b>93</b>
Examples .....	93

# Beaumont Independent School District Student Handbook

<b>Retaliation</b> .....	<b>93</b>
Examples .....	93
<b>False Claim</b> .....	<b>93</b>
<b>Timely Reporting</b> .....	<b>94</b>
<b>Reporting Procedures</b> .....	<b>94</b>
Student Report.....	94
Employee Report.....	94
Report Format.....	94
<b>Notice of Report</b> .....	<b>94</b>
<b>Prohibited Conduct</b> .....	<b>94</b>
<b>Investigation of Report</b> .....	<b>94</b>
<b>Concluding the Investigation</b> .....	<b>95</b>
<b>Notice to Parents</b> .....	<b>95</b>
<b>District Action</b> .....	<b>95</b>
Bullying .....	95
<i>Discipline</i> .....	95
<i>Corrective Action</i> .....	95
<i>Transfers</i> .....	95
<i>Counseling</i> .....	95
Improper Conduct.....	96
<b>Confidentiality</b> .....	<b>96</b>
<b>Appeal</b> .....	<b>96</b>
<b>Records Retention</b> .....	<b>96</b>
<b>Access to Policy and Procedures</b> .....	<b>96</b>

# Beaumont Independent School District Student Handbook

## Preface Parents and Students:

Welcome to the new school year!

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

The Beaumont Independent School District Student Handbook is a general reference guide that is divided into two sections:

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

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

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

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

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

Therefore, parents and students should become familiar with the Beaumont Independent School District’s Student Code of Conduct. To review the Code of Conduct, visit the district’s website at [www.bmtisd.com](http://www.bmtisd.com). State law requires that the Code of Conduct be prominently displayed or made available for review at each campus.

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

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

A hard copy of either the Student Code of Conduct or Student Handbook can be requested by visiting the Administration offices at 3395 Harrison Avenue, Beaumont, Texas during regular business hours or by calling the Office of the District Director for Leadership Development and Discipline at (409) 617.5037.

**Note:** References to board policy codes are included for ease of reference. The hard copy of the district’s official policy manual is available for review in the district administration office, and an unofficial electronic copy is available at [www.bmtisd.com](http://www.bmtisd.com).

The policy manual includes:

## Beaumont Independent School District Student Handbook

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

For questions about the material in this handbook, please contact The Director of Leadership Development and Discipline at (409) 617-5037.

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

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

[See **Objecting to the Release of Directory Information** on page 13 and **Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation** on page 15 for more information.]

### Accessibility

If you have difficulty accessing this handbook because of a disability, please contact the district Coordinator of Special Programs at (409) 617-7203

## Section One: Parental Rights

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

### Consent, Opt-Out, and Refusal Rights

#### Consent to Conduct a Psychological Evaluation or Provide a Mental Health Care Service

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

The district will not provide a mental health care service to a student except as permitted by law.

The district has established procedures for providing a parent with a recommendation for an intervention for a student with early warning signs of mental health concerns or substance abuse or who has been identified as at risk of attempting suicide. The district's mental health liaison will notify the student's parent within a reasonable amount of time after the liaison learns that a student has displayed early warning signs and a possible need for intervention and provide information about available counseling options.

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

## Beaumont Independent School District Student Handbook

The mental health liaison, is our Director of Guidance and Counseling, who can be reached at (409) 617-5081. This person can provide further information regarding these procedures as well as educational materials on identifying risk factors, accessing resources for treatment or support on- and off-campus, and accessing available student accommodations provided on campus.

For further information, see **Mental Health Support** on page 64.

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

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

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

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

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

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

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

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

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

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

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

# Beaumont Independent School District Student Handbook

## Prohibiting the Use of Corporal Punishment

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

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

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

### Note:

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

## Limiting Electronic Communications between Students and District Employees

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

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

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

The employee is required to include the student's parent as a recipient on all text messages.

The employee is required to include his or her immediate supervisor and the student's parent as recipients on all text messages.

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

## Objecting to the Release of Directory Information

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

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

- A student's photograph (for publication in the school yearbook);

## Beaumont Independent School District Student Handbook

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

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

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

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

As allowed by state law, the district has identified two directory information lists—one for school-sponsored purposes and a second for all other requests. For district publications and announcements, the district has designated the following as directory information: Student name,; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; degrees, honors and awards received; dates of attendance; grade level, most recent educational institution attended; participation in officially recognized activities and sports; weight and height of members of athletic teams; enrollment status, and student identification numbers or identifiers that cannot alone be used to gain access to electronic education records.

If a parent does not object to the use of his or her child's information for these school-sponsored purposes, the school will not ask permission each time the district wants to use the information for these purposes.

For all other purposes, directory information shall include the student name. If a parent does not object to the use of the student's information for these purposes, the school **must** release this information when requested by an outside entity or individual.

**Note:** Review **Authorized Inspection and Use of Student Records** on page 19.

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

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

- Name,
- Address, and
- Telephone listing.

## Beaumont Independent School District Student Handbook

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

### Participation in Third-Party Surveys

#### ***Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation***

The Protection of Pupil Rights Amendment (PPRA) mandates that a student will not be required to participate without parental consent in any survey, analysis, or evaluation—funded in whole or in part by the U.S. Department of Education—that concerns:

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

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

#### ***“Opting Out” of Participation in Other Types of Surveys or Screenings and the Disclosure of Personal Information***

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

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

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

A parent may inspect:

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

## Beaumont Independent School District Student Handbook

- Instructional material used as part of the educational curriculum.

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

#### **Human Sexuality Instruction**

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

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

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

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

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

Included in the Health class curriculum and instruction is content about the reproductive system. State law requires that abstinence from sexual activity be taught in health class as the preferred choice of behavior. The Beaumont Independent School District and the Physical Education Department directs students to a standard of behavior in which abstinence from sexual activity before marriage is the most effective way to prevent pregnancy and sexually transmitted diseases.

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

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

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

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

## Beaumont Independent School District Student Handbook

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

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

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

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

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

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

[See **Pledges of Allegiance and a Minute of Silence** on page 75 and policy EC(LEGAL) for more information.]

### **Religious or Moral Beliefs**

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

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

### **Tutoring or Test Preparation**

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

- Informal observations,
- Evaluative data such as grades earned on assignments or tests, or
- Results from diagnostic assessments.

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

In accordance with state law and policy EC, without parental permission, districts are prohibited from removing a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the days the class is offered.

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

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

# Beaumont Independent School District Student Handbook

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

### Instructional Materials

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

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

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

### Notices of Certain Student Misconduct to Noncustodial Parent

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

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

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

## Student Records

### *Accessing Student Records*

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

- Attendance records,
- Test scores,
- Grades,
- Disciplinary records,
- Counseling records,
- Psychological records,
- Applications for admission,
- Health and immunization information,
- Other medical records,
- Teacher and school counselor evaluations,
- Reports of behavioral patterns,

## Beaumont Independent School District Student Handbook

- Records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child, as the term “intervention strategy” is defined by law,
- State assessment instruments that have been administered to the child, and
- Teaching materials and tests used in the child’s classroom.

### ***Authorized Inspection and Use of Student Records***

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

For purposes of student records, an “eligible” student is anyone age 18 or older or who attends a postsecondary educational institution. These rights, as discussed here and at **Objecting to the Release of Directory Information** on page 13, are the right to:

- Inspect and review student records within 45 days after the day the school receives a request for access;
- Request an amendment to a student record the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of FERPA;
- Provide written consent before the school discloses personally identifiable information from the student’s records, except to the extent that FERPA authorizes disclosure without consent; and
- File a complaint with the U.S. Department of Education concerning failures by the school to comply with FERPA requirements. The office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Ave., S.W.  
Washington, DC 20202

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

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

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

Inspection and release of student records is restricted to an eligible student or a student’s parent—whether married, separated, or divorced—unless the school receives a copy of a court order terminating parental rights or the right to access a student’s education records.

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

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

## Beaumont Independent School District Student Handbook

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

FERPA permits the disclosure of personally identifiable information from a student's education records without written consent of the parent or eligible student:

- When school officials have what federal law refers to as a "legitimate educational interest" in a student's records.
  - Legitimate educational interest may include:
    - Working with the student;
    - Considering disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities;
    - Compiling statistical data;
    - Reviewing an educational record to fulfill the official's professional responsibility; or
    - Investigating or evaluating programs.
  - School officials may include:
    - Board members and employees, such as the superintendent, administrators, and principals;
    - Teachers, school counselors, diagnosticians, and support staff (including district health or medical staff);
    - A person or company with whom the district has contracted or allowed to provide a specific institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist, school resource officer, or volunteer);
    - A person appointed to serve on a team to support the district's safe and supportive school program;
    - A parent or student serving on a school committee; or
    - A parent or student assisting a school official in the performance of his or her duties.

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

- To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General's office, the U.S. Attorney General's office, the U.S. Secretary of Education, the Texas Education Agency, the U.S. Secretary of Agriculture's office, and Child Protective Services (CPS) caseworkers or, in certain cases, other child welfare representatives.
- To individuals or entities granted access in response to a subpoena or court order.
- To another school, district/system, or postsecondary educational institution to which a student seeks or intends to enroll or in which the student already is enrolled.

## Beaumont Independent School District Student Handbook

- In connection with financial aid for which a student has applied or has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for, or on behalf of, the school to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.
- When the district discloses directory information-designated details. [To prohibit this disclosure, see **Objecting to the Release of Directory Information** on page 13.]

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

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

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

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

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

The address of the superintendent's office is 3395 Harrison Avenue, Beaumont, Texas 77706.

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

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

Although improperly recorded grades may be challenged, contesting a student's grade in a course or on an examination is handled through the complaint process found in policy FNG(LOCAL). A grade issued by a teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district's grading guidelines. [See **Report Cards/Progress Reports and Conferences** on page 77, **Complaints and Concerns** on page 39, and Finality of Grades at policy FNG(LEGAL).]

The district's student records policy is found at policy FL(LEGAL) and (LOCAL) and is available at the principal's or superintendent's office or on the district's website at [www.bmtisd.com](http://www.bmtisd.com).

## Beaumont Independent School District Student Handbook

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

### Teacher and Staff Professional Qualifications

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

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

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

### A Student with Exceptionalities or Special Circumstances

#### Children of Military Families

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

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

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

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

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

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

# Beaumont Independent School District Student Handbook

## Parental Role in Certain Classroom and School Assignments

### ***Multiple-Birth Siblings***

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

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

### ***Safety Transfers/Assignments***

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

The board may transfer a student who has engaged in bullying to another classroom. The board will consult with the parent of a child who has engaged in bullying before deciding to transfer the child to another campus.

Transportation is not provided for a transfer to another campus. See the Director of Leadership Development and Discipline for more information.

[See **Bullying** on page 32, and policies FDB and FFI for more information.]

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

[See policy FDE for more information.]

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

### **Student Use of a Service/Assistance Animal**

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

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

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

The district will grant partial course credit by semester when the student only passes one semester of a two-semester course

A student in the conservatorship of the state who is moved outside the district's or school's attendance boundaries—or who is initially placed in the conservatorship of the state and moved outside the district's or school's boundaries—is entitled to remain at the school the student was

## Beaumont Independent School District Student Handbook

attending prior to the placement or move until the student reaches the highest grade level at that particular school.

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

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

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

[See **Credit by Examination for Advancement/Acceleration** on page 43, **Course Credit** on page 43, and **A Student in Foster Care** on page 85.]

### **A Student Who Is Homeless**

Children who are homeless will be provided flexibility regarding certain district provisions, including:

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

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

If a student who is homeless in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, state law allows the student to request a

## Beaumont Independent School District Student Handbook

diploma from the previous district if the student meets the criteria to graduate from the previous district.

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

[See **Credit by Examination for Advancement/Acceleration** on page 43, **Course Credit** on page 43, and **Students who are Homeless** on page 85.]

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

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

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

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

#### ***Special Education Referrals***

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

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

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

There is an **exception** to the 45-school-day timeline. If the district receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more

## Beaumont Independent School District Student Handbook

days during the evaluation period, the June 30 due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

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

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

### **Contact Person for Special Education Referrals**

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is the Supervisor of Special Education and Compliance at (409) 617-5118 or (409) 617-5117

### **Section 504 Referrals**

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

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

### **Contact Person for Section 504 Referrals**

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is the Coordinator of Special Programs. This person may be reached at (409) 617-7203

[See **A Student with Physical or Mental Impairments Protected under Section 504** on page 27.]

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

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

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

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

## Beaumont Independent School District Student Handbook

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

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

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

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

### **A Student Who Speaks a Primary Language Other than English**

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

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

[See **English Learners** on page 52 and **Special Programs** on page 83 .]

### **A Student with Physical or Mental Impairments Protected under Section 504**

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

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

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

[See **A Student Who Has Learning Difficulties or Who Needs Special Education or Section 504 Services** on page 25 and policy FB for more information.]

# Beaumont Independent School District Student Handbook

## Section Two: Other Important Information for Parents and Students

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

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

Parents and children should take a moment together to become familiar with the issues addressed in this section. For guidance on a particular topic, please contact your child's principal or the Office of Leadership Development and Discipline at (409) 617-5037.

### **Absences/Attendance**

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

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

### **Compulsory Attendance**

#### ***Prekindergarten and Kindergarten***

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

#### ***Ages 6–18***

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

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

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

#### ***Age 19 and Older***

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

### **Exemptions to Compulsory Attendance**

#### ***All Grade Levels***

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

- Religious holy days;

## Beaumont Independent School District Student Handbook

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

For children of military families, absences of up to five days will be excused for a student to visit a parent, stepparent, or legal guardian going to, on leave from, or returning from certain deployments.

### ***Secondary Grade Levels***

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

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

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

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

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

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

### **Failure to Comply with Compulsory Attendance**

#### ***All Grade Levels***

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

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

# Beaumont Independent School District Student Handbook

## ***Students with Disabilities***

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

## ***Ages 6–18***

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

The notice will:

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

The truancy prevention facilitator for the district may be reached at (409) 617-5109. For any questions about student absences, parents should contact the facilitator or any other campus administrator.

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

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

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

## ***Age 19 and Older***

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

## **Attendance for Credit or Final Grade (All Grade Levels)**

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

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

## Beaumont Independent School District Student Handbook

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

- If makeup work is completed, absences listed under **Exemptions to Compulsory Attendance** on page 28 will be considered extenuating circumstances.
- A transfer or migrant student incurs absences only after he or she has enrolled in the district.
- Absences incurred due to the student's participation in board-approved extracurricular activities will be considered by the attendance committee as extenuating circumstances if the student makes up the work missed in each class.
- The committee will consider the acceptability and authenticity of documented reasons for the student's absences
- The committee will consider whether the student or student's parent had any control over the absences.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- The student or parent will be given an opportunity to present any information to the committee about the absences and discuss ways to earn or regain credit or a final grade.

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

### **Official Attendance-Taking Time (All Grade Levels)**

The district will take official attendance every day during the second instructional hour.

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

### **Documentation after an Absence (All Grade Levels)**

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

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

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

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

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

Within 5 days of returning to school, a student absent for more than 3 consecutive days because of a personal illness must bring a statement from a doctor or health clinic verifying the

## Beaumont Independent School District Student Handbook

illness or condition that caused the absence. Otherwise, the absence may be considered unexcused and in violation of compulsory attendance laws.

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

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

### **Driver License Attendance Verification(Secondary Grade Levels Only)**

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

Further information may be found on the Texas Department of Public Safety website: <https://www.dps.texas.gov/driverlicense/teedriver.htm>.

### **Accountability under State and Federal Law (All Grade Levels)**

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

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

Accountability information can be found on the district's website at [www.bmtdsid.com](http://www.bmtdsid.com) Hard copies of any reports are available upon request to the district's administration office.

TEA maintains additional accountability and accreditation information at [TEA Performance Reporting Division](#) and the [TEA homepage](#).

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

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

Contact the principal for information about this opportunity.

### **Bullying (All Grade Levels)**

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

## Beaumont Independent School District Student Handbook

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

Bullying includes cyber-bullying. Cyber-bullying is defined in state law as bullying that is done through the use of any electronic communication device, including through the use of:

- A cellular or other type of telephone
- A computer
- A camera
- Electronic mail
- Instant messaging
- Text messaging
- A social media application
- An internet website
- Any other internet-based communication tool.

Bullying is prohibited by the district and could include:

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

## Beaumont Independent School District Student Handbook

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

A student may anonymously report an alleged incident of bullying by accessing the district's website, or by dropping a note into various locations provided for such a purpose throughout a campus.

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

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

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

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

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

The parent of a student who has been determined to be a victim of bullying may request that the student be transferred to another classroom or campus within the district. [See **Safety Transfers/Assignments** on page 23.]

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

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

[See **Safety Transfers/Assignments** on page 23, **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44, **Hazing** on page 61, policy FFI, the district's Student Code of Conduct, and the district improvement plan, a copy of which can be viewed in the campus office.

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

The district offers career and technical education programs in the following areas: Business and Industry; architecture and construction; technology and communication; marketing; and manufacturing.

Admission to these programs is based on district policy.

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

District policy also prohibits discrimination on the basis of race, color, national origin, sex, or handicap in its employment practices as required by Title VI of the Civil Rights Act of 1964, as

## Beaumont Independent School District Student Handbook

amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

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

[See **Nondiscrimination Statement** on page 72 for the name and contact information for the Title IX coordinator and ADA/Section 504 coordinator, who will address certain allegations of discrimination.]

### **Celebrations (All Grade Levels)**

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

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

[See **Food Allergies** on page 67.]

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

The district has established a plan for addressing child sexual abuse, trafficking, and other maltreatment of children, which may be accessed at [www.bmtisd.com](http://www.bmtisd.com). Trafficking includes both sex and labor trafficking.

#### **Warning Signs of Sexual Abuse**

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

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

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

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

Be aware that children and adolescents who have experienced dating violence may show similar physical, behavioral, and emotional warning signs. [See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

# Beaumont Independent School District Student Handbook

## Warning Signs of Trafficking

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

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

Possible warning signs of sexual trafficking in children include:

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

Additional warning signs of labor trafficking in children include:

- Being unpaid, paid very little, or paid only through tips;
- Being employed but not having a school-authorized work permit;
- Being employed and having a work permit but clearly working outside the permitted hours for students;
- Owing a large debt and being unable to pay it off;
- Not being allowed breaks at work or being subjected to excessively long work hours;
- Being overly concerned with pleasing an employer and/or deferring personal or educational decisions to a boss;
- Not being in control of his or her own money;
- Living with an employer or having an employer listed as a student's caregiver; and
- A desire to quit a job but not being allowed to do so.

## Beaumont Independent School District Student Handbook

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

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

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

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

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

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

Additional resources include Beaumont Child Abuse and Forensic Services: [www.CAFStx.org](http://www.CAFStx.org) and Harvest House: [www.harvesthouse.com](http://www.harvesthouse.com).

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

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

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

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

Policy EIC (LOCAL) applies. The District shall include in the calculation of class rank semester grades earned in high school credit courses taken at any grade level. The calculation shall include failing grades. The district shall categorize and weight eligible courses as Honors and Regular in accordance with the provisions of policy EIC (LOCAL) and as designated in appropriate district publications.

[See policy EIC for more information.]

# Beaumont Independent School District Student Handbook

## Class Schedules (Secondary Grade Levels Only)

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

[See **Schedule Changes** on page 79 for information related to student requests to revise their course schedule.]

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

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

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

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

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

The University of Texas at Austin may limit the number of automatically admitted students to 75 percent of the University's enrollment capacity for incoming resident freshmen. During the summer and fall 2020 terms and spring 2021 term, the University will admit the top six percent of a high school's graduating class who meet the above requirements. Additional applicants will be considered by the University of through a holistic review process.

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

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

[See **Class Rank/Highest-Ranking Student** on page 37 for information specifically related to how the district calculates a student's rank in class, and requirements for **Graduation** on page 56 for information associated with the foundation graduation program.]

[See **Students in the Conservatorship of the State (Foster Care)** on page 23 for information on assistance in transitioning to higher education for students in foster care.]

## College Credit Courses (Secondary Grade Levels Only)

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

- Certain courses taught at the high school campus, which may include courses termed dual credit, Advanced Placement (AP), International Baccalaureate (IB), or college preparatory;

## Beaumont Independent School District Student Handbook

- Enrollment in AP or dual credit courses through the Texas Virtual School Network (TXVSN);
- Enrollment in courses taught in conjunction and in partnership with Lamar University and/or the Lamar Institute of Technology may be offered on or off campus;
- Enrollment in courses taught at other colleges or universities; and
- Certain Career and Technical Education (CTE) courses.

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

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

### Communications—Automated (All Grade Levels)

#### Emergency

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

[See **Safety** on page 78 for information regarding contact with parents during an emergency situation.]

#### Nonemergency

Your child's school will request that you provide contact information for the school to send information specific to your child, your child's school, or the district. If you provide a phone number for this purpose, please notify the school's administration office immediately if your number changes.

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

Standard messaging rates of your wireless phone carrier may apply.

If you have specific requests or needs related to how the district contacts you, please contact your child's principal. [See **Safety** on page 78 for information regarding contact with parents during an emergency.]

### Complaints and Concerns (All Grade Levels)

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

For those complaints and concerns that cannot be resolved informally, the board has adopted a Student and Parent Complaints/Grievances policy FNG (LOCAL). This policy can be viewed in the district's policy manual, available online at [www.bmtisd.com](http://www.bmtisd.com). The complaint forms can be

## Beaumont Independent School District Student Handbook

obtained through the Office of Legal Counsel at (409) 617-5262, the Office of the Director Leadership Development and Discipline at (409) 617-5037, or at the principal's or superintendent's office.

- To file a formal complaint a parent or student should complete and submit the complaint form.
- In general, the written complaint form should be completed and submitted to the campus principal in a timely manner.
- If the concern is not resolved, a parent or student may request a conference with the superintendent.
- If the concern is still unresolved, the district provides a process for parents and students to appeal to the board of trustees.

### Conduct(All Grade Levels)

#### Applicability of School Rules

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

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

#### Campus Behavior Coordinator

Each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The contact information for each campus behavior coordinator is available on the district's website at [www.bmtisd.com](http://www.bmtisd.com).

#### Deliveries

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

**No foods are to be delivered though commercial delivery services to students at any time.**

#### Disruption of School Operations

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

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

## Beaumont Independent School District Student Handbook

- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or an entrance to district property.
- Use of force, violence, or threats in an attempt to prevent people from entering or leaving district property without authorization from an administrator.

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

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

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

### **Social Events**

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

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

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

### **Counseling**

The district has a comprehensive school counseling program that includes:

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

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

# Beaumont Independent School District Student Handbook

## Academic Counseling

### *Elementary and Middle/Junior High School Grade Levels*

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

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

### *High School Grade Levels*

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

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

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

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

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

### **Personal Counseling (All Grade Levels)**

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

## Beaumont Independent School District Student Handbook

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

[See **Mental Health Support** on page 64, and **Child Sexual Abuse, Trafficking, and Other Maltreatment of Children and Dating Violence** on page 35.]

### **Course Credit (Secondary Grade Levels Only)**

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

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

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

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

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

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

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

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

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

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

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

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

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

# Beaumont Independent School District Student Handbook

## Kindergarten Acceleration

### Students in Grades 1–5

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

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

### Students in Grades 6–12

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

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

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

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

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

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

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

### Dating Violence

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship or any of the person's past or subsequent partners. This type of conduct is considered harassment if it is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance.

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

- Physical or sexual assaults;

## Beaumont Independent School District Student Handbook

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

### **Discrimination**

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

### **Harassment**

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

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

- Offensive or derogatory language directed at a person's religious beliefs or practices, accent, skin color, or need for accommodation;
- Threatening, intimidating, or humiliating conduct;
- Offensive jokes, name-calling, slurs, or rumors;
- Physical aggression or assault;
- Graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or
- Other kinds of aggressive conduct such as theft or damage to property.

### **Sexual Harassment and Gender-Based Harassment**

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

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

- Touching private body parts or coercing physical contact that is sexual in nature;
- Sexual advances;
- Jokes or conversations of a sexual nature; and

## Beaumont Independent School District Student Handbook

- Other sexually motivated conduct, communications, or contact.

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

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

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

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

### Retaliation

Retaliation against a person who makes a good-faith report or participates in an investigation of discrimination, harassment, or dating violence is prohibited. A person who makes a false claim, offers false statements, or refuses to cooperate with a district investigation, however, may be subject to appropriate discipline.

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

### Reporting Procedures

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

Upon receiving a report, the district will determine whether the allegations, if proven, constitute prohibited conduct as defined by policy FFH. If not, the district will refer to policy FFI to determine whether the allegations, if proven, constitute bullying, as defined by law and policy FFI. If the alleged prohibited conduct also meets the statutory and policy definitions for bullying, an investigation of bullying will also be conducted. [See **Bullying** on page 32]

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

# Beaumont Independent School District Student Handbook

## Investigation of Report

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

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

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

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

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

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

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

## Discrimination

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

## Distance Learning (All Grade Levels)

Distance learning and correspondence courses include courses that encompass the state-required essential knowledge and skills but are taught through multiple technologies and alternative methodologies such as mail, satellite, internet, video-conferencing, and instructional television.

The distance learning opportunities that the district makes available to district students are described in the district Course Offering Book.

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

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

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

Depending on the TXVSN course in which a student enrolls, the course may be subject to the "no pass, no play" rules. [See **Extracurricular Activities, Clubs, and Organizations** on page 53.] In addition, a student who enrolls in a TXVSN course for which an end-of-course (EOC) assessment is required must still take the corresponding EOC assessment.

## Beaumont Independent School District Student Handbook

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

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

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

#### **School Materials**

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

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

#### **Nonschool Materials**

##### ***From Students***

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

The Campus Principal will designate the location for approved nonschool materials to be placed for voluntary viewing or collection by students. [See policy FNAA for more information.]

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

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

##### ***From Others***

No person or group will sell, circulate, distribute, or post on any district premises written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory organization, except as permitted by policy GKDA.

To be considered for distribution, any nonschool material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted to the Superintendent or his or her designee for prior review. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies DGBA or GF for more information.]

The Superintendent or his or her designee will designate the location for approved nonschool materials to be placed for voluntary viewing or collection.

Prior review will not be required for:

## Beaumont Independent School District Student Handbook

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

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

### Dress and Grooming(All Grade Levels)

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

Students shall be dressed and groomed in a manner that is clean and neat, and that shall not present a safety issue to themselves or others. The District prohibits any clothing or grooming that, in the Principal's judgment, may reasonably be expected to jeopardize the health or safety of others, or cause a distraction or disruption of normal school operations.

#### Elementary School

A uniform dress code has been established for all Elementary students. Students in these grade levels are required to wear uniforms in accordance with district standards.

The uniform for Elementary shall consist of:

- Bottoms
  - Khaki or navy-blue slacks, shorts, skorts, or skirts are acceptable. There should be no designer names visible. Cargo pants are not acceptable. Uniform dresses are acceptable.
- Tops
  - Polo style shirts in white, red, or blue
  - School T-shirts may be worn on spirit days as a campus-based incentive
  - Hoodies: must be white, navy-blue, or red
  - Tennis Shoes: No slip-ons; all shoes must have backs

#### Middle School

A uniform requirement has also been established for students in Middle School.

- Tops-Polo style shirts
    - 6<sup>th</sup> Grade: White
    - 7<sup>th</sup> Grade: Grey
    - 8<sup>th</sup> Grade: Primary school color (King & Marshall –Red; Odom- Royal Blue; Smith – Maroon; South Park – Green; Vincent – Navy Blue)
- School Spirit (school clubs, PTA, athletics) shirts may be worn as designated by campus
- Sweatshirts must be white, grey, or primary school color

# Beaumont Independent School District Student Handbook

Hoodies are NOT permitted

Jackets in the building must be unzipped; can be any color

- Bottoms

Khaki, navy blue, or black slacks, shorts, skirts, or skorts are acceptable. There should be no designer names visible. Cargo pants are not acceptable. Uniform dresses are acceptable.

Shorts and skirts, or skorts must be to the top of the knee.

- Shoes

No flip-flops, house slippers, or slip-ons

All shoes must have backs

## High School

Students shall be dressed and groomed in a manner that is clean and neat, and that shall not present a safety issue to themselves or others. The District prohibits any clothing or grooming that, in the Principal's judgment, may reasonably be expected to jeopardize the health or safety of others, or cause distraction or disruption of normal school operations.

Clothing must adequately cover the body. Students are not to wear clothing that is tight, loose, revealing, sagging, baggy, or short. Examples of unacceptable clothing according to these guidelines include, but are not limited to:

- Biker shorts
- Spandex shorts or tights
- Oversized shirts or pants
- Gym/wind/jogging shorts
- Backless apparel
- Cut or torn garments
- Midriff tops
- Trenchcoats and like apparel.
- High slashed skirts
- Pajamas
- Spaghetti-straps

Inappropriate messages, logos, and designs on any attire are prohibited. Specifically, the District prohibits pictures, emblems, or writings on clothing that:

- are lewd, vulgar, offensive, or obscene.
- advertises or depicts tobacco products, alcoholic beverages, drugs, or any other substance prohibited under Policy FNCF(LEGAL).

Students are prohibited from wearing clothing that is typically worn for athletic purposes. This includes, but is not limited to jogging shorts, gym or wind shorts, and chubbies.

## All Students

No type of cap, hat, bandanna, or sweat band is allowed in the building. Exceptions would be a hat or cap that is part of a uniform at a school activity or a head covering worn for religious purposes. Official documentation may be requested to determine this circumstance.

If the principal determines that a student's grooming or clothing violates the school's dress code, the student will be given the opportunity to correct the problem at school. If not corrected, the

## Beaumont Independent School District Student Handbook

student may be assigned in-school suspension (ISS) for the remainder of the day, until the problem is corrected, or until a parent or designee brings an acceptable change of clothing to the school. Repeated offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct. Repeated offenses may constitute insubordination.

### Electronic Devices and Technology Resources (All Grade Levels)

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

The district permits students to possess personal cell phones for safety purposes; however, these devices must remain turned off during the instructional day, including during all testing, unless they are being used for approved instructional purposes. [For graphing calculator applications on computing devices, see **Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials** on page 86.]

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

Students are not permitted to possess or use personal electronic devices at school unless prior permission has been obtained. Without such permission, teachers will collect the items and turn them in to the principal's office. The principal will determine whether to return items to students at the end of the day or to contact parents to pick up the items.

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

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

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

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** on page 82 and policy FNF for more information.]

Any disciplinary action will be in accordance with the Student Code of Conduct. The district is not responsible for damaged, lost, or stolen telecommunications devices. *While the student may file a police report regarding a lost or stolen electronic item, school administrators will not investigate the loss or theft of such an item. Students should therefore refrain from bringing expensive electronic items to school.*

#### Instructional Use of Personal Telecommunications and Other Electronic Devices

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

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

# Beaumont Independent School District Student Handbook

## Acceptable Use of District Technology Resources

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

## Unacceptable and Inappropriate Use of Technology Resources

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

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

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

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

## End-of-Course (EOC) Assessments

[See **Graduation** on page 56 and **Standardized Testing** on page 83.]

## English Learners (All Grade Levels)

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

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

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR Spanish, as mentioned at **Standardized Testing** on page 83, may be administered to an English learner up to grade 5. In limited circumstances, a student's LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-

## Beaumont Independent School District Student Handbook

course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to English learners who qualify for services.

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

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

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

Some extracurricular activities may include off-campus events. Students are required to use transportation provided by the district to and from the events. Exceptions may only be made with the approval of the activity's coach or sponsor. [See **Transportation** on page 86.]

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

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

Student safety in extracurricular activities is a priority of the district. Parents are entitled to review the district's records regarding the age of each football helmet used by the campus, including when a helmet has been reconditioned.

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

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

In addition, the following applies to all extracurricular activities:

- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but may not participate in any competitive activity.
- A student is allowed in a school year up to 20 absences not related to post-district competition. **For schools on block scheduling, with an "A-Day, B-Day" calendar, the numbers of absences may not exceed 10 % of the days the class will meet, which will be approximately ten days.** All extracurricular activities and public performances, whether UIL activities or other activities approved by the board, are subject to these restrictions.
- An absence for participation in an activity that has not been approved will be considered an unexcused absence.

# Beaumont Independent School District Student Handbook

## Standards of Behavior

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

## Offices and Elections

Certain clubs, organizations, and performing groups will hold elections for student officers. Questions concerning these offices and elections should be directed to the campus principal

## Fees(All Grade Levels)

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

- Materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations.
- Admission fees to extracurricular activities.
- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student health and accident insurance.
- Musical instrument rental and uniform maintenance, when uniforms are provided by the district.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards.
- Fees for lost, damaged, or overdue library books.
- Fees for driver training courses.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.
- Summer school for courses that are offered tuition-free during the regular school year.
- A reasonable fee for providing transportation to a student who lives within two miles of the school. [See **Buses and Other School Vehicles** on page 87.]
- A fee not to exceed \$50 for an educational program outside of regular school hours for a student who has lost credit or has not been awarded a final grade because of absences and whose parent chooses the program for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.

## Beaumont Independent School District Student Handbook

- In some cases, a fee for a course taken through the Texas Virtual School Network (TXVSN).

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

### Fundraising (All Grade Levels)

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

### Gang-Free Zones (All Grade Levels)

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

### Gender-Based Harassment

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

### Grade-Level Classification (Grades 9–12 Only)

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

Credits Earned	Classification
6-11.5	Grade 10(Sophomore)
12-17.5	Grade 11(Junior)
18 and above	Grade 12(Senior)

### Grading Guidelines (All Grade Levels)

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

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

[See **Report Cards/Progress Reports and Conferences** on page 77 for additional information on grading guidelines.]

# Beaumont Independent School District Student Handbook

## Graduation (Secondary Grade Levels Only)

### Requirements for a Diploma

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

- Complete the required number of credits established by the state and any additional credits required by the district;
- Complete any locally required courses in addition to the courses mandated by the state;
- Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute assessments, unless specifically waived as permitted by state law; and

Demonstrate proficiency, as determined by the district, in the specific communication skills required by the State Board of Education (SBOE).

### Testing Requirements for Graduation

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

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

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

State law allows a student to meet EOC requirements by substituting satisfactory performance on norm-referenced national standardized assessments or on the state-developed assessment used for entrance into Texas public universities. [See the school counselor for more information on the state testing requirements for graduation.]

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

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

[See **Standardized Testing** on page 83.]

### ***Foundation Graduation Program***

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

- Science, Technology, Engineering, and Mathematics (STEM);

## Beaumont Independent School District Student Handbook

- Business and Industry;
- Public Service;
- Arts and Humanities; and
- Multidisciplinary Studies.

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

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

A **Personal Graduation Plan** will be completed for each high school student, as described on page 59.

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

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

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

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

### ***Credits Required***

The foundation graduation program requires completion of the following credits:

<b>Course Area</b>	<b>Number of Credits: Foundation Graduation Program</b>	<b>Number of Credits: Foundation Graduation Program with an Endorsement</b>
English/Language	4	4

## Beaumont Independent School District Student Handbook

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

Additional considerations apply in some course areas, including:

- **Mathematics.** To obtain the distinguished level of achievement under the foundation graduation program, a student must complete an endorsement and take Algebra II as one of the 4 mathematics credits. A student's completion of the distinguished level of achievement is a requirement to be considered for automatic admission to a Texas four-year college or university and will be included on a student's transcript.
- **Physical education.** A student who is unable to participate in physical activity due to a disability or illness may be able to substitute a course in English language arts, mathematics, science, social studies, or another locally determined credit-bearing course for the required credit of physical education. This determination will be made by the student's ARD committee, Section 504 committee, or other campus committee, as applicable.
- **Languages other than English.** Students are required to earn 2 credits in the same language other than English to graduate. Any student may substitute computer programming languages for these credits.
  - A student may satisfy one of the two required credits by successfully completing in elementary school a dual language immersion program or a course in American Sign Language.
  - In limited circumstances, a student may be able to substitute this requirement with other courses, as determined by a district committee authorized by law to make these decisions for the student.

# Beaumont Independent School District Student Handbook

## ***Available Endorsements***

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

## ***Personal Graduation Plans***

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

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

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

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

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

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

## **Available Course Options for All Graduation Programs**

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

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

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

## **Certificates of Coursework Completion**

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

## **Students with Disabilities**

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

A student who receives special education services and has completed four years of high school but has not met the requirements of his or her IEP may participate in graduation ceremonies

## Beaumont Independent School District Student Handbook

and receive a certificate of attendance. The student may then remain enrolled to complete the IEP and earn his or her high school diploma but will only be allowed to participate in one graduation ceremony.

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

ARD committees will make instructional and assessment decisions for students with disabilities who receive special education services in accordance with state law. A student who receives special education services may earn an endorsement under the foundation program. If the student's curriculum requirements for the endorsement were modified, the student's ARD committee will determine whether the modified curriculum is sufficiently rigorous to earn the endorsement. The ARD committee must also determine whether the student must perform satisfactorily on any end-of-course assessment to earn an endorsement.

### Graduation Activities

Graduation activities will include:

- *Graduation Ceremony*
- *Senior Prom*

Graduation activities may include Project Graduation and other like activities.

Students who are eligible to graduate but are assigned to a disciplinary alternative education program at the end of the school year will be allowed to participate in the graduation ceremony and related graduation activities. **The participation of seniors who have been expelled but were able to meet graduation requirements while attending a district-approved program will be determined by the principal.**

Seniors with any school debt will not be allowed to participate in graduation activities.

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

- Honor Graduates
- Cum Laude Graduates
- Magna Cum Laude Graduates
- Summa Cum Laude Graduates

### Graduation Speakers

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

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

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

[For student speakers at other school events, see **Student Speakers** on page 85.]

### Graduation Expenses

Because students and parents will incur expenses to participate in the traditions of graduation—such as the purchase of invitations, senior ring, cap and gown, and senior picture—both the student and parent should monitor progress toward completion of all requirements for

## Beaumont Independent School District Student Handbook

graduation. The expenses often are incurred in the junior year or first semester of the senior year. [See **Fees** on page 54.]

### Scholarships and Grants

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

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

### Harassment

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

### Hazing (All Grade Levels)

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

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

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

[See **bullying** on page 32 and policies FFI and FNCC for more information.]

### Health—Physical and Mental

#### Illness (All Grade Levels)

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

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

## Beaumont Independent School District Student Handbook

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

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

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

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

### Immunization(All Grade Levels)

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

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

The immunizations required are:

- Diphtheria, tetanus, and pertussis;
- Rubeola (measles), mumps, and rubella;
- Polio;
- Hepatitis A;
- Hepatitis B;
- Varicella (chicken pox); and
- Meningococcal.

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

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

As noted at **Bacterial Meningitis** on page66, entering college students must also, with limited exception, furnish evidence of having received a bacterial meningitis vaccination within the five years prior to enrolling in and attending classes at an institution of higher education. A student wanting to enroll in a dual credit course taken off campus may be subject to this requirement.

## Beaumont Independent School District Student Handbook

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

### Lice (All Grade Levels)

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

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

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

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

[See policy FFAA for more information.]

### Medicine at School(All Grade Levels)

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

The district will not purchase nonprescription medication to give to a student. District employees will not give a student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements, except that authorized employees, in accordance with policy FFAC, may administer:

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

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

At the elementary level, a student's teacher or other district personnel will apply sunscreen to the student's exposed skin if the student brings the sunscreen to school and asks for help

## Beaumont Independent School District Student Handbook

applying it. A student at this level may apply his or her own sunscreen if the student is able to do so.

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

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

### **Asthma and Severe Allergic Reactions**

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

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

See also **Food Allergies** on page 67.

### **Steroids (Secondary Grade Levels Only)**

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

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

### **Mental Health Support (All Grade Levels)**

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

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

## Beaumont Independent School District Student Handbook

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

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

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

For related information, see:

- **Consent to Conduct a Psychological Evaluation or Provide a Mental Health Care Service** on page 11 for the district's procedures for recommending a mental health intervention and the mental health liaison's contact information;
- **Counseling** on page 41 for the district's comprehensive school counseling program;
- **Physical and Mental Health Resources** on page 68 for campus and community mental and physical health resources; and
- **Policies and Procedures that Promote Student Physical and Mental Health** on page 68 for board-adopted policies and administrative procedures that promote student health.

### Physical Activity Requirements

#### *Elementary School*

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

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

#### *Junior High/Middle School*

The district will ensure that students in middle or junior high school will engage in [30 minutes of moderate or vigorous physical activity per day for at least four semesters **OR** at least 225 minutes of moderate or vigorous physical activity within each two-week period for at least four semesters, in accordance with policies at EHAB, EHAC, EHBG, and FFA.

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

#### ***Temporary Restriction from Participation in Physical Education***

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

#### **Physical Fitness Assessment (Grades 3–12)**

Annually, the district will conduct a physical fitness assessment of students in grades 3–12 who are enrolled in a physical education course or a course for which physical education credit is

## Beaumont Independent School District Student Handbook

awarded. At the end of the school year, a parent may submit a written request to the campus principal to obtain the results of his or her child's physical fitness assessment conducted during the school year.

### **Physical Health Screenings / Examinations**

#### ***Athletics Participation (Secondary Grade Levels Only)***

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

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

This examination is required to be submitted annually to the district.

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

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

#### ***Spinal Screening Program***

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

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

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

#### ***Other Examinations and Screenings (All Grade Levels)***

The District may provide for other examinations as district policy and district and community resources permit

[See policy FFAA for more information.]

#### **Special Health Concerns (All Grade Levels)**

##### ***Bacterial Meningitis (All Grade Levels)***

Please see the district's website at [www.bmtisd.com](http://www.bmtisd.com) for information regarding meningitis.

**Note:** DSHS requires at least one meningococcal vaccination on or after a student's 11th birthday, unless the student received the vaccine at age 10. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of

## Beaumont Independent School District Student Handbook

higher education. Please see the school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

[See **Immunization** on page 62.]

### ***Diabetes***

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

### ***Food Allergies (All Grade Levels)***

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

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

When the district receives information that a student has a food allergy that puts the student at risk for anaphylaxis, individual care plans will be developed to assist the student in safely accessing the school environment. The district's food allergy management plan can be accessed at [www.bmtisd.com](http://www.bmtisd.com).

[See **Celebrations** on page 35 and policy FFAF for more information.]

### ***Seizures (All Grade Levels)***

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

[See **A Student with Physical or Mental Impairments Protected under Section 504** on page 27 and contact the school nurse for more information.]

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

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

The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device by students and all others on school property and at school-sponsored and school-related activities. [See the Student Code of Conduct and policies FNCD and GKA for more information.]

# Beaumont Independent School District Student Handbook

## Health-Related Resources, Policies, and Procedures

### Physical and Mental Health Resources (All Grade Levels)

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

- The Campus nurse.
- The Campus school counselor.
- The local public health authority, The Beaumont Public Health Department, at (409) 832-4270.
- The local mental health authority, The Spindletop Center. The Spindletop Center may be contacted by calling their crisis line at (409) 838-1818, their Intake Services line at (409) 839-1063, or through their webpage at [http://www.spindletopcenter.org/MHMR\\_SA.html](http://www.spindletopcenter.org/MHMR_SA.html).

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

The district has adopted board policies that promote student physical and mental health. (LOCAL) policies on the topics below can be found in the district's policy manual, available at [www.bmtisd.com](http://www.bmtisd.com).

- Food and nutrition management: CO, COA, COB
- Wellness and Health Services: FFA
- Physical Examinations: FFAA
- Immunizations: FFAB
- Medical Treatment: FFAC
- Communicable Diseases: FFAD
- School-Based Health Centers: FFAE
- Care Plans: FFAF
- Crisis Intervention: FFB
- Trauma-informed Care: FFBA
- Student Support Services: FFC
- Student Safety: FFF
- Child Abuse and Neglect: FFG
- Freedom from Discrimination, Harassment, and Retaliation: FFH
- Freedom from Bullying: FFI

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

## **Beaumont Independent School District Student Handbook**

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

Please contact the district Assistant Superintendent for Elementary Education at (409) 617-5994 or further information regarding these procedures and access to the District Improvement Plan.

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

During the preceding school year, the district's School Health Advisory Council (SHAC) held 6 meetings. Additional information regarding the district's SHAC is available from the district Supervisor for Health and Physical Education at (409) 617-5014.

[See **Human Sexuality Instruction** on page 16 and policies BDF and EHAA. for more information.]

### **Student Wellness Policy/Wellness Plan (All Grade Levels)**

To encourage healthy habits in our students, the district has developed a board-adopted wellness policy at FFA (LOCAL) and corresponding plans and procedures to implement it. You are encouraged to contact the district Director of Athletics with questions about the content or implementation of the district's wellness policy and plan.

### **Homework(All Grade Levels)**

Please contact your child's principal for a description of the district and/or campus homework rules and an explanation of the homework grading system.

### **Law Enforcement Agencies (All Grade Levels)**

#### **Questioning of Students**

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

- Verify and record the identity of the officer or other authority and ask for an explanation of the need to question the student at school.
- Ordinarily make reasonable efforts to notify the parents, unless the interviewer raises what the principal considers to be a valid objection.
- Ordinarily be present for the questioning or interview, unless the interviewer raises what the principal considers to be a valid objection.

#### **Students Taken into Custody**

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

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.
- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.

## Beaumont Independent School District Student Handbook

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

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

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

### Notification of Law Violations

The district is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been taken into custody, arrested, or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who is thought to have committed certain offenses or who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.
- All appropriate district personnel regarding a student who is required to register as a sex offender.

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

### Leaving Campus (All Grade Levels)

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

State rules require parental consent before any student leaves campus for any part of the school day.

For students in elementary and middle school, a parent or authorized adult must come to the office and show identification to sign the student out. A campus representative will ask the

## **Beaumont Independent School District Student Handbook**

student to report to the office. For safety purposes and stability of the learning environment, we cannot allow any unescorted adult to go to the classroom or other area to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student's return. Documentation regarding the reason for the absence will also be required.

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

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

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

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

### **During Lunch**

Beaumont ISD campuses are "closed campuses" during lunchtime. Student are not permitted to leave campus during this time for lunch proposes.

### **At Any Other Time during the School Day**

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

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

### **Lost and Found (All Grade Levels)**

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

### **Makeup Work**

#### **Makeup Work Because of Absence(All Grade Levels)**

A teacher may assign makeup work to a student who misses class based on instructional objectives and the needs of the student in mastering the essential knowledge and skills or meeting subject or course requirements.

The student will be responsible for obtaining and completing the makeup work within the time specified by the teacher. A student who does not make up assigned work within the time allotted by the teacher will receive a grade of zero for the assignment.

## **Beaumont Independent School District Student Handbook**

The student is encouraged to speak with his or her teacher if the student knows of an absence ahead of time so that the teacher and student may plan any makeup work. Please remember the importance of student attendance at school and that, even though absences may be excused or unexcused, all absences account for the 90 percent threshold regarding the state laws surrounding “attendance for credit or final grade.” [See **Attendance for Credit or Final Grade** on page 30.]

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

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

### **DAEP Makeup Work**

#### ***Grades 9–12***

If a high school student is enrolled in a foundation curriculum course at the time of removal to a disciplinary alternative education program (DAEP), he or she will have an opportunity to complete the course before the beginning of the next school year. The district may provide the opportunity to complete the course through an alternative method, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district. [See policy FOCA How (LEGAL) for more information.]

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

#### ***Alternative Means to Receive Coursework***

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

#### ***Opportunity to Complete Courses***

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

### **Nondiscrimination Statement (All Grade Levels)**

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

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

## Beaumont Independent School District Student Handbook

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

The district has designated and authorized the following employee as the Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment: **Mr. Derwin Samuels, Executive Director for Human Resources, 3395 Harrison, Beaumont, Texas 77706; (409) 617-5074.** Reports can be made at any time and by any person, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person. Upon the district receiving notice or an allegation of sex-based harassment, the Title IX Coordinator will promptly respond in accordance with the process described at FFH (LOCAL).

The following district representatives have been designated to address concerns or inquiries about other kinds of discrimination:

- For concerns regarding discrimination on the basis of disability, see the ADA/Section 504 Coordinator: **Ms. Lydia Sylvester, Coordinator of Special Programs/504, 4315 Concord Road, Beaumont, Texas 77703; (409) 617-7203.**
- For all other concerns regarding discrimination, see the superintendent: **Dr. Shannon Allen, Superintendent of Schools, 3395 Harrison Avenue, Beaumont, Texas 77703; (409) 617-5001.**

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

### Nontraditional Academic Programs (All Grade Levels)

The Paul Brown Learning Center. The Paul Brown Learning Center offers high student students who are deficient in credits an opportunity for accelerated credit recovery. To be considered for acceptance into this program, students must demonstrate a mature capability to handle the increased workload. If interested, the student and/or parent should contact their grade level high school counselor, or contact the Paul Brown program directly at (409) 617-6601.

Early College High School: Beaumont Early College High School is a newly designated P-TECH (Pathways in Technology) campus that partners with Lamar Institute of Technology (LIT) to offer extensive dual credit opportunities to BISD students.

**About our program:** We are a high school that offers students the opportunity to complete a two-year associate degree while simultaneously completing a high school degree. Students admitted to Beaumont ECHS receive a quality education from BISD faculty in conjunction with our Institution of Higher Education (IHE) partner, LIT. There is no cost to participate and students are dual enrolled as BISD and LIT students. Students also have access to LIT facilities to aide with completion of coursework.

**Academics:** Students who attend Beaumont ECHS will take advanced coursework and follow state and local standards for graduation requirements. Many of the courses are dual credit and students will receive both BISD/State and LIT credits simultaneously. LIT credits are transferable to any public college in the state of Texas.

**Who can apply?** Any 8th grade student who is a resident of Beaumont ISD can apply for admission. Applications open in November of each year and can be found at [echs.bmtisd.com](http://echs.bmtisd.com).

BISD's Early College High School is looking for students who are:

## Beaumont Independent School District Student Handbook

- at-risk, as defined by TEA.
- a first generation high school graduate and/or college student.
- highly motivated to succeed.

Students selected must be:

- willing and committed to work at the college level.
- willing and committed to invest 4 years in high school for two degrees.
- willing and committed to engage in non-traditional learning and assessment activities.
- mature enough to handle rigorous coursework and the college setting.

### Parent and Family Engagement (All Grade Levels)

#### Working Together

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

- Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.
- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all your child's school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.
- Monitoring your child's academic progress and contacting teachers as needed. [See **Academic Counseling** on page 42.]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, school counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences** on page 77.]
- Becoming a school volunteer. [See **Volunteers** on page 89 and policy GKG for more information.]
- Participating in campus parent organizations, such as the PTA.
- Serving as a parent representative on the district-level or campus-level planning committees that develop educational goals and plans to improve student achievement. [see policies BQA and BQB, for more information.]
- Serving on the School Health Advisory Council (SHAC) and assisting the district in aligning local community values with health education instruction and other wellness issues. [See **School Health Advisory Council (SHAC)** on page 67 and policies BDF, EHAA, FFA for more information.]

## Beaumont Independent School District Student Handbook

- Being aware of the school's ongoing bullying and harassment prevention efforts.
- Contacting school officials if you are concerned with your child's emotional or mental well-being.
- Attending board meetings to learn more about district operations. An agenda for a regular or special meeting is posted no later than 72 hours before each meeting at the administration Building, 3395 Harrison Avenue, Beaumont, Texas 77706 and online at [www.bmtisd.com](http://www.bmtisd.com). [See policies BE and BED for more information.]

### Parking and Parking Permits (Secondary Grade Levels Only)

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

Students must request a parking permit to park in a school parking lot. So long as space is available, parking permits may be issued throughout the year. **Students will not be issued a parking permit if they have any current school debt.**

Students will not be permitted to:

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

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

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

Each school day, students will recite the Pledge of Allegiance to the U.S. flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See **Reciting the Pledges to the U.S. and Texas Flags** on page 17.]

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

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

[See policy EC for more information.]

### Prayer (All Grade Levels)

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

# Beaumont Independent School District Student Handbook

## Promotion and Retention

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

- Teacher recommendation,
- Grades,
- Scores on criterion-referenced or state-mandated assessments, and
- Any other necessary academic information as determined by the district.

In addition, at certain grade levels a student—with limited exceptions—will be required to pass the State of Texas Assessments of Academic Readiness (STAAR) if the student is enrolled in a public Texas school on any day between January 1 and the date of the first administration of the STAAR.

### Elementary and Middle/Junior High Grade Levels

In grades 1-8, promotion is based on an overall average of 70 on a scale of 100 based on grade-level standards (the Texas Essential Knowledge and Skills, or TEKS), for all subject areas and a grade of 70 or above in four of the following areas: reading, language arts, mathematics, science, and Social Studies. See EIE(LOCAL).

In grades 9-12, promotion is based on the earning of course credits. [see policy EIE(LOCAL)]

To be promoted to grade 6, students enrolled in grade 5 must perform satisfactorily on the mathematics and reading sections of the grade 5 assessment in English or Spanish.

To be promoted to grade 9, students enrolled in grade 8 must perform satisfactorily on the mathematics and reading sections of the grade 8 assessment in English.

If a student in grade 5 or 8 is enrolled in a high-school credit course with a corresponding end-of-course (EOC) assessment, the student will not be subject to the promotion requirements described above for the relevant grade 5 or 8 assessment. The student will instead take the corresponding EOC assessment.

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

[See **Standardized Testing** on page 83.]

A student in grade 5 or 8 will have two opportunities to retake a failed assessment. If a student fails a second time, a grade placement committee consisting of the principal or designee, the teacher, and the student's parent will determine the additional special instruction the student will receive. After a third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee.

For the student to be promoted based on standards previously established by the district, the decision of the committee must be unanimous and the student must complete additional special instruction before beginning the next grade level. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policy EIE for more information.]

## Beaumont Independent School District Student Handbook

Certain students—some with disabilities and some classified as English learners—may be eligible for exemptions, accommodations, or deferred testing. An admission, review, and dismissal (ARD) committee meeting will be convened if a student receiving special education services in grade 5 or 8 fails to meet satisfactory performance after the first STAAR administrations in reading or math. For more information, see the principal, school counselor, or the Director of Special Education.

A student at or above grade 3 who does not perform satisfactorily on his or her state-mandated examinations will participate in special instructional programs designed to improve performance. The district will notify the parent of their child's participation in this program. The student may be required to participate in this instruction before or after normal school hours or outside of the normal school year. Failure of a student to attend these programs may result in violations of required school attendance as well as the student not being promoted to the next grade level.

For a middle-school student who does not perform satisfactorily on his or her state-mandated examinations, a school official will prepare a personal graduation plan (PGP). School officials will also develop a PGP for a middle-school student who is determined by the district to be unlikely to earn a high school diploma within five years of high school enrollment. The plan will, among other items, identify the student's educational goals, address the parent's educational expectations for the student, and outline an intensive instruction program for the student. [See the school counselor or principal, and policy EIF(LEGAL) for more information. For a student receiving special education services, the student's IEP may serve as the student's PGP and would therefore be developed by the student's ARD committee.

[See **Personal Graduation Plans** on page 59 for information related to the development of personal graduation plans for high school students.]

### High School Grade Levels

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

A student in grades 9–12 will be advanced a grade level based on the number of course credits earned. [See **Grade Level Classification** on page 55.]

Students will also have multiple opportunities to retake EOC assessments. [See **Graduation** on page 56 and **Standardized Testing** on page 83.]

### Release of Students from School

[See **Leaving Campus** on page 70.]

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

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

During the fourth week of a nine-week grading period], parents will receive a progress report if their child's performance [in any course/subject area is near or below 70 or is below the expected level of performance. If a student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be asked to schedule a conference with the teacher. [See **Working Together** on page 74 for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the principal or superintendent pursuant to the board-adopted policy. Grading guidelines are designed to reflect each student's relative mastery of each assignment. State law provides that a test or course grade issued by a

## Beaumont Independent School District Student Handbook

teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See **Grading Guidelines** on page 55 and policy EIA (LOCAL) for more information.]

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

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

Report cards and unsatisfactory progress reports must be signed by the parent and returned to the school within 5 days. The district may communicate academic information about a student electronically, including for progress reporting purposes. An electronic signature will be accepted by the district, but parents are entitled to request a handwritten signature of acknowledgment instead.

### Retaliation

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

### Safety (All Grade Levels)

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

- Avoid conduct that is likely to put the student or others at risk.
- Follow all behavioral standards in this handbook and the Student Code of Conduct set by district employees.
- Remain alert to any safety hazards, such as intruders on campus or threats made by any person toward a student or staff member, and promptly report any incidents to a district employee. A student may make anonymous reports about safety concerns by accessing the district webpage at [www.bmtisd.com](http://www.bmtisd.com).
- Know emergency evacuation routes and signals.
- Follow immediately the instructions of teachers, bus drivers, and other district employees who are overseeing the welfare of students.

### Accident Insurance

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

### Insurance for Career and Technical Education (CTE) Programs

If the board purchases accident, liability, or automobile insurance coverage for students or businesses involved in the district's CTE programs, the district will notify the affected students and parents.

### Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies

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

# Beaumont Independent School District Student Handbook

## Preparedness Training: CPR and Stop the Bleed

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

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

## Emergency Medical Treatment and Information

If a student has a medical emergency at school or a school-related activity when the parent cannot be reached, the school may have to rely on previously provided written parental consent to obtain emergency medical treatment, and information about allergies to medications, foods, insect bites, etc. Therefore, all parents are asked each year to complete an emergency care consent form. Parents should contact the school nurse to update emergency care information (name of doctor, emergency phone numbers, allergies, etc.).

## Emergency School Closing Information

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

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

If the campus must close, delay opening, or restrict access to the building because of an emergency, the district will also alert the community in the following ways:

- The district will utilize its Blackboard connect messaging system which automatically calls the number listed as the main contact number for the student and his or her guardian. Parents may choose to have a text message sent to their regular phone. It is the responsibility of each parent to update their correct contact information with the school.
- Radio and TV stations will be notified immediately of the closure and will be asked to broadcast the district's decision.
- Parents and students are asked to tune into radio and TV stations for weather and/or emergency-related information.

[See **Communications-Automated, Emergency** on page 39.]

## SAT, ACT, and Other Standardized Tests

[See **Standardized Testing** on page 83.]

## Schedule Changes (Middle/Junior High and High School Grade Levels)

The student and/or parent should request to meet with the school counselor.

# Beaumont Independent School District Student Handbook

## School Facilities

### **Asbestos Management Plan(All Grade Levels)**

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's asbestos management plan is available in the central administrative office. If you have any questions or would like to examine the district's plan in more detail, please contact the district Director of Maintenance at (409) 617-5651.

### **Food and Nutrition Services(All Grade Levels)**

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

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

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

See your school principal to apply for free or reduced-price meal services. You may also contact the Food and Nutrition Department at (409) 617-5065 to apply for free or reduced-price meal services.

See policy CO for more information.

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

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

### ***Vending Machines (All Grade Levels)***

The district has adopted and implemented the state and federal policies for food service, including guidelines to restrict student access to vending machines. For more information regarding these policies and guidelines, see the Director of Food and Nutrition Services at (409) 617-5062. [See policy FFA for more information.]

### **Pest Management Plan(All Grade Levels)**

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

All pesticides used are registered for their intended use by the U.S. Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs

## **Beaumont Independent School District Student Handbook**

will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area.

Parents who have questions or who want to be notified of the times and types of applications prior to pesticide application inside their child's school assignment area may contact the district's Director of Maintenance at, at (409) 617-5651.

### **Conduct Before and After School (All Grade Levels)**

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

### **Library (All Grade Levels)**

The library is open for independent student use during the following school day with a teacher permit. Additional extended times before and after school will be made available occasionally throughout the school year. Please contact your school's librarian for individual campus times.

### **Use of Hallways during Class Time (All Grade Levels)**

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

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

Certain areas of the school will be accessible to students before and after school for specific purposes. Students are required to remain in the area where their activity is scheduled to take place. Please check with your child's principal to learn what areas are available to the student before and after school.

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

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

Students who do not leave campus immediately will be gathered and placed in a supervised location until their parents can arrange for transportation home.

It is imperative for the purpose of safety that students are picked up from school in a timely manner. Parents are responsible for making arrangements for their child's transportation home. Any failure to retrieve a child from school results in a safety concern and may constitute neglect. School officials are required to report suspected cases of neglect to Child Protective Services and/or law enforcement agencies.

The principal shall determine the time by which students must exit the campus.

### **Meetings of Non-curriculum-Related Groups(Secondary Grade Levels Only)**

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

## **Beaumont Independent School District Student Handbook**

A list of these groups is available in the principal's office.

### **School-Sponsored Field Trips (All Grade Levels)**

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

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

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

The district may require a fee for student participation in a field trip to cover expenses such as transportation, admission, and meals; however, a student will not be denied participation because of financial need.

### **Searches**

#### **Searches in General (All Grade Levels)**

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

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

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

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

#### **District Property (All Grade Levels)**

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

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

#### **Metal Detectors (All Grade Levels)**

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

#### **Telecommunications and Other Electronic Devices (All Grade Levels)**

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

## Beaumont Independent School District Student Handbook

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

[See **Electronic Devices and Technology Resources** on page 51 and policy FNF(LEGAL) for more information.]

### **Trained Dogs (All Grade Levels)**

The district may use trained dogs to screen for concealed, prohibited items, including drugs and alcohol. Screenings conducted by trained dogs will not be announced in advance. The dogs will not be used with students, but students may be asked to leave personal belongings in an area that is going to be screened, such as a classroom, a locker, or a vehicle. If a dog alerts to an item or an area, it may be searched by district officials.

### **Vehicles on Campus(Secondary Grade Levels Only)**

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

### **Sexual Harassment**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

### **Special Programs(All Grade Levels)**

The district provides special programs for gifted and talented students, students who are homeless, students in foster care, bilingual students, migrant students, English learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact the district Executive Director of Curriculum and Instruction at (409) 617-5008.

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

### **Standardized Testing**

#### **Secondary Grade Levels**

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

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

**Note:** These assessments may qualify a student to receive a performance acknowledgment on the student's transcript under the foundation graduation program and may qualify as a substitute for an end-of-course testing requirement in certain circumstances. A student's performance at a

## Beaumont Independent School District Student Handbook

certain level on the SAT or ACT also makes the student eligible for automatic admission to a Texas public institution of higher education.

### ***TSI (Texas Success Initiative) Assessment***

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

### **STAAR (State of Texas Assessments of Academic Readiness)**

#### ***Grades 3–8***

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

- Mathematics, annually in grades 3–8
- Reading, annually in grades 3–8
- Writing, including spelling and grammar, in grades 4 and 7
- Science in grades 5 and 8
- Social Studies in grade 8

State law requires successful performance on the reading and math assessments in grades 5 and 8 for a student to be promoted to the next grade level. A student may be exempt from this requirement if:

- The student is enrolled in a reading or math course intended for students above the student's current grade level; or
- The student is enrolled in a special education program and the admission, review, and dismissal (ARD) committee concludes the student has made sufficient progress in his or her individualized education plan (IEP). [See **Promotion and Retention** on page 76.]

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

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

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

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

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

## **Beaumont Independent School District Student Handbook**

Satisfactory performance on the applicable assessments is required for graduation, unless waived or substituted as allowed by state law and rules.

There are three testing windows during the year in which a student may take an EOC assessment. The windows occur in the fall, spring, and summer months. If a student does not meet satisfactory performance, the student will have opportunities to retake the assessment.

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

An admission, review, and dismissal (ARD) committee for a student receiving special education services will determine whether successful performance on the EOC assessments will be required for graduation within the parameters identified in state rules and the student's personal graduation plan (PGP).

[See **Graduation** on page 56.]

### **Students in Foster Care (All Grade Levels)**

In an effort to provide educational stability, the district will provide enrollment and registration assistance, as well as other educational services throughout the student's enrollment, to any student who is currently placed or newly placed in foster care (temporary or permanent custody of the state, sometimes referred to as substitute care).

Please contact the district's foster care liaison, at (409) 617-5050 with any questions.

[See **Students in the Conservatorship of the State** on page 23.]

### **Students Who are Homeless (All Grade Levels)**

A parent is encouraged to inform the district if his or her child is experiencing homelessness. District staff can share resources that may be able to assist families.

For more information on services for students who are homeless, contact the district's homeless education liaison at (409) 617-5050.

[See **A Student Who is Homeless** on page 24.]

### **Student Speakers (All Grade Levels)**

The district provides students the opportunity to introduce the following school events such as football games, other sporting events, and various ceremonial events. If a student meets the eligibility criteria and wishes to introduce one of the school events listed above, the student should submit his or her name in accordance with policy FNA(LOCAL).

[See **Graduation** on page 56 for information related to student speakers at graduation ceremonies and policy FNA (LOCAL) regarding other speaking opportunities.]

### **Summer School (All Grade Levels)**

Please contact your school principal or counselor for information regarding summer school. It is recommended that any conversation about summer school begin early in the Spring semester.

### **Tardies (All Grade Levels)**

A student who is minutes tardy to class may be assigned to detention hall or given another appropriate consequence. Repeated instances of tardiness will result in more severe disciplinary actions in accordance with the Code of Conduct.

## Beaumont Independent School District Student Handbook

### Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials (All Grade Levels)

The district provides textbooks and other approved instructional materials to students free of charge for each subject or class. Students must treat any books with care and place covers on them, as directed by the teacher. The district may also provide electronic textbooks and technological equipment to students, depending on course objectives.

If a student needs a graphing calculator for a course and the district does not provide one, the student may use a calculator application with graphing capabilities on a phone, laptop, tablet, or other computing device.

A student who is issued a damaged item should report the damage to the teacher.

Any student who does not return an item or returns an item in an unacceptable condition loses the right to free textbooks and technological equipment until the item is returned or the damage is paid for by the parent. However, the student will be provided the necessary instructional resources and equipment for use at school during the school day.

### Transfers (All Grade Levels)

The principal is authorized to transfer a student from one classroom to another.

[See **Safety Transfers/Assignments** on page 23, **Bullying** on page 32, and **Students Who Have Learning Difficulties or Who Need Special Education or Section 504 Services** on page 25, for other transfer options.]

### Athletic Transfers

- Students who enroll in any of the district's alternative or non-traditional programs (Paul Brown, Pathways, Early College High School) are not eligible to participate in any of the District's athletic programs.
- A student who enrolls and initiates attendance at one BISD high school (A) and later moves to another district high school (B), is ineligible to participate in varsity athletics are one full calendar year from the date of the in-district transfer or move to another BISD high school B, even if the student had not previously participated in varsity athletics.
- A student who enrolls and initiates attendance at one BISD high school (A) and later moves out of district, and then later re-enrolls in BISD another district high school (B), is ineligible to participate in varsity athletics are one full calendar year from the date of the district transfer or move to another BISD high school B, even if the student had not previously participated in varsity athletics.
- Students who enroll at the district Early College High School (ECHS) are not eligible to participate in the home campus attendance zone athletics. Students who withdraw from ECHS and not eligible to participate in varsity athletics for one full calendar year from the date of withdrawal and re-enrollment at the home campus.

### Transportation (All Grade Levels)

#### School-Sponsored Trips

Students who participate in school-sponsored trips are required to use school-provided transportation to and from the event. However, in accordance with campus procedures, a parent

## Beaumont Independent School District Student Handbook

may provide written consent for his or her child to ride with or be released after the event to the parent or another adult designated by the parent.[See **School-sponsored Field Trips** on page 82.]

### Buses and Other School Vehicles

The district makes school bus transportation available to all elementary students living one or more miles from their zoned school, to secondary students who live two or more miles away from their home school, and to any students who are experiencing homelessness. This service is provided at no cost to students.

Bus routes and stops will be designated annually. Any subsequent changes will be posted at the school and on the district's website. For the safety of the driver and all passengers, students must board district vehicles only at authorized stops and drivers must unload passengers only at authorized stops.

Students are to be at their assigned bus stop at least ten minutes before the scheduled time of pick-up. A reminder: pre-K and Kindergarten students should be met by a parent or guardian when dropped off in the afternoon.

The District may designate routes with hazardous traffic conditions. Because students in these areas might encounter hazardous traffic conditions or be subject to a high risk of violence when walking to and from school, the district will provide transportation to these students. Please contact the Director of Transportation at (409) 617-5625 for additional information.

A parent may designate a child-care facility or grandparent's residence as the regular pickup and drop-off location for his or her child. The designated location must be an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, contact the Transportation Department at (409) 617-5625.

Students are expected to assist district staff in ensuring that buses and other district vehicles are clean and safe. When riding in district vehicles, students are held to behavioral standards established in this handbook and the Student Code of Conduct. Students must:

- **Until the current health crisis is mitigated, all students in grades K-12 must wear face masks while on the bus.**
- Follow the driver's directions at all times.
- Enter and leave the vehicle in an orderly manner at the designated stop.
- Keep feet, books, instrument cases, and other objects out of the aisle.
- Not deface the vehicle or its equipment.
- Not put head, hands, arms, or legs out of the window, hold any object out of the window, or throw objects within or out of the vehicle.
- Not possess or use any form of tobacco or e-cigarettes in any district vehicle.
- Observe all usual classroom rules.
- Be seated while the vehicle is moving.
- Fasten their seat belts, if available.

## Beaumont Independent School District Student Handbook

- Wait for the driver's signal upon leaving the vehicle and before crossing in front of the vehicle.
- Follow any other rules established by the operator of the vehicle.

Misconduct will be punished in accordance with the Student Code of Conduct, including loss of the privilege to ride in a district vehicle.

[See the Student Code of Conduct for provisions regarding transportation to the DAEP.]

### **Vandalism (All Grade Levels)**

Littering, defacing, or damaging school property is not tolerated. Students will be required to pay for damages they cause and will be subject to criminal proceedings as well as disciplinary consequences in accordance with the Student Code of Conduct.

### **Video Cameras (All Grade Levels)**

For safety purposes, the district uses video and audio recording equipment to monitor student behavior, including on buses and in common areas on campus. Students will not be told when the equipment is being used.

School administrators will review the video and audio recordings as needed and document student misconduct. Discipline will be in accordance with the Student Code of Conduct.

In accordance with state law, a parent of a student who receives special education services, a staff member (as this term is defined by law), a principal or assistant principal, or the board may make a written request for the district to place video and audio recording equipment in certain self-contained special education classrooms. The district will provide notice before placing a video camera in a classroom or other setting in which a child receives special education services. For more information or to request the installation and operation of this equipment, speak with the principal or the Executive Director of Special Education at (409) 617-5117, who the district has designated to coordinate the implementation of and compliance with this law.

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

### **Visitors to the School (All Grade Levels)**

#### **General Visitors**

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the main office and comply with all applicable district policies and procedures. All visitors should be prepared to show identification.

Individuals may visit classrooms during instructional time only with approval of the principal and teacher. Visitors may not interfere with instruction or disrupt the normal school environment.

All visitors are expected to demonstrate the highest standards of courtesy and conduct. Disruptive behavior will not be permitted.

#### **Unauthorized Persons**

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

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

## Beaumont Independent School District Student Handbook

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

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG (LOCAL) or GF(LOCAL).

[See the Student Code of Conduct.]

### **Visitors Participating in Special Programs for Students**

#### ***Business, Civic, and Youth Groups***

The district may invite representatives from patriotic societies listed in Title 36 of the United States Code to present information to interested students about membership in the society.

#### ***Career Day***

On specially designated days, the district invites representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

### **Volunteers(All Grade Levels)**

The district invites and appreciates the efforts of volunteers who are willing to serve our district and students.

If you are interested in volunteering, please contact the Community Relations Specialist at (409) 5042 for more information and how to complete an application.

The district does not require state criminal history background checks for volunteers who are parents, guardians, or grandparents of a child enrolled in the district.

Subject to exceptions in accordance with state law and district procedures, other volunteers will be subject to a state criminal history background check, and the volunteer must pay all costs for the background check.

### **Voter Registration (Secondary Grade Levels Only)**

A student who is eligible to vote in any local, state, or federal election may obtain a voter registration application at the main campus office.

### **Withdrawing from School (All Grade Levels)**

To withdraw a student under age 18 from school, the parent or guardian must submit a written request to the principal specifying the reasons for withdrawal and the final day the student will be in attendance. Withdrawal forms are available from the principal's office.

A student who is age 18 or older, who is married, or who has been declared by a court to be an emancipated minor may withdraw without parental signature.

Please provide the school at least three days'notice of withdrawal so that records and documents may be prepared.

## Beaumont Independent School District Student Handbook

### Glossary

**Accelerated instruction** is an intensive supplemental program designed to help an individual student acquire the knowledge and skills required at his or her grade level. It is required when a student does not meet the passing standard on a state-mandated assessment.

**ACT**, or the American College Test, is one of the two most frequently used college or university admissions examinations. The test may be required for admission to certain colleges or universities.

**ACT-Aspire** is designed as a preparatory and readiness assessment for the ACT. This is usually taken by students in grade 10.

**ARD** stands for admission, review, and dismissal. The ARD committee convenes for each student who is identified as needing a full and individual evaluation for special education services. The eligible student and his or her parents are members of the committee.

**Attendance review committee** is responsible for reviewing a student's absences when the student's attendance drops below 90 percent, or in some cases 75 percent, of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit or a final grade lost because of absences.

**CPS** stands for Child Protective Services.

**DAEP** stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the Student Code of Conduct.

**DFPS** stands for the Texas Department of Family and Protective Services.

**DPS** stands for the Texas Department of Public Safety.

**EOC** (end-of-course) assessments are state-mandated and are part of the STAAR program. Successful performance on EOC assessments are required for graduation. These examinations will be given in English I, English II, Algebra I, Biology, and U.S. History.

**ESSA** is the federal Every Student Succeeds Act.

**FERPA** refers to the federal Family Educational Rights and Privacy Act, which grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 years of age or older directs the school not to release directory information.

**IEP** stands for individualized education program and is the written record prepared by the ARD committee for a student with disabilities who is eligible for special education services. .

**IGC** is the individual graduation committee, formed in accordance with state law, to determine a student's eligibility to graduate when the student has failed to demonstrate satisfactory performance on no more than two of the required state assessments.

**ISS** refers to in-school suspension, a disciplinary technique for misconduct found in the Student Code of Conduct. Although different from out-of-school suspension and placement in a DAEP, ISS removes the student from the regular classroom.

## Beaumont Independent School District Student Handbook

**PGP** stands for personal graduation plan, which is required for high school students and for any student in middle school who fails a section on a state-mandated test or is identified by the district as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

**PSAT** is the preparatory and readiness assessment for the SAT. It also serves as the basis for the awarding of National Merit Scholarships.

**SAT** refers to the Scholastic Aptitude Test, one of the two most frequently used college or university admissions examinations. The test may be required for admissions to certain colleges or universities.

**SHAC** stands for School Health Advisory Council, a group of at least five members, a majority of whom must be parents, appointed by the school board to help ensure that local community values and health issues are reflected in the district's health education instruction, as well as assist with other student and employee wellness issues.

**Section 504** is the federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for special education services under the Individuals with Disabilities Education Act (IDEA), general education with appropriate instructional accommodations will be provided.

**STAAR** is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments.

**STAAR Alternate 2** is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

**STAAR Spanish** is an alternative state-mandated assessment administered to eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

**State-mandated assessments** are required of students at certain grade levels and in specified subjects. Except under limited circumstances, students must perform successfully on some state-mandated assessments to be promoted and students must pass the STAAR EOC assessments to graduate. Students have multiple opportunities to take the tests, if necessary, for promotion or graduation.

**Student Code of Conduct** is developed with the advice of the district-level committee and adopted by the board and identifies the circumstances, consistent with law, when a student may be removed from a classroom, campus, or district vehicle; sets out the conditions that authorize or require the principal or another administrator to place the student in a DAEP; and outlines conditions for out-of-school suspension and for expulsion. The Student Code of Conduct also addresses notice to the parent regarding a student's violation of one of its provisions.

**TAC** stands for the Texas Administrative Code.

**TEA** stands for the Texas Education Agency, which oversees primary and secondary public education in Texas.

**TELPAS** stands for the Texas English Language Proficiency Assessment System, which assesses the progress that English learners make in learning the English language and is administered for those who meet the participation requirements in kindergarten–grade 12.

## Beaumont Independent School District Student Handbook

**TSI** stands for the Texas Success Initiative, an assessment designed to measure the reading, mathematics, and writing skills that entering college-level freshmen students should have if they are to be successful in undergraduate programs in Texas public colleges and universities.

**TXVSN** stands for the Texas Virtual School Network, which provides online courses for Texas students to supplement the instructional programs of public school districts. Courses are taught by qualified instructors and are equivalent in rigor and scope to a course taught in a traditional classroom setting.

**UIL** refers to the University Interscholastic League, the statewide, voluntary nonprofit organization that oversees educational extracurricular academic, athletic, and music contests.

# Beaumont Independent School District Student Handbook

## Appendix: Freedom from Bullying Policy

**Note:** School board policies may be revised at any time. For legal context and the most current copy of the local policy, visit [www.bmtisd.com](http://www.bmtisd.com). Below is the text of the Beaumont Independent School District's policy FFI(LOCAL) as of the date this handbook was finalized for this school year.

### **Student Welfare: Freedom from Bullying**

Policy FFI(LOCAL) adopted on November 10, 2017.

### **FFI (LOCAL) - STUDENT WELFARE: FREEDOM FROM BULLYING**

**This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyber-bullying.**

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

#### *Bullying Prohibited*

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

#### *Examples*

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

#### *Retaliation*

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

#### *Examples*

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

#### *False Claim*

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

## Beaumont Independent School District Student Handbook

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

### Reporting Procedures

#### *Student Report*

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

#### *Employee Report*

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

#### *Report Format*

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

#### *Notice of Report*

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

#### *Prohibited Conduct*

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

#### *Investigation of Report*

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

# Beaumont Independent School District Student Handbook

## Concluding the Investigation

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

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

### *Notice to Parents*

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

## District Action

### *Bullying*

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

### *Discipline*

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

### *Corrective Action*

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

### *Transfers*

The principal or designee shall refer to FDB for transfer provisions.

### *Counseling*

## Beaumont Independent School District Student Handbook

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

### *Improper Conduct*

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

### *Confidentiality*

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

### *Appeal*

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

### *Records Retention*

Retention of records shall be in accordance with CPC(LOCAL).

### **Access to Policy and Procedures**

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

Beaumont ISD

FFI(LOCAL)-A

UPDATE 109

DATE ISSUED: 11/10/2017

*Paste the text of your bullying policy FFI(LOCAL) here as plain text ("Keep text only"), then reformat it with the handbook styles.*

OFFICIAL MINUTES OF THE BOARD OF THE  
BEAUMONT INDEPENDENT SCHOOL DISTRICT  
in BEAUMONT, TEXAS

AUGUST 13, 2020

*Special Meeting Minutes as Directed Under the Provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551* The Board Members of the Beaumont Independent School District met in Special meeting on Thursday, August 13, 2020, in the Board Room of the BISD Administration Building located at 3395 Harrison Avenue, Beaumont, Jefferson County, Texas. The meeting was called to order at 5:01p.m. by Thomas Sigeo, Presiding Officer.

**CALL TO ORDER**

President, Thomas Sigeo established a quorum.

**ROLL CALL**

**PRESENT:** Thomas P. Sigeo, Sr., Trustee & President  
Denise Wallace-Spooner, Trustee & Vice President  
Robert Dunn, Sr., Trustee & Secretary  
Darrell Antwine, Sr., Trustee  
Zenobia Randall Bush, Trustee  
Kevin W. Reece, Trustee (arrived at 5:10 pm)

At 5:02 p.m., the board went in to closed session.

A. CLOSED SESSION (CLOSED TO PUBLIC) – BOARD WILL CONVENE IN CLOSED SESSION UNDER CHAPTER 551 OF THE TEXAS GOVERNMENT CODE, SECTIONS 551.071, and 551.074, TO DELIBERATE ON THE FOLLOWING:

1. Interviews for Board Applicants for Trustee District 5

**OPEN MEETING**

At 7:45 p.m., the Board reconvened in open session to take action, if any, on the items discussed in closed session.

A. ACTION, IF ANY, ON ITEMS DISCUSSED IN CLOSED SESSION

It was moved by Robert Dunn, and seconded by Denise Spooner, to Appoint Matilda Hickman as Trustee of District 5 to serve out the remaining term until our next scheduled Election on May 1, 2021.

President Thomas Sigeo called for a vote on the motion:

YAYS: Thomas Sigeo, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

The meeting adjourned at 7:46 p.m.

**OFFICIAL MINUTES OF THE BOARD OF THE  
BEAUMONT INDEPENDENT SCHOOL DISTRICT  
VIA ZOOM in BEAUMONT, TEXAS**

---

---

**JULY 16, 2020**

*Regular Meeting Minutes as Directed Under the Provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551*

The Board Members of the Beaumont Independent School District met in regular meeting on Thursday, July 16, 2020, via Zoom in Beaumont, Jefferson County, Texas. The meeting was called to order at 6:10 p.m. by Thomas Sigeo, Presiding Officer.

**CALL TO ORDER**

President, Thomas Sigeo established a quorum.

**ROLL CALL**

**PRESENT:** Thomas P. Sigeo, Sr., Trustee & President  
Denise Wallace-Spooner, Trustee & Vice President  
Darrell Antwine, Sr., Trustee  
Zenobia Randall Bush, Trustee  
Robert Dunn, Sr., Trustee  
Kevin W. Reece, Trustee

Dr. Shannon Allen, Superintendent

**ABSENT:** NONE.

**III. 6:00 p.m. - BOARD ROOM (REGULAR OPEN BOARD MEETING)**

1. United States and Texas Flags Pledges of Allegiance- The pledge to the US and Texas Flags were led by President Thomas Sigeo.

**I. 2020-2021 Re-entry Plan Review**

A. Presentation of Proposed Transition Plan for Fall 2020 – Dr. Shannon Allen, Superintendent of Schools, presented the following information to the Board:

- Background on the 2020-2021 Re-entry Plan
- Revised 2020-2021 Calendar
- Information on Academics
- Information on Virtual Learning
- Information on Health and Safety for following social distancing protocols to keep our students safe
- Operations

- Employee Protocols
- Student Uniform requirements will begin in October
- Face Masks and Face Shields grades 4-12 while on campus
- Attendance Requirements
- UIL and Sports
- Sanitation
- Key Principals for Hygiene
- Virtual Learning:
  - Training
  - Learning
  - Achieving
  - Learning Model
- Achieving – student achievement and growth is critically important
- Virtual Educator Requirements
  - Staff members must meet or exceed the following qualifications
- Report to designated campus each day
- Training: Students, Staff and Parents
- Face Masks/Shields – Grades 4-12 will wear a face mask. BISD will not provide the face mask or the shield.
- Parents must ensure they do not send their child to school if the child has a fever of 100.0 degrees or higher, COVID-19 symptoms or is lab confirmed with COVID-19.
- Social Distancing
- Operations
  - Sanitation Protocols
  - Custodial Services
  - Disinfecting
  - Transportation
  - Nursing and Monitoring Staff
  - Meals
- Whole Child
  - Mental Health and Wellness
  - Trauma Skilled Approach
  - Supporting Family Needs
  - Outreach
  - Restoring School Community
- Re-Entry Protocols
  - Lab Confirmed Positive Case
  - Symptoms without Lab-Confirmed Positive
  - Health Department Determines Close Contact with Lab-Confirmed Positive
  - Notice Procedures
  - Operational Response
  - COVID-19 Symptoms
- Employee Protocols
- Directive to Return

- Employee Support
- Leave Information
- Leave Definitions
- FAQs

B. PUBLIC COMMENTS

1. **Bridget Smith**, 1050 Bingman Street. Concerns are about restarting school and the safety for all stakeholders.

Questions were taken from several members of the community and answered by Administration.

The meeting adjourned at 8:15 p.m.

**OFFICIAL MINUTES OF THE BOARD OF THE  
BEAUMONT INDEPENDENT SCHOOL DISTRICT  
VIA ZOOM in BEAUMONT, TEXAS**

**JULY 23, 2020**

*Regular Meeting Minutes as Directed Under the Provisions of the Texas Open Meetings  
Act, Texas Government Code, Chapter 551*

The Board Members of the Beaumont Independent School District met in regular meeting on Thursday, July 23, 2020, via Zoom in Beaumont, Jefferson County, Texas. The meeting was called to order at 4:04 p.m. by Thomas Sigeo, Presiding Officer.

**CALL TO ORDER**

President, Thomas Sigeo established a quorum.

**ROLL CALL**

**PRESENT:** Thomas P. Sigeo, Sr., Trustee & President  
Denise Wallace-Spooner, Trustee & Vice President  
Darrell Antwine, Sr., Trustee  
Zenobia Randall Bush, Trustee  
Robert Dunn, Sr., Trustee  
Kevin W. Reece, Trustee

Dr. Shannon Allen, Superintendent

**ABSENT:** NONE.

At 4:04 p.m., the board went in to closed session.

A. CLOSED SESSION (CLOSED TO PUBLIC) - BOARD WILL CONVENE IN CLOSED SESSION UNDER CHAPTER 551 OF THE TEXAS GOVERNMENT CODE, SECTIONS 551.071, 551.072, 551.073, 551.074, 551.076, 551.082, 551.0821, 551.083, 551.084 AND/OR 551.087, TO DELIBERATE ON THE FOLLOWING:

1. LEGAL
  - a. Pending or contemplated litigation matters and status report
  - b. Matters on which the school district legal counsels duties to the school district under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act
  - c. Board Policies DGBA (Legal) and (Local), FNG (Legal) and (Local), GF (Legal) and (Local)

**NO ACTION.**

- d. Discussion of TASB Policy DC (LOCAL)

**NO ACTION.**

- e. Internal Auditor's Report

**NO ACTION.**

B. PERSONNEL

1. Deliberation regarding appointment, employment, evaluation, reassignment, duties, proposed terminations, terminations and suspensions, proposed nonrenewals, renewals, and resignation/retirements, discipline, and/or dismissal of a public officer or employee, including the superintendent, and/or hear complaints and grievances against public officers or employees

C. REAL ESTATE

1. Deliberation regarding the purchase, exchange, lease or value of real property

D. ECONOMIC DEVELOPMENT

1. Deliberation regarding an offer of a financial or other incentive to a business prospect related to economic development negotiations

II. **6:03 p.m. - BOARD ROOM (REGULAR OPEN BOARD MEETING)**

A. INTRODUCTION OF REGULAR MEETING

1. United States and Texas Flags Pledges of Allegiance- The pledge to the US and Texas Flags were led by President Thomas Sigee.
2. Recognitions - Adam Thibodeaux, Assistant Director for Communications, presented the following to the Board:
  - Summer Reading Challenge Top Readers (40 Books read)

B. PUBLIC COMMENTS

1. **NONE.**

C. STUDENT OUTCOMES

1. Superintendent's Report — Dr. Shannon Allen, Superintendent presented the following information to the board:

- District Vision and Mission
- Core Beliefs
- Transition Plan Update/Key Updates
- Community Stakeholder Meetings
- Start of School Transition
  - Extended to four weeks
  - August 17-September 11
- Additional Four-Week extension if Board Approved
- High Schools may attend less than daily on campus instruction to reduce the total number of students on campus
- Waiver to Extend the Transition Period
- Hybrid Model for High School Students
- Virtual and Face-to-Face Options
- Virtual Learning Update
- Support for Parents and Students
- Partnership Schools 20-21 Update
  - Responsive Ed.
  - Phalen Leadership Academy

#### D. INFORMATION ITEMS

1. Update on Personnel Activities—Derwin Samuels, Executive Director for Human Resources, updated the Board on the newly hired employees and separations report during the month of June.
2. Report for June 2020 Tax Collections—Cheryl Hernandez, CFO, presented a report for the month of June for the M&O and the Debt Service.
3. Report for General Fund Revenue and Expenditures—Cheryl Hernandez, CFO, presented a report on the general fund revenue and expenditures for the month of June 2020.
4. Report for Campus Activity Funds—Cheryl Hernandez, CFO, presented a report on the month of June 2020 Campus Activity Funds.

#### E. CONSENT AGENDA

1. Minutes of June 18, 2020, Regular Board Meeting
2. Ratify Commissioners' Court Action in Accepting Payment

It was moved by Zenobia Bush, and seconded by Robert Dunn, to approve the Consent Agenda.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

F. ACTION ITEMS

1. Action, if any, on items discussed in closed session

**NO ACTION.**

2. Approve Budget Amendments

It was moved by Darrell Antwine, and seconded by Zenobia Bush, to approve the Budget Amendments.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

3. Approve Purchases of \$50K or More

It was moved by Darrell Antwine, and seconded by Zenobia Bush, to approve Purchases of \$50K or More.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

4. Approve local policy amendments contained in TASB Policy Update 115

It was moved by Zenobia Bush, and seconded by Robert Dunn, to approve Local Policy Amendments contained in TASB Policy Update 115.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

5. Approve Awarded Vendors for RFP Renewals

It was moved by Robert Dunn, and seconded by Darrell Antwine, to approve Awarded Vendors for RFP Renewals.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

6. Approve Contracts for Special Education Services

It was moved by Robert Dunn, and seconded by Darrell Antwine, to approve Contracts for Special Education Services.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

7. Approve Addendum to RFP 20.04 Child Nutrition Meal Delivery Services

It was moved by Darrell Antwine, and seconded by Zenobia Bush, to approve Addendum to RFP 20.04 Child Nutrition Meal Delivery Services.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

8. Approve Interlocal Agreement Texas Schools Health Benefits Program

It was moved by Robert Dunn, and seconded by Darrell Antwine, to approve Interlocal Agreement Texas Schools Health Benefit Program.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigeo, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

9. Approve Payments the 20-21 Fiscal Year over \$50,000

It was moved by Zenobia Bush, and seconded by Darrell Antwine, to approve Payments over \$50,000.

President Thomas Sigeo called for a vote on the motion:

YAYS: Thomas Sigeo, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

10. Approve Payment Agreement with Air Liquide

It was moved by Darrell Antwine, and seconded by Robert Dunn, to approve Payment Agreement with Air Liquide.

President Thomas Sigeo called for a vote on the motion:

YAYS: Thomas Sigeo, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

11. Consider Ratification of Waivers Submitted to TEA in Response to COVID-19

It was moved by Robert Dunn, and seconded by Denise Spooner, to approve Ratification of Waivers Submitted to TEA in Response to COVID-19.

President Thomas Sigeo called for a vote on the motion:

YAYS: Thomas Sigeo, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

12. Consider approval of TEA Waiver to Extend the Start of the 2020-2021 School Year Transition Beyond the Four-Week Limit

It was moved by Darrell Antwine, and seconded by Zenobia Bush, to approve Approval of TEA Waiver to Extend the Start of the 2020-2021 School Year Transition beyond the Four-Week Limit.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

13. Consider Approval of Resolution Regarding State Accountability

It was moved by Darrell Antwine, and seconded by Robert Dunn, to approve Resolution regarding State Accountability.

President Thomas Sigee called for a vote on the motion:

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

14. Election of Board Officers

President Thomas Sigee called for a nomination to replace the Board Secretary Position that is vacant on the Board:

Darrell Antwine nominated Robert Dunn, seconded by

YAYS: Thomas Sigee, Denise Spooner, Darrell Antwine, Zenobia Bush, Robert Dunn and Kevin Reece

NAYS: None

MOTION PASSED: 6-0

The meeting adjourned at 8:06 p.m.



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.E.2.**

**Agenda Item Title:** Approve Hiring Chapter 21 and Director Employees

**Cabinet Level Presenter(s):** Derwin Samuels, Executive Director of Human Resources

**Additional Presenter(s):** N/A

**Executive Summary:** Listed below are Chapter 21 recently hired within the District

**Recommendation:** Approve Administration's Hiring Recommendation of:

- Carolyn Dancy
- Cheryl Tripplett
- Daniel Taylor
- Emily Kimmich
- Marquis Saveat
- Melissa Hanks

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):** N/A

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

  
Cabinet Level Presenter's Signature

\_\_\_\_\_

Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_

Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_

Date

## July 2020 Employee Separation

ORGANIZATION	OLD ROLE	LAST WK DATE	Sep Type	EMPLOYEE NAME
Amelia Elementary School - 101	Teacher Elem School	7/23/2020	Resign	Sigee, LaTanya Lynel
Blanchette Elementary School - 127	Teacher Elem School	7/23/2020	Resign	Bean, Brittney
Charlton-Pollard Elementary - 130	Teacher Elem School	7/27/2020	Resign	Williams, Tyna R
Dishman Elementary School - 126	Coordinator Title I	7/23/2020	Resign	Duerler, Amy A
Dishman Elementary School - 126	Coordinator Title I	7/23/2020	Resign	Duerler, Amy A
ESY Elementary - 699	Summer School Teachers	7/17/2020	End Assignment	Jackson, Kevin
ESY Elementary - 699	Summer School Teachers	7/17/2020	End Assignment	Jackson, Kevin
Finance - 726	Staff Accountant	7/17/2020	Resign	Lanners, Tram Tricia Thanh
Information Technology - 801	Computer Technician	7/31/2020	Resign	Simon, Cody James
Office of Innovation - 701	Chief Innovation Officer	7/14/2020	Resign	Slaughter, Jody Lynn
Police Department - 510	Police Officer	7/13/2020	End Assignment	Boseman Jr, Reginald Peter
Police Department - 510	Police Sergeant	7/24/2020	Resign	Guzman, Richard J
Purchasing - 726	Coordinator Purchasing	7/21/2020	Resign	English, Clifton Olen
Save the Children-CP - 699	Summer STC Literacy Tutor	7/27/2020	Resign	Williams, Tyna R
Textbooks - 711	Temporary Textbook Processor	7/26/2020	End Assignment	Brown, Sonja M
Textbooks - 711	Temporary Textbook Processor	7/28/2020	End Assignment	Laday, Kelli Naache
Title I Summer School - 699	Summer School Counselor	7/23/2020	Resign	Duerler, Amy A
Title I Summer School - 699	Summer School Teachers	7/23/2020	Resign	Sigee, LaTanya Lynel
Title I Summer School-Location2 - 699	Summer School Teachers	7/23/2020	Resign	Bean, Brittney
Vincent Middle School - 048	Principal	7/20/2020	Resign	Gimble, Melanie Mechelle

## New Hires Since: 07-01-2020

ORG NAME	ROLE NAME	FIRST NAM	LAST NAME	START DATE
Beaumont United High School	Assistant Principal Ninth Grade Academy	Marquis	Saveat	7/30/2020 0:00
Beaumont United High School	Assistant Principal Ninth Grade Academy	Daniel	Taylor	7/20/2020 0:00
Beaumont United High School	Teacher High School	Emily	Kimmich	7/27/2020 0:00
Charlton-Pollard Elementary	Communities in Schools Representative	Donna	Conner	1/13/2020 0:00
Curtis Elementary School	Principal	Cheryl	Tripplett	7/20/2020 0:00
Food and Nutrition Service	Clerk Financial	Veronica	Vo	7/1/2020 0:00
Smith Middle School	Contractor - PLAC	Loretta	Mack	7/6/2020 0:00
Smith Middle School	Counselor Middle School	Carolyn	Dancy	7/27/2020 0:00
Special Education	Diagnostician	Melissa	Hanks	7/27/2020 0:00



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.F.2.**

**Agenda Item Title:** Approve Budget Amendments

**Cabinet Level Presenter(s):** Cheryl Hernandez

**Additional Presenter(s):**

**Executive Summary:**

**Recommendation:** Approve budget amendments GF-2, CN-1 and DS-1 and accept amendments SR-4, SR-5 and SR-6.

**Budget Impact\* (if applicable):**

**Funding Source (if applicable):**

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):**

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

  
\_\_\_\_\_  
Cabinet Level Presenter's Signature

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

## Explanations of August Budget Amendments

### General Fund GF-2

- \$5,792 - Transfer from instructional general supplies & instructional fixed assets to school leadership extra duty to reimburse account for temporary campus budget – ECHS (013).
- \$6,882 - Transfer from instructional fixed assets to school leadership fixed assets – Pietzsch-MacArthur ES (125).
- Increase for purchase orders carried forward from FY 19-20 for items not yet received or services performed on projects in progress:
  - \$15,125 - Career & Technology
  - \$19,942 - Odom Academy library
  - \$1,891,608 - Maintenance
  - \$484,869 - Info Services and Technology
  - \$17,000 - General Administration
  - \$28,150 - Police Dept

### Child Nutrition CN-1

- Increase Child Nutrition budget \$1,342,144 for purchase orders carried forward from FY 19-20 for items not yet received or services performed on projects in progress at Beaumont United Cafeteria.

### Debt Service Fund DS-1

- Increase revenue for values received after budget approval.

### Special Revenue SR-4

- Fund 211.599 School Improvement Grant transfer of budget funds for M.L. King MS retention amount for September payroll.

### Special Revenue SR-5

- Fund 211 Title I transfer funds to needed campus supply accounts.

### Special Revenue SR-6

- Fund 211.TIG transfer of funds for matched Technical Assistance.

**2020-2021 BUDGET AMENDMENT NUMBER GF- 2**

	<u>Current Budget</u>	<u>Change</u>	<u>Amended Budget</u>
<b><u>Expenditures</u></b>			
199.11.6399.01.013.11.000	7,275	(3,106)	4,169
199.11.6395.04.013.11.000	1,500	(2,686)	(1,186)
199.23.6118.87.999.99.000	39,208	5,792	45,000
199.11.6395.04.125.30.000	7,800	(6,882)	918
199.23.6395.01.125.99.000	500	6,882	7,382
199.11.6395.52.009.22.000	10,000	14,465	24,465
199.11.6399.52.009.22.000	54,500	660	55,160
199.12.6395.04.047.30.000	3,750	19,942	23,692
199.41.6299.87.726.99.000	200,000	17,000	217,000
199.51.6299.09.819.99.000	2,283,152	40,093	2,323,245
199.51.6319.07.819.99.608	-	60,000	60,000
199.51.6299.07.819.99.608	-	459,114	459,114
199.52.6395.69.850.99.000	35,000	28,150	63,150
199.53.6639.79.818.99.000	43,850	224,507	268,357
199.53.6249.79.818.99.000	166,760	67,900	234,660
199.53.6299.79.818.99.000	348,382	139,914	488,296
199.53.6399.79.818.99.000	761,222	31,830	793,052
199.53.6319.09.818.99.000	-	10,395	10,395
199.53.6319.79.818.99.000	56,811	2,356	59,167
199.53.6395.79.818.99.000	185,500	7,967	193,467
199.81.6629.07.014.99.000	-	1,280,466	1,280,466
199.81.6625.07.014.99.000	-	39,467	39,467
199.81.6269.07.819.99.632	-	12,468	12,468

Total Expenditures 2,456,694

Net Change in the General Fund Budget (2,456,694)

**2020-2021 BUDGET CHANGE**

Total Revenues/Other Sources	170,631,485		170,631,485
Total Expenditures	<u>172,011,059</u>	<u>2,456,694</u>	<u>174,467,753</u>
2020-2021 Adjusted	(1,379,574)	(2,456,694)	(3,836,268)

**2020-2021 BUDGET AMENDMENT NUMBER CN-1**

	<u>Original Budget</u>	<u>Change</u>	<u>Amended Budget</u>
<b><u>Expenditures</u></b>			
	<b><u>Contracted Maint</u></b>		
240.81.6629.00.014.99.000	336,000	1,302,677	1,638,677
240.81.6625.00.014.99.000	-	39,467	39,467
	<hr/>	<hr/>	<hr/>
Total Expenditures	336,000	1,342,144	1,678,144

**Net Change Child Nutrition Budget** (1,342,144)

**2020-2021 BUDGET CHANGE**

Total Revenues	11,979,310		11,979,310
Total Expenditures	12,953,305	1,342,144	14,295,449
	<hr/>	<hr/>	<hr/>
2020-2021 Adjusted	(973,995)	(1,342,144)	(2,316,139)

**2020-2021 BUDGET AMENDMENT NUMBER DS-1**

		<u>Original Budget</u>	<u>Change</u>	<u>Amended Budget</u>
<b><u>Revenues</u></b>				
Taxes - current	500.00.5711.00.000.00.000	32,983,260	277,624	33,260,884
	500.00.5719.00.000.00.000	139,103	79,000	218,103
	500.00.5742.00.000.00.000	104,000	50,000	154,000
	500.00.5829.00.000.00.000	-	481,182	481,182
			<u>887,806</u>	
<b><u>Expenditures</u></b>				
Debt Principal	500.71.6519.00.999.99.000	9,330,529	1,800,000	11,130,529
			<u>1,800,000</u>	
<b>Net (Increase) in the Debt Service Fund Budget</b>			<b>(912,194)</b>	
<hr/>				
	Total Revenues	33,419,500	887,806	34,307,306
	Total Expenditures	<u>33,419,500</u>	<u>1,800,000</u>	<u>35,219,500</u>
	Adjusted Deficit	-	(912,194)	(912,194)

**2020-2021 BUDGET AMENDMENT NUMBER SR - 4**

	<u>Current Budget</u>	<u>Change</u>	<u>Amended Budget</u>
<b><u>Expenditures</u></b>			
<b><u>Instruction</u></b>			
211.11.61XX.00.043.30.599	-	47,000	
211.11.614X.00.043.30.599		682	
211.11.6395.00.043.30.599		(57,829)	
<b><u>Instructional Administration</u></b>			
211.12.6118.00.043.30.599		1,000	
211.12.6141.00.043.30.599		15	
<b><u>Campus Leadership</u></b>			
211.23.6118.00.043.30.599		4,500	
211.23.6141.00.043.30.599		66	
<b><u>Counseling Services</u></b>			
211.31.6118.00.043.30.599		3,000	
211.31.6128.00.043.30.599		500	
211.31.6141.00.043.30.599		51	
<b><u>Health Services</u></b>			
211.33.6118.00.043.30.599		1,000	
211.33.6141.00.043.30.599		15	
Total Expenditures		-	
		-	
<b>Net (Increase) Title I School Improvement</b>			

**2020-2021 BUDGET CHANGE**

Total Revenues/Other Sources	758,819	-	758,819
Total Expenditures	758,819	-	758,819
2020-2021 Adjusted	-	-	-

**2020-2021 BUDGET AMENDMENT NUMBER SR -5**

	<u>Current Budget</u>	<u>Change</u>	<u>Amended Budget</u>
<b><u>Expenditures</u></b>			
<b><u>Instruction</u></b>			
211.11.61XX.00.XXX.30.AST	-	(52,292)	
211.11.6399.00.XXX.30.000		60,968	
<b><u>Instructional Administration</u></b>			
211.21.61XX.00.XXX.30.AST		(8,676)	
Total Expenditures		<u>-</u>	
		<u>-</u>	
<b>Net (Increase) Title I Part A</b>			
<hr/>			
Total Revenues/Other Sources	8,676,801	-	8,676,801
<b>2020-2021 BUDGET</b> Total Expenditures	<u>8,676,801</u>	<u>-</u>	<u>8,676,801</u>
2020-2021 Adjusted	-	-	-

**2020-2021 BUDGET AMENDMENT NUMBER SR -6**

	<u>Current Budget</u>	<u>Change</u>	<u>Amended Budget</u>
<b><u>Expenditures</u></b>			
<b><u>Instructional Administration</u></b>			
211.21.6299.00.8.1.30.TIG		15,000	
<b><u>General Administration</u></b>			
211.41.6411.00.801.30.TIG		<u>(15,000)</u>	
 Total Expenditures		 <u>-</u>	
  Net (Increase) Title I Transformation Implementation		  -	

**2020-2021 BUDGET CHANGE**

Total Revenues/Other Sources	2,000,000	-	2,000,000
Total Expenditures	<u>2,000,000</u>	<u>-</u>	<u>2,000,000</u>
 2020-2021 Adjusted	 -	 -	 -



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.F.3.**

**Agenda Item Title:** Approve Purchases over \$50,000

**Cabinet Level Presenter(s):** Cheryl Hernandez

**Additional Presenter(s):** Tony Aguilar, Sue Little, Toni McPherson, and Chad Lemoine

**Executive Summary:** The attached list reflects the purchases over \$50,000.

**Recommendation:** Approve purchases in the amounts shown on attached list.

**Budget Impact\* (if applicable):** General Fund - \$ 1,523,214  
Federal Funds - \$ 1,528,050

**Funding Source (if applicable):** General Fund and Federal Funds

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** Ch. 44.031

**Policy Reference (if applicable, list policy/regulation):** CH (LOCAL)

**Legal Review (if necessary, list attorney and firm):**

  
\_\_\_\_\_  
Cabinet Level Presenter's Signature

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date



## General Fund

Vendor	Department	Description/Justification of Purchase	Contract #	Cost
Superior Lawn	Maintenance	Lawn mowing services for one year to specified campuses. Includes mulching, hedge/limb trimming and ant control.	Region V #20190708	\$555,975
TASB Risk Management Fund	Business Office	Renewal insurance for School Liability, Data Breach and Auto Physical and Liability coverage	N/A	\$ 482,089
Region V ESC	Various	Cooperative fee for various Region V ESC programs.	N/A	\$174,650
CFMI Inc.	Maintenance	This purchase is for HVAC filter replacement services for the district. Service also includes inspection of equipment to identify freezing units, loose belts, pan leaks, etc.	Region V #20200504	\$150,000
CDW-G	Technology	Renewal of internet filter	TIPS #180503	\$160,500
<b>Total Cost</b>				<b>\$ 1,523,214</b>

## Federal Funds

<b>Vendor</b>	<b>Department</b>	<b>Description/Justification of Purchase</b>	<b>Contract #</b>	<b>Cost</b>
Marsh Waterproofing	Bingman Headstart	Playground concrete slab	#20200301	\$ 62,300
Region IV ESC	Technology	Operation Connectivity – purchase of 1,700 laptops and 8,000 Chromebooks with TEA paying for half.	Region IV Interlocal	\$1,186,550
Gaggle	Information Technology	Gaggle is an internet safety platform that will protect our student's Gmail and Google Drive accounts as we work towards the 1:1 initiative. Gaggle has also been proven in other districts to curb student behaviors such as self-harm and cyber bullying.	TIPS #200105	\$ 94,500
Hughes Technology	Special Education	Smart Data is a software program that is able to identify possible behavior intervention needs in our students based on key data points. This will allow the district to preemptively address student behavior issues.	Region V #20190703	\$184,700
<b>Total Cost</b>				<b>\$ 1,528,050</b>

# QUOTE ANALYSIS FORM

Form version 7.23.2019



**INSTRUCTIONS FOR COMPLETION:**

- 1) Vendor quotes must be in writing (i.e. Vendor Quotation form; Vendor email; Internet Quote, etc.).
- 2) All awards should be made to the vendor whose proposal offers the "best value" to Beaumont ISD.
- 3) Awards based on "best value" may consider various factors, including but not limited to:
  - (a) Price / Total Cost of Ownership, (b) Quality, (c) Availability, (d) Vendor/Product Reputation, (e) Vendor's Ability to Meet District Needs, (f) Client References, (g) Past Experience with Beaumont ISD, and/or (h) any other relevant factor that ensures best value to the District.
- 4) Upon consideration of all factors, if all quotes meet District needs, the award should be made to the lowest bidder.

Quote Analysis Summary			
All awards should be made based on "Best Value" to the District. Please write a short summary below of why the vendor was chosen or denied.			
Vendor Name:	Superior Lawn Maintenance, Inc	Quote Total: \$ 555,975.00	
Summary:	Quote includes yearly lawn maintenance for the District.		
Vendor Name:	Landscape Specialist	Quote Total: \$ 580,125.00	
Summary:	Quote includes yearly lawn maintenance for the District.		
Vendor Name:	BPS	Quote Total: \$ 590,700.00	
Summary:	Quote includes yearly lawn maintenance for the District.		

Vendor Selected: Superior Lawn Maintenance, Inc.

Selection Justification: Superior Lawn Maintenance, Inc. is able to provide the services needed at the most competitive price and has performed great work for the District.

Name of Person Completing this Form: Tony Aguilar, Jr

Signature: 

**NOTE: THE COMPLETED & SIGNED TABULATION FORM AND COPIES OF ALL QUOTES MUST BE ATTACHED TO THE REQUISITION.**



**MAINTENANCE PROPOSAL AND CONTRACT**

**Name: Beaumont ISD**

**City: Beaumont**

**Date: July 29, 2020**

We propose to provide all labor, materials and equipment to provide lawn service. This will include raising tree limbs one time per year, mulch one time per year, mow, weedeat, hedge, spray fence lines. Spread ant bait two times per year, keep AC pads free from weed & trees once a year. We will edge, blow and haul off debris made by Superior Lawn Maintenance.

- |                 |                      |                         |
|-----------------|----------------------|-------------------------|
| Beaumont United | Pietzsch/MacArthur   | Odom Academy            |
| Westbrook       | Fehl Price           | Austin Middle School    |
| Central         | Fletcher             | South Park Middle       |
| Roy Guess       | Bingman Head Start   | M.L. King Middle        |
| Dishman         | Lucas Pre-K          | Vincent Middle          |
| Amelia          | Smith Medical Magnet | Marshall Middle         |
| Martin          | Taylor Career Center | Bus Barn on Milam       |
| Regina Howell   | Annex on Concord     | Bus Barn on Woodrow     |
| Sallie Curtis   | Oaks                 | Bus Barn on Concord     |
| Caldwood        | Charlton Pollard     | Administration Building |
| Homer           | Jones Clark          | Ag Farm                 |
| Blanchette      | Pathways             |                         |

PROPERTIES WILL BE SERVICED 35 TIMES PER YEAR

**TOTAL \$46,331.25/month**

Complete Liability and Property Damage Coverage, as well as Workman's Compensation Insurance, will be carried at all times by Superior Lawn Maintenance, Inc.

All labor and equipment will be furnished for the sum of: Forty-six thousand, three hundred, thirty-one dollars and 25/100's.....

Acceptance of this proposal shall constitute a contract.

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

Name: \_\_\_\_\_

**Superior Lawn Maintenance, Inc.**





TASB RISK  
MANAGEMENT FUND

12007 Research Blvd. · Austin, TX 78759-2439 · P.O. Box 301 · Austin, TX 78767  
800.482.7276 · [tasbrmf.org](http://tasbrmf.org)

### CONTRIBUTION INVOICE

**Billing Address:**

BEAUMONT ISD  
3395 HARRISON AVE  
BEAUMONT TX 77706-5009

Invoice Date: 08/01/2020

Account: 2123910

Invoice Number: 57105

Due Date: 9/1/2020

Reference Number	Description	Amount Due
468011	Data Breach/Privacy Liability	\$2,500.00
468050	School Liability	\$201,022.00
467975	Auto Liability	\$230,330.00
467975	Auto Physical Damage	\$48,237.00

**TOTAL CURRENT BALANCE DUE**

**\$482,089.00**

**Remit to:**

TASB Risk Management Fund  
P.O. Box 975111  
Dallas, TX 75397-5111

Federal Tax ID Number 74-2499129  
[rmfobilling@tasb.org](mailto:rmfobilling@tasb.org)

[Click here to print](#)

Curriculum Assessment and Instruction - (CIA)		
---	--	--

CI7153	Bilingual ESL Cooperative 2020-2021	\$3,200.00
CI8054	Counselor Connection Cooperative (C3) 2020-2021	\$2,000.00
CI7163	CTE Support Services Coop Agreement 2020-2021	\$3,000.00
CI8022	Student Achievement, Accountability, and Assessment Cooperative 2020-2021	\$3,000.00
Subtotal:		\$11,200.00

Field Services		
----------------	--	--

FS9704	Field Service/School Board Members Training Cooperative 2020-2021	\$2,500.00
FS9710	Jefferson County Juvenile Justice Alternative Education Program 2020-2021	\$150,000.00
FS9713	Region 5 ESC Legal Cooperative 2020-2021	\$300.00
Subtotal:		\$152,800.00

Information Management Services		
---------------------------------	--	--

IMS9069	TSDS CORE Collections Membership Services	\$2,250.00
IMS9068	TSDS PEIMS Membership Services Cooperative	\$5,400.00
Subtotal:		\$7,650.00

Network Services		
------------------	--	--

NS7826	2020-2021 EdNet Video Services	\$1,500.00
Subtotal:		\$1,500.00

School Support Services		
-------------------------	--	--

SH9759	School Health Cooperative 2020-2021	\$1,500.00
Subtotal:		\$1,500.00
Total:		\$174,650.00

# QUOTE ANALYSIS FORM

Form version 7.23.2019



**INSTRUCTIONS FOR COMPLETION:**

- 1) Vendor quotes must be in writing (i.e. Vendor Quotation form; Vendor email; Internet Quote, etc.).
- 2) All awards should be made to the vendor whose proposal offers the "best value" to Beaumont ISD.
- 3) Awards based on "best value" may consider various factors, including but not limited to:
  - (a) Price / Total Cost of Ownership, (b) Quality, (c) Availability, (d) Vendor/Product Reputation, (e) Vendor's Ability to Meet District Needs, (f) Client References, (g) Past Experience with Beaumont ISD, and/or (h) any other relevant factor that ensures best value to the District.
- 4) Upon consideration of all factors, if all quotes meet District needs, the award should be made to the lowest bidder.

Quote Analysis Summary	
All awards should be made based on "Best Value" to the District. Please write a short summary below of why the vendor was chosen or denied.	
Vendor Name:	CFMI Inc.      Quote Total: \$ 150,000.00
Summary:	Vendor is able to provide HVAC filter replacements throughout the year. Added services include the inspection of HVAC equipment for possible preventive
Vendor Name:	Lange Mechanical      Quote Total: \$ 276,483.92
Summary:	Vendor's quote is higher and does not include the same value added services as Commercial filtration. Quarterly install at 4 X \$69,120.98 = \$276, 483.92 yearly
Vendor Name:	Camfil      Quote Total: \$ 245,528.76
Summary:	Vendor's quote is higher and does not include the same value added services as Commercial filtration.

Vendor Selected: CFMI Inc.

Selection Justification: The vendor is able to provide requested services for the year as well as provide additional preventative maintenance services that include equipment inspection for loose belts, freezing units, pan leaks, etc. The vendor is a local company that has a great working relationship with the District.

Name of Person Completing this Form: Tony Aguilar, Jr

Signature: 

**NOTE: THE COMPLETED & SIGNED TABULATION FORM AND COPIES OF ALL QUOTES MUST BE ATTACHED TO THE REQUISITION.**

**CFMI Inc.**  
**COMMERCIAL FILTRATION MEDIAS, INC.**  
**P.O. BOX 2974 BEAUMONT, TEXAS 77704**  
**PHONE 409-658-8043.FAX 409-227-0778**  
Email: [cfmi@gt.rr.com](mailto:cfmi@gt.rr.com)

July 28,2020

Beaumont Independent School District  
3395 Harrison  
Beaumont, Texas 77706

**Attn:** Mr. Mark McCelland

Dear Mr. McCellan

**Commercial Filtration Media Corporation Inc. (CFMI)** is pleased to quote a comprehensive HVAC air filter maintenance program for the entire BISD District in Beaumont for a not to exceed price of \$150,000.00 from July 1, 2020 to June 31, 2021. **CFMI** is a Region Five Memeber “**HVAC Capitol Equipment, Supplies and/or Services #20200504.**”

After 15 years of Air Filter Mainternance service for **BISD**, **CFMI** has customized a program “**Monitor Inspect and Service**” (**MIS**) that is designed to improve indoor air quality, control air filter maintenance cost, and maintains equipment efficiency.

The **MIS** program changes filter on as needed basis for every filter serviced. **MIS** services the more heavy traffic areas in the district more frequently. Example:Fresh air units, gyms, kitchen/Cafeterias, large volume air handlers (AHU) -Odom,Vincent, Westbrook Fletcher MLK. And service the less active areas example: Libraries, Auditoriums, Administration areas less frequently. The newer facilities in the district require fewer changes because they are more efficient and up to date mechanically. Example: Caldwood, Fehl/Price, Jones Clark, Martin Elementary etc.

The goal of **MIS** is to give the district best value for your Air Filter Maintenance. Instead of changing the filters whether they need them or not, which is a wasteful and counter productive practice.

**CFMI** will also do a visual inspection of equipment with every filter serviced and inform customer of problems that the units might have. Examples would be freezing units, loose belts, pan leaks, etc.

Sincerely Yours,

Jeffery Bourque  
President  
Commercial Filtration Medias, Inc.

# QUOTE CONFIRMATION



DEAR TONI MCPHERSON,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
LNPW549	7/29/2020	LIGHTSPEED- FULL RENEWAL	0792983	\$160,500.00

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
<a href="#">Lightspeed Relay for All Operating Systems - subscription license (1 year)</a> Mfg. Part#: RLY-1 UNSPSC: 43233205 Electronic distribution - NO MEDIA Contract: TIPS Software Agreement (180503)	23000	4778393	\$4.20	\$96,600.00
<a href="#">Lightspeed Systems Classroom - subscription license (1 year) - 1 student</a> Mfg. Part#: CR-1 UNSPSC: 43232505 Electronic distribution - NO MEDIA Contract: TIPS Software Agreement (180503)	15000	5041380	\$2.34	\$35,100.00
<a href="#">Mobile Manager - subscription license (1 year) - 1 student</a> Mfg. Part#: MDM-1 UNSPSC: 43232505 Electronic distribution - NO MEDIA Contract: TIPS Software Agreement (180503)	8000	3631494	\$3.60	\$28,800.00

PURCHASER BILLING INFO		SUBTOTAL	\$160,500.00
<b>Billing Address:</b> BEAUMONT INDEPENDENT SCHOOL DIST ACCOUNT PAYABLE PO BOX 672 BEAUMONT, TX 77704-0672 <b>Phone:</b> (409) 617-5072 <b>Payment Terms:</b> NET 30 Days-Govt/Ed		SHIPPING	\$0.00
		SALES TAX	\$0.00
		GRAND TOTAL	\$160,500.00
	<b>DELIVER TO</b> <b>Shipping Address:</b> BEAUMONT ISD 3395 HARRISON AVE ADMIN BUILDING BEAUMONT, TX 77706-5009 <b>Shipping Method:</b> ELECTRONIC DISTRIBUTION	<b>Please remit payments to:</b> CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515	

Need Assistance? CDW•G SALES CONTACT INFORMATION



Mike LaRocco

(866) 229-6142

miclaro@cdwg.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at

# QUOTE ANALYSIS FORM

Form version 7.23.2019



## INSTRUCTIONS FOR COMPLETION:

- 1) Vendor quotes must be in writing (i.e. Vendor Quotation form; Vendor email; Internet Quote, etc.).
- 2) All awards should be made to the vendor whose proposal offers the "best value" to Beaumont ISD.
- 3) Awards based on "best value" may consider various factors, including but not limited to:
  - (a) Price / Total Cost of Ownership, (b) Quality, (c) Availability, (d) Vendor/Product Reputation, (e) Vendor's Ability to Meet District Needs, (f) Client References, (g) Past Experience with Beaumont ISD, and/or (h) any other relevant factor that ensures best value to the District.
- 4) Upon consideration of all factors, if all quotes meet District needs, the award should be made to the lowest bidder.

### Quote Analysis Summary

All awards should be made based on "Best Value" to the District. Please write a short summary below of each the vendor was chosen or denied.

Vendor Name:	Marsh Waterproofing, Inc	Quote Total:	\$62,300.00
Summary:	100 x 100 Playground Concrete Slab		
Vendor Name:	SpawGlass	Quote Total:	\$61,008.98
Summary:	100 x 100 Concrete Slab		
Vendor Name:	Carter & Co	Quote Total:	\$79,500 Bid, too high
Summary:	100 x 100		

Vendor Selected: Marsh Waterproofing

Selection Justification: Bid 1 and 2 were extremely close; Marsh Waterproofing offers the best quality for the job requested.

Name of Person Completing this Form: Carolyn Little

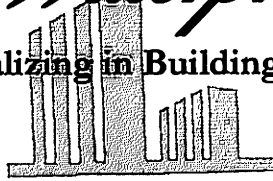
Signature: \_\_\_\_\_

**NOTE: THE COMPLETED & SIGNED TABULATION FORM AND COPIES OF ALL QUOTES MUST BE ATTACHED TO THE REQUISITION.**

# *Marsh Waterproofing, Inc.*

**Specializing in Building Restoration**

Physical Address:  
240 South Main St. Suite #2  
Vidor, TX 77662



Mailing Address:  
P.O. Drawer 968  
Vidor, TX 77670-0968

Ph# 409-769-0459  
Toll free: 1-866-251-0234  
Fax# 409-769-1682

Email: [mwaterproofing@aol.com](mailto:mwaterproofing@aol.com)

**August 6, 2020**

**Attn: Bryan and Tim**

**RE: Bingham Elementary**

Our recommendations and specifications are based on the information received from your engineer or representative. We will furnish at the above building, all labor, materials, tools, equipment, supervision, Workmen's Compensation, Public Liability and Property Damage Insurance necessary to complete in a thoroughly workmanlike manner all the work described below:

**Scope of Work: Playground Concrete Slab – 100\*100**

- 1. Clean off existing asphalt.**
- 2. Form up around perimeter of playground with 2\*6 form boards.**
- 3. Install one layer of sand over existing asphalt to create a movement barrier.**
- 4. Install wire mesh and rebar as needed.**
- 5. Pour 3000 PSI concrete approx. four inches thick.**
- 6. Remove boards and clean up all debris.**

**Price: \$62,300.00**

Respectfully Submitted,  
*Tim Marsh*  
President  
Marsh Waterproofing, Inc.

Acceptance Signature & Date: \_\_\_\_\_

**NOTES – THIS PROPOSAL IS ONLY VALID FOR 90 DAYS**

- If needed, Owner to furnish two (2) 110-volt amp outlets and one (1) 220 volt 50-amp single phase outlet and connect contractors power cord as supplied by contractor.
- If needed, Owner to furnish cold water at spigot in work area.
- If needed, Owner will cooperate with contractor in moving cars, etc. to minimize the risk of overspray.
- This proposal does not include any asbestos removal, encapsulation, or disposal of the same.
- We are not responsible for the relocation or covering of any product or production areas that could get damaged by dust, dirt, falling deck or water during the project.
- If needed, Owner will furnish interior and exterior storage area, parking space for trucks and storage trailers.
- If needed, Owner to move all non-permanently mounted items away from surfaces to be treated.
- If needed, Owner to cut back any existing landscaping a minimum of two feet away from the building prior to work commencing if needed.
- The scope of work under this contract expressly does NOT include investigation, detection, abatement, replacement, removal or detoxification of and Hazardous Environmental Condition.
- “Hazardous Environmental Condition” means any type or form of asbestos, lead or fungus, including mildew, mold, rot, rust, mycotoxins, spores, scents or byproducts produced or released by fungi.
- Our quote is based on the fact that this specification meets your insurance company approval and local code approval.



Region 4 ESC  
 7145 West Tidwell  
 Houston, Texas 77092  
 713-462-7708

Invoice: CV190320  
 Date: 08/06/2020  
 Service: RLOC-CV19  
 Customer PO: 0  
 Customer Phone: (409) 617-5023  
 Terms: N30  
 Due Date: 08/11/2020

Cust No: 123910  
 BEAUMONT ISD  
 ATTN: ACCOUNTS PAYABLE  
 PO BOX 672  
 BEAUMONT TX, 77704

Service Address:  
 BEAUMONT ISD  
 ATTN: ACCOUNTS PAYABLE  
 PO BOX 672  
 BEAUMONT TX, 77704

Item Description	Quantity	Unit Price	Total Price	Tax Amount
CHROMEBOOK DELL 3100	8000	\$114.00	\$912,000.00	\$0.00
HS LAPTOP DELL 3410	1700	\$161.50	\$274,550.00	\$0.00

**Total Charges:** \$1,186,550.00  
**Total Tax:** \$0.00  
**Total Invoice:** \$1,186,550.00  
**Payments:** \$0.00  
**Adjustments:** \$0.00  
**Total Due:** \$1,186,550.00

# QUOTE ANALYSIS FORM

Form version 7.23.2019



**INSTRUCTIONS FOR COMPLETION:**

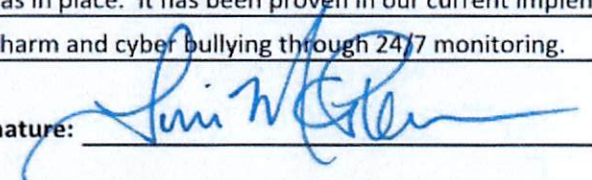
- 1) Vendor quotes must be in writing (i.e. Vendor Quotation form; Vendor email; Internet Quote, etc.).
- 2) All awards should be made to the vendor whose proposal offers the "best value" to Beaumont ISD.
- 3) Awards based on "best value" may consider various factors, including but not limited to:
  - (a) Price / Total Cost of Ownership, (b) Quality, (c) Availability, (d) Vendor/Product Reputation, (e) Vendor's Ability to Meet District Needs, (f) Client References, (g) Past Experience with Beaumont ISD, and/or (h) any other relevant factor that ensures best value to the District.
- 4) Upon consideration of all factors, if all quotes meet District needs, the award should be made to the lowest bidder.

Quote Analysis Summary			
All awards should be made based on "Best Value" to the District. Please write a short summary below of each the vendor was chosen or denied.			
Vendor Name:	Gaggle	Quote Total:	\$ 94,500.00
Summary:	Gaggle was chosen based on its ability to best fulfill the district's needs for a campus safety platform as we work to expand our 1:1 initiative to protect our student's gmail and google drive from self-harm and cyber bullying.		
Vendor Name:	Managed Methods	Quote Total:	\$~76,000 \$16/staff, \$2/student
Summary:	Managed Methods focuses on cloud security. It is oriented around threat protection, data loss prevention, and user account governance.		
Vendor Name:	Cisco Cloudlock	Quote Total:	\$ ~300,000
Summary:	Cisco Cloudlock was demoed in our environment during a trial within the district with some other products. To get the product to work effectively, several pieces has to be purchased and upgraded. Therefore, it was cost prohibitive to BISD.		

Vendor Selected: Gaggle

Selection Justification: In an effort to continue our focus on behavioral risks and cyber bullying, we believe Gaggle is the best tool to work in tandem with systems the district already has in place. It has been proven in our current implementation that Gaggle has curbed student behaviors like self-harm and cyber bullying through 24/7 monitoring.

Name of Person Completing this Form: Toni McPherson

Signature: 

**NOTE: THE COMPLETED & SIGNED TABULATION FORM AND COPIES OF ALL QUOTES MUST BE ATTACHED TO THE REQUISITION.**



Gaggle.Net, Inc.  
 P.O. Box 1352, Bloomington, IL 61702-1352  
 800-288-7750 Fax: 309-665-0171  
 FEIN: 04-3602422

## Non-Binding Letter of Intent

Beaumont Independent School District - Beaumont TX intends to implement and use the Gaggle services as outlined below:

### Service Details

Service Description	Quantity	Unit Price	Line Item Total:
<a href="#">Gaggle Safety Management for Google - Student</a>	18,000.00	\$5.25	\$94,500.00
		Total*	\$94,500.00

**PRICING TERM:** 12 Month Annual

**SERVICE TERM:** 2020-10-01 - 2021-09-30

**VALID THROUGH:** 01/01/2021

**ADDITIONAL INFO:**

\*Does not include any applicable sales tax.

While this letter shall not constitute a legal binding license, it is an expression of the intent of both parties to work towards formalizing a legally binding agreement.

Upon the commencement of service; Gaggle's applicable Quote, Invoice, [Terms of Service](#), [Service Level Agreement](#), [Privacy Policy](#), [Student Data Privacy Notice](#), along with future engagements and renewals of service; are hereby acknowledged and incorporated by reference.

IN WITNESS WHEREOF, by their signature below, the parties agree in principle with this letter of intent.

\_\_\_\_\_  
 Authorized Representative  
 of Gaggle

Date

\_\_\_\_\_  
 Authorized Representative for

Beaumont Independent School District - Beaumont TX

Date

Quote Number: 51238

# HUGHES Technology, LLC

developers of Smart Data Dashboard

P.O. Box 389  
Mountain Home, AR 72654  
Phone: 844.437.6123  
FEIN #47-4971585

## Renewal Invoice

Date:	July 1, 2020
Invoice #:	INV-200701 - 115
Customer ID:	BISD
Purchase Order #	2020-2021 SY
Payment Due by:	Budget Period

### Bill To:

Accounts Payable  
Beaumont ISD  
4315 Concord  
Beaumont, TX 77703  
409.617.5117

### Ship To (If Different):

Dr. Kimberly Gonzales  
Beaumont ISD  
4315 Concord  
Beaumont, TX 77703  
409.617.5117

Salesperson	Shipping Method	Payment Terms	Due Date	Purchase Order #
HH	Software As A Service	Due Upon Receipt	7/1/2020	2020-2021 Budget

Item #	Description	Qty	Unit Price	Line Total
SDS	Smart Data Dashboard			-
1000	Universal Academic and Discipline Dashboard	1	\$184,700	\$184,700.00
2000	Professional Development / In-Service		Included	-
				-
				-
				-

### Special Notes and Instructions

Through this invoice current License and Data Sharing Agreement (DSA) will extend until June 30, 2021. Please sign and date below:

Subtotal \$184,700.00

Payments/Credits

**Total \$184,700.00**

Thank you for your business!

Please return this slip along with your payment

# HUGHES Technology, LLC

developers of Smart Data Dashboard

**Please Remit Payment to:**  
**HUGHES Technology, LLC**

P.O. Box 389  
Mountain Home, AR 72654

## Remittance Slip

Check No.

Date

Customer ID: BISD

**Amount Enclosed: \$184,700.00**

Invoice #: INV-200701 - 115



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.F.4.**

**Agenda Item Title:** Approve Delegation of Contractual Authority to the Superintendent for Agreement to Purchase Attendance Credits from TEA

**Cabinet Level Presenter(s):** Cheryl Hernandez

**Additional Presenter(s):**

**Executive Summary** Board action is required to 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. This includes approval of the *Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding)*.

**Recommendation:** Approve Delegation of Contractual Authority to the Superintendent for Agreement to Purchase Attendance Credits from TEA

**Budget Impact\* (if applicable):**

**Funding Source (if applicable):**

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):**

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

  
\_\_\_\_\_  
Cabinet Level Presenter's Signature

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.F.5.**

**Agenda Item Title:** Discuss and if appropriate take action to approve an order authorizing the defeasance and optional redemption of certain outstanding maturities of the District's outstanding unlimited tax school building bonds, Series 2011 and containing other matters related thereto

**Cabinet Level Presenter(s):** Cheryl Hernandez

**Additional Presenter(s):**

**Executive Summary:** The district plans to take action on the defeasance and optional redemption of certain maturities of the District's outstanding unlimited tax school building bonds, Series 2011 in February 2020.

**Recommendation:** Approve the order authorizing the defeasance and optional redemption of certain outstanding maturities of the District's outstanding unlimited tax school building bonds, Series 2011

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):**

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):**

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

  
\_\_\_\_\_  
Cabinet Level Presenter's Signature

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact) Date

\_\_\_\_\_  
General Counsel's Signature Date

**ORDER AUTHORIZING THE DEFEASANCE AND OPTIONAL REDMPTION OF  
CERTAIN OUTSTANDING BONDS AND CONTAINING OTHER MATTERS RELATED  
THERETO**

THE STATE OF TEXAS §  
COUNTY OF JEFFERSON §  
BEAUMONT INDEPENDENT SCHOOL DISTRICT: §

WHEREAS, the Beaumont Independent School District (the "Issuer" or the "District") has heretofore issued certain outstanding bonds that are described in **Exhibit "A"** attached hereto (hereinafter referred to as the "Outstanding Bonds"); and

WHEREAS, The Bank of New York Mellon Trust Company, N.A. (herein referred to as the "Paying Agent") serves as Paying Agent for the Outstanding Bonds; and

WHEREAS, the Board of Trustees (the "Board") desires to authorize and approve the defeasance plan herein described to authorize the defeasance and optional redemption of certain series and maturities of the District's Outstanding Bonds to provide a savings in interests costs to the District and to help the District maintain a stable tax rate (the "Defeasance Plan"), and in connection therewith to further authorize the execution of an escrow agreement and the purchase of certain escrowed securities as part of the Defeasance Plan, all as hereinafter set forth; and

WHEREAS, in accordance with the terms of the order or orders authorizing the issuance of the Outstanding Bonds, and pursuant to applicable provisions of Texas law, including but not limited to, Sections 1207.033, 1207.061 and 1207.062 of the Texas Government Code, the District desires to call for redemption and defease certain maturities or portions thereof of the Outstanding Bonds by depositing directly with the Paying Agent for the Outstanding Bonds to be defeased an amount of money sufficient to provide for the payment thereof; and

WHEREAS, the District has or will have funds available on hand in its Debt Service Fund to make the deposit referenced above to fully discharge and defease the Outstanding Bonds herein ordered to be defeased; and

WHEREAS, the District also desires to authorize the execution of an escrow agreement or similar agreement in order to provide for the deposit referenced above to pay and redeem the Defeased Bonds (as herein defined); and

WHEREAS, upon making the deposit with the Paying Agent to pay the Outstanding Bonds hereafter ordered to be defeased in full, those Outstanding Bonds shall no longer be regarded as being outstanding, except for the purpose of being paid pursuant to such due provisions made for the payment thereof, and the pledges, liens, trusts and all other covenants, provisions, terms and

conditions of the Order authorizing the issuance of those Outstanding Bonds herein ordered to be defeased shall be discharged, terminated and defeased; and

WHEREAS, the District desires to designate each of the Superintendent and Chief Financial Officer of the District as Authorized Officers of the District to carry out the defeasance of the Outstanding Bonds as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BEAUMONT INDEPENDENT SCHOOL DISTRICT:

1. CONSIDERATION AND EFFECT OF PREAMBLE. The matters and facts contained in the preamble to this Order are hereby found to be true and correct, and it is hereby found and determined that defeasance of the Outstanding Bonds to be defeased in the manner described herein will benefit the District.

2. Defeasance of the Bonds. The District hereby irrevocably authorizes and orders that the following Outstanding Bonds be redeemed and defeased in accordance with the following procedures and plan (herein the "Defeasance Plan"):

- (1) The Board of Trustees hereby approves and orders that an aggregate principal amount of up to **\$11,500,000** in Outstanding Bonds shall be defeased (the "Defeased Bonds"), with the final aggregate amount and particularly maturities and amounts of the Defeased Bonds to be finally determined, specified, approved and designated by the District's Superintendent or Chief Financial Officer of the District or the President of the Board (the "Authorized Officers"), and each of such Authorized Officers shall be and hereby is authorized to make the final determination of which of the Outstanding Bonds and the maturities and portions thereof shall be defeased, each of whom is hereby authorized to make such determination on behalf of the District, provided that the aggregate amount of Outstanding Bonds to be defeased shall not exceed **\$11,500,000** unless further approved and authorized by the Board.
- (2) The Defeased Bonds shall be called for redemption on the date or dates specified and determined by any of the Authorized Officers (the "Redemption Date") pursuant to a written notice of redemption in such form as approved by any Authorized Officer.
- (3) The cash sum equal to an amount necessary to pay the principal amount of the Defeased Bonds, plus all accrued interest due and payable on the Defeased Bonds through the Redemption Date, shall be transferred out of the District's Bond Interest and Sinking Fund and deposited with the Paying Agent pursuant to Section 1207.061 of the Texas Government Code, and

further, in connection therewith, pursuant to the terms and provisions of Section 1207.072 of the Texas Government Code, the District shall enter into one or more Escrow Agreements with the Paying Agent substantially in the form attached hereto as **Exhibit "B"**, the terms and provisions of which Escrow Agreement are hereby authorized and approved, subject to such insertions, additions and modifications approved by any Authorized Officer and as shall be necessary (a) to carry out the Defeasance Plan designed for the District by the District's Financial Advisor, **USCA Municipal Advisors LLC** and which shall be certified as to mathematical accuracy by either the District's Financial Advisor or an independent accounting firm in a written verification report (the "Report"), as determined, approved and designated by any Authorized Officer (b) to maximize the District's present value savings and/or to minimize the District's costs of the defeasance, (c) to comply with all applicable laws and regulations relating to the defeasance of the Defeased Bonds and (d) to carry out the other intents and purposes of this Order, and the President, Superintendent, Chief Financial Officer or any other officer of the District is hereby authorized to execute and deliver such Escrow Agreement on behalf of the District in multiple counterparts and the Secretary is hereby authorized to attest thereto and affix the District's seal.

- (4) In accordance with the provisions of Section 1207.062 of the Texas Government Code, the deposit of the funds into escrow with the Paying Agent shall only be invested in the following: (1) direct noncallable obligations of the United States, including obligations that are unconditionally guaranteed by the United States, (2) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by an agency or instrumentality and that, on the date of this Order, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (3) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, as of the date of this Order, are rated as to investment quality by a nationally recognized investment rating agency firm not less than AAA or its equivalent (herein referred to as the "Escrowed Securities"). Furthermore, the deposit of the funds with the Paying Agent shall only be invested in Escrowed Securities that mature and bear interest payable at times and in amounts sufficient to provide for the scheduled payment of the Defeased Bonds. Any of the Authorized Officers are hereby authorized to approve and authorize the District to subscribe for, agree to purchase, and purchase the Escrowed Securities, in such amounts and maturities and bearing interest at such rates as may be provided for in the Report, and to

execute any and all subscriptions, purchase agreements, commitments, letters of authorization and other documents necessary to effectuate the foregoing, and any actions heretofore taken for such purpose are hereby ratified and approved.

- (5) The engagement of the District's Financial Advisor, USCA Municipal Advisors LLC, and of bond counsel, Creighton, Fox, Johnson & Mills, PLLC, and of the verification agent, and of the Escrow Agent, to assist and serve the District in carrying out the Defeasance Plan is hereby approved, ratified and authorized, and the payment of the reasonable fees and costs of such providers is hereby approved and authorized.

4. Paying Agent Instructions. To provide for the discharge and defeasance of the Defeased Bonds and all liens securing same, the Board hereby approves and authorizes any of the Authorized Officers to prepare and send written instructions to the Paying Agent (the "Paying Agent Instructions"), in such form and content as approved by any such Authorized Officer or any other officer or official representative of the District, as any of them may determine to be necessary or appropriate. Each Authorized Officer is authorized to work with the Paying Agent to determine and to prepare and approve the form of redemption notice to be published in connection with the redemption of the Defeased Bonds.

5. Further Action. Each of the Superintendent, the Chief Financial Officer, the President of the Board, or any other officer or official representative of the District, acting alone and without the necessity of the joinder of any other authorized District official, is hereby authorized and directed to take all action as may be necessary or appropriate to effectuate this Order and the defeasance of the Outstanding Bonds to be defeased pursuant to this Order, including but not limited to, designating and determining the principal amount of and maturities of Outstanding Bonds to be defeased, determining and setting the final Redemption Date, making all arrangements necessary or appropriate with each of the Paying Agent for the defeasance of the Defeased Bonds; making such deposits with the Paying Agent as may be necessary for the defeasance of the Defeased Bonds, approving the final terms of and execution of the Escrow Agreement, authorizing the investment of the funds held in the Escrow Agreement in accordance with the terms of this Order, approving and authorizing the payment of the costs incurred in connection with the defeasance of the Defeased Bonds, including the costs of the District's financial advisor, bond counsel, the verification agent, and the fees and expenses of the Paying Agent and the Escrow Agent and all related costs of issuance, and taking all other actions that are reasonably necessary or appropriate to provide for the defeasance and redemption of the Defeased Bonds. The engagement of

6. Open Meeting. It is hereby officially found and determined that the meeting at which this Order was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Texas Government Code Annotated, Vernon's 1994, as amended.

7. Severability. If any Section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

9. Repealer. All orders, resolutions, and ordinances, and parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency. Without limiting the generality of the foregoing, this order amends the Original Order and supersedes any conflicting provision contained in the Original Order.

*[Signature page follows this page.]*

PASSED AND APPROVED this \_\_\_\_\_ of August, 2020.

---

Board President  
Beaumont Independent School District

ATTEST:

---

Board Secretary  
Beaumont Independent School District

(SEAL)

Exhibit "A"            Outstanding Bonds

Exhibit "B"            Escrow Agreement

**EXHIBIT "A"**

**Schedule of Outstanding Bonds That May Be Defeased**

**Beaumont Independent School District Unlimited Tax School Building Bonds, Series 2011**

**EXHIBIT "B"**  
**Form of Escrow Agreement**

ESCROW AGREEMENT

THIS ESCROW AGREEMENT (the "Escrow Agreement") dated as of \_\_\_\_\_, 2020 (the "Escrow Funding Date"), is made and entered into by and between **BEAUMONT INDEPENDENT SCHOOL DISTRICT**, an independent school district organized and existing under the Constitution and laws of the State of Texas (the "District"), and **The Bank of New York Mellon Trust Company, N.A.**, a national banking association having a principal corporate trust office in Dallas, Texas, as escrow agent (together with any successor or assign in such capacity, the "Escrow Agent").

WHEREAS, the District has heretofore issued and there remains outstanding the District's Unlimited Tax School Building Bonds, Series 2011 (collectively the "Outstanding Obligations"), and the District desires to provide for the defeasance prior to maturity of all or a portion of certain maturities of the Outstanding Obligations in the aggregate principal amount of \$ \_\_\_\_\_, as more particularly described in the Schedule of Defeased Bonds attached hereto as **Exhibit "A"** (the "Defeased Bonds"); and

WHEREAS, *Chapter 1207, Texas Government Code, as amended*, authorizes and empowers the District to deposit funds with the Paying Agent for the Defeased Bonds an amount which is sufficient to provide for the payment or redemption of the principal of and interest on the Defeased Bonds; and

WHEREAS, the Board of Trustees of the District has adopted an order authorizing the defeasance of the Defeased Bonds and authorizing, among other things, of providing the funds necessary to pay and defease the Defeased Bonds, thereby providing a net present value savings in debt service; and

WHEREAS, the District has provided pursuant to this Escrow Agreement for the application of funds of the District to provide for the payment of the Defeased Bonds; and

WHEREAS, the Board of Trustees of the District has further determined to effectuate the defeasance of the Defeased Bonds pursuant to this Escrow Agreement, under which provision is made for the safekeeping, investment, reinvestment, administration and disposition of the funds deposited hereunder with the Escrow Agent, so as to provide firm banking and financial arrangements for the discharge and final payment or redemption of the Defeased Bonds;

NOW, THEREFORE, in consideration of the mutual undertakings, promises and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in order to secure the full and timely payment of the principal of and the interest on the Defeased Bonds, the District and the Escrow Agent contract and

agree as follows:

## ARTICLE I

### DEFINITIONS AND INTERPRETATIONS

1.01 Definitions. Unless otherwise expressly provided or unless the context clearly requires otherwise, the following terms shall have the respective meanings specified below for all purposes of this Escrow Agreement:

"District" shall mean the **BEAUMONT INDEPENDENT SCHOOL DISTRICT**, and any successor to its duties and functions.

"Escrow Agent" shall mean **The Bank of New York Mellon Trust Company, N.A.**, in its capacity as escrow agent hereunder, and any successor or assign in such capacity.

"Escrow Agreement" shall mean this escrow agreement by and between the District and the Escrow Agent, as it may be amended or supplemented from time to time.

"Escrow Fund" shall mean the fund created in Section 3.01 of this Escrow Agreement to be administered by the Escrow Agent pursuant to the provisions of this Escrow Agreement.

"Escrow Funding Date" shall mean the date on which the District deposits with the Escrow Agent the cash and Escrowed Securities described in Section 2.01.

"Escrowed Securities" shall mean the Restricted Acquired Obligations or other eligible securities purchased with the funds deposited into the Escrow Fund, all as more fully described in the Report.

"Paying Agent for the Defeased Bonds" shall mean **The Bank of New York Mellon Trust Company, N.A.**, and any successors thereto.

"Defeased Bond Order" shall mean the District's order authorizing the issuance, sale and delivery of the Defeased Bonds.

"Defeased Bonds" shall mean certain maturities of the Outstanding Obligations, in the aggregate principal amount of \$ \_\_\_\_\_, as more particularly identified and described in **Exhibit "A"** attached hereto and incorporated herein by reference.

"Defeasance Order" shall mean the District's Order adopted August \_\_\_\_, 2020 authorizing the defeasance of the Defeased Bonds.

"Report" shall mean the verification report prepared by \_\_\_\_\_, relating to the defeasance of the Defeased Bonds, a copy of which is attached hereto as **Exhibit "B"**.

"Restricted Acquired Obligations" shall mean the United States Treasury Securities - State and Local Government Series at 0% Interest Rate ("SLGS"), all as more fully described in the Report.

1.02 Interpretations. The titles and headings of the articles and sections of this Escrow Agreement have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict the terms hereof. This Escrow Agreement and all of the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to achieve the intended purpose of providing for the refunding of the Defeased Bonds in accordance with applicable law.

## ARTICLE II

### DEPOSIT OF FUNDS AND ESCROWED SECURITIES

2.01 Deposits with Escrow Agent; Acquisition of Escrowed Securities. On or before the date of delivery of the Refunding Bonds, the District will deposit, or cause to be deposited, with the Escrow Agent the following:

(a) Escrowed Securities described in the Report in the principal amount of \$ \_\_\_\_\_ purchased at a purchase price of \$ \_\_\_\_\_, with a portion of the proceeds of the funds deposited with the Escrow Agent; and

(b) A beginning cash balance of \$ \_\_\_\_\_.

## ARTICLE III

### CREATION AND OPERATION OF ESCROW FUND

3.01 Escrow Fund. On the Escrow Funding Date, the Escrow Agent will create on its books a special fund and irrevocable escrow to be known as "**Beaumont Independent School District \_\_\_\_\_ Series 2020 Escrow Fund**", into which will be deposited the cash and Escrowed Securities described in Section 2.01. The Escrowed Securities, all proceeds therefrom and all cash balances from time to time on deposit in the Escrow Fund shall be the property of the Escrow Fund, and shall be applied only in strict conformity with the terms and conditions hereof. The Escrowed Securities, all proceeds therefrom and all cash balances from time to time on deposit in the Escrow Fund are hereby irrevocably pledged to the payment of the principal of and interest on the Defeased Bonds, which payment shall be made by timely transfers to the Paying Agent for the Defeased Bonds of such amounts at such times as are provided in Section 3.02 hereof. When the final transfers have been made to the Paying Agent for the Defeased Bonds

for the payment of such principal of and interest on the Defeased Bonds, any balance then remaining in the Escrow Fund shall be transferred to the District, and the Escrow Agent shall thereupon be discharged from any further duties hereunder.

3.02 Payment of Principal of and Interest on Defeased Bonds.

(a) The Escrow Agent is hereby irrevocably instructed to transfer to the Paying Agent for the Defeased Bonds from the cash balance from time to time on deposit in the Escrow Fund the amounts required to pay the principal of and interest on the Defeased Bonds as the same become due and payable, all as provided in the Report.

(b) Money transferred to and held by the Paying Agent for the Defeased Bonds in accordance with the provisions hereof shall be held by the Paying Agent for the Defeased Bonds as a segregated account for the respective holders of the Defeased Bonds in connection with which such money is held; provided, however, subject to the provisions of Title 6 of the Texas Property Code regarding Unclaimed Property, that money so held remaining unclaimed by the owners of such Defeased Bonds for three (3) years after the dates on which payment thereon was due, payable and available for payment shall be paid to the District to be used for any lawful purpose. Thereafter, neither the District, the Escrow Agent, the Paying Agent for the Defeased Bonds nor any other person shall be liable or responsible to any holders of such Defeased Bonds for any further payment of such unclaimed money or on account of any such Defeased Bonds.

(c) Except as provided in Article IV hereof, the District hereby covenants and agrees that it will not exercise any right that it may have to redeem any of the Defeased Bonds prior to their scheduled maturities.

3.03 Sufficiency of Escrow Fund. The District represents (based solely upon the Report) that the successive receipts of the principal of and interest on the Escrowed Securities will assure that the cash balance on deposit from time to time in the Escrow Fund will be at all times sufficient to provide money for transfer to the Paying Agent for the Defeased Bonds at the times and in the amounts required to pay the interest on the Defeased Bonds as such interest comes due and to pay the principal of the Defeased Bonds as the Defeased Bonds mature or are redeemed. If any deficiency results from any error in the calculation of the report, the District shall transfer to the Escrow Agent for deposit to the Escrow Fund to be held pursuant to this Escrow Agreement an additional amount of cash or securities sufficient to provide for such deficiency which transfer shall be made from lawfully available funds.

3.04 Escrow Fund. The Escrow Agent at all times shall hold the Escrow Fund, the Escrowed Securities and all other assets of the Escrow Fund wholly segregated from all other funds and securities on deposit with the Escrow Agent; it shall never allow the Escrowed Securities or any other assets of the Escrow Fund to be commingled with any other funds or securities of the Escrow Agent; and it shall hold and dispose of the assets of the Escrow Fund only as set forth herein. The Escrow Agent agrees that any uninvested funds in the Escrow Fund shall be secured by collateral to

the extent they are not insured by the FDIC. The Escrowed Securities and other assets of the Escrow Fund always shall be maintained by the Escrow Agent for the benefit of the holders of the Defeased Bonds; and a special account therefor evidencing such fact shall be maintained at all times on the books of the Escrow Agent. The holders of the Defeased Bonds shall be entitled to the same preferred claim and first lien upon the Escrowed Securities, the proceeds thereof and all other assets of the Escrow Fund as are enjoyed by other beneficiaries of similar accounts. The amounts received by the Escrow Agent under this Escrow Agreement shall not be considered as a banking deposit by the District, and the Escrow Agent shall have no right or title with respect thereto except as escrow agent under the terms hereof. The amounts received by the Escrow Agent hereunder shall not be subject to warrants, drafts or checks drawn by the District.

#### ARTICLE IV

##### REDEMPTION OF CERTAIN DEFEASED BONDS PRIOR TO MATURITY

4.01 Optional Redemption of Certain Defeased Bonds. The District has irrevocably exercised its option to call for redemption prior to maturity the Defeased Bonds as set forth below. Such optional redemption shall be carried out in accordance with the Defeased Bonds Order. The Escrow Agent is hereby authorized to provide funds therefor as set forth in Section 3.02(a) hereof.

Bonds To Be Redeemed

Redemption Dates

See **Exhibit "A"** attached hereto

\_\_\_\_\_

#### ARTICLE V

##### LIMITATION ON INVESTMENTS

5.01 General. Except as herein otherwise expressly provided, the Escrow Agent shall not have any power or duty to invest any money held hereunder; or to make substitutions of the Escrowed Securities; or to sell, transfer or otherwise dispose of the Escrowed Securities, except for the purchase of the Escrowed Securities as described in the Report.

5.02 Substitution of Securities. At the written request of the District, and upon compliance with the conditions hereinafter stated, the Escrow Agent shall sell, transfer, otherwise dispose of or request the redemption of all or any portion of the Escrowed Securities and apply the proceeds therefrom to purchase Defeased Bonds or direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America and which do not permit the redemption thereof at the option of the obligor. Any such transaction may be effected by the Escrow Agent only if (1) the Escrow Agent shall have received a new verification

report together with a written opinion from a nationally recognized firm of certified public accountants acceptable to the District and the Escrow Agent that such transaction will not cause the amount of money and securities in the Escrow Fund to be reduced below an amount which will be sufficient, when added to the interest to accrue thereon, to provide for the payment of principal and interest on the remaining Defeased Bonds as they become due, and (2) the Escrow Agent shall have received the unqualified written legal opinion of nationally recognized bond counsel or tax counsel acceptable to the District and the Escrow Agent to the effect that such transaction will not cause any of the Refunding Bonds to be an "arbitrage bond" within the meaning of the Code, and that such transaction will not result in a violation of the laws of the State of Texas.

## ARTICLE VI

### RECORDS AND REPORTS

6.01 Records. The Escrow Agent shall keep books of record and account in which complete and correct entries shall be made of all transactions relating to the receipts, disbursements, allocations and application of the money and Escrowed Securities deposited to the Escrow Fund and all proceeds thereof, and such books shall be available for inspection at reasonable hours and under reasonable conditions by the District and the holders of the Defeased Bonds.

6.02 Reports. For the period beginning on the Escrow Funding Date and ending on **December 31, 2021**, and for each twelve (12) month period thereafter while this Agreement remains in effect, the Escrow Agent shall prepare and send to the District, at the District's request, within thirty (30) days following the end of such period a written report summarizing all transactions relating to the Escrow Fund during such period, including, without limitation, credits to the Escrow Fund as a result of interest payments on or maturities of the Escrowed Securities and transfers from the Escrow Fund to the Paying Agent for the Defeased Bonds or otherwise, together with a detailed statement of all Escrowed Securities and the cash balance on deposit in the Escrow Fund as of the end of such period.

6.03 Notification. The Escrow Agent shall notify the District immediately if at any time during the term of this Escrow Agreement it determines that there is insufficient cash and Escrowed Securities in the Escrow Fund to provide for the transfer to the Paying Agent for the Defeased Bonds for timely payment of all interest on and principal of the Defeased Bonds.

## ARTICLE VII

### CONCERNING THE ESCROW AGENT

7.01 Representations. The Escrow Agent hereby represents that it has all necessary

power and authority to enter into this Escrow Agreement and undertake the obligations and responsibilities imposed upon it herein, and that it will carry out all of its obligations hereunder.

7.02 Limitation on Liability. The Escrow Agent shall not be liable for the performance of any duties, except such duties as are specifically set forth in this Escrow Agreement, and no implied covenants or obligations shall be read into this Escrow Agreement. Nothing herein contained shall relieve the Escrow Agent from liability for its own negligent action, negligent failure to act or willful misconduct, except that this sentence shall not be construed to limit the effect of the immediately preceding sentence. The Escrow Agent shall not incur any liability for any error of judgment made in good faith by a responsible officer thereof, unless it shall be proved that it was negligent in ascertaining the pertinent facts. The Escrow Agent shall be protected in acting upon any notice, resolution, request, consent, order, certificate, report, opinion, bond or other paper or document believed by it to be genuine, and to have been signed or presented by the proper party or parties. The Escrow Agent may consult with counsel, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it in good faith and in accordance therewith.

The Escrow Agent is not a principal, participant or beneficiary of the underlying transaction to which this Escrow Agreement relates.

The liability of the Escrow Agent to transfer funds to the Paying Agent for the Defeased Bonds for the payments of the principal of and interest on the Defeased Bonds shall be limited to the proceeds of the Escrowed Securities and the cash balances from time to time on deposit in the Escrow Fund. Notwithstanding any provision contained herein to the contrary, the Escrow Agent shall have no liability whatsoever for the insufficiency of funds from time to time in the Escrow Fund or any failure of the obligor of the Escrowed Securities to make timely payment thereon, except for the obligation to notify the District promptly of any such occurrence.

The recitals herein and in the proceedings authorizing the Refunding Bonds shall be taken as the statements of the District and shall not be considered as made by, or imposing any obligation or liability upon, the Escrow Agent. In its capacity as Escrow Agent, it is agreed that the Escrow Agent need look only to the terms and provisions of this Escrow Agreement.

The Escrow Agent makes no representation as to the value, condition or sufficiency of the Escrow Fund, or any part thereof, or as to the title of the District thereto, or as to the security afforded thereby or hereby, and the Escrow Agent shall incur no liability or responsibility with respect to any of such matters.

It is the intention of the District and the Escrow Agent that the Escrow Agent shall never be required to use or advance its own funds or otherwise incur personal financial liability in the performance of any of its duties or the exercise of any of its rights and powers hereunder.

Unless it is specifically provided otherwise herein, the Escrow Agent has no duty to

determine or inquire into the happening or occurrence of any event or contingency or the performance or failure of performance of the District with respect to arrangements or contracts with others, with the Escrow Agent's sole duty hereunder being to safeguard the Escrow Fund and to dispose of and deliver the same in accordance with this Escrow Agreement. In determining the occurrence of any such event or contingency the Escrow Agent may request from the District or any other person such reasonable additional evidence as the Escrow Agent in its discretion may deem necessary to determine any fact relating to the occurrence of such event or contingency, and in this connection may make inquiries of, and consult with the District, among others, at any time.

In the absence of bad faith, the Escrow Agent may rely conclusively upon the truth, completeness and accuracy of the statements, certificates, opinions, resolutions and other documents conforming to the requirements of this Escrow Agreement, and shall not be obligated to make any independent investigation with respect thereto.

To the full extent permitted by law, the District agrees to indemnify, defend and hold the Escrow Agent harmless from and against any and all loss, damage, tax, liability and expense that may be incurred by the Escrow Agent arising out of or in connection with its acceptance or appointment as Escrow Agent hereunder, including attorneys' fees and expenses of defending itself against any claim or liability in connection with its performance hereunder except that the Escrow Agent shall not be indemnified for any loss, damage, tax, liability or expense resulting from its own negligence or willful misconduct. The Escrow Agent's right to indemnification shall survive its resignation or removal and the termination of this Agreement.

The Escrow Agent shall have only those duties as are specifically provided herein, which shall be deemed purely ministerial in nature, and shall under no circumstance be deemed a fiduciary for any of the parties to this Agreement. The Escrow Agent shall neither be responsible for, nor chargeable with, knowledge of the terms and conditions of any other agreement, instrument or document between the other parties hereto, in connection herewith. This Escrow Agreement sets forth all matters pertinent to the escrow contemplated hereunder, and no additional obligations of the Escrow Agent shall be inferred from the terms of this Escrow Agreement or any other agreement. **IN NO EVENT SHALL THE ESCROW AGENT BE LIABLE, DIRECTLY OR INDIRECTLY, FOR ANY (i) DAMAGES OR EXPENSES ARISING OUT OF THE SERVICES PROVIDED HEREUNDER, OTHER THAN DAMAGES WHICH RESULT FROM THE ESCROW AGENT'S FAILURE TO ACT IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THIS ESCROW AGREEMENT, OR (ii) SPECIAL OR CONSEQUENTIAL DAMAGES, EVEN IF THE ESCROW AGENT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.**

In the event that any escrow property shall be attached, garnished or levied upon by any court order, or the delivery thereof shall be stayed or enjoined by an order of a court, or any order, judgment or decree shall be made or entered by any court order affecting the property deposited under this Agreement, the Escrow Agent is hereby expressly authorized, in its sole discretion, to obey and comply with all writs, orders or decrees so entered or issued, which it is

advised by legal counsel of its own choosing is binding upon it, whether with or without jurisdiction, and in the event that the Escrow Agent obeys or complies with any such writ, order or decree it shall not be liable to any of the parties hereto or to any other person, firm or corporation, by reason of such compliance notwithstanding such writ, order or decree be subsequently reversed, modified, annulled, set aside or vacated.

Any banking association or corporation into which the Escrow Agent may be merged, converted or with which the Escrow Agent may be consolidated, or any corporation resulting from any merger, conversion or consolidation to which the Escrow Agent shall be a party, or any banking association or corporation to which all or substantially all of the corporate trust business of the Escrow Agent shall be transferred, shall succeed to all the Escrow Agent's rights, obligations and immunities hereunder without the execution or filing of any paper or any further act on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

The Escrow Agent shall have the right, but not the obligation, to consult with counsel of choice and shall not be liable for action taken or omitted to be taken by Escrow Agent either in accordance with the advice of such counsel or in accordance with any opinion of counsel to the Issuer addressed and delivered to the Escrow Agent.

The Escrow Agent have the right to perform any of its duties hereunder through agents, attorneys, custodians or nominees.

### 7.03 Compensation.

(a) On the Escrow Funding Date, the District will pay the Escrow Agent, as a fee for performing the services hereunder and for all expenses incurred or to be incurred by the Escrow Agent in the administration of this Escrow Agreement, the sum of \$ \_\_\_\_\_, in cash. This sum does not include the cost of publication, printing costs or reasonable out-of-pocket expenses of the Escrow Agent. If the Escrow Agent incurs any out-of-pocket expenses or is requested to perform any extraordinary services hereunder, the District hereby agrees to reimburse the Escrow Agent for such out-of-pocket expenses and to pay reasonable fees to the Escrow Agent for such extraordinary services and to reimburse the Escrow Agent for all expenses incurred by the Escrow Agent in performing such extraordinary services. It is expressly provided that the Escrow Agent shall look only to the District for the reimbursement of such out-of-pocket expenses and for the payment of such additional fees and reimbursement of such additional expenses. The Escrow Agent hereby agrees that in no event shall it ever assert any claim or lien against the Escrow Fund for any fees for its services, whether regular, additional or extraordinary, as Escrow Agent, or in any other capacity, or for reimbursement for any of its expenses.

(b) **The Bank of New York Mellon Trust Company, N.A.**, serves as Paying Agent for the Defeased Bonds. By execution of the Consent to Escrow Agreement attached hereto, **The Bank of New York Mellon Trust Company, N.A.** agrees to continue to serve as Paying Agent for the life of the Defeased Bonds, and it will serve as Paying Agent for the Defeased Bonds for the

compensation provided under the fee schedule currently in effect and it will look to the District directly for payment of its fees; and, in the event of nonpayment of such fees, the sole remedy of the Paying Agent shall be an action against the District for recovery of the fees owing under the paying agency agreement for which it serves.

7.04 Successor Escrow Agents. If at any time the Escrow Agent or its legal successor or successors should cease to be the Escrow Agent hereunder, a vacancy shall forthwith exist hereunder in the office of the Escrow Agent. Any successor Escrow Agent appointed by the District shall succeed, without further act, to all the rights, immunities, powers and trusts of the predecessor Escrow Agent hereunder. Any successor Escrow Agent must be qualified under the laws of the State of Texas to serve as an escrow agent and must be authorized to exercise corporate trust powers. No resignation or removal of the Escrow Agent and no early termination of this Agreement shall occur until a successor Escrow Agent has been appointed who is qualified to serve as Escrow Agent hereunder and who has accepted such appointment. Upon the request of any such successor Escrow Agent, the District shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor Escrow Agent all such immunities, rights, powers and duties. The Escrow Agent shall pay over to its successor Escrow Agent a proportional part of the Escrow Agent's fee hereunder equal to the portion of such fee attributable to duties to be performed after the date of succession.

The Escrow Agent may resign at any time by giving written notice thereof to the District. If an instrument of acceptance by a successor Escrow Agent shall not have been delivered to the Escrow Agent within 60 days after the giving of such notice of resignation, the resigning Escrow Agent may petition any court of competent jurisdiction for the appointment of a successor Escrow Agent.

## ARTICLE VIII

### MISCELLANEOUS

8.01 Notices. Any notice, authorization, request, or demand required or permitted to be given hereunder shall be in writing and shall be deemed to have been duly given when mailed by registered or certified mail, postage prepaid addressed as follows:

To the Escrow Agent:

The Bank of New York Mellon Trust Company, N.A.  
2001 Bryan Street, 11<sup>th</sup> Floor  
Dallas, TX 75201  
Attention: Issuer Administrative Services

To the District:

Beaumont Independent School District  
3395 Harrison Avenue  
Beaumont, TX 77706  
ATTENTION: Superintendent

The United States Post Office registered or certified mail receipt showing delivery of the aforesaid shall be conclusive evidence of the date and fact of delivery. Any party hereto may change the address to which notices are to be delivered by giving to the other parties not less than ten days prior notice thereof.

8.02 Termination of Escrow Agent's Obligations. Upon the taking by the Escrow Agent of all the actions as described herein, the Escrow Agent shall have no further obligations or responsibilities hereunder to the District, the holders of the Defeased Bonds or to any other person or persons in connection with this Escrow Agreement.

8.03 Binding Agreement. This Escrow Agreement shall be binding upon the District, and the Escrow Agent and their respective successors and legal representatives, and shall inure solely to the benefit of the holders of the Defeased Bonds, the District, the Escrow Agent and their respective successors and legal representatives. This Escrow Agreement may not be modified except with the prior consent of the holders of all of the Defeased Bonds.

8.04 Severability. In case any one or more of the provisions contained in this Escrow Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of this Escrow Agreement, but this Escrow Agreement shall be construed as if such invalid or illegal or unenforceable provision had never been contained herein.

8.05 Governing Law. This Escrow Agreement shall be governed exclusively by the provisions hereof and by the applicable laws of the State of Texas.

8.06 Time of Essence. Time shall be of the essence in the performance of obligations from time to time imposed upon the Escrow Agent by this Escrow Agreement.

8.07 Compliance With Texas Government Code.

(a) Anti-Boycott Verification. The Escrow Agent represents that, to the extent this Escrow Agreement constitutes a contract for goods or services within the meaning of Section 2270.002 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2270 of the Texas Government Code, and subject to applicable Federal law, neither the Escrow Agent nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the Escrow Agent (i) boycotts Israel or (ii) will boycott Israel through the term of this Agreement. The terms “boycotts Israel” and “boycott Israel” as used in this paragraph have the meanings assigned to the term “boycott Israel” in Section 808.001 of the Texas Government Code, as amended.

(b) Iran, Sudan and Foreign Terrorist Organizations. The Escrow Agent represents that, as of the date of this Escrow Agreement, to the extent this Escrow Agreement constitutes a governmental contract within the meaning of Section 2252.151 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2252 of the Texas Government Code, and except to the extent otherwise required by applicable federal law, neither the Escrow Agent nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the Escrow Agent is an entity listed by the Texas Comptroller of Public Accounts under Sections 2252.153 or 2270.0201 of the Texas Government Code.

EXECUTED effective as of the Escrow Funding Date as defined herein.

**The Bank of New York Mellon Trust Company, N.A.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Beaumont Independent School District**

By: \_\_\_\_\_

President, Board of Trustees

(SEAL)

By: \_\_\_\_\_

Secretary, Board of Trustees

**CONSENT TO ESCROW AGREEMENT**

Upon receipt of sufficient funds from the Escrow Agent, **The Bank of New York Mellon Trust Company, N.A.**, as Paying Agent for the Defeased Bonds (as defined in the foregoing Escrow Agreement), hereby acknowledges and consents to provide for the full and timely payment of the principal of and interest on such series of Defeased Bonds. **The Bank of New York Mellon Trust Company, N.A.** further consents to the management of the Escrow Fund by the Escrow Agent in accordance with the terms and conditions of the Escrow Agreement and agrees to be bound by the terms of the Escrow Agreement with respect to its obligations as a paying agent.

**The Bank of New York Mellon Trust Company, N.A.** agrees to continue to serve as Paying Agent for which it is now serving as Paying Agent, and it will serve as Paying Agent for each of the Series of the Defeased Bonds for the compensation provided under the fee schedule currently in effect and it will look to the District directly for payment of its fees; and, in the event of nonpayment of such fees, the sole remedy of the Paying Agent shall be an action against the District for recovery of the fees owing under the paying agency agreement for which it serves.

**The Bank of New York Mellon Trust Company, N.A.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

# EXHIBIT "A"

## Scheduled of Defeased Bonds

### SUMMARY OF BONDS REFUNDED

Beaumont ISD  
2019 Cash Defeasance

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
U/L Tax School Building Bonds, Series 2011 (Remaining After 2018 Defeasance), 2011 REM:					
BOND	02/15/2031	5.000%	1,135,000.00	02/15/2021	100.000
	02/15/2032	5.000%	1,540,000.00	02/15/2021	100.000
	02/15/2033	5.000%	1,620,000.00	02/15/2021	100.000
	02/15/2034	5.000%	1,705,000.00	02/15/2021	100.000
	02/15/2035	5.000%	1,790,000.00	02/15/2021	100.000
	02/15/2036	5.000%	630,000.00	02/15/2021	100.000
			8,420,000.00		



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.F.6.**

**Agenda Item Title:** Adopt the 2020-2021 Tax Levy Ordinance and Resolution, Including Adoption of the Tax Rate for 2020 Tax Year

**Cabinet Level Presenter(s):** Cheryl Hernandez

**Additional Presenter(s):**

**Executive Summary:** Section 26.05 of the Texas Property Tax Code states that a taxing unit may not impose property taxes in any year until the governing body has adopted a tax rate for that year, and the annual tax rate must be set by ordinance, resolution, or order, depending on the method prescribed by law for adoption of a law by the governing body. A unanimous vote must take place in order to adopt the tax rate as proposed because the tax rate includes the 5 pennies that the board can legally adopt without seeking a tax ratification election.

**Recommendation:** Adopt the 2020-2021 Tax Levy Ordinance and Resolution, Including Adoption of the Tax Rate for 2020 Tax Year

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):**

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):**

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

  
\_\_\_\_\_  
Cabinet Level Presenter's Signature

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

## **2020-2021 TAX LEVY ORDINANCE AND RESOLUTION**

**AN ORDINANCE AND RESOLUTION FIXING AND LEVYING SCHOOL DISTRICT AD VALOREM TAXES FOR THE BEAUMONT INDEPENDENT SCHOOL DISTRICT OF JEFFERSON COUNTY, TEXAS, FOR THE TAX YEAR 2020, AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF.**

Whereas, the Board of Trustees of the **BEAUMONT INDEPENDENT SCHOOL DISTRICT** finds that the tax for the tax year 2020 hereinafter levied for current expenses of the District and the general education of students within said District and for the improvement of the District and its property must be levied to provide the revenue requirements of the budget for the ensuring year; and

WHEREAS, the Board of Trustees of said District further finds that the taxes for the tax year 2020, hereinafter levied therefore, are necessary to pay interest and to provide the required sinking fund on outstanding bonds of the District issued for school purposes, and on bonds proposed to be issued for such purposes during the ensuring year.

**NOW, THEREFORE: BE IT ORDAINED AND RESOLVED** by the Board of Trustees of the **BEAUMONT INDEPENDENT SCHOOL DISTRICT OF JEFFERSON COUNTY, TEXAS**, that:

**SECTION 1.** For the current expense and maintenance of the **BEAUMONT INDEPENDENT SCHOOL DISTRICT** and for carrying out of its educational function and for the general improvement and maintenance of its property, there is hereby levied and ordered to be assessed and collected for the tax year 2020 on all property situated within the limits of the said **BEAUMONT INDEPENDENT SCHOOL DISTRICT OF JEFFERSON COUNTY, TEXAS**, on January 1, 2020, and not exempt from taxation by valorem laws, an ad valorem tax at the rate of \$0.9661 on the One Hundred (\$100.00) Dollars valuation of such property.

**Section 2.** For the purpose of paying interest and providing a sinking fund for the payment of each issue of bonds issued for various school purposes and described in the schedule set out in this Section, including the various installments of principal falling due during the ensuring year on serial bonds issued for such purposes, and for the purpose of paying interest and making provision for the sinking fund on such bonds as may be issued for various school purposes during the ensuring year, there is hereby levied and ordered to be assessed and collected for the tax year 2020 on all property situated within the limits of the **BEAUMONT INDEPENDENT SCHOOL DISTRICT OF JEFFERSON COUNTY, TEXAS**, on January 1, 2020, and not exempt from taxation by valid laws, an ad valorem tax for each of the issues of

bonds and capital expenditures described in such schedule at the respective rates shown in the right hand column of such schedule opposite the descriptions of such issues, such rates being expressed in amounts of the One Hundred (\$100.00) dollars valuation of such property, the sum of said respective levies being \$0.25405 Cents on the One Hundred (\$100.00) dollars valuation of such property, said bond issues, and the amounts of the levies being as follows:

<b>Issue</b>	<b>2020-2021</b>		
	<b>Principal</b>	<b>Interest</b>	<b>Total</b>
Unlimited Tax School Building Bonds, Taxable Series 2010B (Build America Bonds)	1,760,000	3,187,896	4,947,896
Unlimited Tax Qualified School Construction Bonds, Taxable Series 2010	965,000	-0-	965,000
Unlimited Tax School Building Bonds, Series 2011	11,730,000	337,400	12,067,400
Unlimited Tax Refunding Bonds, Series 2012	110,000	213,050	323,050
Unlimited Tax Refunding Bonds, Series 2016	4,660,000	4,188,450	8,848,450
Unlimited Tax Refunding Bonds, Series 2017	3,570,000	3,696,994	7,266,994

FOR ORDINANCE AND RESOLUTION

I hereby certify that the foregoing ordinance and resolution was presented to the Board of Trustees of the Beaumont Independent School District during a properly scheduled and posted public board meeting on August 20, 2020. Upon a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the ordinance and resolution was ADOPTED by the following record vote:

	Aye	Nay	Abstain	Not Present
Thomas Sigeo	_____	_____	_____	_____
Darrell Antwine, Sr.	_____	_____	_____	_____
Zenobia Bush	_____	_____	_____	_____
Robert C. Dunn	_____	_____	_____	_____
Kevin Reece	_____	_____	_____	_____
Denise Wallace-Spooner	_____	_____	_____	_____

TOTALS    Ayes: \_\_\_\_\_    Nays: \_\_\_\_\_    Abstain: \_\_\_\_\_    Not Present: \_\_\_\_\_

PASSED and APPROVED this the 20th day of August, 2020.

\_\_\_\_\_  
Thomas Sigeo, President

ATTEST:

\_\_\_\_\_  
Robert C. Dunn, Secretary



**Board Exhibit Cover Sheet**

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II F. 7**

**Agenda Item Title:** Consider approval to amend the district's 2020/2021 compensation plan extra duty stipend schedule to include positions within the Career and Technical Education Department

**Cabinet Level Presenter(s):** Derwin Samuels, Jr., Executive Director of Human Resources

**Additional Presenter(s):** Dr. Donna Prudhomme, Director of Career and Technical Education

**Executive Summary:** The Career and Technical Education Department has identified a need to compensate employees for duties performed outside of their normal duty schedule and are not related to their primary job.

**Recommendation:** Approve amending the 2020/2021 compensation plan extra duty stipend schedule to include positions identified within the Career and Technical Education Department. The additional stipends are highlighted on the attachment.

**Budget Impact\* (if applicable):**

**Funding Source (if applicable):** CTE Budget

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

Derwin Samuels, Jr.  
Cabinet Level Presenter's Signature

8/13/2020  
Date

Cheyenne Anderson  
\*CFO Signature (required if there is a budget impact)

8/13/2020  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

**2020-2021 Stipend Compensation**

Beaumont ISD

Category	Assignment	Level	Proposed Stipend
<b>Academic</b>			
	UIL Coordinator - HS	MS/HS	1,500
	UIL Coordinator - MS	MS/HS	800
	UIL Subject Coach	MS/HS	700
	Academic Decathlon	HS	2,000
	Mock Trial	HS	1,000
	Newspaper Sponsor	HS	1,400
	Speech Teacher	HS	1,700
	STEM	HS	5,000
	Student Council	HS	2,800
	Yearbook Sponsor	HS	1,500
<b>Athletic</b>			
	Academic Coordinator MS	MS	6,000
	Basketball - MS 7th	MS	2,500
	Basketball - MS Head Coach	MS	3,000
	Campus Head Coach MS	MS	2,000
	Football - MS 7th Assist	MS	3,000
	Football - MS 7th Head	MS	3,500
	Football - MS Assistant	MS	3,500
	Football - MS Head Coach	MS	4,300
	Soccer- MS Asst Coach	MS	2,650
	Soccer- MS Head Coach	MS	3,000
	Tennis - MS Coach	MS	2,650
	Track - MS Assistant	MS	2,650
	Track - MS Head Coach	MS	3,000
	Volleyball - MS 7th	MS	2,500
	Volleyball - MS Head Coach	MS	3,500
	Athletic Trainer	HS	10,000
	Baseball - Head Coach	HS	6,500
	Baseball - Jr Varsity Assist	HS	3,500
	Baseball - Sophomore Coach	HS	3,500
	Baseball - Varsity Assistant	HS	3,500
	Basketball - 9th Head Coach	HS	3,200
	Basketball - Freshman Assistant	HS	3,000
	Basketball - Head Coach	HS	6,500
	Basketball - Jr Varsity Assist	HS	3,100
	Basketball - Jr Varsity Coach	HS	3,100
	Basketball - Sophomore Coach	HS	3,100
	Basketball - Varsity Assistant	HS	3,500
	Cross Country - Head Coach	HS	4,500
	Football - Adm Varsity Assist	HS	7,500
	Football - Freshman Assistant	HS	4,500
	Football - Freshman Head Coach	HS	7,000
	Football - Sophomore Assistant	HS	5,500
	Football - Varsity Assistant	HS	7,500
	Golf - Head Coach	HS	5,000
	Gym Coordinator	HS	1,658
	Gymnastics	HS	6,000
	Off Season Program - Assistant	HS	3,300
	Off Season Program - Freshman	HS	3,100
	Off Season Program - Head Coach	HS	3,500
	Powerlifting - Head Coach	HS	3,500
	Soccer - 9th Grade Coach	HS	3,100
	Soccer - Head Coach	HS	5,000
	Soccer - Jr Varsity Coach	HS	3,300
	Soccer- Varsity Ast Head Coach	HS	3,300
	Softball - Jr Varsity Coach	HS	3,500
	Softball - Varsity Ast Head Coach	HS	3,500

Softball - Varsity Coach	HS	6,500
Swimming - Head Coach	HS	6,500
Team Tennis - Head Coach	HS	2,650
Tennis - Head Coach	HS	5,500
Track - Freshman Assist	HS	3,000
Track - Freshman Head Coach	HS	3,500
Track - Head Coach	HS	4,500
Track - Varsity Assistant	HS	3,000
Volleyball - Asst. Varsity	HS	5,000
Volleyball - Head Coach	HS	7,500
Volleyball - Head Coach 9th	HS	3,100
Volleyball - Jr Varsity Coach	HS	4,000
Wrestling - Head Coach	HS	5,500

#### CTE Sponsors

BPA- Bus Prof of America	HS	1,000
DECA - Distributive Education Clubs of America	HS	1,000
FBLA - Future Business Leaders of America	HS	1,000
FFA - Future Farmers of America	HS	1,000
FCCLA-Family,Career & Community Leaders of America	HS	1,000
HOSA-Health Occupations Students of America	HS	1,000
NTHS - National Technical Honor Society	HS	1,000
SkillsUSA	MS	500
TAFE-Texas Association of Future Educators	HS	1,000
TSA-Technology Student Association	HS	1,000

#### Leadership

Department Head MS	MS	1,000
Department Head HS	HS	1,500
Departmentne Head CTE	HS	1,000

#### License/Certification

Science Certification	ES	3,000
Math Certification	MS	3,000
Science Certification	MS	3,000
Math Certification	HS	3,000
Science Certification	HS	3,000

#### Other

BI/ESL Incentive	All	3,500
Film Coordinator	All	4,500
Health Science	All	10,000
Lead Counselor	All	3,000
Lead Nurse	All	5,508
Maritime	All	10,000
PAC Director	All	5,000
Video Broadcasting	All	5,000
Game Supervisor MS	MS	1,200
Game Supervisor HS	HS	6,000

#### Performing Arts

Assistant Band Dir MS	MS	5,500
Band Director MS	MS	7,000
Cheerleading MS	MS	1,500
Choir Director MS	MS	2,700
Orchestra MS	MS	4,500
Assistant Band Director	HS	8,000
Cheerleading Freshmen	HS	2,050
Cheerleading Junior Varsity	HS	2,600
Cheerleading Varsity	HS	4,000
Choir Director	HS	5,500
Drama Teacher	HS	550
Drill Team	HS	7,000
Drill Team - Asst	HS	4,000
Orchestra Director	HS	7,000
Pep Squad	HS	1,500

<b>Supplemental</b>
---------------------

AM Duty	All	350
Math Coach	All	1,500
Pathways	All	5,000
PM Duty	All	350
Reading Coach	All	1,500
After School Enrichment	ES	1,000
Bilingual	ES	3,500
Elementary DAEP	ES	775



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II F. 8**

**Agenda Item Title:** Teacher Hiring Incentives for Critical Shortage Subjects/Hard to Fill Campuses and a Retention Stipend for ML King Middle School.

**Cabinet Level Presenter(s):** Derwin Samuels, Jr., Executive Director of Human Resources

**Executive Summary:** The Board approved teacher hiring incentives and a retention stipend for high need campuses at the January 16, 2020 board meeting. The recommended list of retention and recruitment stipends is submitted in this agenda item.

**Recommendation:** Approve the recommended list of incentives and the stipend designated for ML King Middle School. The amounts are as follows:

- Positions that were preselected in February of 2020 by school administration will receive \$2500.00. The preselected list is attached.
- All professionals under Chapter 21 contracts at ML King will receive a total of \$3000.00
- All paraprofessionals at ML King will receive a total of \$1000.00

The incentives and stipends associated with the preselected list of positions will be disbursed as follows:

- 1<sup>st</sup> installment on September 25, 2020
- Final installment on May 25, 2021

The incentives and stipend associated with ML King will be disbursed as follows:

- 1<sup>st</sup> installment in September 2020
- 2<sup>nd</sup> installment in December 2020
- Final installment in June 2021

**Budget Impact\* (if applicable):**

**Funding Source (if applicable):** Title (Fund 211 and 255)

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):**

Derwin Samuels, Jr.  
Cabinet Level Presenter's Signature

8/13/2020  
Date

Cheryl Anderson  
\*CFO Signature (required if there is a budget impact)

8/13/2020  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

PCN	Position	Campus	Stipend
10422	Deaf Ed	SETX RSFD	Stipend
12587	Deaf Ed	SETX RSFD	Stipend
6387	1st Grade	Amelia	Stipend
6602	1st Grade	Amelia	Stipend
5354	2nd Grade	Amelia	Stipend
6488	3rd grade	Amelia	Stipend
2461	5th Grade	Amelia	Stipend
5949	Special Ed - AFL	Blanchette	Stipend
8627	1st-Bil	Caldwood	Stipend
12747	2nd - Bil	Caldwood	Stipend
4474	4th-Bil	Caldwood	Stipend
12661	Special Ed AFL	Caldwood	Stipend
1370	K-Bil	Fletcher	Stipend
7188	2nd Grade	Homer	Stipend
5221	3rd Grade	Homer	Stipend
12762	3rd Grade	Homer	Stipend
5349	4th Grade	Homer	Stipend
2318	Kindergarten	Homer	Stipend
6045	PreK	Homer	Stipend
12585	Special Ed PPCD	Homer	Stipend
6428	1st Grade	Martin	Stipend
6438	3rd Grade	Martin	Stipend
6404	4th Grade	Martin	Stipend
6482	4th Grade	Martin	Stipend
8566	5th Grade	Martin	Stipend
6444	5th Grade	Martin	Stipend
11405	3rd-Bil	Pietzsch	Stipend
11734	4th-Bil	Pietzsch	Stipend
12814	English	King	stipend
11708	Math	King	stipend
8028	Math	King	stipend
79	Math	King	stipend
12813	Reading	King	stipend
342	Science	King	stipend
12778	Science	King	Stipend
555	Industrial Tech	Smith	stipend
2800	Math	Smith	stipend
977	ELAR	Vincent	stipend
12809	English	Vincent	stipend
12805	English	Vincent	stipend
12759	Reading Coach	Vincent	stipend

PCN	Position	Campus	Stipend
12803	Science	Vincent	stipend
1480	SpEd Resource	Vincent	stipend
11736	Geometry	ECHS	stipend
9816	English	Pathways	Stipend
152	English	Paul Brown	Stipend
63	Math 8-12	Taylor CC	Stipend
11232	ELAR	United	stipend
11227	ELAR	United	stipend
11228	ELAR	United	stipend
11229	ELAR	United	stipend
12816	English	United	stipend
11273	Industrial Tech	United	stipend
11306	Lead Stem Teacher	United	stipend
11167	Math	United	stipend
11176	Math	United	stipend
11172	Math	United	stipend
11205	Science	United	stipend
2334	Math	West Brook	stipend
8663	Spanish	West Brook	stipend
12612	SpEd BTC Focus	West Brook	stipend

Total number of pre-selected positions identified by District Adminsitrators for a hiring incentive stipend.	61
--	----



**Board Exhibit Cover Sheet**

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.F.9.**

**Agenda Item Title:** 2020-2021 T-PESS Appraisal Calendar

**Cabinet Level Presenter(s):** Dr. Anita Frank

**Additional Presenter(s):** Randall Maxwell

**Executive Summary:** The Texas Principal Evaluation and Support System (T-PESS) is the instrument used to evaluate principals annually. T-PESS evaluates principals on the following standards: Instructional Leadership, Human Capital, Executive Leadership, School Culture, and Strategic Operations. Each year the District shall establish a calendar for the appraisal of principals and provide that calendar to principals prior to their pre-evaluation conference.

**Recommendation:** The Board approves the 2020-2021 T-PESS Appraisal Calendar

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):** N/A

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):** DNB Legal and Local

**Legal Review (if necessary, list attorney and firm):** N/A

*Anita Frank*

\_\_\_\_\_  
Cabinet Level Presenter's Signature

8/13/2020  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date



**BEAUMONT ISD**

**TEXAS PRINCIPAL EVALUATION AND SUPPORT SYSTEM  
T-PESS Appraisal Calendar**

<b>ACTIVITY</b>	<b>DATE</b>
<b>Self-Assessment and Professional Goal Setting Conference</b>	No later than September 30, 2020
<b>Mid-Year Progress Monitoring Conference</b>	January 19, 2021 - February 26, 2021
<b>Final Evaluation and Goal Setting Meeting</b>	June 1, 2021 - June 24, 2021



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.F.10.**

**Agenda Item Title:** 2020-2021 T-TESS Appraisal Calendar

**Cabinet Level Presenter(s):** Dr. Anita Frank

**Additional Presenter(s):** Randall Maxwell

**Executive Summary:** The Texas Teacher Evaluation and Support System (T-TESS) is the appraisal instrument used to evaluate teachers. Components of the appraisal system ensure that teachers receive appropriate guidance and feedback and may include, but are not limited to, a pre-conference, post-conference, goal setting, observations, walk-throughs, and an end-of-year conference. Each year the District shall establish an appraisal calendar and provide that calendar to teachers within three weeks from the first day of instruction.

**Recommendation:** The Board approves the 2020-2021 T-TESS Appraisal Calendar

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):** N/A

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):** DNB Legal and Local

**Legal Review (if necessary, list attorney and firm):** N/A

*Anita Frank*

\_\_\_\_\_  
Cabinet Level Presenter's Signature

8/13/2020

\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date



**Beaumont ISD**

Preparing Our Next Generation

**BEAUMONT INDEPENDENT SCHOOL DISTRICT**  
**Beaumont, Texas**

**Texas Teacher Evaluation and  
Support System**

**(T-TESS)**

**APPRAISAL CALENDAR**  
**2020-2021**

# Beaumont Independent School District

## 2020-2021 T-TESS Non-Appraisal Dates

**Appraisal Period:  
September 21, 2020 – May 3, 2021**

<b>August 5-6, 2020</b>	T-TESS Orientation for New Teachers
<b>August 13, 2020</b>	T-TESS Refresher for Continuing Staff
<b>September 14, 2020</b>	Deadline to conduct Goal Setting and Professional Development Conferences (GSPD)
<b>September 21, 2020</b>	<b>APPRAISAL PERIOD BEGINS</b>
<b>May 3, 2021</b>	<b>APPRAISAL PERIOD ENDS</b>
<b>May 19, 2021</b>	Last day to complete End-of-Year and Summative Conferences
<b>June 11, 2021</b>	Last day of classes

# BEAUMONT INDEPENDENT SCHOOL DISTRICT

## 2020-2021

### T-TESS NON-APPRAISAL DATES

- **NOTE: ONLY teachers involved in the testing process are exempt from appraisal observations during designated testing periods.**
- **Appraisal Observations shall not be conducted on the following dates:**

<b>2020-2021 NON-APPRAISAL DATES</b>	
August 17 – September 18, 2020	Appraisal observations shall <del>not</del> be conducted
<b>September 21, 2020</b>	<b>APPRAISAL PERIOD BEGINS</b>
October 14-16 & 26, 2020	Day Before/After Staff Development Student Holiday/Intercession Break
November 20 & November 30, 2020	Day Before/After Thanksgiving Holiday Break
December 8-December 18, 2020	Online STAAR EOC Algebra I, Biology, U.S. History
December 11, 2020	All make-up sessions for paper STAAR assessments scheduled to be administered December 8-11, 2020 Make-up session for online STAAR assessment with a writing component (English I and English II)
December 18, 2020	Make-up sessions for online STAAR assessments (without a writing component) schedule to be administered December 8-18, 2020
December 18, 2020	Day Before Mid-Winter Break
January 5, 2021	Day After Mid-Winter Break
January 15 & 19, 2021	Day Before/After Dr. MLK Holiday
February 9 -12 & 22, 2021	Day Before/After Staff Development Student Holiday/Intercession Break
Assessment Window February 22 – April 2, 2021	Grades K-12 TELPAS Listening, Speaking, Reading and Writing
March 12 & 22, 2021	Day Before/After Spring Break
Assessment Window March 29 – May 7, 2021	STAAR Alternate 2 Grades 3 – 8 and EOC

April 1 & April 5, 2021	Day Before/After Staff and Student Holiday
April 6 – May 6, 2021	STAAR Online Assessment Window
April 6, 13, 20, 27 & May 4, 2021	STAAR EOC English I, Grades 4 & 7 Writing
April 8, 15, 22, 29, May 6, 2021	STAAR EOC English II
May 7, 2021	Make-up sessions for all online STAAR assessments to be administered April 6 – May 6, 2021
May 4 – June 4, 2021	STAAR EOC Algebra I, Biology, U.S. History - Online
May 6 – June 11, 2021	Grade 8 Science - Online
May 11 – June 11, 2021	STAAR Grades 3-8 Math & Reading, STAAR Grade 5 Science, STAAR EOC Algebra II - Online
May 11, 2021	STAAR EOC English III - Online
June 4, 2021	All make-up session for online STAAR EOC assessments scheduled to be administered May 4 – June 4, 2021
June 11, 2021	Make-up sessions for online STAAR assessments scheduled to be administered May 6-June 11 (grade 8 Science and Social Studies) and May 11 – June 11, 2021, (other grades 3-8 and Algebra II)
<b>May 3, 2021</b>	<b>APPRAISAL PERIOD ENDS</b>
May 19, 2021	Last day for End of Year and Summative Annual Conferences



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.F.11.**

**Agenda Item Title:** 2020-2021 T-TESS Certified Appraisers

**Cabinet Level Presenter(s):** Dr. Anita Frank

**Additional Presenter(s):** Randall Maxwell

**Executive Summary:** The District shall appraise teachers annually using the Texas Teacher Evaluation and Support System (T-TESS) in accordance with law and administrative regulations. Each year the Board shall approve a list of certified appraisers who can appraise a teacher in place of the teacher's supervisor.

**Recommendation:** The Board approves the 2020-2021 T-TESS Certified Appraisers

**Budget Impact\* (if applicable):** N/A

**Funding Source (if applicable):** N/A

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):** DNB Legal and Local

**Legal Review (if necessary, list attorney and firm):** N/A

*Anita Frank*

\_\_\_\_\_  
Cabinet Level Presenter's Signature

8/13/2020

\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date



**BEAUMONT INDEPENDENT SCHOOL DISTRICT  
T-TESS CERTIFIED APPRAISERS  
2020-2021**

Last Name	First Name	Role	Certification Status	Certification Year
Adams	Karolarnica	Observer	Certified	2020-2021
Allen	Shannon	District Administrator	Certified	2020-2021
Angelo	Jenny	District Administrator	Certified	2020-2021
Barbay	D'Lana	Observer	Certified	2020-2021
Bennett	Dalana	Observer	Certified	2020-2021
Bennett	Vanessa	Observer	Certified	2020-2021
Bowser	Joseph	Assistant School Administrator	Certified	2020-2021
Bridges	Desmond	Assistant School Administrator	Certified	2020-2021
Campbell	Crystal	Observer	Certified	2020-2021
Carr	Shana	Observer	Certified	2020-2021
Chavis	Tara	Assistant School Administrator	Certified	2020-2021
Cisneros	Billie	Assistant School Administrator	Certified	2020-2021
Cobb	Lachandra	School Administrator	Certified	2020-2021
Collins	Audrey	School Administrator	Certified	2020-2021
Colvin	Charles	School Administrator	Certified	2020-2021
Corona	Julie	School Administrator	Certified	2020-2021
Courville	Kerri	Observer	Certified	2020-2021
De la Rosa	Desiree	Observer	Certified	2020-2021
Diggles	Sharri	Assistant School Administrator	Certified	2020-2021
Drake	Yvette	Assistant School Administrator	Certified	2020-2021
Dunbar	Lawrence	Assistant School Administrator	Certified	2020-2021
DuPont	Yvonne	School Administrator	Certified	2020-2021
Fontenot	Rolander	Assistant School Administrator	Certified	2020-2021
Fowler	Martha	Assistant School Administrator	Certified	2020-2021
Frank	Anita	District Administrator	Certified	2020-2021

<b>Fulton</b>	Linda	Observer	Certified	2020-2021
<b>Gatica</b>	Dolores	Observer	Certified	2020-2021
<b>George</b>	Belinda	School Administrator	Certified	2020-2021
<b>Gerard</b>	Stennie	Assistant School Administrator	Certified	2020-2021
<b>Goebel</b>	Paul	Assistant School Administrator	Certified	2020-2021
<b>Gomez</b>	Enemencio	School Administrator	Certified	2020-2021
<b>Grado</b>	Donna	Observer	Certified	2020-2021
<b>Green</b>	Reginald	Assistant School Administrator	Certified	2020-2021
<b>Greenwood</b>	Valencia	School Administrator	Certified	2020-2021
<b>Guillory</b>	Adrienne	Observer	Certified	2020-2021
<b>Guillory</b>	Gloria	School Administrator	Certified	2020-2021
<b>Hayes</b>	Stephanie	School Administrator	Certified	2020-2021
<b>Haynes</b>	Dimitrise	Assistant School Administrator	Certified	2020-2021
<b>Hayward</b>	Dawna	Assistant School Administrator	Certified	2020-2021
<b>Hendrix</b>	Sharon	Assistant School Administrator	Certified	2020-2021
<b>Jackson</b>	Shundria	Observer	Certified	2020-2021
<b>Jago</b>	Mary	Observer	Certified	2020-2021
<b>Jameson</b>	Frank	Observer	Certified	2020-2021
<b>Janeaux</b>	Kimberly	School Administrator	Certified	2020-2021
<b>Jenkins</b>	Sylvia	School Administrator	Certified	2020-2021
<b>Johnston</b>	April	School Administrator	Certified	2020-2021
<b>Jones</b>	Peyton	Assistant School Administrator	Certified	2020-2021
<b>Kenebrew</b>	Patricia	Assistant School Administrator	Certified	2020-2021
<b>Kinney</b>	David	Assistant School Administrator	Certified	2020-2021
<b>Knight</b>	Kimber	District Administrator	Certified	2020-2021
<b>Landry</b>	Victoria	Assistant School Administrator	Certified	2020-2021
<b>Langley</b>	Laigh	District Administrator	Certified	2020-2021
<b>Lavan</b>	Ray	District Administrator	Certified	2020-2021
<b>Lavergne</b>	Kourtney	Assistant School Administrator	Certified	2020-2021
<b>Levy</b>	Barbara	Assistant School Administrator	Certified	2020-2021

<b>Lewis</b>	Dana	Assistant School Administrator	Certified	2020-2021
<b>Ling</b>	Stephanie	Assistant School Administrator	Certified	2020-2021
<b>Little</b>	Carolyn	School Administrator	Certified	2020-2021
<b>Long</b>	Tamara	School Administrator	Certified	2020-2021
<b>Maclin</b>	Valerie	District Administrator	Certified	2020-2021
<b>Malbrough</b>	Velvet	Assistant School Administrator	Certified	2020-2021
<b>Marshall</b>	Cathy	Observer	Certified	2020-2021
<b>Maxwell</b>	Randall	District Administrator	Certified	2020-2021
<b>McLemore</b>	Brian	Assistant School Administrator	Certified	2020-2021
<b>Menendez</b>	Dannette	District Administrator	Certified	2020-2021
<b>Moore</b>	Ariane	Assistant School Administrator	Certified	2020-2021
<b>Nelson</b>	Kareem	School Administrator	Certified	2020-2021
<b>Pace-White</b>	Marilyn	Assistant School Administrator	Certified	2020-2021
<b>Pharis</b>	Melanie	School Administrator	Certified	2020-2021
<b>Phillips</b>	Brandi	Observer	Certified	2020-2021
<b>Phillips</b>	Nicholas	School Administrator	Certified	2020-2021
<b>Pickens</b>	Ronitha	Assistant School Administrator	Certified	2020-2021
<b>Polar</b>	Iris	Observer	Certified	2020-2021
<b>Popillion</b>	Charisma	School Administrator	Certified	2020-2021
<b>Prudhomme</b>	Donna	District Administrator	Certified	2020-2021
<b>Randle-Filer</b>	Shyulanda	Assistant School Administrator	Certified	2020-2021
<b>Reynolds</b>	Monica	District Administrator	Certified	2020-2021
<b>Rice</b>	Calvin	School Administrator	Certified	2020-2021
<b>Rigsby</b>	LaTonya	Observer	Certified	2020-2021
<b>Rochelle</b>	Lori	Assistant School Administrator	Certified	2020-2021
<b>Saveat</b>	Jada	Assistant School Administrator	Certified	2020-2021
<b>Saveat</b>	Rodney	Observer	Certified	2020-2021
<b>Segarst- Porter</b>	Shermadiea	Assistant School Administrator	Certified	2020-2021
<b>Shaffer</b>	Denise	District Administrator	Certified	2020-2021
<b>Shelton</b>	Michael	School Administrator	Certified	2020-2021

Smoak	Kathryn	Observer	Certified	2020-2021
Starks	Ferleshare	Observer	Certified	2020-2021
Strambler	Jacqueline	Assistant School Administrator	Certified	2020-2021
Tatmon	Mellow	School Administrator	Certified	2020-2021
Taylor	Belinda	Assistant School Administrator	Certified	2020-2021
Thomas	Misty	Observer	Certified	2020-2021
Valdez	Diana	District Administrator	Certified	2020-2021
Walker	Shawna	Assistant School Administrator	Certified	2020-2021
Walters	Chandra	Assistant School Administrator	Certified	2020-2021
Whitfield	Petula	Assistant School Administrator	Certified	2020-2021
Whitley	Elizabeth	District Administrator	Certified	2020-2021
Will	Sheree	District Administrator	Certified	2020-2021
Wood	James	Assistant School Administrator	Certified	2020-2021



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** **II.F.12.**

**Agenda Item Title:** Consider organizing board member advisory committees related to Audit and Facilities pursuant to board policy BDB (LEGAL) and (LOCAL)

**Cabinet Level Presenter(s):** Dr. Shannon Allen

**Additional Presenter(s):**

**Executive Summary:** Board Policy DBD (Local) provides, "The President shall appoint members to special committees created by the Board to fulfill specific assignments, unless otherwise provided by Board action. These committees may include District personnel and citizens. The function of committees shall be fact- finding, deliberative, and advisory, but not administrative. Special committees shall report their findings to the Board and shall be dissolved upon completion of the assigned task or vote of the Board. The President of the Board and the Superintendent shall be ex officio members of all Board committees, unless otherwise provided by Board action." The Board has requested to create both an Audit and Facilities committee. Upon a motion of the board to create the committees, the President will appoint the membership, to be less than a quorum of the board.

**Recommendation:** Take action to create board committees related to Audit and Facilities with appointment of membership to each committee by the Board President.

**Budget Impact\* (if applicable):**

**Funding Source (if applicable):**

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):** DBD (Legal) and (Local)

**Legal Review (if necessary, list attorney and firm):** N/A

\_\_\_\_\_  
Cabinet Level Presenter's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

*Sharon D. Fisher*

8/14/20

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

The Board may from time to time as it deems necessary create committees to facilitate the efficient operation of the Board.

A committee that includes one or more Board members and has supervision or control over public business or public policy is subject to the Open Meetings Act when it meets to discuss that public business or policy.

A committee that includes less than a quorum of Board members is not subject to the Open Meetings Act if it serves a purely advisory function, with no power to supervise or control public business. However, should the committee actually function as something more than a merely advisory body with the result that it in fact supervises or controls public business or policy, it must comply with the Open Meetings Act to avoid depriving the public of access to the Board's actual decision-making process.

*Education Code 11.061(c)(3); Atty. Gen. Op. Nos. DM-284 (1994), JM-1072 (1989), JM-331 (1985), H-3 (1973); see also Atty. Gen. Op. LO-97-058 (1997) [See BE(LEGAL)]*

**Special Committees**

The President shall appoint members to special committees created by the Board to fulfill specific assignments, unless otherwise provided by Board action. These committees may include District personnel and citizens. The function of committees shall be fact-finding, deliberative, and advisory, but not administrative. Special committees shall report their findings to the Board and shall be dissolved upon completion of the assigned task or vote of the Board.

The President of the Board and the Superintendent shall be ex officio members of all Board committees, unless otherwise provided by Board action.

**Transacting  
Business**

Committees may transact business only within the specific authority granted by the Board. To be binding, all such business must be reported to the Board at the next regular or special meeting for approval and entry into the minutes as a public record.



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** II.F.13.

**Agenda Item Title:** Designate a Delegate and Alternate to the Texas Association of School Board (TASB) 2020 Delegate Assembly to be held Virtually

**Cabinet Level Presenter(s):**

**Additional Presenter(s):**

**Executive Summary:**

**Recommendation:**

**Budget Impact\* (if applicable):**

**Funding Source (if applicable):**

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):** N/A

\_\_\_\_\_  
Cabinet Level Presenter's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

# Official Delegate Designation Form

**Please note:**

- Only board members of TASB Active Members (public school districts and ESCs) may serve as delegates or alternates.
- TASB Directors and the four Legislative Advisory Council (LAC) members serving on the TASB Legislative Committee are delegates by virtue of their positions. If one of your board members is also a TASB Director or one of the four LAC representatives, do not designate this member; he or she will already be participating as a voting delegate in the Assembly.
- If you are designating an individual newly elected to your board, please update your district's membership information in myTASB. The update form is available under the Member Profile link (<https://www.tasb.org/apps/memberprofile/index.aspx>). If you have any questions about updating your membership information, contact Michael Pennant (contact information located at bottom of page).
- You also may submit your designation online. The online form is available in myTASB under the Member Profile link (<https://www.tasb.org/apps/memberprofile/index.aspx>).
- The *Delegate Assembly Handbook* will be distributed electronically at least 20 days prior to Delegate Assembly. Hard copies of the *Handbook* will be mailed to delegates and alternates.

**Delegate:** \_\_\_\_\_

Board position: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mailing address (if NOT the district address) for Delegate Assembly materials:  
\_\_\_\_\_

**Alternate:** \_\_\_\_\_

Board position: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mailing address (if NOT the district address) for Delegate Assembly materials:  
\_\_\_\_\_

**Name of school district:** \_\_\_\_\_

**County-district number:** \_\_\_\_\_ **TASB (ESC) region number:** \_\_\_\_\_

I hereby certify that the above persons were chosen by our board as our official voting delegate and alternate to the 2020 TASB Delegate Assembly scheduled for October 3 (as provided by the TASB Bylaws).

Board president's signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Please return your board's designations online or to the address below by September 2, 2020, to ensure your delegate and alternate will receive the hard copy of the Handbook by mail. Registration will remain open until October 1 at 2 p.m.*

Texas Association of School Boards  
Attn: Michael Pennant  
Fax: 512.467.3554  
Email: michael.pennant@tasb.org

Questions? Contact Michael Pennant at 800.580.8272 or michael.pennant@tasb.org.





## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** II.F.14.

**Agenda Item Title:** 2020-2021 Student Code of Conduct

**Cabinet Level Presenter(s):** Dr. Anita Frank

**Additional Presenter(s):** Randall Maxwell

**Executive Summary:** Attached is the 2020-2021 Student Code of Conduct. Each year the board is required to adopt the Student Code of Conduct which governs the district's processes for handling student discipline.

**Recommendation:** The recommendation is that the board adopts the 2020-2021 Student Code of Conduct

**Budget Impact\* (if applicable):**

**Funding Source (if applicable):**

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):** N/A



\_\_\_\_\_  
Cabinet Level Presenter's Signature

**8/14/2020**

\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date



## Board Briefing

### 2020-2021 Code of Conduct

1. By law, the district is to adopt a Code of Conduct for each academic year.
2. Because this was a non-legislative year, there are no new laws to reflect in the 2020-2021 Code of Conduct. TASB did not produce a new model to assist with the revision of the Code of Conduct for this academic year. Thus the basic contours of last year's document remain intact, with only minor edits. Those edits involve some language to reflect discipline considerations regarding technology and remote/distance learning, as well as some editing of other language.
3. Those edits are:
  - a) P. 2 - We added language reinforcing/clarifying the school's jurisdiction over remote, distance, or virtual learning activities.
  - b) P. 5 - We included language clarifying that respect of district property includes respect for district-distributed technology devices.
  - c) P. 5 - Language inserted instructing that students must comply with mandated health and safety protocols and procedures.
  - d) P. 6 - Once again, language regarding jurisdiction over remote, distance, or virtual learning activities was added.
  - e) P. 6 - Instructions are provided regarding compliance with mandated health and safety protocols and procedures.
  - f) P. 7 - Students are reminded of their obligation under the Misuse of Technology and Internet policy, and the Acceptable Use agreement which they and their parents sign, to respect/protect district technology.
  - g) P. 8 - Strengthened language is added regarding the student use of a cell phone or other device in violation of district/campus policy.
  - h) P. 9 - Clarifies that students shall not promote or engage in acts of campus disruption.
  - i) Pp.11-12 - Added "Restorative Discipline" and "Educational Projects" to the list of possible disciplinary techniques.
  - j) P. 22 - To better apply Board Policy, Principals will write the actual DAEP order, instead of the Principal-In-Residence.
  - k) P. 33 - The appeal process for expulsion is clarified.
  - l) P. 35 - Added language regarding the participation of expelled seniors in graduation.
  - m) P. 40 - Glossary added definition of "insubordination"
  - n) Pp. 41-42 - Expanded and clarified definition of "Self-Defense"

# **Beaumont Independent School District**

## **Student Code of Conduct**

2020-2021 School Year

If you have difficulty accessing the information in this document because of disability, please contact the District's Coordinator of Special Populations at (409) 617-5203.

## TABLE OF CONTENTS

Beaumont Independent School District.....	i
Student Code of Conduct.....	i
Student Code of Conduct.....	1
Accessibility.....	1
Purpose .....	1
School District Authority and Jurisdiction.....	2
Campus Behavior Coordinator.....	2
Threat Assessment and Safe and Supportive School Team.....	2
Searches .....	2
Reporting Crimes .....	3
Security Personnel .....	3
“Parent” Defined.....	3
Participating in Graduation Activities .....	3
Unauthorized Persons.....	4
Standards for Student Conduct .....	5
General Conduct Violations .....	6
Disregard for Authority.....	6
Mistreatment of Others.....	6
Property Offenses .....	7
Possession of Prohibited Items.....	7
Possession of Telecommunications or Other Electronic Devices.....	8
Illegal, Prescription, and Over-the-Counter Drugs .....	8
Misuse of Technology Resources and the Internet .....	8
Safety Transgressions .....	9
Miscellaneous Offenses .....	9
Discipline Management Techniques.....	11
Students with Disabilities.....	11
Techniques .....	11
Prohibited Aversive Techniques .....	12
Notification .....	13

Appeals.....	13
Removal from the School Bus.....	14
Removal from the Regular Educational Setting.....	15
Routine Referral.....	15
Formal Removal.....	15
Returning a Student to the Classroom.....	15
Out-of-School Suspension.....	17
Misconduct.....	17
Process.....	17
Coursework During Suspension.....	18
Disciplinary Alternative Education Program (DAEP) Placement.....	19
Discretionary Placement: Misconduct That May Result in DAEP Placement.....	19
Mandatory Placement: Misconduct That Requires DAEP Placement.....	20
Sexual Assault and Campus Assignments.....	21
Process.....	21
Length of Placement.....	22
Appeals.....	23
Restrictions During Placement.....	23
Placement Review.....	24
Additional Misconduct.....	24
Notice of Criminal Proceedings.....	24
Withdrawal During Process.....	25
Newly Enrolled Students.....	25
Emergency Placement Procedure.....	25
Transition Services.....	25
Placement and/or Expulsion for Certain Offenses.....	26
Registered Sex Offenders.....	26
Certain Felonies.....	26
Expulsion.....	29
Discretionary Expulsion: Misconduct That May Result in Expulsion.....	29
Mandatory Expulsion: Misconduct That Requires Expulsion.....	31
Under Age Ten.....	32
Process.....	32

Length of Expulsion.....	34
Withdrawal During Process .....	34
Additional Misconduct.....	34
Restrictions During Expulsion .....	34
Newly Enrolled Students.....	35
Emergency Expulsion Procedures.....	35
DAEP Placement of Expelled Students .....	35
Transition Services .....	35
Glossary.....	36
Index.....	44

## **Student Code of Conduct**

### **Accessibility**

If you have difficulty accessing the information in this document because of disability, please contact the District's Coordinator of Special Programs at (409) 617-7103

### **Purpose**

The Student Code of Conduct ("Code") is the district's response to the requirements of Chapter 37 of the Texas Education Code.

The Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

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 Beaumont ISD Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside the school year until an updated version adopted by the board becomes effective 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 office of the campus principal. Additionally, the Code shall be available at the office of the campus behavior coordinator and posted on the district's website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Student Code of Conduct is adopted by the district's board of trustees, it has the force of policy; therefore, in case of conflict between the Code and the Student Handbook, the Code shall prevail.

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

## School District Authority and Jurisdiction

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

The district has disciplinary authority over a student:

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

## Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at the District's website at [www.bmtisd.com](http://www.bmtisd.com).

## Threat Assessment and Safe and Supportive School Team

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

## Searches

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

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

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

### **Reporting Crimes**

The Principal, Campus Behavior Coordinator, or other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

### **Security Personnel**

To ensure sufficient security and protection of students, staff, and property, the board employs Police officers and other security personnel. In accordance with law, the board has coordinated with Principals, the campus behavior coordinator, and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL). The law enforcement duties of district security personnel are to assist with ensuring the safety and security of students, staff, and the community, as well as the protection of District property through the proactive patrol of campuses and facilities.

### **“Parent” Defined**

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

### **Participating in Graduation Activities**

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

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

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to give the opening or closing remarks, a student shall not have engaged in any misconduct in violation of the district’s Code resulting in multiple out-of-school suspensions, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct in violation of the district’s Code resulting in multiple out-of-school suspensions, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

## **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 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 the person 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 days, unless the complaint is resolved before a board hearing.

See **DAEP—Restrictions During Placement** on page 23, 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, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take 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. **This includes any technology device assigned or distributed to the student.**
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Respect and comply with legally constituted authority.
- Adhere to the requirements of the Student Code of Conduct.
- **Comply with mandated health and safety protocols and guidance.**
- **For students in Grades 4-12, wear an acceptable facial mask or covering in the classroom at all times, until the present health crisis is mitigated.**

## 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, **including remote distance, remote, or virtual learning activities sponsored or directed by the district**, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page 17, **DAEP Placement** on page 19, **Placement and/or Expulsion for Certain Offenses** on page 26, and **Expulsion** on page 29, certain offenses that require or permit specific consequences are listed.

Any general Code of Conduct offense may be severe enough to result in **Removal from the Regular Educational Setting** and/or placed in a DAEP as detailed in the section starting on page 15.

### Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel (insubordination).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline management techniques assigned by a teacher or principal.

### Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 26.)
- 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, cyber-bullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- **Fail to comply with mandated health and safety protocols and guidance.**

- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

### Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 26.)
- Deface or damage school property—including textbooks, technology and electronic resources, lockers, furniture, and other equipment—with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 26.)
- **Students shall not mistreat, abuse, destroy or disable district provided technology devices, including such items as Chrome books, WiFi hotspots, and the like. This includes prohibitions on altering data or circumventing security measures, such as passwords. See the section **Misuse of Technology Resources and the Internet** on p. 8.**

### Possession of Prohibited Items

Students shall not possess or use:

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

- Tobacco products; cigarettes; e-cigarettes; and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer for other than an approved use; or...
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

\*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 26. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

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

Students shall not:

- Use a telecommunications device, including a cellular telephone, or other electronic device in violation of district and campus rules. **A student who uses the device in violation of district or campus rules and refuses to comply with corrective measures, such as surrendering the device, also commits the offense of insubordination.**

### **Illegal, Prescription, and Over-the-Counter Drugs**

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page 19 and **Expulsion** on page 29 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

### **Misuse of Technology Resources and the Internet**

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.

- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyber-bullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

### **Safety Transgressions**

Students shall not:

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

### **Miscellaneous Offenses**

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Cheat or copy the work of another.
- Gamble.

- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

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

## **Discipline Management Techniques**

Discipline shall be designed to improve conduct and 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 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. To the extent any conflict exists, 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, cyber-bullying, harassment, or making hit lists (see **glossary**) until an ARD committee meeting has been held to review the conduct.

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

### **Techniques**

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

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- **Restorative Discipline strategies**
- 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 or other assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- **Assignment of educational projects to teach about the wrongfulness and/or consequences of past or continued misconduct.**
- 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 individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 17.
- Placement in a DAEP, as specified in **DAEP** on page 19.
- Placement and/or expulsion in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 26.
- Expulsion, as specified in **Expulsion** on page 29.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

### **Prohibited Aversive Techniques**

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

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy.[See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.

- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of 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 or other administrator 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 or other campus administrator 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 on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

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

### **Appeals**

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

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance.

## **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 his /her designee, the Campus Behavior Coordinator, or a designated Transportation Department administrator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention 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 his/her designee, the campus behavior coordinator, or a designated Transportation Department administrator may restrict or revoke a student's transportation privileges, in accordance with law.

## **Removal from the Regular Educational Setting**

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

### **Routine Referral**

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

### **Formal Removal**

A teacher may also initiate a formal removal from class if:

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

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

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

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

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

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

### **Returning a Student to the Classroom**

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

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

## **Out-of-School Suspension**

### **Misconduct**

Students may be suspended for any behavior listed in the Code of Conduct as a general conduct violation, a DAEP offense, or an 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. The district shall not use out-of-school suspension for a student who is designated “homeless” unless the student 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 Section 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 advise the student of the alleged misconduct. The student shall have the opportunity to respond to the allegation before the administrator makes a decision.

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

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

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

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

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

### **Coursework During Suspension**

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

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

## **Disciplinary Alternative Education Program (DAEP) Placement**

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

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

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

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

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

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

### **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 one 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, 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**.)
- Criminal mischief, not punishable as 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 has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The campus behavior coordinator **may**, but is not required to, 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:

- Commits the following offenses on school property 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:
  - Engages in conduct punishable as a felony.
  - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).
  - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in **Expulsion** on page 29.) (See **glossary** for "under the influence.")
  - 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 29.)
  - Behaves in a manner that contains the elements of an offense relating to abuse of volatile chemicals.
  - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
  - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 29.)

- 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.

### **Sexual Assault and Campus Assignments**

If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if 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, the offending student shall be transferred to another campus in the district. 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, or other assigned administrator.

### **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 the teacher, in the case of a teacher removal.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

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

### **Consideration of Mitigating Factors**

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

- 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, or

- 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 **recommended to be placed** in the DAEP, the Principal or the campus behavior coordinator, or **designated administrator**, shall write the placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

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

If the student is placed in the 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 a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation, at no cost to the student. 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 commit offenses requiring placement in a DAEP 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 regarding disciplinary measures should be addressed to the campus administration.

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

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

### **Restrictions During Placement**

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities.

Clubs, teams, and other student organizations, may through their individual by-laws/constitution prohibit students placed to a DAEP from seeking or holding honorary positions and/or membership in school-sponsored clubs, teams, organizations.

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

The district shall provide transportation to students in a DAEP if they meet eligibility requirements.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student

shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

### **Placement Review**

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

### **Additional Misconduct**

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

### **Notice of Criminal Proceedings**

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

7. 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
8. 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**

A newly enrolled student with a DAEP placement from a district in another state shall be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, shall reduce the period of the placement 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 placement shall be in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be 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 Student**

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:

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

### ***Hearing and Required Findings***

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

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

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

### ***Length of Placement***

The student is subject to the placement until:

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

### ***Placement Review***

A student placed in a DAEP or JJAEP under these circumstances 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:

4. Self-defense (see **glossary**),
5. Intent or lack of intent at the time the student engaged in the conduct,
6. The student's disciplinary history,
7. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
8. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
9. 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 19)

#### **Any Location**

A student **may** be expelled for:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- 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**)

***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 to 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 Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

***Within 300 Feet of School***

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

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

***Property of Another District***

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

**While in DAEP**

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

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

**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 children.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

### **Under Age Ten**

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

### **Process**

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

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

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

### **Hearing**

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

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

- An opportunity to testify and to present evidence and witnesses in the student's defense, and
- An opportunity to question the witnesses called by the district at the hearing.

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

The due process expulsion hearing held at the campus shall be considered the LEVEL I hearing.

The board of trustees delegates to the Campus Principal the authority to conduct hearings and expel students.

### **Board Review of Expulsion**

*If the decision to expel has been made by the Board's designee, the decision may be appealed to the board (FOD) LEGAL.*

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

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

### **Expulsion Order**

Before ordering the expulsion, the board or **designee** shall take into consideration:

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

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

Not later than the second business day after the hearing, the Campus Principal or the Campus Discipline Coordinator shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

### **Length of Expulsion**

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

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

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

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

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

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

### **Withdrawal During Process**

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

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

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

### **Additional Misconduct**

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

### **Restrictions During Expulsion**

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

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

For expelled seniors who earned academic credit while enrolled in the JJAEP program or other district-approved program and are eligible to graduate, and participation in graduation ceremonies will determined by the Principal.

### **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.

## 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:

7. Causes serious bodily injury to another;
8. Uses or exhibits a deadly weapon; or
9. 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:
  - f) 65 years of age or older, or
  - g) 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:

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

**Assault** is defined in part by Penal Code §22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

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

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

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

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

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

5. 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;
6. 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
7. Cyber-bullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyber-bullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

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

**Club** is defined by Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

**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, 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.

**Cyber-bullying** is defined by Section 37.0832 of the Education Code as bullying that is done through the use of any electronic communication device, including through the use of a cellular

or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

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

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

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

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

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

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

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

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

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

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

8. Cause action by an official or volunteer agency organized to deal with emergencies;

9. Place a person in fear of imminent serious bodily injury; or
10. Prevent or interrupt the occupation of a building, room, or place of assembly.

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

11. 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;
12. The frame or receiver of any such weapon;
13. Any firearm muffler or firearm weapon; or
14. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.  
Such term does not include an antique firearm.

**Firearm silencer** is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.

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

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

**Harassment** includes:

15. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
16. 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 Section 37.001(b)(2) of the Education Code; or
17. 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:
  - l) Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
  - m) 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;
  - n) 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; and
  - o) Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

**Hazing** is defined by Section 37.151 of the Education Code 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:

18. Any type of physical brutality;
19. 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;
20. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
21. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

**Hit list** is defined in Section 37.001(b)(3) of the Education Code as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

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

**Insubordination** is defined as the willful failure to comply with a well –communicated directive from school personnel.

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

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

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

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

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

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

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

**Possession** means to have an item on one's person or in one's personal property, including, but not limited to, clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including, but not limited, to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or any school property used by the student, including, but not limited to, a locker or desk.

**Prohibited weapon** under Penal Code 46.05(a) means:

22. 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:
- p) An explosive weapon;
  - q) A machine gun;
  - r) A short-barrel firearm;
23. Armor-piercing ammunition;
24. A chemical dispensing device;
25. A zip gun;
26. A tire deflation device;
27. An improvised explosive device; or
28. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.

**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, 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 Section 37.121(d) of the Education Code 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 Article 15.27 of the Code of Criminal Procedure.

**Self-defense** is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself. **A response to provocation is not self-defense. An assertion of self-defense may fail if the claimant a) has any degree of**

responsibility for creating the conflict; and/or b) had an opportunity to find an alternate means of resolution, but chose violence.

**Serious misbehavior means:**

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

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

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

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

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

33. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
34. Place any person in fear of imminent serious bodily injury;
35. 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;
36. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
37. Place the public or a substantial group of the public in fear of serious bodily injury; or
38. 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 children 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.

[See FOC (EXHIBIT).]

**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 introducing into one's body, by any means, a prohibited substance.

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

## Index

- admission, review, and dismissal (ARD)
  - committee, 17, 42
- appeals process
  - board review of expulsion, 52
  - DAEP appeals, 37, 39
  - discipline management techniques, 21
  - sex offender registry, 43
- attendance, 8
- aversive techniques, 18, 20
- board of trustees, 1
- campus behavior coordinator, 3–5, 5
- campus rules, 8, 16
- cell phones. *See* electronic devices.
- cheating. *See* prohibited behavior.
- classroom rules, 8, 16
- computers, 14–15
  - breach of security, 15
  - hacking/cracking, 15
  - See also* technology resources.
- confiscation of student property
  - confiscation of property. *See* discipline management techniques.
- consideration of mitigating factors, 34
- corporal punishment. *See* discipline management techniques.
- counseling, 18
- courtesy, 8
- crimes
  - aggravated robbery, 10, 29, 33, 43, 46
  - breach of computer security, 46
  - breach of security, 15
  - criminal mischief, 3, 10, 28, 45
  - criminal proceedings and placement in DAEP, 39–40
  - felonies, 3, 10, 28–33, 43, 45–49, 50
  - reporting, 5
  - Title 5 offenses, 29, 33, 43, 63
    - expulsion and placement, 43
    - hearing and required findings, 44
    - length of placement, 44
    - newly enrolled students, 44
    - placement review, 44
- delinquent conduct, 33, 39, 43, 59
- demonstrations, 16
- detention. *See* discipline management techniques.
- disciplinary alternative education program (DAEP), 27–41, 42
  - additional misconduct, 39
  - appeals. *See* appeals process.
  - coursework notice, 35
  - discretionary placement, 28–29
  - elementary school students, 27
  - emergency placement, 41
  - extracurricular activities, 38
  - grade classification, 27
  - graduation, 38
  - length of placement, 35–36
  - mandatory placement, 30–33
    - 300 foot rule, 30–32
  - newly enrolled students, 40
  - notice of criminal proceedings, 39–40
  - placement review, 39
  - pre- and post-assessments, 36
  - process, 34–35
  - restrictions during placement, 38
  - summer programs, 27
  - transition services, 41
  - transportation, 38
  - under age six, 32
  - under age ten, 32
  - withdrawal during process, 40
- discipline management techniques, 17–21
  - alternative educational setting, 19
  - appeals. *See* appeals process.
  - behavioral contracts, 18
  - bus privileges, 19, 22
  - confiscation of property, 18

- corporal punishment, 19
- counseling, 18
- criminal prosecution, 19
- DAEP. See disciplinary alternative education program (DAEP).
- demerits, 18
- detention, 18
- expulsion. See expulsion.
- extracurricular organizations, 19
- grade reductions, 18
- in-school suspension, 18
- loss of privileges, 19
- notification, 21
- out-of-school suspension, 19
- probation, 19
- referral. See routine referral.
- refusal to accept, 9
- rewards, 18
- school duties, 19
- students with disabilities, 17
- time-out, 18
- dress code, 8, 16
- drugs, 13–14
  - marijuana, 13
  - over-the-counter, 14
  - paraphernalia, 13
  - prescription, 14
  - under the influence, 14
- electronic cigarette
  - definition, 59
  - See also prohibited items
    - e-cigarettes.
- electronic devices, 12
- expulsion, 45
  - 300 foot rule, 46–48
  - additional misconduct, 54
  - and DAEP placement, 55
  - discretionary, 45–48
  - emergency, 55
  - for serious misbehavior committed while in DAEP, 48
  - length, 53
  - mandatory, 49–50
  - newly enrolled students, 54–55
  - process, 51–52
  - restrictions, 54
  - under age six, 51
  - under age ten, 51
  - withdrawal during process, 53
- falsification of records, 16, 63
- firearms exception, 49
- formal removal from class, 23–24
  - returning student to the classroom, 24
- foster care, 26, 27, 34, 45, 52
- fraternity, 28, 63
- gangs, 28, 59, 63
- gender-based harassment, 10, See also prohibited behavior.
- graduation
  - participation, 6, 38
- Gun Free Schools Act**, 49
- homelessness, 17, 23, 25, 26, 27, 34, 45, 52
- improvised explosive device, 61, 63
- inspections. See searches
- jurisdiction of the district
  - 300 foot rule, 3
- juvenile justice alternative education program (JJAEP), 42, 43, 54
- laser pointers, 12
- location-restricted knife, 11, 48, 50, 61
- lunch period, 3
- parent, 6
- parent-teacher conferences, 18
- peace officer. See security personnel
- placement review committee, 24, 42
- plagiarism. See prohibited behavior: cheating.
- police officer. See security personnel
  - posting
    - of the Student Code of Conduct, 1
- preparation for class, 8
- progressive interventions, 18
- prohibited behavior, 9–16
  - 300 foot rule, 30–32, 46–48
  - aggravated sexual assault, 33

- alcohol, 32, 46
- assault, 9, 24, 30, 45, 47, 63
- at another district, 48
- blackmail, 10
- bullying, 9
- cheating, 16
- coercion, 10
- dating violence, 10
- deadly conduct, 47
- disclosure or promotion of intimate visual material, 63
- drugs, 30, 46
- false accusations, 15
- false alarm, 30, 46
- fighting, 9
- fire extinguishers discharged without cause, 15
- forgery. *See* falsification of records.
- gambling, 16
- gender-based harassment, 10
- graffiti, 10
- harassment, 9
- hazing, 10
- hit lists, 9
- hoaxes, 15
- inappropriate conduct, 10
- inciting violence, 15
- indecent exposure, 10, 32
- insubordination, 9
- invasive visual recording, 63
- leaving school grounds, 9
- misuse of technology resources, 14
- on school buses, 9
- recording without consent, 10
- repeated offenses, 16
- robbery, 10
- sexual abuse, 10
- sexual assault, 33, 36
- sexual coercion, 63
- sexual harassment, 10
- smuggling or continuous smuggling of persons, 63
- stealing, 10
- terroristic threat, 30, 46, 63
- theft, 10
- threats, 9, 15
- throwing objects, 15
- trafficking of persons, 63
- under the influence, 46
- vandalism, 10
- volatile chemicals, 32, 46
- voyeurism, 63
- prohibited items
  - air guns, 11
  - alcohol, 50
  - ammunition, 11
  - clubs, 48
  - drugs, 50
  - e-cigarettes, 12, 59
  - firearms, 32, 49
  - fireworks, 11
  - handgun, 49–50
  - knives, 48, 50
  - lighters, 12
  - mace, 12
  - matches, 12
  - other dangerous items, 11, 12, 48
  - other weapons, 50
  - pepper spray, 12
  - pornography, 12
  - stun guns, 11
  - tobacco, 12
- property, 8
- protests. *See* demonstrations.
- removal from the regular educational setting, 23–24
- respect, 8
- restorative discipline practices, 17
- retaliation, 3, 32, 45, 50
- routine referral, 23
- safety, 8, 15
- school resource officer (SRO). *See* security personnel
- searches, 5

- desks, 5
- lockers, 5
- vehicles, 5
- secret society, 28, 63
- security. *See* computers, *See* security personnel
- security personnel, 5, 7
- self-defense, 26, 27, 34, 45
- self-discipline, 8
- serious misbehavior, 48
- sex offender, 3, 42, 43
  - appeal of placement as a registered sex offender, 43
  - newly enrolled student, 43
- sexual abuse, 10, *See also* prohibited behavior.
- sexual assault
  - campus assignments, 33
  - See also* prohibited behavior.
- sexual harassment, 10, *See also* prohibited behavior.
- smart phones. *See* electronic devices.
- sorority, 28, 63
- special education, 17
- standards for student conduct, 8
- student handbook
  - conflict with Student Code of Conduct, 2
- students with disabilities, 2, 42
  - discipline management techniques, 17
  - transportation while in DAEP, 38
- suspension
  - in-school. *See* discipline management techniques.
  - out-of-school, 19, 25–26
- technology resources
  - district policy, 14
  - See also* computers.
- telecommunications devices. *See* electronic devices.
- threat assessment, 4, 29, 33
- time-out. *See* discipline management techniques.
- Title 5 offenses. *See* crimes.
- transfers
  - campus assignments, 33
- transportation, 3
  - discipline management techniques, 19
  - rules for conduct, 9
  - while in DAEP, 38



## Board Exhibit Cover Sheet

**Meeting Date:** August 20, 2020

**Agenda Item/Exhibit Number:** II.F.15.

**Agenda Item Title:** Consider approval of Interlocal Agreement with City of Beaumont concerning Crossing Guards

**Cabinet Level Presenter(s):** Cheryl Hernandez

**Additional Presenter(s):**

**Executive Summary:** Beaumont ISD and the City of Beaumont partner to provide crossing guards for all BISD campuses. Currently BISD employs the crossing guards and the City of Beaumont reimburses BISD for half of all expenses related to the program. The agreement as presented renews the program as it is currently operating.

**Recommendation:** Approve the Interlocal Agreement with the City of Beaumont and authorize the Superintendent to negotiate, finalize, and execute any additional terms of the agreement.

**Budget Impact\* (if applicable):**

**Funding Source (if applicable):**

**Compliance with Purchasing Guidelines (list applicable guidelines, including grant requirements):** N/A

**Policy Reference (if applicable, list policy/regulation):**

**Legal Review (if necessary, list attorney and firm):** N/A

  
\_\_\_\_\_  
Cabinet Level Presenter's Signature

8/18/20  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\*CFO Signature (required if there is a budget impact)

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel's Signature

\_\_\_\_\_  
Date

**INTERLOCAL AGREEMENT BETWEEN:  
CITY OF BEAUMONT, TEXAS & BEAUMONT INDEPENDENT SCHOOL DISTRICT**

This Interlocal Agreement (“the Agreement”) is entered into by and between the City of Beaumont, (“City”), and the Beaumont Independent School District, (“District”) (collectively referred to herein as the “Parties”), entities that are authorized to enter into interlocal agreements in accordance with Section 791.001, et. seq., of the Texas Government Code.

WHEREAS, the District, currently operates a School Crossing Guard program (the “Program”),

WHEREAS, the City and the District share the expense of funding the program equally,

WHEREAS, the purpose of the program is to ensure students’ safety as they come and go to the District’s campuses using city road ways,

WHEREAS, the Board of Trustees determines that student safety and student transportation are important educational and public purposes, and the program benefits these educational and public purposes; NOW THEREFORE the parties agree as follows:

**Article I: Purpose of the Agreement**

The purpose of this Agreement is to provide the terms and conditions whereby the District and the City will continue to fund the Program in accordance with the ongoing spirit of cooperation between the City and the District with regard to the sharing of resources and the mutual concern for safety, and to maximize efficiency for the benefit of the students, citizens, and taxpayers of the City.

**Article II: Terms of the Agreement**

This Agreement will be in effect for annual periods coinciding with the District’s fiscal year. It will automatically renew on its effective anniversary unless terminated sooner by either party upon thirty days prior written notice or immediately upon written notice by either party if termination is due to unavailability or failure to budget funds by either party.

Unless otherwise stated herein, any notice under this Agreement shall be in writing and directed to the following individuals:

To City: City of Beaumont  
Kyle Hayes, City Manager  
P.O. Box 3827  
Beaumont, Texas 77704  
Telephone: 409-880-3725  
Email: kyle.hayes@beaumonttexas.gov

To District: Beaumont Independent School District  
Dr. Shannon Allen, Superintendent  
3395 Harrison Avenue  
Beaumont, Texas 77706  
Telephone: (409) 617-5000  
Email: spier@bmtisd.com

### **Article III: Obligation of District**

District agrees to provide overall management and administration of the program and its employees, including documentation to support invoices submitted to the City.

District will provide training for all Crossing Guards in traffic directions as defined by the basic peace officer course curriculum established by the Commission on Law Enforcement Standards and Education.

### **Article IV: Obligation of City**

The City agrees to compensate the District for half of all expenses related to the crossing guard program, not to exceed \$90,000 annually. No crossing guards are eligible to collect overtime or other special pay.

The City will reimburse the District via a biannual invoice. The first invoice will be submitted by January 15 and due no later than February 15. The second invoice will be submitted by June 15 and due no later than July 15.

### **Article V: Indemnity**

To the extent permitted by Texas law, the parties agree to hold harmless one another and to not be liable to the other party for any and all claims, causes of action, suits, damages, including but not limited to, lost profits, special, incidental, consequential or punitive damages, whether in tort, for breach of contract, breach of warranties, express or implied, or otherwise. Neither party warrants that any duties and

obligations performed hereunder will be without defect or interruption. The parties agree to work cooperatively and to use best efforts to execute the Program.

### **Article VI: Venue & Applicable Law**

The parties agree that the venue in any legal action brought pursuant to this agreement shall lie in Jefferson County, Texas. The validity of this agreement and its terms and provisions, as well as the rights and duties of the parties, shall be governed by the law of the State of Texas.

### **Article VII: Merger & Severability**

This Agreement constitutes the entire agreement between the parties with respect to the subject matter of school crossing guards, and supersedes any prior understanding or agreements, whether written or oral, between the parties with respect to the subject matter of this Agreement. No amendment, modification, or alteration of the terms of this Agreement will be binding on either party unless the same is in writing, dated subsequent to the date of this document, and is duly executed by an authorized person acting for the party against whom enforcement is sought. Should any clause become unenforceable due to illegality, it shall be stricken and the remainder of the agreement enforceable.

### **Article VIII: Intended Parties and Authority**

There shall be no third party beneficiaries with any rights whatsoever as to either party under this Agreement. Both parties acknowledge they have the legal authority to enter into this Agreement and commit to the terms herein, and the parties hereby agree to be bound by such terms.

This Agreement is effective on the date of the last signature obtained below.

AGREED:  
City of Beaumont

AGREED:  
Beaumont ISD

By: \_\_\_\_\_  
Kyle Hayes, City Manager

By: \_\_\_\_\_  
Shannon Allen, Superintendent

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

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